



Meeting Minutes
North Hampton Planning Board
Tuesday, November 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: Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Phil Wilson, Wally Kilgore, Lauri Etela, Shep Kroner, and Jim Maggiore, Select Board Representative; Alternate Member Valerie Gamache; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

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

I. Old Business

1. Case #19:15 – Applicant: Leo J. Crotty, Jr., 216 Lafayette Road, North Hampton, NH 03862. The Applicant requests a Site Plan Review to construct two building additions (1,905 and 1,730 square feet) with associated stormwater management improvements. The Applicant also requests a Conditional Use Permit to allow construction of building addition within the Wetlands Conservation District 100 foot buffer zone. The Applicant also requests waivers from the following Town of North Hampton Site Plan Regulations associated with Architecture/Appearance Standards:

a. Section X.E.2.b – Foundation plans, b. Section X.E.2.c – Floor plans, c. Section X.E.2.e – Roof plans, d. Section X.E.3.b.ii – Building materials.

Property Owner: Leo J. Crotty, Jr., 216 Lafayette Road, North Hampton, NH 03862. Property Location: 216 Lafayette Road, North Hampton, NH 03862; M/L: 021-028-001; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

James Scully, attorney.

Mr. Kilgore recused himself.

Mr. Milner read a letter from Mr. Scully requesting that Case 19:15 be continued to the December 3, 2019 meeting date and consenting to an extension of the NH RSA 676:4 deadline which requires the Planning Board to act on an application within 65 days of taking jurisdiction of the application.

Mr. Wilson moved that the Planning Board continue Case #19:15 to the December 3, 2019 meeting date. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (6-0).

Mr. Kilgore returned to the Board.

2. Case #16:01 – Applicant: Paul J. Marston, 38B South Road, North Hampton, NH 03862. The Applicant requests the release of landscaping performance guarantee held by the Town of North Hampton associated with 2016 site plan approval. Property owner: Prime Storage North Hampton, LLC, 85

Railroad Place, Saratoga Springs, NY 12866. Property Location: 219 Lafayette Road, North Hampton, NH 03862; M/L: 021-002-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

No one in attendance.

Mr. Milner presented correspondence from Mr. Marston requesting that the Planning Board release the landscaping performance guarantee held by the Town of North Hampton associated with the 2016 site plan approval for a self-storage building at the 219 Lafayette Road property. Mr. Milner noted that he visited the site with a copy of the approved site plan, took pictures of tree plantings, and provided the pictures to the Board members. The appropriate number and type of plantings were installed on the site. Even though a couple trees seem to be in a weak condition currently, it has been three and half years since the guarantee was put in place. This time frame is beyond the two growing seasons required by the site plan regulations.

Mr. Wilson asked Mr. Milner if he believed that the requirements of the landscaping performance guarantee had been met.

Mr. Milner stated that, in his opinion, the requirements of the landscaping performance guarantee had been met.

Ms. Monaghan moved that the Planning Board authorize the release of the landscaping performance guarantee held by the Town of North Hampton associated with the 2016 site plan approval for property located at 219 Lafayette Road. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).

II. New Business

1. Case #19:20 – Applicant: Henry Brandt, 182 Post Road LLC, 182 Post Road, North Hampton, NH 03862. The Applicant requests a Design Review for future site plan review application proposing farmers' market, horse boarding, and public-private event uses. Property Owner: 182 Post Road LLC, 182 Post Road, North Hampton, NH 03862. Property Location: 160-186 Post Road, North Hampton, NH 03862; M/L: 018-038-000; Zoning District: R-1, High Density District.

In attendance for this application:

Henry Brandt, property owner; Ken Berry, surveyor; and Tim Phoenix, attorney.

Mr. Berry addressed the Board. Mr. Berry stated that the applicant was seeking input from the Planning Board regarding:

- a. any concerns that may be addressed during a formal site plan review process,
- b. the extent of any additional studies that may be required, and
- c. whether a major or minor site plan review process will be required.

Mr. Berry explained the following aspects of the improvements proposed for the 182 Post Road property:

- a. Farm Stand – A farm stand selling agricultural products cultivated at the 182 Post Road property would be located within the confines of the large barn adjacent to the entrance of the property. The

applicant may also wish to invite other local agricultural producers to market their goods alongside those of the applicant in a farmers' market type environment.

b. Horses – The applicant wishes to engage in the keeping of horses, both personally and for others. A recent addition to the large barn adjacent to the entrance of the property contains nine stalls and will be the primary boarding location. Paddocks will be erected along the front of the property to allow for turnout. All customary equestrian activities are proposed including riding, training, and instruction. No competitions or indoor riding facilities are contemplated at this time.

c. Agritourism Events – The applicant wishes to engage in various agritourism events showcasing the farm's agricultural features and productivity. Events, both public and private, would take place in and around the large barn adjacent to the entrance of the property. Proposed types of events include:

- i. educational and training activities
- ii. school-based activities
- iii. agricultural and heritage based municipal and governmental events
- iv. private events such as wedding ceremonies, birthdays, and family reunions.

Mr. Berry also stated the following general conditions associated with the proposed activities:

a. It shall remain the responsibility of the property owner/applicant to comply with all local, state, and federal regulations pertaining to the proposed uses.

b. All activities are proposed to take place in and around the large barn adjacent to the entrance of the property.

c. Parking for people attending the events and activities shall be arranged along the edges of the roadway in those areas closest to the subject barn. Parking for vendors/service providers shall be on the paved areas of the lower barn complex.

d. Permanent rest facilities exist within the barn for farm stand and equestrian activities. Portable rest facilities will be utilized for private events.

Mr. Berry further stated that:

a. Overflow event parking will be on grass areas adjacent to the subject barn.

b. Events will most likely occur between May and October.

c. No plowing of larger parking areas will be necessary since a large amount of parking will not be used during the winter months.

Mr. Harned asked for clarification of what parking areas will be used during the winter months.

Mr. Berry stated that the paved areas directly in front of the barn will be plowed and used during the winter months.

Mr. Maggiore suggested that the proposed overflow parking areas be more precisely delineated on any future site plan.

Mr. Kilgore asked what types of soils are present within the proposed activity areas.

Mr. Brandt responded that there are dry, sandy, gravel soils in the proposed activity areas.

Ms. Rowden suggested that the scope and scale of the proposed activities as it relates to frequency, type, and intensity of the activities needs to be more precisely defined within any future site plan application.

Mr. Brandt stated the following regarding the scope and scale of the proposed activities:

a. No plan has been established for equestrian activities.

b. The farm stand will be an honor store located within a 14 foot by 14 foot section of the barn. The farm store will operate year round. However, the majority of the store activities will occur during the summer and other growing seasons. The store will most likely be open approximately eight hours per day, four to five days per week.

c. A proposed farmers' market restricted to the interior area of the large barn adjacent to the entrance of the property and the top deck of the barn will generate increased traffic most likely one day per week during the growing seasons.

d. Agritourism events would be restricted to the interior area of the large barn adjacent to the entrance of the property and the top deck of the barn. The anticipated number of people attending an event would most likely be in the maximum range of 100 people. Approximately 65 parking spaces seem to be a reasonable amount for the anticipated maximum attendance at any event.

Mr. Harned suggested that more precise details regarding areas to be used outside of the barn and appropriate, safe access and egress to and from the site need to be added to any future site plan application.

Ms. Monaghan noted that the Southeast Land Trust of New Hampshire (SELT), as a conservation easement holder on the property, has given preliminary approval for some, but not all, of the proposed activities. She suggested that more clarity as to the precise approvals SELT has given for all proposed activities should be included with any future site plan application.

Ms. Rowden stated that the Planning Board approval process is separate from the SELT approval process. The applicant must obtain approval from both groups for any activities or improvements on the site. Either group has the right to not approve an activity or improvement even if approved by the other group.

Mr. Kroner stated that he is in favor of agritourism events as a way to promote the local production of agricultural items. The proposal could be an asset to the community. However, it is important for the applicant to provide more precise parameters for the proposed activities and improvements on the property to ensure that all groups are on the same page. It is also important for the applicant to ensure safe access and egress to the site within any site plan application.

Mr. Kroner asked for clarification on why the correspondence from SELT indicates possible approval for only five agritourism events in 2020.

Mr. Brandt explained that the goal of an agritourism event is to provide:

a. advertising for a farm business and

b. a venue to sample a farm's products.

Agritourism events should be secondary to what is happening on the farm. A substantial portion of products used at an event should come from the farm.

Mr. Wilson suggested that the driveway width be shown on any future site plan to ensure safe, two-way passage for emergency vehicles. Also, the applicant should review plans for the barn with the Building Department to ensure that the appropriate number of access and egress points within the barn are provided for emergency situations.

Mr. Wilson stated that:

a. The Planning Board should not approve any activities that SELT has not approved. Any site plan application must make very clear what activities and improvements SELT has approved.

b. The Planning Board should also not approve any activity or improvement that is not in conformance with the State of NH RSA's.

c. The Planning Board should also not approve any activity or improvement that is not in conformance with the Town of North Hampton Zoning Ordinance.

Mr. Wilson also noted the possible legal inconsistency with operating a farm store at the same time as operating a farmers' market which has outside vendors. The applicant needs to research state law to see if the farm store operation can legally be in operation when outside vendors are selling products on the site. The applicant must also more precisely indicate how the state law requirement that 35 percent of products sold on the site should originate from farming activities on the site will be verified.

Ms. Monaghan noted that conditions of approval which clarify the allowed intensity or frequency of any activities, such as limiting the allowed number of events, may be added to a site plan approval.

Mr. Maggiore asked if the Board would require a minor or major site plan review process for the proposed application.

Ms. Rowden suggested that the proposed activities and improvements do not fit within the requirements of a minor review. Mr. Milner agreed that a major site plan review is necessary.

Mr. Harned stated that more specific details and bounds for proposed activities and improvements are needed. He suggested that the applicant determine what bounds he feels are reasonable and present them within a site plan review application to the Board. At that time, the Board can decide whether the proposed details and bounds are acceptable.

2. Case #19:22 - Applicant, T&M Real Estate Group, LLC – Tom Schank, 5 Emerson Lane, Middleton, MA 01949. The Applicant requests a Site Plan Review to construct four self-storage buildings between 4,400 square feet and 8,800 square feet in size and one two-story building utilizing 12,000 square feet of space for both self-storage and office uses. Property Owner: Neil Harvey, Jr., 220 Congress Street, Apt. 4D, Brooklyn, NY 11201; Property Location: 82 Lafayette Road; M/L: 013-003-001; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Tom Schank, developer; Joe Coronati, engineer; and Tim Phoenix, attorney.

Mr. Coronati addressed the Board. Mr. Coronati stated that the property has some challenging slopes and elevation changes, rising from Lafayette Road to the back of the property. The two-story building at the front of the property will be parallel to Lafayette Road. Due to the unique topography of the site, the storage units on the first floor of the front building will be accessed from the front of the building and the storage units on the second floor will be accessed from the rear of the building. The site driveway will be opposite Glendale Road. A small office in the front building will be used on a part-time basis.

Mr. Coronati also stated that the remaining four single-story buildings will be perpendicular to Lafayette Road and be stepped up the slope to work with the grade. The buildings are metal constructed on a

concrete slab. The buildings have no water or heat. The only electrical component will be for lighting of the storage units.

Mr. Coronati further stated that stormwater management will be accomplished with a detention pond at the front of the property and detention R-Tanks under the asphalt. The pond and tanks will act in unison to meet the stormwater regulation requirements. A small septic system is proposed for the site. A gate will be located near the office area to allow customers to access the site and turn around without blocking Lafayette Road, but still not access the rear storage areas. The applicant intends to install security cameras instead of fencing as a means of providing security for the site.

Mr. Wilson asked if the applicant intends to request any waivers from the site plan regulations.

Mr. Coronati replied that the applicant does not have any waiver requests.

Mr. Wilson stated that the application does not meet the architectural standards contained within the site plan regulations. The application needs waivers to several site plan regulations standards or be revised to comply with the standards. In his opinion, the application is not close to being a complete application. In addition, the Town Engineer review comments indicate an extensive amount of concerns.

Mr. Harned stated that he has concerns with the small amount of snow storage indicated on the site plan. A more detailed snow storage plan needs to be presented on the site plan.

Ms. Rowden stated there are several deficiencies with the application which Mr. Wilson and the Town Engineer have indicated. In her opinion, the application is not complete. Ms. Rowden stated the following additional deficiencies with the site plan application:

- a. The proposed plan to store snow at the edge of the pavement may create vehicular circulation challenges for customers and emergency vehicles.
 - b. The one parking space proposed in the plan does not meet the site plan regulation requirements.
 - c. No dumpster or trash removal method is indicated.
 - d. The proposed lighting fixtures exceed the 3000K correlated color temperature limitation indicated in the zoning ordinance.
 - e. No stormwater management maintenance and operational inspection plan is noted in the site plan.
- The Town Engineer has also noted stormwater management design concerns in his review letter.
- f. The architectural design is not in compliance with the site plan regulations.

Ms. Rowden also suggested that, due to the existence of rock ledge outcropping on the site, the applicant review the Town of North Hampton blasting regulations.

Mr. Harned asked for confirmation that a portion of the retaining wall adjacent to most southerly building will be 15 feet high.

Mr. Coronati confirmed that the retaining wall will be 15 feet high at one point but will eventually meet the rising grade of the land. There will be a 26 foot change in elevation from the front of the property to the back of the property.

Mr. Harned stated his opinion that it seems that the applicant is squeezing an awful lot of improvements into a lot of this size.

Mr. Kroner stated his opinion that, based of his reading of the Town Engineer's review letter, the site plan as presented is far too intensive for the amount of land within the lot. Too much improvement is being proposed for too small a space.

Mr. Milner read a review letter from the Fire Department which stated concerns with the turning radius around the buildings, apparatus access to all sides of all of the buildings, and topography grade requirements for safe operation of a ladder truck and other emergency apparatus.

Mr. Kilgore asked how many storage units are proposed for the site.

Mr. Schank stated that there will be approximately 250 storage units.

Mr. Harned suggested that the Board may find that the application is not complete. He asked if the applicant was willing to continue the case.

Mr. Phoenix stated that the applicant concedes that the application is not complete and requests a continuation of the case to the next regular meeting of the Board

Ms. Monaghan moved that the Planning Board continue Case #19:22 to the December 3, 2019 meeting date. Second by Mr. Etela. The vote was unanimous in favor of the motion (7-0).

III. Other Business

1. Planning Board October 15, 2019 meeting minutes.

Mr. Harned presented the minutes of the October 15, 2019 Planning Board meeting.

Mr. Wilson moved that the Planning Board accept the minutes of the October 15, 2019 Planning Board meeting as written. Second by Ms. Monaghan. The vote was 6-0-1 in favor of the motion with Mr. Kilgore abstaining.

The meeting was adjourned at 8:43pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary