



Meeting Minutes
North Hampton Planning Board
Tuesday, July 6, 2021 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, Shep Kroner, Valerie Gamache, and Jim Maggiore, Select Board Representative; and Rick Milner, Recording Secretary.

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

I. Old Business

1. Case #21:12 – Applicant: C & R Partnership c/o Mark Stevens, P.O. Box 284, Stratham, NH 03885.

The Applicant requests a Conditional Use Permit to allow construction of a wetlands crossing and driveway within the wetlands and wetlands buffer area. Property Owner: C & R Partnership, P.O. Box 432, Stratham, NH 03885. Property Location: Exeter Road near Exeter, Stratham, and Hampton town lines, North Hampton, NH 03862; M/L: 010-002-000; Zoning District: R-2, Medium Density District.

In attendance for this application:

Joe Coronati, engineer and John Ratigan, attorney.

Mr. Coronati presented the proposed driveway plan which indicated the extent of existing and proposed disturbance on the site both within and outside of the Wetlands Conservation District boundaries. Mr. Coronati also presented a proposed septic system plan which indicated the post construction grading for the site.

Mr. Coronati addressed the Board. As the result of flooding concerns expressed by abutters at the last meeting, Mr. Coronati stated that he, Jim Gove - wetlands scientist, and Board members conducted a site walk on the Lot 10-2 property to inspect site conditions, existing topography, and water drainage features. The group also walked along Exeter Road to inspect the water drainage swale and culverts across the front of the Lot 10-2 property and easterly abutting properties. The Board members discussed the direction water flows off of the Lot 10-2 property with Mr. Coronati and Mr. Gove. The Town Engineer's previous site inspection comment that he observed nothing that would support a conclusion that recent activities on Lot 10-2 caused or contributed to flooding on abutting properties was referenced during the site walk.

Mr. Coronati stated that stormwater from the Lot 10-2 site flowed to a culvert system which directed the water flow across the front of the Lot 10-2 property and easterly abutting properties to a wetlands area beyond the properties.

Mr. Harned opened the public hearing at 6:40pm. No comments were made. Mr. Harned closed the public hearing at 6:41pm.

Mr. Wilson stated his opinion, based on his observations during the site walk, that it was highly improbable that anything on the Lot 10-2 property was creating water problems on abutting properties.

Mr. Wilson also suggested that the driveway, including the extension onto the abutting Hampton property owned by the applicant, be restricted only for certain uses allowed by the Town of North Hampton Zoning Ordinance for the R-2, Medium Density District.

Mr. Harned stated that he was in total agreement with the conclusion of the Town Engineer. Lot 10-2 was not contributing to water issues on other properties.

Mr. Harned asked if the applicant was agreeable to a use restriction for the Lot 10-2 driveway similar to the one that was discussed at the last meeting.

Mr. Coronati and Mr. Ratigan stated that the applicant would accept such a use restriction.

Ms. Monaghan asked for clarification regarding the zoning classification for the abutting Hampton property.

Mr. Coronati stated that the abutting Hampton property owned by the applicant was zoned for industrial use. However, the applicant had no intention to create an industrial use on the Hampton property. The driveway extension was intended to be used for access to an accessory use associated with the proposed single family home on Lot 10-2.

Mr. Ratigan suggested that the Board could include a condition of approval which limited the use of the driveway to a single family home and accessory use on Map/Lot 010-002-000 property and only an accessory use on the Hampton property. The condition could also be added to the Lot 10-2 property deed at such time as the property transferred ownership.

Mr. Harned stated that he believes the criteria listed in Section 501.9.A.1-6 and Section 501.9.B.2 have been satisfied.

Mr. Wilson moved that the Planning Board approve the Case #21:08 Conditional Use Permit application to allow construction of a wetlands crossing and driveway within the Wetlands Conservation District prohibited by Town of North Hampton Zoning Ordinance Section 501.6.B.1 as represented in the application presented to the Board, based on the determination by the Board that the criteria listed in Section 501.9.A.1-6 and Section 501.9.B.2 have been satisfied, and subject to the following conditions:

- 1. The Map/Lot 010-002-000 driveway shall only be used for a single family home and for an accessory use allowed by the Town of North Hampton Zoning Ordinance in the R-2 Medium Density District. As to the adjacent land in Hampton, owned by the applicant, the use of the driveway shall be restricted to an accessory use only as allowed by the R-2 Medium Density District in the Town of North Hampton. This driveway use restriction shall be included in the applicant's deed that transfers the property to a new owner.**
- 2. The language of Condition #1 shall be included as a note on the plan on file with the Town of North Hampton.**

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

II. New Business

1. Case #21:13 – Applicant: Maura Winston, 60 Woodland Road, North Hampton, NH 03862. The Applicant requests a Conditional Use Permit for an Accessory Dwelling Unit. Property Owner: Maura

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Winston, 60 Woodland Road, North Hampton, NH 03862; Property Location: 60 Woodland Road, North Hampton, NH 03862; M/L: 006-112-000; Zoning District: R-2, Medium Density District.

In attendance for this application:
Maura Winston, property owner.

Ms. Winston addressed the Board. Ms. Winston presented existing home floor plans, proposed renovation floor plans, septic system information, and photographs of the existing home. Ms. Winston explained that she was seeking approval to add an accessory dwelling unit (ADU) within the single family home by converting the master suite into a 445 square foot ADU. There will be no changes to the form or size of the existing home. The septic system is approved for operation of four bedrooms. The proposed plan does not exceed the four bedroom maximum allowed by the septic system approval. The ADU will be accessed from the existing door on the side of the existing garage.

Mr. Harned asked if the interior door between the principal dwelling and the ADU will be a conventionally opened and closed door.

Ms. Winston stated that the conventional door will remain in place with a decorative barn door that will slide in front of the conventional door.

Ms. Monaghan noted that Ms. Winston, as the property owner, has indicated in the application documents that she will live within either the principal unit or the ADU as required by the zoning ordinance. Ms. Monaghan also noted that any future property owner must also comply with the zoning ordinance and reside within one of the units.

Mr. Kroner asked if the septic system was adequate for the proposed use.

Mr. Milner stated that, according to the current NHDES septic system approval, the septic system could handle the load from the proposed use.

Mr. Wilson asked if the older septic system had been recently inspected.

Ms. Winston responded that the septic system has been inspected on a yearly basis. No issues have been found.

Ms. Monaghan moved that the Planning Board find that the application is complete and take jurisdiction of the Conditional Use Permit application for Case #21:13 to allow an accessory dwelling unit at 60 Woodland Road. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

Mr. Harned opened the public hearing at 7:07pm. No comments were made. Mr. Harned closed the public hearing at 7:08pm.

Mr. Wilson moved that the Planning Board approve the Case #21:13 Conditional Use Permit application for an Accessory Dwelling Unit on the property located at 60 Woodland Road as represented in the application presented to the Board based on the determination by the Board that

the criteria listed in Town of North Hampton Zoning Ordinance Section 401 have been satisfied. Second by Ms. Gamache. The vote was unanimous in favor of the motion (6-0).

2. Case #21:14 – Applicants: Kathleen Knowles, 16A Woodknoll Drive, North Hampton, NH 03862 and Donald Knowles, 8 Birch Road, North Hampton, NH 03862. The Applicants request a lot line adjustment between properties located at 16A Woodknoll Drive and 8 Birch Road. The Applicants also request waivers from the Town of North Hampton Subdivision Regulations:

- a. Section VIII.B.3 – Plan format scale
- b. Section VIII.B.15 – Plan format topography
- c. Section VIII.B.16 – Plan format 100 year flood elevation contour
- d. Section IX.D.2 – Monumentation requirements

Property Owners: Kathleen A. Knowles, 16A Woodknoll Drive, North Hampton, NH 03862 and Donald A. Knowles, Trustee, Donald A. Knowles Revocable Trust of 2016, 8 Birch Road, North Hampton, NH 03862; Property Locations: 16A Woodknoll Drive and 8 Birch Road; M/L: 018-011-001 and 014-102-000; Zoning District: R-1, High Density District.

In attendance for this application:

Kathleen Knowles, property owner; William Edwards, engineer.

Mr. Edwards addressed the Board. Mr. Edwards presented a lot line adjustment plan for properties located at 16A Woodknoll Drive and 8 Birch Road. The plan indicated a transfer of approximately two acres of land from the 16A Woodknoll Drive property to the 8 Birch Road property.

Mr. Edwards presented the following waiver requests and justifications for granting the waivers:

- a. Section VIII.B.3 – Plan format scale, a different plan scale was necessary to fit the lot line adjustment plan on one page for recording purposes
- b. Section VIII.B.15 – Plan format topography, no development that would change land elevations was proposed for the subject properties
- c. Section VIII.B.16 – Plan format 100 year flood elevation contour, the properties are not in a flood zone
- d. Section IX.D.2 – Monumentation requirements, it would be a financial burden to set monuments at the numerous proposed and existing boundary corner points.

Ms. Monaghan moved that the Planning Board find that the application is complete and take jurisdiction of the Lot Line Adjustment application for properties located at 16A Woodknoll Drive and 8 Birch Road. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (6-0).

Mr. Maggiore expressed his concern that granting the monumentation requirement waiver may create future issues accurately identifying the property boundaries.

Mr. Wilson suggested that the property boundaries be monumented according to the Town Subdivision Regulations requirements. It is prudent to make older lots consistent with current standards.

Mr. Harned opened the public hearing regarding waiver requests at 7:24pm. No comments were made. Mr. Harned closed the public hearing at 7:25pm.

Mr. Kroner moved that the Planning Board grant the request to waive the requirements of Subdivision Regulations Section VIII.B.3 regarding plan format scale based on the determination of the Board that

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it was practical to allow a different plan scale in order to fit the lot line adjustment plan on one page for recording purposes. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

Mr. Kroner moved that the Planning Board grant the request to waive the requirements of Subdivision Regulations Section VIII.B.15 regarding plan format topography based on the determination of the Board that it was practical to not require topographic contour boundaries be included on the plan since no development was proposed for the subject properties. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

Mr. Kroner moved that the Planning Board grant the request to waive the requirements of Subdivision Regulations Section VIII.B.16 regarding plan format flood elevation based on the determination of the Board that it was practical to not require 100 year flood elevation contour boundaries be included on the plan since the subject properties are not in a flood zone. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

Mr. Wilson moved that the Planning Board deny the request to waive the requirements of Subdivision Regulations Section IX.D regarding monumentation requirements; thereby requiring the applicant to comply with the monumentation standards of the Town of North Hampton and submit a certificate of monumentation prior to the Planning Board signing the lot line adjustment plan for recording purposes. Second by Mr. Kroner. The vote was unanimous in favor of the motion (6-0).

Mr. Harned opened the public hearing regarding the lot line adjustment application at 7:35pm. No comments were made. Mr. Harned closed the public hearing at 7:36pm.

Mr. Wilson moved that the Planning Board approve the Lot Line Adjustment application for Case #21:14 for properties located at 16A Woodknoll Drive and 8 Birch Road as represented in the plan presented to the Board subject to the following conditions:

1. 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.
2. 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.
3. Applicant shall submit evidence of receipt of all required federal, state, and local permits.
4. 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).
5. All fees incurred by the Planning Board including, but not limited to, consulting, engineering, and legal fees, have been paid by the applicant.
6. There shall be no changes to the approved plan on the recordable mylar except to meet these conditions of approval.

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

3. Case #21:15 – Applicant: Heritage Builders, LLC, 2 Walnut Hill Park, Suite 4, Woburn, MA 01801. The Applicant requests a preliminary consultation to discuss proposed conversion of commercial building, site improvements, and use changes on 198 Lafayette Road property. Property Owner: Gozinta, LLC, c/o Rodney K. Booker, 198 Lafayette Road, North Hampton, NH 03862; Property Location: 198 Lafayette

Road, North Hampton, NH 03862; M/L: 021-026-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Pat and Rodney Booker, property owners; Joe and Jay Surianello, applicants; John Chagnon, engineer; Thomas House, architect; and David Choate, real estate broker.

Mr. Chagnon addressed the Board. Mr. Chagnon presented a plan for the 198 Lafayette Road property within the Industrial-Business/Residential (I-B/R) and Aquifer Protection Districts which proposed the following changes to the site currently used as an auto repair facility:

- a. rear structure to be used as a contractor's shop
- b. subdivide the front building into three separate units to lease for various allowed uses
- c. remove three small, separate one story additions and a chimney from the front building and fill areas with pavement for better vehicular circulation
- d. remove a walkway and some pavement
- e. install fence to separate this property from abutting residential property
- f. delineate parking areas with appropriate painted striping
- g. store contractor trucks in area behind the rear building
- h. install a new septic system

Mr. Chagnon stated that there will be no change in the total amount of impervious area on the site.

Mr. House stated that the building design will be revised to include clapboard shingles and stone veneers. Windows will be added to the front. Most garage doors will remain.

The Board discussed the need for NHDOT driveway access approval due to the proposed changes and the implications that the NHDOT approval, such as a required 12 foot easement along the property's front line, may have for the proposed site plan.

Mr. Kroner asked for clarification regarding the use proposed for the rear building.

Joe Surianello stated that the rear building would be used to store trucks and site construction equipment. Also, some office space for the applicant's construction business would be created. No mechanical work would be performed in the rear building.

Ms. Monaghan asked if the area behind the rear building would be used for the storage of materials.

Joe Surianello stated that no materials would be stored behind the rear building.

Ms. Monaghan asked if any retail uses are proposed for the front building.

