



Meeting Minutes
North Hampton Planning Board
Tuesday, June 5, 2018 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, Wally Kilgore, and Jim Maggiore, Select Board Representative; Alternate Member Lauri Etela; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

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

Mr. Harned appointed Mr. Etela to stand in for Mr. Belluche.

I. New Business

- 1. Case #17:06 – Applicant, MAC Construction – Robert MacDonald, 90 Lovering Road, North Hampton, NH 03862.** The Applicant requests a one year extension to the conditional approval granted on July 18, 2017 to construct a 5,400 square foot commercial building with associated site improvements for proposed retail, office, and outside material storage uses at 227 Lafayette Road. Property Owner: MAC Properties Lafayette LLC, 90 Lovering Road, North Hampton, NH 03862; Property Location: 227 Lafayette Road, North Hampton, NH 03862; M/L: 020-012-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Robert MacDonald, applicant; Colby Gamester, attorney for the applicant.

Mr. Gamester addressed the Board. Mr. Gamester stated that some of the site plan corrections required by the original conditional approval have been addressed. Unanticipated delays associated with the New Hampshire Department of Transportation (NHDOT) driveway permit process have held up the completion of the Planning Board approval conditions.

Mr. Gamester also acknowledged that the Town of North Hampton has had concerns regarding the use of the lot for storage of materials and equipment and the overall look of the lot. He presented photos to the Board which showed that many items had been cleared off the lot. Mr. Gamester stated that Mr. MacDonald's daily business operations on the lot ceased in the Fall of 2017.

Mr. Gamester stated that Mr. MacDonald estimates that within 90 days the following items will be completed:

- a. NHDOT driveway permit approval
- b. site plan submittal addressing conditions of approval for final review
- c. necessary information for determining performance security amounts will be obtained
- d. remove remaining items from lot, including construction trailer, to keep the lot aesthetically pleasing.

Mr. Gamester further stated that, within 30 days after completion of the site plan condition approval requirements, Mr. MacDonald anticipated submitting building construction plans to the Town to obtain a building permit and begin construction. Based on the information provided to the Board, Mr. Gamester requested a one year extension to the conditional approval granted on July 18, 2017 to construct a 5,400 square foot commercial building at 227 Lafayette Road.

Ms. Monaghan asked when the applicant began the NHDOT driveway permit approval process.

Mr. Gamester stated that the process began in June 2017. Communication with NHDOT has continued throughout the Fall and Winter of 2017 and the Spring of 2018.

Ms. Monaghan asked if further clean-up of the site will continue prior to construction, specifically the items near the northerly lot line.

Mr. Gamester stated that the applicant intended to clean-up the items remaining near the northerly lot line.

Mr. Wilson asked for clarification regarding the topography changes to the site as a result of fill used on the site.

Mr. MacDonald stated that the fill was used to get the subgrade of the site to the topography levels shown on the approved site plan. Due to removal of approximately 12 inches of soil and addition of 30 inches of fill, the topography of the site was raised by approximately 18 inches.

Mr. Etela stated that the Breakfast Hill historical sign located near the property needs to be protected and not disturbed during construction activities.

Mr. Wilson moved that the Planning Board grant a one year extension to July 18, 2019 of the Conditional Approval for Case #17:06 to construct a 5,400 square foot commercial building with associated site improvements for proposed retail, office, and outside material storage uses at 227 Lafayette Road subject to the condition that the applicant submit a letter to the Planning Board affirming the intention to protect and preserve the historical sign for Breakfast Hill during any work done on the project. Second by Mr. Derby. The vote was unanimous in favor of the motion (6-0).

2. Case #18:08 – Applicant: I & M Realty, LLC – Brent Flemming, 60 Lafayette Road, North Hampton, NH 03862. The Applicant requests a preliminary consultation to discuss Wetlands Conservation District Conditional Use Permit process associated with proposed commercial building construction at 58 Lafayette Road site. Property Owner: Rocky Giuliano, LLC, 60 Lafayette Road, North Hampton, NH 03862; Property Location: 58 Lafayette Road; M/L: 007-118-000; Zoning District: I-B/R, Industrial – Business/Residential District and R-1, High Density District.

In attendance for this application:

Brent Flemming, applicant; Joe Coronati, engineer for the applicant; Tim Phoenix, attorney for the applicant; Jim Gove, wetlands/soil scientist for the applicant; and Charlie Hoyt, architect for the applicant.

Mr. Maggiore entered the meeting.

Mr. Coronati addressed the aboard. Mr. Coronati presented a preliminary site plan which indicated the current lot conditions and the proposed site improvements to the Board. Mr. Coronati stated that the applicant wished to improve an undeveloped and aesthetically unappealing site formerly used to store old vehicles and equipment by constructing a 15,600 square foot commercial building. The site would also be made more presentable with landscaping improvements to the current gravel-surfaced vacant space and fixes to the current building in the rear of the property. The new building would have multiple units which could be used by tradesmen/contractors for their shops and vehicle/equipment storage. The front face of the building could be used by a commercial business that would give the building an appealing look along Route 1.

Mr. Coronati noted that the proposed building would impact a large portion of the wetlands buffer area on the site. Conditional Use Permits issued by the Planning Board to allow fill in excess of 3,000 square feet and erecting a new structure within the Wetlands Conservation District will be required for the proposed project. The purpose of the preliminary consultation was to get information from the Board regarding:

- a. what kind of information the applicant would need to provide to satisfy the conditions for granting conditional use permits for this project
- b. whether or not the Board was willing to consider conditional use permit applications prior to the submittal of a full site plan to save the applicant the time and expense of preparing a full site plan and then have the conditional use permit request denied.

Mr. Wilson stated that it appears that the site was filled in the past. Adding more fill to the site may not be favorable for proper drainage in the area. A possible increase in stormwater flow as a result of development on the site may create a drainage bottleneck at the existing older culvert for the site. He believes that a report detailing the current drainage conditions and the drainage conditions created by the proposed development from the site all the way to the Winnicut River may need to be submitted to properly evaluate the effect of the proposed development on the wetlands.

Mr. Coronati stated that any development on the site would only improve the drainage situation on and around the site. Any new development would utilize modern stormwater management and treatment techniques. The current impervious site conditions offer no good stormwater management or treatment.

Ms. Rowden reminded the applicant and the Board members that all comments made at this meeting were non-binding for both the applicant and the Board. Ms. Rowden stated that procedurally there was nothing that prohibited the Board from considering a conditional use permit application prior to the submission of a site plan application. However, a significant amount of information which normally accompanies a site plan application would need to be provided to support a conditional use permit application.

Mr. Harned stated his opinion that impacts on wetlands should not be allowed without proper, thorough review by the Board. He is not in favor of the proposed plan. Mr. Harned asked if the applicant was willing to revise the size or location of the building to reduce the impact on the wetlands and the buffer area.

Mr. Derby suggested that the applicant submit a thorough description of the stormwater management plan detailing how current site drainage conditions will be improved by the proposed development. Much more specific details will need to be provided to the Board.

Ms. Monaghan stated that the proposed plan significantly intruded upon the wetlands buffer area. She asked if the applicant could reduce the size of the building or move the building on the site.

Mr. Coronati stated that the building needed to be a certain size to make the project economically feasible for the applicant. Also, the size of the lot and intended landscaping improvements restricted the ability to move the building.

Mr. Harned noted the conditions stated in the zoning ordinance that must be satisfied in order to issue a conditional use permit, specifically Section 409.10.D which states that no reasonable use of the lot could occur without the issuance of a conditional use permit. In his opinion, these conditions require a more thorough and detailed analysis of the proposed use and its potential impact on the wetlands and buffer area.

II. Other Business

1. Minutes.

Mr. Harned presented the minutes of the May 15, 2018 Planning Board meeting.

Mr. Wilson moved that the Planning Board accept the minutes of the May 15, 2018 Planning Board meeting as written. Second by Mr. Kilgore. The vote was 5-0-2 in favor of the motion with Mr. Harned and Mr. Etela abstaining.

2. Operating budget funds.

Ms. Rowden stated that the Long Range Planning Committee was working on a revision to the Master Plan Vision Chapter. The Planning Board operating budget contained funds in the special studies account line. Ms. Rowden suggested that the Planning Board consider using the available account line balance to fund professional review work associated with the Master Plan.

The Board came to a consensus without objection to consider the Long Range Planning Committee funding request at the June 19 work session.

The meeting was adjourned at 7:58pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary