



Meeting Minutes
North Hampton Planning Board
Tuesday, March 5, 2019 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: 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.

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

Ms. Monaghan appointed Mr. Etela to stand in for Mr. Harned.

Ms. Monaghan stated that, due to the less complicated nature of the case, she wished to place Case #19:04 as the first item on the agenda. No objections were raised.

I. New Business

1. Case #19:04 – Applicant: Town of North Hampton Conservation Commission, 233 Atlantic Avenue, North Hampton, NH 03862. The Applicant requests a lot line adjustment between properties located at 5 Squier Drive and Town of North Hampton Conservation Commission property. Property Owners: Daniel and Ellen Gregoire, 5 Squier Drive, North Hampton, NH 03862; Town of North Hampton Conservation Commission, 233 Atlantic Avenue, North Hampton, NH 03862. Property Locations: 5 Squier Drive, North Hampton, NH 03862 and back lot in vicinity of Mill Road and Squier Drive, North Hampton, NH 03862. M/L: 012-030-021 and 006-080-000; Zoning District: R-2, Medium Density District.

In attendance for this application:

Andrew Vorkink, Conservation Commission member; Lisa Wilson Conservation Commission Chair.

Mr. Derby recused himself from the Board.

Mr. Vorkink addressed the Board. Mr. Vorkink stated that the proposed lot line adjustment would create a 15 foot wide by approximately 230 foot long strip along the southerly border of the 5 Squier Drive property. The strip of land was being donated by the Gregoire's in exchange for elimination of a 1998 Town-owned access easement across the 5 Squier Drive and 7 Squier Drive lots. The purpose of the lot line adjustment was to allow passage between two Conservation Commission properties, Lots 006-079-000 and 006-080-000, and create a permanent and public access to landlocked lots. Mr. Vorkink further stated that the Select Board has agreed to release the easement rights and receive the 15 foot wide strip of land.

Ms. Rowden stated that, in her opinion, the application was complete and in conformance with the subdivision regulations.

Mr. Etela moved that the Planning Board find that the application is complete and take jurisdiction of the Lot Line Adjustment application for Case #19:04 between properties located at 5 Squier Drive (Tax Map/Lot 012-030-000) and Lot 006-080-000. Second by Mr. Maggiore. The vote was 4-0-1 in favor of the motion with Mr. Wilson abstaining.

Ms. Monaghan opened the public hearing at 6:44pm.

Abutter Mike Walzak addressed the Board. Mr. Walzak asked for confirmation that access to the Conservation Commission properties would not occur from Squier Drive in the future.

Mr. Vorkink confirmed that access to the Conservation Commission properties would not occur from Squier Drive in the future.

Abutter Dan Derby asked if any hiking routes have been mapped out on the Conservation Commission properties yet.

Mr. Vorkink stated that no routes have been mapped out yet. The current path off of Woodland Road would be used to access the different Conservation Commission lots. The site conditions of the different sections of the properties still need to be reviewed in order to determine the most appropriate routes.

Aimee Margolis asked for clarification regarding the location of the access path off of Woodland Road. Mr. Vorkink indicated the access path location. Ms. Margolis stated her concern that this location is at a dangerous point of Woodland Road. Increased traffic in this area may not be safe. Ms. Margolis also stated her concern with hunters and others mistakenly travelling off of the Conservation Commission properties and onto private property from the Woodland Road access path. This may occur more frequently in the future with increased foot traffic to the site.

Conservation Chair Lisa Wilson stated that the Woodland Road access is not being newly created. It has always been there. There will be no changes or hazardous situations created. There is a 50 foot wide opening that will allow cars to park off of the road. The conservation property is currently posted for no hunting. Access to conservation land by the public will be better in the future.

Mr. Wilson asked if the proposed plan is an improvement over the current situation.

Mr. Vorkink replied that the proposed plan is an improvement over the current situation. The proposal avoids landowner objections and possible litigation concerning the easement allowing access from Squier Drive.

Abutter Susan Hills suggested that the Conservation Commission research whether it was a violation of state law to prohibit hunting on conservation property.

Mr. Vorkink responded that the Higginson donation of land specified in the deed that no hunting be allowed on the property. This is a legally binding condition.

Ms. Monaghan closed the public hearing at 7:04pm.

Mr. Kilgore moved that the Planning Board approve the Lot Line Adjustment application for Case #19:04 between properties located at 5 Squier Drive (Tax Map/Lot 012-030-000) and Lot 006-080-000. Second by Mr. Etela. The vote was 4-0-1 in favor of the motion with Mr. Wilson abstaining.

Mr. Maggiore noted that the Conservation Commission has requested to have application fees waived.

Mr. Maggiore moved that the Planning Board approve the request to have application fees waived for Case #19:04. Second by Mr. Kilgore. The vote was 4-0-1 in favor of the motion with Mr. Wilson abstaining.

Mr. Derby returned to the Board.

II. Old Business

1. Case #19:03 - Applicant, I & M Realty, LLC – Brent Flemming, 331 Exeter Road, Hampton Falls, NH 03844. The Applicant requests a Site Plan Review to construct a 12,120 square foot, 9-unit commercial building. The Applicant also requests Conditional Use Permits to allow construction and fill activities within the Wetlands Conservation District. Property Owner: Rocky Giuliano, LLC, 255 E. Main Street, Gloucester, MA 01930; 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; Salvatore Golisano, property owner; Joseph Coronati, engineer; Charles Hoyt, architect; and Timothy Phoenix, attorney.

Mr. Coronati addressed the Board. Mr. Coronati presented a revised site plan which has been reviewed by the Town Engineer, the Circuit Rider Planner, and the Conservation Commission. The following changes are indicated on the plan:

- a. The traffic flow on the site has been changed to one way.
- b. A curb cut on the abutting property to the north of the site will be eliminated as the result of New Hampshire Department of Transportation (NHDOT) review of the site plan.
- c. Due to the ability to expand building uses to the second floor of the proposed retail space and mezzanine levels of the other units, parking calculations have been corrected to include the most inclusive parking requirements for the site. Based on the most inclusive calculations, 37 parking spaces are required by the regulations. 41 spaces have been provided on the site plan with eight (8) of these parking spaces located inside the building units.
- d. A sediment fore bay has been added to the greenspace area to better control stormwater flow and break out sediment.
- e. The size of the proposed drainage pipe and culvert box has been increased to handle larger water flows.
- f. Landscaping has been added to improve the site aesthetics.

Ms. Monaghan suggested that the Board discuss the completeness of the application.

Ms. Rowden stated her concern whether or not the parking requirement of the site plan regulations is being met by including parking spaces inside the building units. The regulations state that 'off-street' parking must be provided. The Board must decide if the spirit and intent of the regulations is being met with four (4) of the required 37 spaces being inside the building units. If the Board does not find that the

indoor parking spaces are acceptable, then a waiver to the regulation must be approved or four (4) additional outdoor parking spaces must be provided.

Mr. Coronati stated that four (4) additional outdoor spaces could be added to the proposed site plan if necessary.

The Board discussed whether or not the proposed indoor parking spaces satisfy the parking regulation. The Board did not come to a consensus regarding the parking requirement matter.

Mr. Derby asked for clarification as to why the Conservation Commission's suggestion to use a permeable surface for the driveway and other areas was not being considered by the applicant.

Mr. Coronati explained that a permeable surface would not be effective as a means to infiltrate water into the ground due to the high clay layer and shallow water table conditions within the soil. In addition, the excessive tire movement and weight associated with anticipated trucking and other traffic on the site would damage permeable pavers. Long term maintenance issues to continually repair the permeable surface would most likely occur.

Mr. Derby asked for clarification as to why the proposed drainage culvert needed to be larger.

Mr. Coronati explained that the culvert needed to be larger because all of the stormwater drainage on the site is proposed to be directed to one location, the drainage swale. Currently, stormwater can drain in different directions.

Ms. Monaghan suggested that the Board determine whether the proposed 33 outdoor parking spaces and four (4) indoor parking spaces satisfy the parking requirements of the site plan regulations.

Mr. Wilson suggested that the Planning Board find that parking represented on the proposed site plan is adequate.

Ms. Monaghan suggested that four (4) outdoor parking spaces be added to the site plan.

Mr. Coronati stated that the applicant would agree to revise the site plan to include 37 outdoor parking spaces.

Mr. Wilson moved that the Planning Board find that the application is complete and take jurisdiction of the application for Case #19:03 to construct a 12,120 square foot, 9-unit commercial building subject to the condition that the applicant revise the proposed site plan to indicate 37 outdoor parking spaces. Second by Mr. Derby. The vote was unanimous in favor of the motion (6-0).

Ms. Monaghan noted that Ms. Rowden suggested that the Board conduct a site walk of the 58 Lafayette Road property. Ms. Monaghan asked the Board to consider if a site walk was necessary.

Ms. Rowden explained that the purpose of a site walk would be to view site conditions to better evaluate potential wetlands buffer impacts created by the proposed construction.

Mr. Wilson stated that he was in favor of a site walk so that people can view if the proposed improvements justify the encroachments on the wetlands buffer.

Ms. Monaghan stated that she was in favor of a site walk in order to better evaluate the potential significant impact that the proposed construction may create within the wetlands buffer.

Mr. Kilgore stated that he was in favor of a site walk.

Mr. Maggiore moved that the Planning Board schedule a site walk at the 58 Lafayette Road site (Tax Map/Lot 007-118-000) as part of the site plan application review process for Case #19:03 on March 19, 2019 at 4:00pm. Second by Mr. Kilgore. The vote was 5-0-1 in favor of the motion with Mr. Derby abstaining.

Ms. Monaghan opened the public hearing at 7:55pm.

James Better asked if there was a rendering of the proposed site that may be viewed. Mr. Better also asked if space for pedestrian walking paths along Route 1 would be available after completion of the project.

Mr. Hoyt showed a conceptual rendering of the proposed building architecture and site landscaping. Mr. Coronati stated that the proposed site work is setback approximately 37 feet from the edge of the Route 1 pavement. The NHDOT right-of-way is approximately 25 feet wide along the front of the 58 Lafayette Road property. There is adequate space for walking paths in the future.

Ms. Monaghan closed the public hearing at 8:00pm.

Mr. Derby moved that the Planning Board continue Case #19:03 to the April 2, 2019 meeting date. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).

III. New Business

1. Case #19:05 – Applicant: Turner Porter, Tuck Realty Corporation, 149 Epping Road, Suite 2A, Exeter, NH 03833. The Applicant requests a subdivision and lot line adjustment for properties located in the Town of North Hampton, the Village District of Little Boar's Head, and the Town of Rye. Property Owners: Stacey, Shelley, and Stephanie Patrick, 388 South Road, Rye, NH 03871. Property Locations: North Hampton – Woodland Road adjacent to Rye town line, North Hampton, NH 03862; Rye - 388 South Road and 410 South Road, Rye, NH 03870; M/L: North Hampton - 011-012-000, 012-010-000, and 012-011-000; Rye – 004-062-000 and 004-063-000; Zoning Districts: North Hampton - R-2, Medium Density District, and Village District of Little Boar's Head; Rye – Single Residence District.

In attendance for this application:

Shelley Patrick, property owner; Timothy Phoenix, attorney; Michael Garrepy, applicant representative; and Joseph Coronati, engineer.

Mr. Phoenix addressed the Board. Mr. Phoenix presented a plan showing a subdivision of properties which are located within the jurisdictions of the Town of North Hampton, the Village District of Little Boar's Head, and the Town of Rye. The plan proposed to:

- a. convert two properties with homes and addresses located in Rye and remaining land located in North Hampton and the Little Boar's Head District into three properties,
b. use the town boundary line between Rye and North Hampton as the new southerly lot line for the three Rye properties, and
c. merge the three lots on the North Hampton side of the town boundary (Tax Map/Lot 011-012-000, 012-010-000, and 012-011-000).

Mr. Phoenix further stated that the Rye Planning Board has approved the plan. The plan also needs to be approved by the Little Boar's Head District Planning Board.

Ms. Rowden noted that the lots in North Hampton are already lots of record. The proposed merger of the North Hampton lots would make a more conforming lot. In her opinion, the application is complete and meets the Town of North Hampton zoning requirements.

Mr. Wilson asked if the lot frontage was adequate.

Mr. Phoenix stated that there was approximately 210 feet of lot frontage along Woodland Road which is more than the zoning requirement of 175 feet.

Ms. Rowden noted that the proposed plan should only be approved with a condition requiring the approval of the Little Boar's Head District.

Mr. Wilson asked for confirmation that the proposed plan showed the consolidation of the three North Hampton lots into one lot.

Mr. Garrepy confirmed that the proposed plan showed the consolidation of the three North Hampton lots into one lot.

Mr. Maggiore moved that the Planning Board find that the application is complete and take jurisdiction of the application for Case #19:05. Second by Mr. Etela. The vote was unanimous in favor of the motion (6-0).

Ms. Monaghan opened the public hearing at 8:31pm.

Abutter Aimee Margolis addressed the Board. Ms. Margolis stated the following:

- a. She does not believe that there is adequate frontage for proposed buildable lots.
b. The proposed driveway to access the North Hampton lots which follows the old wood road path is on wetlands which may be negatively impacted by possible construction activities. This access point is also close to a blind hill approach along Woodland Road.
c. Development in this area may negatively impact water run-off and flooding in the area.

Ms. Monaghan noted that the concerns expressed by Ms. Margolis are not relevant to this case. The concerns may be relevant if the Board considers a subdivision or lot consolidation plan of lots in a later case.

Abutter Dominique MacDonald addressed the Board. Ms. MacDonald asked if the one lot created by the proposed plan is buildable.

Ms. Rowden stated that the proposed lot in North Hampton, as shown on the plan presented for this case, would be very difficult to build upon without some sort of land use board relief due to various wetlands regulations, setback requirements, and other regulations.

Ms. Monaghan closed the public hearing at 8:40pm.

Mr. Maggiore asked if the Board should consider the plan as a whole or consider the use of the town boundary as a lot line and the consolidation of the three lots to one lot as separate items with separate motions.

Ms. Rowden suggested that the plan could be considered as a whole.

Mr. Wilson suggested that the use of the town boundary as a lot line and the consolidation of the three lots to one lot be considered as separate items with separate motions.

Mr. Wilson moved that the Planning Board approve the North Hampton – Rye town boundary as the northerly lot line for the properties designated as Tax Map/Lot 011-012-000, 012-010-000, and 012-011-000 subject to the condition that the application receives the approval of the Village District of Little Boar's Head. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (6-0).

Mr. Wilson moved that the Planning Board deny the proposed lot merger for the properties designated as Tax Map/Lot 011-012-000, 012-010-000, and 012-011-000. The proposed lot merger does not qualify as a minor lot line adjustment because it increases the development potential of the lots and therefore requires a subdivision application and approval as stated in the Town of North Hampton Subdivision Regulations Section V.F.3.

Mr. Garrepy stated that the plan proposes a voluntary lot merger. No development is proposed in the application for this case.

Mr. Phoenix stated that the applicant was willing to remove the proposed lot merger from the plan and possibly submit a voluntary lot merger application in the future. Mr. Phoenix asked the Board to reconsider the motion to deny the proposed lot merger based on the applicant's willingness to remove the proposed lot merger from the plan.

Mr. Wilson withdrew his motion to deny the proposed lot merger.

2. Case #19:06 – Applicant: Turner Porter, Tuck Realty Corporation, 149 Epping Road, Suite 2A, Exeter, NH 03833. The Applicant requests a subdivision and lot line adjustment to reconfigure five (5) lots into two (2) lots. Property Owners: Stacey, Shelley, and Stephanie Patrick, 388 South Road, Rye, NH 03871. Property Locations: Woodland Road adjacent to Rye town line and back lots, North Hampton, NH 03862; M/L: 011-010-000, 011-011-000, 011-012-000, 012-010-000, and 012-011-000; Zoning Districts: R-2, Medium Density District and Village District of Little Boar's Head.

Mr. Wilson and Ms. Monaghan suggested that, since some of the same lots included in the application for Case #19:06 were included in the plan for Case #19:05 and the plan associated with Case #19:05 still requires the approval of the Little Boar's Head District, the next step for the applicant to pursue is to

obtain the approval of the Little Boar's Head District for the use of the town boundary as a lot line before addressing the plan proposed in Case #19:06.

Mr. Phoenix requested that the Planning Board continue consideration of the Case #19:06 application to the April 2 meeting date.

Mr. Wilson moved that the Planning Board continue Case #19:06 to the April 2, 2019 meeting date. Second by Mr. Etela. The vote was unanimous in favor of the motion (6-0).

Mr. Garrepy noted that the applicant's meeting with the Little Boar's Head District Planning Board will occur after April 2 on April 9.

Mr. Wilson moved that the motion to continue Case #19:06 to the April 2, 2019 meeting date be rescinded and that Case #19:06 be continued to the May 7, 2019 meeting date. Second by Mr. Etela. The vote was unanimous in favor of the motion (6-0).

IV. Other Business

1. Town of North Hampton, NH. Review of proposed Master Plan Vision Chapter and Preamble Concept.

Ms. Monaghan presented the proposed one page Master Plan Vision Chapter language.

Mr. Derby suggested that "(including schools)" in the Master Plan Vision Chapter be changed to "including the school." The Board came to a consensus without objection to make the language change.

Mr. Derby suggested that the language concerning more broad communication in Principal 3, Strategy A of the Master Plan Vision Chapter should be changed. Ms. Monaghan suggested that Strategy A read as follows:

"Continue effective and broad communication to engage residents in important decisions."

The Board came to a consensus without objection to make the language change.

Ms. Rowden presented the Preamble language to the Board.

The Master Plan Vision Chapter and Preamble language as revised at this meeting are attached as Appendix A to these minutes.

Mr. Etela moved that the Planning Board schedule a public hearing at the April 16, 2019 Planning Board meeting to consider the adoption of the proposed one page Master Plan Vision Chapter and the Preamble. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (6-0).

2. Planning Board February 19, 2019 meeting minutes.

Ms. Monaghan presented the minutes of the February 19, 2019 Planning Board meeting.

Mr. Wilson moved that the Planning Board accept the minutes of the February 19, 2019 Planning Board meeting as written. Second by Mr. Kilgore. The vote was unanimous in favor of the motion (6-0).

Ms. Monaghan thanked Mr. Derby for his six years of service on the Planning Board.

The meeting was adjourned at 9:20pm without objection.

Respectfully submitted,

Rick Milner

Recording Secretary

Town of North Hampton Master Plan - Vision Chapter

Adopted 17 January 2006 Updated: 5 March 2019

Principal 1) Maintain and protect rural New England seacoast character, heritage, and natural resources.

Strategies

- A. Protect natural resources – water, wetlands, forests, pastures, wildlife, and their habitats.
- B. Maintain and restore historic public buildings, antique houses, barns, and stone walls.
- C. Use conservation subdivisions to protect undeveloped land and natural resources.
- D. Encourage businesses that residents desire and limit undesired ones.
- E. Improve the appearance of Route 1.

Principal 2) Manage operating expenses and capital investments and provide levels of service residents expect.

Strategies

- A. Respond to residents' expectations for services and facilities.
- B. Respect residents' willingness to provide funding for vehicles, equipment, and facilities necessary to maintain the quality and level of services.
- C. Manage capital expenditures within a coordinated plan across all Town functions, including the school.
- D. Encourage business development that residents desire and makes a net positive contribution in taxes to support Town services and facilities.
- E. Implement an energy conservation plan for all Town facilities and equipment.
- F. Establish funding and procedures for routine maintenance facilities and equipment.
- G. Ensure coordination among Town departments and between Town departments and the School for efficient use of facilities for recreation and meetings.

Principal 3) Strengthen sense of community.

Strategies

- A. Continue effective and broad communication to engage residents in important decisions.
- B. Ensure open, honest, and frequent communication among Town departments, between Town departments and residents, and among residents.
- C. Rely on volunteers and provide opportunities for residents to become involved in Town affairs.
- D. Continue focusing commercial development to the Route 1 corridor while promoting a more vibrant and accessible business district.
- E. Encourage locally owned, small businesses vs chains, franchises, or big box stores.
- F. Strengthen the municipal complex as a pedestrian friendly "Town Center," interconnecting Town properties, School, Library, and Rails-Trails.
- G. Provide recreational features including, for example, sidewalks, bicycle paths, crosswalks at traffic signals, and activities for all age groups; and develop funds from sources other than property taxes.

North Hampton Master Plan
Vision Chapter Preamble
4/16/19
DRAFT

The North Hampton Master Plan Vision Chapter has been adopted by the North Hampton Planning Board for the purposes of “*articulating the desires of the citizens affected by the master plan*” as required under RSA 674. Furthermore, the Vision Chapter is intended to direct the other Master Plan components by:

- Including Principles and Strategies distilled from past and current desires about North Hampton's future that residents expressed in surveys, charettes, adopted zoning ordinances, and existing and past Master Plan chapters.
- Including the Principles and Strategies that are not prioritized and are intended for use holistically to guide decisions that affect the future of North Hampton.
- Encouraging Town Boards, Commissions, Committees, and Departments to use the Principles and Strategies while developing work plans, projects, or regulations affecting the Town's future or while collaborating with the Planning Board to develop individual Master Plan chapters.
- Acknowledging individual chapters within the Master Plan may contain a vision statement specific to their content, as well as specific goals, strategies, and actions that focus the Vision Chapter's subsuming Principles and Strategies through the lens of the substance of that individual chapter.