



Meeting Minutes
North Hampton Planning Board
Tuesday, June 4, 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, Wally Kilgore, Shep Kroner, and Lauri Etela; Alternate Member Valerie Gamache; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Vice Chair Monaghan called the meeting to order at 6:35pm.
Ms. Gamache was seated for Mr. Harned.

I. Old Business

1. 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. The Applicant also requests Conditional Use Permits to allow restricted and/or prohibited activities within the Wetlands Conservation District. The Applicant also requests a waiver from the Subdivision Regulations associated with natural features information for the property. 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.

In attendance for this application:

No one in attendance representing the applicant.

Ms. Monaghan presented a letter from the applicant withdrawing the application for Case # 19:06.

Mr. Wilson moved that the Planning Board accept the withdrawal of the application for Case #19:06. Second by Mr. Kilgore. The vote was unanimous in favor of the motion (6-0).

II. New Business

1. Case #19:09 – Applicant: Seacoast Harley-Davidson, P.O. Box 1740, 17 Lafayette Road, North Hampton, NH 03862. The Applicant requests a Conditional Use Permit for placement of a temporary structure (sales tent) on the 17 Lafayette Road property for a period in excess of two weeks. Property Owner: Black Marble Realty Trust, P.O. Box 1740, North Hampton, NH 03862; Property Location: 17 Lafayette Road, North Hampton, NH 03862. 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 a rendering of the Seacoast Harley-Davidson dealership site which detailed the location for the placement of a 30 foot by 30 foot tent to the Board. Mr. Janiak stated that the applicant was requesting a Conditional Use Permit for placement of the tent for a period in excess of the two weeks allowed by the zoning ordinance. The applicant requests that placement of the tent be allowed from May 1 to October 31. The purpose of the tent is for the sale of product; most likely to be, but not necessarily limited to, clothing items.

Mr. Wilson moved that the Planning Board find that the application is complete and take jurisdiction of the Conditional Use Permit application for Case #19:09. Second by Mr. Etela. The vote was unanimous in favor of the motion (6-0).

Ms. Monaghan opened the public hearing regarding the application at 6:40pm. No comments were made. Ms. Monaghan closed the public hearing regarding the application at 6:41pm.

Mr. Wilson asked for clarification as to how the tent will be attached to the ground.

Mr. Janiak responded that the tent will be secured with stakes through the asphalt surface.

Mr. Wilson moved that the Planning Board approve the Conditional Use Permit application for the installation of a temporary structure (sales tent) on the 17 Lafayette Road property for the period of May 1, 2019 to October 31, 2019. The tent shall be removed by October 31, 2019. Second by Mr. Kilgore. The vote was unanimous in favor of the motion (6-0).

2. Case #19:10 – Applicants: Annette Lee and Nicole Carrier, 2 Elm Road, North Hampton, NH 03862.

The Applicants request a minor review for placement of a 14 x 14 customer service and storage shed adjacent to outdoor seating area at 2 Elm Road. Property Owners: Annette Lee and Nicole Carrier, 2 Elm Road, North Hampton, NH 03862. Property Location: 2 Elm Road, North Hampton, NH 03862; M/L: 013-009-000; Zoning Districts: I-B/R, Industrial – Business/Residential District, and R-1, High Density District.

In attendance for this application:

Annette Lee and Nicole Carrier, property owners.

Ms. Lee addressed the Board. Ms. Lee presented the following items to the Board:

- a. a rendering of the Throwback Brewery site which detailed the location of a 14 foot by 14 foot area for the placement of a service shed next to the outdoor beer garden customer seating area,
- b. pictures of the proposed service shed, and
- c. floor plan indicating the interior uses of the shed.

Ms. Lee stated that the purpose of the service shed would be to serve drinks and snacks from a service window, accommodate water and dish station, and provide limited storage in a more sheltered environment next to the outdoor seating area.

Ms. Monaghan asked if there would be any seating at the service shed and how many employees would work in the shed.

Ms. Lee responded that there would be no seating at the shed. There would be 1 or 2 employees working in the shed.

Ms. Monaghan asked how the shed would be attached to the ground.

Ms. Lee stated that the shed would be set on blocks resting on a sand and gravel pad area.

Mr. Kilgore asked for clarification regarding possible power and other utilities connected to the shed.

Ms. Lee answered that electricity may be added to the shed in the future. However, no plumbing will be installed.

Mr. Wilson moved that the Planning Board find that the application is complete and take jurisdiction of the Minor Review application for Case #19:10. Second by Mr. Etela.

Discussion of the motion – Ms. Rowden noted for the record that, according to the Site Plan Regulations, only one minor review application approval is allowed per site.

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

Ms. Monaghan opened the public hearing regarding the application at 6:47pm. No comments were made. Ms. Monaghan closed the public hearing regarding the application at 6:48pm.

Mr. Kilgore moved that the Planning Board approve the Minor Review application for placement of a 14 x 14 customer service and storage shed adjacent to outdoor seating area at 2 Elm Road. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

3. Case #19:11 – Applicant: Chris Kiper, NASS, LLC, 76 Depot Road, Epping, NH 03042. The Applicant requests a minor review for a change of use from previous medical clinic use to retail and office space use. Property Owner: 118 Lafayette Road Investment, LLC, Twyla and Richard Ritchett, P.O. Box 205, 20 Elm Road, North Hampton, NH 03862. Property Location: 118 Lafayette Road, North Hampton, NH 03862; M/L: 013-023-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Chris Kiper, applicant.

Mr. Kiper addressed the Board. Mr. Kiper presented the following items to the Board:

- a. a satellite photo depicting the 118 Lafayette Road site,
- b. a rendering of the 118 Lafayette Road site depicting the two buildings on the site, the proposed uses within Building #1 and current uses within Building #2, and parking associated with all uses for the site, and
- c. floor plan indicating the proposed interior uses within Building #1.

Mr. Kiper stated that Building #1 was previously used as a chiropractor's office. Building #2 currently has a 1,200 square foot rental dwelling on the upper level and an unoccupied 1,200 square foot retail space on the lower level.

Mr. Kiper stated that NASS, LLC, operating as two separate businesses, will occupy Building #1. Approximately 450 square feet will be used as retail space and 1,275 square feet will be used as office space. The retail space will be used by wood fuel business as a sales and display area to educate customers, take orders, schedule deliveries, and sell small bags of wood pellets. The office space will be used by commercial snow and ice management business for administrative tasks and conduct meetings.

Disclaimer – these minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91A:2, II. They will not be finalized until approved by majority vote of the Planning Board.

Mr. Kiper stated that the exterior of Building #1 will remain unchanged. There will also be no changes made to the site. The site rendering shows adequate parking for all site uses.

Ms. Monaghan asked for confirmation that there will be no outside storage of materials at the 118 Lafayette Road site.

Mr. Kiper confirmed that there will be no outside storage.

Ms. Monaghan asked if any snow removal vehicles or equipment will be parked or stored on the site.

Mr. Kiper replied that no snow removal vehicles or equipment will be parked or stored on the site. A plow truck may occasionally be on the site as an employee conducts business at the office. However, parking and storage of vehicles and equipment will occur at another site in another town.

Mr. Wilson moved that the Planning Board find that the application is complete and take jurisdiction of the Minor Review application for Case #19:11. Second by Mr. Kilgore. The vote was unanimous in favor of the motion (6-0).

Ms. Monaghan opened the public hearing regarding the application at 6:55pm. No comments were made. Ms. Monaghan closed the public hearing regarding the application at 6:56pm.

Ms. Monaghan suggested that a condition of approval be that no outside storage of materials is allowed on the site.

Mr. Wilson moved that the Planning Board approve the Minor Review application for a change of use from previous medical clinic use to retail and office space use at 118 Lafayette Road site subject to the condition that no materials be stored outside nor displayed for sale outside. Second by Mr. Etela. The vote was unanimous in favor of the motion (6-0).

4. Case #19:12 – Applicant: Russell Nugent, 59 Birchwood Drive, Rye, NH 03870. The Applicant requests a preliminary consultation for proposed five (5) lot subdivision and associated road construction. Property Owner: Russell Nugent, 59 Birchwood Drive, Rye, NH 03870. Property Location: Adjacent to Rye town line off of Birchwood Drive in Rye; M/L: 016-009-000; Zoning District: R-1, High Density District.

In attendance for this application:

Russell Nugent, property owner; Henry Boyd, engineer for the applicant.

Ms. Monaghan noted for the record that discussions and comments regarding the Case 19:12 preliminary consultation are non-binding.

Mr. Boyd addressed the Board. Mr. Boyd presented a concept plan for a proposed five (5) lot subdivision of North Hampton Tax Map/Lot 016-009-000 along a proposed roadway extending into North Hampton off the end of Birchwood Drive in Rye. Mr. Boyd stated the following:

a. The parcel is approximately 50 acres in size.

b. Test pits have been done. The lots are viable. A subdivision of the property is feasible.

c. Wetlands location shown on the concept plan is an approximation based on interpretation of aerial photos.

Mr. Boyd stated that the applicant was aware that the proposed cul-de-sac design for the proposed roadway and other aspects of the proposed subdivision did not conform to Town regulations. The purpose of the preliminary consultation was to see if the Board was willing to waive regulation requirements prior to the applicant incurring the expense of submitting an official subdivision application. Mr. Boyd stated his opinion that the roadway design regulation requiring a loop large enough to contain a legal house lot and not allow a traditional cul-de-sac was detrimental to current day environmental standards. Also, any concerns regarding Fire Department response to a home on a road which does not connect to any other North Hampton road could be addressed by including fire suppression systems in the proposed homes.

Ms. Rowden noted the following major criteria that do not appear to comply with North Hampton's regulations:

a. None of the proposed lots have frontage on a North Hampton accepted road or proposed accepted road.

b. The frontage for some of the lots does not appear to meet the spirit or intent of the frontage requirements of the zoning ordinance given the narrowness of the lots along the proposed frontage.

c. One of the lots does not appear to have the required amount of buildable uplands.

d. Traditional cul-de-sacs are not allowed per the subdivision regulations.

e. It appears that there may be several easements that may restrict the use of some or all of the lots.

f. Any proposed roadway would need to comply with the Town's stormwater regulations.

Mr. Wilson stated his opinion that he does not look favorably on the proposed subdivision concept plan. The road design has several issues to overcome. Mr. Wilson suggested that the applicant examine the Conservation Subdivision section of the zoning ordinance. This section of the zoning ordinance gives more latitude on certain aspects of subdivision design. The applicant's property may be able to more readily fit within the requirements of the Conservation Subdivision regulations.

Mr. Kroner agreed with Mr. Wilson that the applicant should consider if a conservation subdivision is a viable option for development. Mr. Kroner stated his opinion that many others have had to abide by the Town regulations regarding road design in the past. It would be unfair to the people who followed the rules in the past to waive the regulations now for the applicant.

Mr. Boyd stated that the logistical issues with other development options may not make economic sense for the applicant.

Ms. Monaghan stated that, in her opinion, there appears to be a number of hurdles for the applicant to overcome to obtain approval for a subdivision development as proposed by the concept plan presented to the Board.

III. Other Business

1. Planning Board committee appointments.

Ms. Monaghan presented proposed Planning Board subcommittee appointments as discussed at a previous meeting.

Mr. Etela moved that the Planning Board appoint Phil Wilson, Tim Harned, and Nancy Monaghan as members of the Planning Board Disturbed Wetlands Redevelopment Ordinance Study Ad Hoc Committee. Second by Mr. Kilgore. The vote was unanimous in favor of the motion (6-0).

Mr. Etela moved that the Planning Board appoint Jim Maggiore, Shep Kroner, and Phil Wilson as members of the Planning Board Duplex Ordinance Study Ad Hoc Committee. Second by Ms. Gamache. The vote was unanimous in favor of the motion (6-0).

Mr. Etela moved that the Planning Board appoint Shep Kroner, Wally Kilgore, and Jim Maggiore as members of the Planning Board Light Manufacturing Permitted Uses Study Ad Hoc Committee. Second by Ms. Gamache. The vote was unanimous in favor of the motion (6-0).

2. Long Range Planning Committee Master Plan update funding request.

Ms. Rowden stated that the Long Range Planning Committee (LRP) has identified the revision of the Future Land Use Chapter of the Master Plan as its next priority. The LRP is requesting that the Planning Board authorize expenditure of the funds contained within the Special Studies line of the operating budget to pay for additional hours that the Circuit Rider Planner will work on facilitating the first steps of the chapter update.

Mr. Wilson moved that the Planning Board approve the expenditure of \$2,500.00 from the Special Studies line of the operating budget for Circuit Rider Planner services associated with the Master Plan update and authorize the Chair to sign the contract detailing these services. Second by Ms. Gamache. The vote was unanimous in favor of the motion (6-0).

3. Planning Board May 21, 2019 meeting minutes.

Ms. Monaghan presented the minutes of the May 21, 2019 Planning Board meeting.

Mr. Wilson moved that the Planning Board accept the minutes of the May 21, 2019 Planning Board meeting as written. Second by Mr. Etela. The vote was 5-0-1 in favor of the motion with Mr. Kilgore abstaining.

The meeting was adjourned at 7:52pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary