



## Meeting Minutes

### North Hampton Planning Board

Tuesday, January 5, 2021 at 6:30pm

**NO PHYSICAL LOCATION FOR MEETING**

**MEETING ACCESSED THROUGH ELECTRONIC MEANS ONLY**

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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, 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. Mr. Harned noted that the meeting was being held by electronic means as authorized by State of NH Executive Orders associated with the current public health crisis. The public may participate during public comment periods using the posted email address or phone number.

Ms. Gamache was seated for Mr. Kilgore.

#### **I. Public Hearing**

**1. Town of North Hampton, NH** review of amendments to zoning ordinances for inclusion on the 2021 Town Warrant.

Town of North Hampton, NH: Section 104 Definitions and Section 202.4 Industrial-Business/Residential District. Revisions intended to establish a definition for self-storage facility and add self-storage facility to the list of uses in the Industrial-Business/Residential District that require the issuance of a Special Exception.

Mr. Kroner presented zoning ordinance amendment language which proposed the following definition for a self-storage facility and establish that a self-storage facility use is only allowed in the Industrial-Business/Residential District with the issuance of a special exception.

**Self-Storage Facility:** A building or group of buildings containing storerooms or containers which are leased to customers for storage of personal household goods or products outside of their own homes or places of business.

Mr. Harned opened the public hearing at 6:43pm. No comments were made. Mr. Harned closed the public hearing at 6:45pm.

**Ms. Monaghan moved that the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 104 Definitions and Section 202.4 Industrial-Business/Residential District establishing a definition for self-storage facility and adding self-storage facility to the list of uses in the Industrial-Business/Residential District that require the issuance of a Special Exception appears on the 2021 Town Warrant as presented. Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).**

## **II. New Business**

### **1. Case #21:01 – Applicant: Friends of Centennial Hall, Inc., P.O. Box 200, North Hampton, NH 03862.**

The Applicant requests a Site Plan Review for proposed building addition and site improvements.

Property Owners: Friends of Centennial Hall, Inc., P.O. Box 200, North Hampton, NH 03862 and United Church Of Christ, 295 Atlantic Avenue, North Hampton, NH 03862. Property Locations: 105 and 107 Post Road, North Hampton, NH 03862; M/L: 014-049-000 and 014-050-000; Zoning District: R-1, High Density District.

#### In attendance for this application:

Marcy McCann, applicant; Peter Goodrich, project manager; Erik Saari, engineer.

Mr. Etela recused himself.

Mr. Saari addressed the Board. Mr. Saari presented a site plan which showed proposed improvements to the properties containing Centennial Hall building, United Church of Christ, and parking area. A large portion of the parking area adjacent to Atlantic Avenue is owned by the Town of North Hampton. The improvements included the following features:

- a. 740 square foot, three floor addition to Centennial Hall
- b. elevator, stairways, ADA access, food catering kitchen, bathrooms, and two studio spaces within the Centennial Hall building addition
- c. widening and structural improvement to driveway between Centennial Hall and Church
- d. infiltration basins to manage stormwater run-off.
- e. Zoning Board of Adjustment variances have been granted to allow the proposed building addition setbacks, building addition height, amount of impervious surface lot coverage, and expansion of non-conforming uses.

Mr. Saari stated that parking calculations for the Centennial Hall site are based on a 220 person capacity for the proposed second floor function/event space. Mr. Saari presented agreements between the Friends of Centennial Hall and the United Church of Christ and the Town of North Hampton to create 69 parking spaces. The applicant is also pursuing agreements with other property owners to provide off-site parking locations in case additional overflow parking is needed for a major event.

Mr. Saari presented five requests for waivers from the Town of North Hampton Site Plan Regulations.

- a. Three waiver requests pertain to landscaping requirements. Waiver of these requirements would avoid the need to tear up a long-standing, existing parking lot which has limited space. The existing landscaping on the site is well maintained and provides adequate buffering to surrounding properties.
- b. One request would allow post-construction stormwater management requirements to be waived. The project proposes only 1,291 square feet of new impervious area and disturbs only 3,950 square feet of area. Stormwater run-off from the new impervious surfaces will be directed to an infiltration-based drainage system. All new stormwater run-off is contained and treated on-site. No degradation of surface waters will occur since treatment criteria in the Site Plan Regulations will be met.
- c. One waiver request would allow off-site parking for the property uses. The on-site parking lot has space limitations. Agreements for parking on the Church and Town properties would provide adequate parking for proposed activities on the Centennial Hall site.

Mr. Kroner and Mr. Maggiore stated that parking agreements with the Town do not include the bandstand area across Atlantic Avenue from the Centennial Hall site.

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Mr. Saari stated that the applicant will seek to include the bandstand area in any future parking agreements with the Town.

Mr. Harned stated that the bandstand area should not be part of any standard parking plan for Centennial Hall activities. It should only be used for emergency overflow situations.

Ms. Rowden stated that the parking plan only considers the use of the second floor function hall for events, not the uses of other spaces within the Centennial Hall building.

Mr. Saari stated that the applicant is aware of the parking needs for other uses on the site and will not overschedule events/activities on the site.

Ms. Rowden stated her opinion that the application is complete.

Ms. Monaghan asked for clarification regarding outdoor lighting.

Mr. Saari stated that no new exterior lighting will be added to the site. He suggested that a note can be added to the plan set which states that outdoor lighting complies with the zoning ordinance requirements.

**Ms. Monaghan moved that the Planning Board find that the application is complete and take jurisdiction of the Site Plan Review application for Case #21:01 for proposed building addition and site improvements at 105 and 107 Post Road. Second by Ms. Gamache. The roll call vote was unanimous in favor of the motion (6-0).**

Mr. Harned opened the public hearing for the landscaping waiver requests at 7:15pm. No comments were made. Mr. Harned closed the public hearing at 7:19pm.

**Mr. Wilson moved that the Planning Board grant the request to waive the requirements of Site Plan Review Regulations Sections VIII.B.23, X.C.1, and X.C.5.b regarding landscaping features since the characteristics of the site make it unreasonable to require changes to the landscaping features and parking area. Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (6-0).**

Mr. Harned asked for clarification regarding stormwater drainage features for the site.

Mr. Saari stated that two existing drywells handle the current stormwater run-off on the site. Soil testing indicates that water infiltration is very good on the site. Two leaching catch basins will be installed on the site to infiltrate the stormwater run-off created by proposed building addition and parking lot improvements. Other areas of the site not affected by the proposed construction will have the same stormwater run-off rates as currently exist.

Mr. Harned opened the public hearing for the stormwater management and parking area waiver requests at 7:24pm. No comments were made. Mr. Harned closed the public hearing at 7:27pm.

**Mr. Wilson moved that the Planning Board grant the request to waive the requirements of Site Plan Review Regulations Section X.F.2 regarding post-construction stormwater management standards since the site plan site proposes the following stormwater management features:**

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- 1. The project disturbs only 3,950 square feet of area.**
  - 2. The project proposes only 1,291 square feet of new impervious areas.**
  - 3. All new stormwater runoff is contained and treated on-site. No degradation of surface waters will occur.**
  - 4. All stormwater runoff from new impervious surfaces is directed to an infiltration-based drainage system which provides for decreases in peak rate and volume of runoff and meets the treatment criteria outlined in the Site Plan Regulations.**
- Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (6-0).**

**Mr. Wilson moved that the Planning Board grant the request to waive the requirements of Site Plan Review Regulations Section XII regarding parking requirements subject to the following conditions:**

- 1. In circumstances when the Centennial Hall facility expects an event that requires supplemental parking above and beyond the 69 parking spaces provided on the site plan, arrangements shall be made for off-site parking to accommodate overflow parking needs.**
- 2. The responsibility for all parking arrangements falls upon Friends of Centennial Hall, Inc.**

**Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (6-0).**

Mr. Harned asked for clarification regarding daily water use on the site.

Mr. Saari stated that water meters on the site indicate that the actual daily water use is far below the capacity of the septic system. He has no concerns with water infiltration on the site.

Mr. Wilson asked for clarification regarding the intended use of the kitchen in the proposed building addition.

Mr. Saari stated the kitchen would be used as a place for outside catering vendors to come in and keep items warm for events. No food making will occur in the kitchen.

Mr. Harned opened the public hearing for the site plan application at 7:41pm. No comments were made. Mr. Harned closed the public hearing at 7:43pm.

**Mr. Wilson moved that the Planning Board approve the Case #21:01 Site Plan Review application for proposed building addition and site improvements at 105 and 107 Post Road subject to the following conditions:**

- 1. The kitchen shall be used only as a staging area for food service and not as an area for full-scale food preparation, clean-up, or disposal.**
- 2. Waiver approvals shall be noted on the recorded mylar page.**

**Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (6-0).**

**2. Case #21:02 – Applicants: John and Julie Wiggin, 38 Chapel Road, North Hampton, NH 03862.** The Applicant requests a Conditional Use Permit to allow replacement of septic system and structure additions within the Wetlands Conservation District buffer zone. Property Owners: John and Julie Wiggin, 38 Chapel Road, North Hampton, NH 03862. Property Location: 38 Chapel Road, North Hampton, NH 03862; M/L: 005-037-000; Zoning District: R-2, Medium Density District.

In attendance for this application:

John and Julie Wiggin, applicants; Susan Faretra, septic designer.

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Mr. Etela returned to the Board.

Ms. Faretra addressed the Board. Ms. Faretra presented a plan which indicated the following:

- a. existing home on 1.9 acre property
- b. existing water supply line to home
- c. existing septic tank and dry well installed in 1952
- d. proposed new septic system tank and leach field
- e. proposed 24 foot by 16 foot shed with bathroom
- f. proposed 54 foot by 9 foot deck addition behind home
- g. proposed 13 foot by 7 foot soak pool off end of deck behind home
- h. proposed 12 foot by 15 foot kitchen addition between the back of the home and part of the proposed deck addition
- i. wetlands and intermittent stream on the property
- j. 75 foot septic system wetlands setback boundary, 100 foot structure wetlands setback boundary, 50 foot structure wetlands setback boundary, and 25 foot wetlands vegetative buffer boundary.

Ms. Faretra explained that the antiquated two bedroom septic system needs to be replaced with a modern system to handle load of three bedrooms. The new septic system is proposed to be within the 75 foot septic setback from wetlands, but just outside of the 50 foot structural wetlands setback. The plan showed that imposition of the 100 foot wetlands setback boundary would leave an area of only 3.5 square feet to build a structure. Therefore, the imposition of a 50 foot wetlands setback for structures on the property is allowed by the zoning ordinance. The deck, pool, and kitchen additions to the home are outside of the 50 foot wetlands setback; but extend closer to the wetlands than the existing home. Due to the proposed non-conformities with zoning ordinance regulations, the issuance of conditional use permits are required for construction of the septic system and additions.

Ms. Faretra explained that it is more practical to place the septic system leach field in the proposed location using the existing downward sloping grade of land rather than in limited space at a higher grade outside of the 75 foot septic system wetlands setback for the following reasons:

- a. Avoid raising the existing grade of the land in such a way as to create drainage issue around home's foundation.
- b. Avoid use of a pumping chamber system that could fail during a power outage and lead to unintended sewage backup into the home.

Ms. Faretra further explained that the upgrade to a modern septic system will provide better protection against wastewater contamination in the surrounding wetlands and groundwater. The kitchen, deck, and soak pool additions are also desired by the applicants due to increase in the number of family members now living at the home. The soak pool is needed for medical condition therapy. Proposed shed is necessary for increased storage due to more people living in the home. The additions will provide more space for comfortable and convenient living conditions since much of the back yard is not usable due to wetlands on the property.

Ms. Monaghan expressed her concern with a bathroom being installed in the proposed storage shed. The shed could be converted into a dwelling unit in the future.

Mr. Kroner noted lot coverage concerns during past discussions of applications for properties in the surrounding neighborhood.

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Ms. Faretra stated that only 4.75% of the lot will be covered by impervious surface after installation of the proposed improvements where 25% is allowed by the zoning ordinance.

Mr. Bonilla addressed the Board. Mr. Bonilla stated his professional opinion that the proposed improvements to the property will create no detrimental impact on the function or value of the surrounding wetlands.

**Mr. Wilson moved that the Planning Board find that the application is complete and take jurisdiction of the Conditional Use Permit application for Case #21:02 to allow replacement of septic system and structure additions within the Wetlands Conservation District buffer zone. Second by Mr. Maggiore. The roll call vote was unanimous in favor of the motion (7-0).**

Mr. Harned opened the public hearing at 8:38pm. No comments were made. Mr. Harned closed the public hearing at 8:40pm.

Mr. Wilson stated that the leach field area should be considered a structure since it is raised above the ground.

Ms. Faretra stated that the area of all proposed structural improvements is approximately 1,696 square feet.

**Mr. Wilson moved that the Planning Board approve the Case #21:02 Conditional Use Permit application to allow septic system construction, new construction, and expansion of existing construction totaling approximately 1,696 square feet within the Wetlands Conservation District buffer areas prohibited by Town of North Hampton Zoning Ordinance Section 501.7.A and Section 501.6.C as represented in the application presented to the Board. Second by Mr. Kroner.**

Discussion of the motion – Ms. Monaghan stated that, while she is in favor of the septic system design included in the plan, she opposes the application due to her concern with the possibility that an accessory dwelling unit may be created in the proposed shed.

**The roll call vote was 6-1 in favor of the motion. Mr. Harned, Mr. Wilson, Mr. Etela, Mr. Kroner, Ms. Gamache, and Mr. Maggiore in favor. Ms. Monaghan opposed.**

**3. Case #21:03 – Applicant: Tom Marturano, Jewett Construction, 25 Spaulding Road, Suite 17-2, Fremont, NH 03044.** The Applicant requests a Conditional Use Permit to allow placement of a temporary structure (construction trailer) on the property within the structure setbacks. Property Owner: Norse Properties, LLC, 331 Exeter Road, Hampton Falls, NH 03844. Property Location: 58 Lafayette Road, North Hampton, NH 03862; M/L: 007-118-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:  
Joe Coronati, engineer.

Mr. Coronati addressed the Board. Mr. Coronati presented a site plan for previously approved proposed construction at 58 Lafayette Road which showed the temporary placement of a construction trailer within the site's security fencing and structural setbacks approximately 12 feet from the front lot line along US Route 1. Mr. Coronati also presented pictures and size specifications of the construction trailer.

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Per the Town of North Hampton Zoning Ordinance, a conditional use permit is necessary to place the construction trailer on the property. The ongoing building construction activities and location of proposed utilities, septic system, and parking areas necessitate the placement of the temporary construction trailer in the proposed location. The location at the front of the property offers the best view of the ongoing construction. The construction trailer will provide indoor office and meeting space on the site and will be removed prior to paving the proposed parking areas.

**Ms. Monaghan moved that the Planning Board find that the application is complete and take jurisdiction of the Conditional Use Permit application for Case #21:03 to allow placement of a temporary structure (construction trailer) on the property within the structure setbacks. Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).**

Mr. Harned opened the public hearing at 9:00pm. No comments were made. Mr. Harned closed the public hearing at 9:02pm.

**Mr. Kroner moved that the Planning Board approve the Case #21:03 Conditional Use Permit application to allow placement of a temporary structure (construction trailer) on the property within the structure setbacks at 58 Lafayette Road as represented in the application presented to the Board for a period not to exceed one year. Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (7-0).**

### III. Other Business

#### 1. Minutes.

Mr. Harned presented the minutes of the December 15, 2020 meeting.

**Ms. Monaghan moved that the Planning Board accept the minutes of the December 15, 2020 meeting as written. Second by Mr. Etela. The roll call vote was unanimous in favor of the motion (7-0).**

#### 2. Coastal Climate Adaptation Public Information Session.

Ms. Rowden informed the Board about a public information session regarding rising sea levels and coastal hazards and Town of North Hampton strategies for adapting to the changing climate. The public information session will take place on January 28, 4:00pm to 5:00pm, via Zoom electronic meeting link available on the town website.

The meeting was adjourned at 9:06pm without objection.

Respectfully submitted,

Rick Milner  
Recording Secretary