



Meeting Minutes

North Hampton Planning Board

Tuesday, March 2, 2021 at 6:30pm

NO PHYSICAL LOCATION FOR MEETING

MEETING ACCESSED THROUGH ELECTRONIC MEANS ONLY

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 John Sillay; 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.

Mr. Sillay was seated for Mr. Kilgore.

I. New Business

1. Case #21:06 – Applicant: Committed Collision – Derek Lighthall, 610 Lafayette Road, Hampton, NH 03842. The Applicant requests a Site Plan Review to amend previous site plan approval by constructing a 1,400 square foot building addition and installing gas tanks on the property. The Applicant also requests a Conditional Use Permit for placement of gas tanks and associated guardrails within the accessory structure setback. Property Owner: LEEMAEBRANT REALTY LLC, 203 Lafayette Road, North Hampton, NH 03862; Property Location: 203 Lafayette Road; M/L: 021-007-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

John Chagnon, engineer.

Mr. Chagnon addressed the Board. Mr. Chagnon presented a site plan for the 203 Lafayette Road site which proposed to amend a previously approved site plan by constructing a 1,400 square foot building addition and installing gas tanks on the property. The amended site plan included the following details:

a. 1,400 square foot addition located at the rear of the existing building and used for storage. The increased storage space would allow for the removal of existing storage trailers on the site. The storage space will be used for storage of auto parts only. No combustibles or hazardous materials will be stored in the proposed addition.

b. Four propane gas tanks located underground near the rear property line. A portion of the proposed gas tanks would extend above the ground to allow for safe refilling of the tanks. A guardrail will surround the gas tank location. Two existing above ground gas tanks located near the southerly side yard lot line will be removed. Larger gas capacity necessary to service the larger building space created by two new additions.

c. Removal and relocation of parking spaces due to building additions and gas tank placement. Amount of parking spaces provided still meets regulation requirements.

d. Walkway and door added to improve building access.

e. Electric service lines will be moved underground after consultation with electric utility company.

f. Water lines and water meter pit relocated after consultation with water service provider.

Mr. Chagnon explained that the proposed gas tanks are considered accessory structures. The proposed location of the gas tanks approximately 10 feet from the rear lot line does meet the required rear yard lot line accessory structure setback of 35 feet. Per zoning ordinance regulations, a conditional use permit issued by the Planning Board is necessary to allow placement of the tanks in the proposed location. Given the configuration of the existing building, access points, parking spaces, and pavement, a location meeting all of the regulation criteria is not feasible. A location meeting all of the regulation criteria in the front of the lot would be more visible to the public and possibly diminish surrounding property values. The proposed location of the gas tanks in the rear of the property would insure property values are not affected by hiding the tanks from public view. The proposed gas tank location would not adversely affect the public's health, safety, and welfare as the design and installation of the gas tanks would meet all safety guidelines.

Ms. Monaghan asked if the proposed gas tanks would be visible to the residences behind the site.

Mr. Chagnon stated that an existing white vinyl fence will shield the gas tanks from view of neighbors. Even if fence did not exist, only 18-24 inches of the gas tank filling apparatus would be visible above the ground.

Ms. Monaghan moved that the Planning Board find that the applications are complete and take jurisdiction of the Site Plan Review and Conditional Use Permit applications for Case #21:06 to amend previous site plan approval by constructing a 1,400 square foot building addition and installing gas tanks on the property and allow installation of gas tanks and associated guardrails within the accessory structure setback. Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).

Mr. Harned opened the public hearing regarding the Conditional Use Permit application at 6:55pm. No comments were made. Mr. Harned closed the public hearing at 6:57pm.

Mr. Wilson moved that the Planning Board approve the Case #21:06 Conditional Use Permit application to allow placement of gas tanks and associated guardrails within the accessory structure setback on property located at 203 Lafayette Road as represented in the application presented to the Board. Second by Ms. Monaghan. The roll call vote was unanimous in favor of the motion (7-0).

Mr. Harned opened the public hearing regarding the Site Plan Review application at 6:59pm. No comments were made. Mr. Harned closed the public hearing at 7:01pm. Mr. Wilson suggested that the notes in the plan set regarding lighting on the site be revised to specifically state that lighting shall comply with the requirements of the outdoor lighting section of the zoning ordinance.

Ms. Monaghan moved that the Planning Board approve the Case #21:06 Site Plan Review application to amend previous site plan approval by constructing a 1,400 square foot building addition and installing gas tanks on the property with proposed auto body repair, vehicle sales, vehicle rental sales, and office space uses at 203 Lafayette Road subject to the following conditions:

A. The following conditions prior to the recording of the site plan mylar:

- 1. A note shall be added to the recorded site plan page and the lighting plan page which states – “Lights shall comply with all local, state, and federal regulations, including, but not limited to, Section 305 Outdoor Lighting standards of the Town of North Hampton Zoning Ordinance.”**
- 2. Applicant shall submit an easement for the community post office acceptable to the Town Attorney to protect the interests of the Town.**
- 3. Applicant shall submit a recordable Mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.**
- 4. Applicant shall submit a Certificate of Monumentation, stamped and signed by a NH Licensed Land Surveyor, certifying that all monuments depicted on the plan have been properly set.**
- 5. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.**
- 6. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).**
- 7. All fees incurred by the Planning Board, including but not limited to, consulting, engineering, and legal fees, have been paid by the applicant.**
- 8. There shall be no changes to the approved site plan on the recordable mylar except to meet these conditions of approval.**

B. The following conditions subsequent to the recording of the site plan mylar:

- 1. A certificate of occupancy shall not be issued unless:**
 - a. If the landscaping features indicated on the site plan are not completely installed at the time of issuance of the certificate of occupancy, the applicant shall provide a landscaping performance guarantee in the amount of \$7,200.00 to be held by the Town of North Hampton. Once the landscaping features are completely installed, 25% of the landscaping performance guarantee shall be held by the Town of North Hampton for two growing seasons to ensure replacement of any dead plantings. OR**
 - b. If the landscaping features indicated on the site plan are completely installed at the time of issuance of the certificate of occupancy, the applicant shall provide a landscaping performance guarantee in the amount of 25% of \$7,200.00 (\$1,800.00) to be held by the Town of North Hampton for two growing seasons to ensure replacement of any dead plantings.**

Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).

II. Other Business

1. Climate Adaptation Grant.

Ms. Rowden asked if the Board wished to apply for a grant being offered by the Piscataqua Regional Estuaries Partnership discussed at the last meeting. Ms. Rowden suggested that the grant could be used by the Planning Board to start work on regulations regarding shoreland protection, surface water protection, and delineating prime, highest value wetlands from other types of wetlands.

Mr. Harned stated his opinion that the initial cost for delineating prime wetlands in order to provide information to submit with the grant application may be too expensive without knowing the full scope of the potential benefits that the Town will derive from the grant activities.

The Board came to a consensus without objection not to move forward with the grant application process.

2. Minutes.

Mr. Harned presented the minutes of the February 16, 2021 meeting.

Ms. Monaghan moved that the Planning Board accept the minutes of the February 16, 2021 meeting as written. Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).

The meeting was adjourned at 7:11pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary