



**Meeting Minutes**  
**North Hampton Planning Board**  
**Tuesday, July 5, 2016 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

7  
8  
9 These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a  
10 transcription.

11  
12 **In attendance:** Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Dan Derby, Phil Wilson, Josh  
13 Jeffrey, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick  
14 Milner, Recording Secretary.

15  
16 Chair Harned called the meeting to order at 6:35 pm. Mr. Harned announced that there were several  
17 cases scheduled to be heard. Planning Board rules and procedures state that no new business may begin  
18 after 9:30 pm. If necessary, the Board will need to vote to waive the rule.

19  
20 **I. Old Business**

- 21 **1. Case #16:05 – Applicant, Tom Bear, 9A Lafayette Road, Hangar # 11, North Hampton, NH**  
22 **03862.** The Applicant requests a change of use from the previous airplane hangar use to a  
23 proposed office and airplane hangar use. Property Owner: Hampton TCB, LLC; Property  
24 Location: Hampton Airfield, Cedar Road and Lafayette Road, North Hampton, NH; M/L 003-061-  
25 000; Zoning District: I-B/R, Industrial - Business /Residential District.

26  
27 In attendance for this application:

28 Tom Bear, applicant; Robert Casassa, attorney for the applicant; and Craig Hawley.

29  
30 Mr. Casassa addressed the Board. Mr. Casassa stated that the applicant's intention is to convert space  
31 within the airplane hangar for an office use which is complimentary to the airplane hangar use and  
32 permitted by the zoning ordinance. The converted space would provide an office component for  
33 aviation repair business based in Lawrence, MA. Most repairs would occur in Lawrence. Office space  
34 could be used to have meetings with employees in a less hectic atmosphere than can be provided by the  
35 busy Lawrence location. Events mentioned at the previous meeting would be conducted in conjunction  
36 with the airfield business on the opposite side of the airfield, not at the hangar. A bathroom and shower  
37 would be included to supplement the office use for three people.

38  
39 Mr. Cassassa stated that this case was continued from the previous meeting in order to research  
40 allowed uses for the hangars on the airfield site. There were no restrictions for the use of the hangars  
41 indicated on a 2006 approved site plan. Mr. Cassassa also noted that a change of use application  
42 allowing an office in another hangar was approved by the Planning Board in 2003.

43  
44 Mr. Wilson stated that the 2003 approval was for a small office within a hangar with no need for  
45 associated water facilities located on the eastern side of the airfield site. The eastern side of the airfield  
46 has established businesses-offices and adequate septic systems which is not the case on the western  
47 side of the airfield where Hangar #11 is located. The western side hangars were originally approved for

48 storage of aircraft only. If the change of use is approved for an office with water and septic needs for  
49 Hangar #11, then a change of use with similar needs would have to be approved for all of the hangars on  
50 the western side of the airfield. The proposed changes to individual hangars are significant and cannot  
51 be considered separately due to the site's location within the Aquifer Protection District and complexity  
52 of the site. The site could potentially become an office park in addition to an airfield. The Planning Board  
53 must take into consideration the impact to the entire site if offices similar to the applicant's proposal  
54 were allowed in all of the hangars. The whole picture of the proposed changes must be presented on  
55 one site plan for the entire airfield site submitted by the property owner.

56  
57 Ms. Monaghan stated her concern how the proposed changes may affect the septic system  
58 requirements on the site. Previous change of use was approved with no sanitary facilities included.

59  
60 Mr. Derby stated that the Planning Board needs to consider the application in the context of what the  
61 proposed change means for the entire site.

62  
63 Mr. Maggiore stated that the applicant's intention to add a kitchen area and bathroom to the hangar  
64 space is a concern as it relates to the septic requirements. Parking and vehicle access issues need to also  
65 be considered.

66  
67 Mr. Jeffrey stated his concern that the change of use as proposed by the applicant may increase vehicle  
68 traffic to the hangar. Vehicle access to the hangar is the same taxi way access used by planes. There is  
69 no separate access for possible increased vehicle traffic to the hangars related to business and office  
70 use. The comingling of vehicle and airplane traffic needs to be considered in more detail.

71  
72 Ms. Monaghan stated that the Board needs to see all types of proposed expansion for the airfield site in  
73 total, not in separate pieces.

74  
75 **Mr. Wilson moved that the Planning Board decline to accept jurisdiction of the change of use**  
76 **application for Hangar #11 due to the fact that the Planning Board has found that in order to properly**  
77 **evaluate the application a site plan for the entire airfield needs to be submitted. Second by Ms.**  
78 **Monaghan. The vote was 5-1 in favor of the motion with Mr. Maggiore opposed.**

79  
80 Mr. Maggiore stated that he was opposed to the motion due to the fact that he did not understand how  
81 the decision will affect the next steps in the process for considering the applicant's request.

82  
83 Mr. Wilson stated the following potential options:

- 84 a. The property owner may present a site plan for the entire site which incorporates the
- 85 applicant's proposed changes and any other proposed changes for other hangars/facilities.
- 86 b. The property owner may decide not to present any changes for the hangars/facilities.
- 87 c. The applicant may revise his application to include only a small office space with a desk and no
- 88 additional supplementary features which would require septic or plumbing systems.

89  
90 **II. New Business**

- 91 **1. Case #16:07 – Applicant, Robert Cross, P.O. Box 700, North Hampton, NH 03862.** The Applicant
- 92 requests a waiver from the requirements of the Town of North Hampton Subdivision
- 93 Regulations Section XII – Manufactured Home Parks for Shel-Al Estates mobile home community

94 located at 115 Lafayette Road. Property Owner: Luck Enterprises, Inc., P.O. Box 700, North  
95 Hampton, NH 03862; Property Location: 115 Lafayette Road, North Hampton, NH 03862; M/L  
96 013-071-000; Zoning District: I-B/R, Industrial - Business /Residential District.

97 In attendance for this application:

98 Robert Cross, applicant

99

100 Mr. Cross addressed the Board. Mr. Cross stated that the Shel-AI Estates mobile home park located at  
101 115 Lafayette Road was created in the 1950's and expanded prior to current regulation requirements.  
102 Several older manufactured homes need to be replaced. The construction of the replacement homes  
103 may not meet current standards for frontage along the roadway, front setbacks, and sideline setbacks.  
104 He is seeking waivers from the current subdivision regulations to allow replacement of an older home as  
105 long as the placement of the newly constructed home is not more non-conforming than the location of  
106 the existing older home. Mr. Cross further stated that, since no actual lot line exists between the lands  
107 associated with each home, he would consider the distance between the nearest points of neighboring  
108 homes to be the sideline setback.

109

110 Mr. Cross further stated that he sees only one circumstance on the entire property where a replacement  
111 home location may be more non-conforming than the existing home location. Many of the replacement  
112 home locations would actually be less non-conforming than the existing home locations.

113

114 Mr. Derby stated that the applicant was seeking the creation of a principal that would define the waiver  
115 requirement for the entire site, not individual home locations.

116

117 Mr. Maggiore stated the Fire Chief's concern that the space between buildings may change when a  
118 replacement home is constructed. The Fire Department would like to inspect replacement home  
119 locations prior to construction to ensure adequate emergency services access.

120

121 Mr. Cross stated that the existing space between buildings will not decrease when the replacement  
122 homes are built.

123

124 **Mr. Wilson moved that the Planning Board take jurisdiction of the waiver request application for the**  
125 **Shel-AI Estates mobile home community. Second by Ms. Monaghan. The vote was unanimous in favor**  
126 **of the motion (6-0).**

127

128 Mr. Harned opened the public hearing at 7:48 pm.

129

130 Nancy Tuttle addressed the Board. Ms. Tuttle stated that allowing replacement homes to be built as  
131 proposed by Mr. Cross will help the town tax base by creating newer buildings with a higher assessed  
132 value than older, run-down homes. She indicated her desire that all homes within the mobile home park  
133 be included in the Board's waiver decision to allow herself and others to be able to build a new home.

134

135 Mr. Harned closed the public hearing at 7:53 pm.

136

137 Mr. Wilson suggested that the Board use the language included in Ms. Rowden's review letter to define  
138 the Board's waiver requirements for the entire mobile home park.

139 **Mr. Wilson moved that the Planning Board grant a waiver to allow manufactured housing units on**  
140 **Lot 13-71 to be replaced as long as the existing setbacks do not become more non-conforming to the**  
141 **road, side, and rear yard setbacks in Subdivision Regulation XII.E & F. Second by Mr. Jeffrey. The vote**  
142 **was unanimous in favor of the motion (6-0).**  
143

144 **2. Case #16:08 – Applicants, Annette Lee and Nicole Carrier, 2 Elm Road, North Hampton, NH**  
145 **03862.** The Applicants request a site plan review to amend previous site plan approvals by  
146 making improvements to current business operations for Throwback Brewery located at 2 Elm  
147 Road including building expansion, parking expansion, and creation of outdoor events area. The  
148 Applicants request a waiver to the requirements of the Town of North Hampton Site Plan  
149 Regulation Section X.B.1 – Parking area pavement. The Applicants also request Conditional Use  
150 Permits for monument and wall signs associated with the business. Property Owner: Annette  
151 Lee and Nicole Carrier, 2 Elm Road, North Hampton, NH 03862; Property Location: 2 Elm Road,  
152 North Hampton, NH 03862; M/L: 013-009-000; Zoning District: I-B/R, Industrial –  
153 Business/Residential District, and R-1, High Density District.  
154  
155

156 In attendance for this application:

157 Annette Lee, applicant; Michael Sievert, engineer for the applicant.  
158

159 Mr. Maggiore stepped down from the Board.

160 Ms. Lee addressed the Board. Ms. Lee presented her plan to expand the existing brewery and restaurant  
161 business. The improvements included:

- 162 a. Expand existing building to increase kitchen space, dairy barn area for assembly, and north side  
163 entrance area to allow for second floor access and egress;
- 164 b. Increase allowed interior assembly areas within the first floor brewery area and on the second  
165 floor;
- 166 c. Increase allowed event areas to include second floor of building and 50 foot by 60 foot outdoor  
167 grass area;
- 168 d. Increase parking to accommodate increased business and proposed event use; additional  
169 parking spaces along both sides of the access drive to the business; gravel surface for parking  
170 areas; and a 79 space grassed parking area to be used for event overflow parking only;
- 171 e. Add a 3 foot by 6 foot directional sign near the intersection of Lafayette Road and Hobbs Road;  
172 add 6 foot by 6 foot sign artwork to the existing silo on the property.  
173

174 Ms. Lee presented waiver requests to allow parking areas not to be paved and allow the proposed signs.  
175 Ms. Lee stated that she is aware that the proposed location of the 79 space grassed parking area within  
176 the R-1 Zoning District section of the property will require the granting of a variance by the Zoning Board  
177 of Adjustment (ZBA). She intends to file a variance request application with the ZBA.  
178

179 Mr. Harned suggested that the Board consider the applicant's waiver requests.

180 Ms. Rowden suggested that the waiver requests for the sign conditional use permits be considered  
181 separately from the site plan application.  
182

183 **Mr. Wilson moved that the Planning Board grant the waiver from the Town of North Hampton Site**  
184 **Plan Regulations Section X.B.1 to allow the existing and proposed gravel parking areas not to be**

185 **paved as proposed in the amended site plan application for improvements to the Throwback Brewery**  
186 **business at 2 Elm Road. Second by Mr. Jeffrey.**

187 Discussion of the motion –

188 Ms. Monaghan asked if the number of events that may occur on the site affect whether the parking  
189 areas need to be paved.

190

191 Ms. Rowden stated that the number of events is only a consideration for the larger grassed overflow  
192 parking area.

193

194 Mr. Wilson stated that a gravel surface allows for less storm water run-off and better infiltration of  
195 water into the ground.

196 **The vote was unanimous in favor of the motion (5-0).**

197

198 **Mr. Wilson moved that the Planning Board take jurisdiction of the amended site plan application for**  
199 **improvements to Throwback Brewery business at 2 Elm Road. Second by Ms. Monaghan. The vote**  
200 **was unanimous in favor of the motion (5-0).**

201

202 Mr. Harned opened the public hearing at 8:52 pm.

203

204 Paul Fitzgibbons addressed the Board. Mr. Fitzgibbons stated that his primary concern was with the  
205 additional 79 space grassed parking area for overflow event parking which is proposed to be located  
206 within the residential R-1 zoning district. The encroachment of I-B/R zoning district uses into the R-1  
207 zoning district is detrimental to abutters. Occasional events may become more frequent over time.  
208 When original site plan for this business was approved, there was no intent to use the R-1 section of the  
209 property for business purposes. The extension of parking into the grassed area and along the access  
210 drive closer to Hobbs Road will create more traffic and headlights shining on his property. If the parking  
211 is approved in the current location within the R-1 zoning district, it sets a precedent to allow more  
212 parking on the remaining unused sections of the property within the R-1 zoning district. More screening  
213 is needed than shown on the proposed plan to reduce glare from existing business traffic and potentially  
214 increased business traffic. Lights from vehicles and possible expansion of parking on the property will  
215 diminish the privacy on his property.

216

217 Jan Staalenburg addressed the Board. Mr. Staalenburg expressed his concern that the proposed  
218 expansion would increase the traffic to and from the property. Proposed events would increase noise  
219 from the property. The Board should consider what type of controls could be established to ensure  
220 noise does not become a problem for abutters in the future.

221

222 Mr. Harned closed the public hearing at 9:03 pm.

223

224 Ms. Lee stated that parking is already taking place in the proposed expanded areas. The structured  
225 parking shown on the plan would improve the current parking situation. Existing screening will improve  
226 over time as the current trees and other plantings grow more in the future. Events would be seasonal in  
227 nature and generally occur during daylight hours. She is open to Board recommendations regarding  
228 additional screening.

229

230 Mr. Derby asked if the applicant intended to operate all possible event areas at once.

231

232 Ms. Lee responded that the second floor and outdoor event areas would not be used at the same time.

233

234 Ms. Monaghan stated her concern regarding growing changes of use on this property. The original  
235 intended use for the property was farming and beer making. The current use has added a restaurant and  
236 bar. The proposed use will further expand the use for large events. This continued growth may create a  
237 situation where the overflow parking may be used on a regular basis, not just for occasional events.

238

239 Mr. Harned suggested that additional screening or fencing be added to the 29 space parking area along  
240 the access drive from Hobbs Road to prevent headline glare near the property line. He also suggested  
241 adding more plantings along the property line with the abutter closest to the proposed parking areas to  
242 provide additional screening.

243

244 Mr. Wilson stated that the Board should attempt to mitigate the effects of the proposed changes on  
245 abutters by encouraging the applicant to develop ways to provide more screening around grassed event  
246 overflow parking area.

247

248 Mr. Derby suggested that the Board conduct a site walk at the property in order to get a better  
249 understanding of the proposed parking area layouts in relation to the abutting properties.

250

251 Mr. Harned re-opened the public hearing at the request of an abutter at 9:33 pm.

252

253 Mr. Fitzgibbons stated that the Board should consider how the proposed plan may potentially diminish  
254 abutters' property values. The boundary between the R-1 and I-B/R zoning districts was established for a  
255 reason and should not be encroached upon.

256

257 Mr. Maggiore, speaking as an abutter, stated that traffic safety at intersections with Route 1 and other  
258 roads is a concern for the Town.

259

260 Mr. Harned closed the public hearing at 9:40 pm.

261

262 Mr. Harned suggested that a chain could be placed across the entrance to the grassed overflow parking  
263 area to prevent this area from being used on a regular basis.

264

265 Mr. Jeffrey suggested that the angles of the proposed parking spaces could be reconfigured to help  
266 reduce glare of headlights on abutting properties.

267

268 Ms. Rowden suggested that the Board consider scheduling the proposed site walk after the July 26 ZBA  
269 meeting and before the August 2 Planning Board meeting.

270

271 **Mr. Derby moved that the Planning Board conduct a site walk on July 28, 2016 at 8:00 am at the**  
272 **Throwback Brewery property located at 2 Elm Road. Second by Mr. Wilson. The vote was unanimous**  
273 **in favor of the motion (5-0).**

274

275 **Mr. Wilson moved that the Planning Board continue Case #16:08 to the August 2, 2016 meeting.**  
276 **Second by Mr. Jeffrey. The vote was unanimous in favor of the motion (5-0).**

277

278 Ms. Lee requested that consideration of the sign conditional use permit applications is continued to the  
279 August 2, 2016 meeting.

280

281 **Mr. Wilson moved that the Planning Board grant a continuance of the Sign Conditional Use Permit**  
282 **applications to the August 2, 2016 meeting. Second by Ms. Monaghan. The vote was unanimous in**  
283 **favor of the motion (5-0).**

284

285 Mr. Maggiore returned to the Board.

286 Mr. Harned asked the Board to consider waiving its rule to not consider any new business after 9:30 pm  
287 at 10:03 pm.

288 **Mr. Wilson moved that the Planning Board waive Rules of Procedure Section VI.1.1.2 to conduct new**  
289 **business after 9:30 pm in order to discuss Case #16:09. Second by Ms. Monaghan. The vote was**  
290 **unanimous in favor of the motion (6-0).**

291

292 **3. Case #16:09 – Applicant, Hampton TCB, LLC, 953 Islington Street Suite 23D, Portsmouth, NH**  
293 **03801.** The Applicant requests a site plan review to amend previous site plan approvals by  
294 constructing a 3,500 square foot building for restaurant and offices and a 10,500 square foot  
295 hangar with associated pavement improvements at Hampton Airfield. The Applicant also  
296 requests a Conditional Use Permit to allow construction of buildings and other site  
297 improvements within the Aquifer Protection District. Property Owner: Hampton TCB, LLC, 953  
298 Islington Street Suite 23D, Portsmouth, NH 03801; Property Location: Hampton Airfield, Cedar  
299 Road and Lafayette Road, North Hampton, NH 03862; M/L: 003-061-000; Zoning District: I-B/R,  
300 Industrial – Business/Residential District.

301

302 In attendance for this application:

303 Todd Baker, applicant; Peter Saari, attorney for applicant; Dennis Quintal, engineer for the applicant;  
304 Keith Pattison, Dana Truslow, and Carol Niewola.

305

306 Mr. Saari addressed the Board. Mr. Saari stated that the intention of the amended site plan is to create  
307 improvements that will rehabilitate the facilities, provide greater safety, and improve the general  
308 appearance of the site. The improvements included:

- 309 a. new hangar to provide ease of access and security for planes;
- 310 b. expanded restaurant to address increased customer volume;
- 311 c. pavement improvements around proposed new hangar location and neighboring hangars;
- 312 d. new septic system.

313

314 Mr. Quintal addressed the Board. Mr. Quintal noted the following features of the amended site plan:

- 315 a. a proposed 50 foot by 70 foot building with a restaurant on the first floor and offices on the  
316 second floor;
- 317 b. the old restaurant building will be used for airfield operations;
- 318 c. new septic system required due to larger restaurant capacity and proposed restaurant building  
319 location encroaches on the existing leach field location;
- 320 d. The proposed plan adds slightly more impervious coverage to the site. A revised stormwater  
321 management and drainage report has been submitted to address this issue.

322

323 Mr. Quintal presented the Town Engineer's project review letter to the Board and discussed several  
324 points raised in the letter.

325 Mr. Harned suggested that some points in the Town Engineer's letter need to be addressed prior to the  
326 application being deemed complete.

327

328 Ms. Monaghan asked for clarification regarding the access to proposed parking which appears to be  
329 located on property owned by B & M Railroad.

330

331 Mr. Quintal stated that two parking spaces and access way to parking are located on the railroad  
332 property and have existed previously by prescriptive easement.

333

334 Mr. Saari stated that the parking area has existed for many years without objection by the railroad  
335 company. If a problem arose, the applicant would have to submit a revised plan which moves the  
336 parking spaces.

337

338 Ms. Rowden stated that any consequences from placing the parking spaces in the proposed location fall  
339 on the land owner, not the Town of North Hampton.

340

341 Ms. Truslow presented the findings of a revised hydrogeological report which supplemented the report  
342 provided for last year's airfield paving project. Testing indicated good ground water quality with no  
343 volatile organic compounds detected.

344

345 Mr. Derby suggested that the periodic water quality testing and monitoring reports be submitted to the  
346 Town of North Hampton when completed.

347

348 Ms. Niewola presented the findings of a NHDOT report evaluating the proposed improvements. The  
349 height of the proposed buildings does not exceed FAA maximum height requirements. The  
350 improvements do not appear to negatively affect site drainage. Proposed hangar sizes are adequate.  
351 Proposed taxi ways may be acceptable with proper knowledge of conditions being provided to pilots.

352

353 Mr. Harned asked the Board members at 11:05 pm if discussion of this case should continue at this time  
354 or be continued to the next meeting.

355

356 Ms. Rowden advised the applicant to consider the site plan issues raised during discussions for Case  
357 #16:05 regarding changes proposed for Hangar #11 on the airfield site.

358

359 Mr. Jeffery stated that more information was necessary prior to taking jurisdiction of the application.

360

361 Mr. Saari requested that consideration of the site plan application for the Hampton Airfield is continued  
362 to the August 2, 2016 meeting.

363

364 **Ms. Monaghan moved that the Planning Board grant a continuance of Case #16:09 to the August 2,**  
365 **2016 meeting. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (6-0).**

366

367 The meeting was adjourned at 11:12 pm without objection.

368

369 Respectfully submitted,

370 Rick Milner

371 Recording Secretary