



**Meeting Minutes**  
**North Hampton Planning Board**  
**Tuesday, January 3, 2017 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription.

**In attendance:** Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Phil Wilson, Dan Derby, Josh Jeffrey, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Chair Harned called the meeting to order at 6:35 pm.

**I. New Business**

- 1. Case #17:01 – Applicant: Seacoast Harley-Davidson/Seacoast Motorcycles, P.O. Box 1740, 17 Lafayette Road, North Hampton, NH 03862.** The Applicant requests a change of use to add event areas at the motorcycle dealership site. Property Owner: Black Marble Realty Trust, P.O. Box 1740, North Hampton, NH 03862; Property Location: 17 Lafayette Road, North Hampton, NH; M/L 003-086-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Andrew Janiak, Director of Facilities - Seacoast Harley-Davidson.

Mr. Janiak addressed the Board. Mr. Janiak presented an updated site plan indicating events areas and additional parking areas for events on the motorcycle dealership site. The intent of the plan was to delineate event and parking areas on the site to facilitate Town Departments review of events connected to large gathering permit process. The maximum number of events would be 12 in one calendar year. Events would occur between the hours of 8:00 am and 7:00 pm.

Mr. Harned asked Mr. Janiak to clarify what he was seeking from the Planning Board.

Mr. Janiak explained that he was seeking the Board's approval of the event use for the site to satisfy the Town Administration's desire to ensure safe operation of large events on the site.

Ms. Rowden stated that the proposed number of large events presented an intensification of the use of the site which may not be incidental to the business use. The Board may need to review to ensure that the site is capable of handling the large events on a regular basis.

Mr. Wilson stated that events are not listed in the regulations as a permitted use. Therefore, the Board cannot authorize a use that is not listed in the regulations. In addition, Mr. Wilson stated that he believes that the large events are an incidental use and essential to the marketing operations of the business. The Select Board regulates large events using the large gathering permit process. The Select Board, not the Planning Board, is the appropriate authority to review the matter.

Ms. Monaghan stated that some of the large events associated with the Seacoast Harley-Davidson business, such as large charity rides, are not incidental uses.

Mr. Maggiore suggested that the Select Board may review the large gathering permit process to address issues raised by this application.

**Mr. Wilson moved that the Planning Board finds that the Planning Board does not have jurisdiction to consider the application presented by Seacoast Harley-Davidson. Second by Mr. Maggiore.**

Discussion of the motion – Mr. Harned stated that the Board should not accept this type of application and possibly circumvent the large gathering permit process. It is the responsibility of the public safety officials to determine the appropriate administration of the process.

**The vote was unanimous in favor of the motion (6-0).**

## **II. Public Hearing**

**Town of North Hampton, NH** review of amendments to zoning ordinances for inclusion on the 2017 Town Warrant. (2017 Town Ballot language and 2017 Zoning Amendments language attached as Appendix A to these minutes.)

1. Town of North Hampton, NH: New Section Solar Arrays - Revisions intended to establish permitting regulation for the installation of solar panels and solar arrays within all zoning districts of the Town of North Hampton. Second Public Hearing.

Mr. Harned presented proposed language revisions for Solar Arrays new section with changes based on comments made by the Board at the December 20, 2016 meeting.

Mr. Wilson suggested that the specific title 'Public Utilities Commission' replace the general term 'commission.' Mr. Wilson also suggested other minor grammatical changes.

Ms. Rowden stated that there was a conflict between the new subsection 518.6.E and subsection 518.7 regarding what type of solar array system is allowed with the group net-metering process. One section allows ground mounted systems. The other section does not allow ground mounted systems.

The Board came to a consensus without objection to:

- a. move subsection 518.7 ahead of subsection 518.6 and renumber the subsections accordingly
- b. add "...except as provided in Section 518.7.E below" to the end of the renumbered subsection 518.6.

Mr. Harned opened the public hearing at 7:28pm. No comments were made. Mr. Harned closed the public hearing at 7:29pm.

**Mr. Wilson moved that the Planning Board place the proposed revisions language to the Town of North Hampton Zoning Ordinance New Section Solar Arrays and Section 302 Definitions – Essential Services on the 2017 Town Warrant as amended at the January 3, 2017 meeting. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (6-0).**

- 95           2. Town of North Hampton, NH: Section 409 Wetland Conservation Areas - Revisions intended to:  
96           a. add a 25 foot vegetative buffer zone distance within the 100 foot buffer zone setback  
97           requirement from Tidal Lands, Wetlands, and Isolated Non-Bordering Wetlands beginning at  
98           the outermost boundary of a wet area,  
99           b. clarify the permitted and prohibited uses within various portions of the Wetland  
100           Conservation District, and  
101           c. clarify the conditional use permit process for construction and other activities in the  
102           Wetland Conservation District.  
103           First Public Hearing.

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105 Mr. Harned presented proposed language revisions for Section 409 Wetland Conservation Areas with  
106 changes based on comments made by the Board at the December 20, 2016 meeting.

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108 Mr. Wilson suggested replacing the term 'inland wetlands' in the first paragraph of subsection 409.5  
109 with 'Isolated Non-Bordering Wetlands.' Other minor grammatical changes were suggested.

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111 Mr. Harned asked the Board for guidance regarding the definition of the term 'permanent' as meaning  
112 '60 days or longer' in subsection 409.7.4.A and 'greater than 60 days' in subsection 409.7.4.E. The Board  
113 came to a consensus without objection to retain the 60 day language in the proposed ordinance  
114 revisions.

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116 Mr. Harned opened the public hearing at 7:47pm. No comments were made. Mr. Harned closed the  
117 public hearing at 7:48pm.

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119 **Mr. Wilson moved that the Planning Board place the proposed revisions language to the Town of**  
120 **North Hampton Zoning Ordinance Section 409 Wetland Conservation Areas on the 2017 Town**  
121 **Warrant as amended at the January 3, 2017 meeting. Second by Ms. Monaghan. The vote was**  
122 **unanimous in favor of the motion (6-0).**

123  
124 **III. Other Business**

125           1. Minutes.

126 Mr. Harned presented the minutes of the December 20, 2016 Planning Board meeting.

127 **Mr. Wilson moved that the Planning Board accept the minutes of the December 20, 2016 Planning**  
128 **Board meeting as written. Second by Ms. Monaghan. The vote was unanimous in favor of the motion**  
129 **(6-0).**

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131 The meeting was adjourned at 7:51pm without objection.

132  
133 Respectfully submitted,

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136  
137 Rick Milner  
138 Recording Secretary