Mr. Choate stated that no retail uses are proposed for the front building. The spaces in the front building will most likely be used for small industrial companies.

The Board discussed the conditional use permit process to approve installation of a septic system within the Aquifer Protection District.

Mr. Milner noted the following comments from the Circuit Rider Planner's review letter regarding the proposed site changes:

- a. The proposal will require site plan approval with an amended site plan due to the change in use and the associated changes to the site itself.
- b. The proposal will require a conditional use permit for the commercial/industrial activity within the Aquifer Protection District.
- c. The potential future uses may require a separate/amended Conditional Use Permit under the Aquifer District Ordinance depending on what uses receive approval with this proposal.
- d. It is recommended that the applicant submit additional information regarding the type of work and materials being used or stored within the rear building to determine if the use is allowed or prohibited by the Aquifer Protection District Ordinance.
- e. The proposal appears to require a NHDES Subsurface Permit and an amended NHDOT driveway permit.

4. Case #21:16 – Applicant: Millie Bauer, LLC, 16 Woodknoll Drive, North Hampton, NH 03862. The Applicant requests a preliminary consultation to discuss proposed site improvements and additional site uses which amend previous site plan approval. Property Owner: Millie Bauer, LLC, 16 Woodknoll Drive, North Hampton, NH 03862; Property Location: 52 Lafayette Road, North Hampton, NH 03862; M/L: 008-024-000; Zoning Districts: I-B/R, Industrial – Business/Residential District and R-1 – High Density District.

In attendance for this application:

Greg Bauer, property owner; Scott and Nicole Prince, prospective business owners; John Chagnon, engineer; and Tim Phoenix, attorney.

Mr. Chagnon addressed the Board. Mr. Chagnon stated that the 52 Lafayette Road property within the I-B/R and Aquifer Protection Districts is currently a mixed use site which contains both commercial-industrial and residential uses. Site plan approvals were obtained in 2015 and 2018 for the current uses on the site. Mr. Chagnon presented a plan set which included existing site conditions, proposed site changes, septic system plan, and an easement plan for landscaping features which have been installed on the site and extend across the lot line onto an abutting property.

Mr. Chagnon explained that the applicant wishes to amend the previous site plan approvals by adding mechanic services and snowplow sales and installation uses to the site. Repair services would be limited to vehicles one ton or below in size. A storage area is proposed within the residential R-1 High Density District. The storage area will contain snow plows, pipes, blocks of granite and rocks. No piles of materials will be stored within this area. No new building construction is proposed. No change to the septic system design is anticipated. The area to the northeast of the current maintenance building will continue to be used for parking. The plan proposes to add hedges to screen the commercial-industrial uses on the property from residential abutters.

Mr. Chagnon acknowledged the following existing conditions, in addition to the landscaping features across the property line, which differ from the approved site plans:

- a. A 45 foot deep concrete pad has been installed behind the maintenance garage building. The approved site plans allow for a 12 foot deep concrete pad.
- b. A stockade fence that lines the gravel parking area in the approved site plans has been replaced by walls made of large stones and granite blocks. The stone and block walls extend from near Fern Road at

the front of the property around the back side of the maintenance garage building separating the maintenance building from the residential buildings on both the side and rear.

c. Lamp posts have been installed.

d. A Dumpster which is located behind the maintenance garage building in the approved site plan has been moved toward the front of the property.

e. Fuel storage within a containment structure and shed has been moved from the I-B/R section to the R-1 section of the property.

e. A concrete block salt storage area and paved apron access/parking area off of Fern Road have not yet been installed.

Mr. Chagnon acknowledged Mr. Milner's review comment that a storage area is proposed on an area of the property that lies within the R-1 High Density District. Depending on the nature of the activity and type of storage proposed, a variance, special exception, and/or conditional use permit may be necessary to allow the activity in the proposed area.

Ms. Monaghan stated that, in the past and currently, items have not been contained within the allowed storage areas on the site. She asked how the applicant would ensure that future storage of items would be contained within the allowed areas.

Mr. Chagnon responded that the future site plan and associated application documents will more precisely indicate the location and more clearly describe the nature of proposed storage areas.

Mr. Harned asked where equipment and truck storage will be located.

Mr. Bauer responded that equipment currently located behind and to the left of the maintenance building and trucks currently located near the detention pond are proposed to be stored in the same locations.

Mr. Maggiore suggested that the applicant indicate in the application documents the extent of the landscaping features that are proposed to provide a buffer between the commercial-industrial activities and the abutting residential properties.

Mr. Milner noted that some of the features not on approved site plans which have been installed on the site and the abutting property or proposed site uses and features may require specialized relief from the appropriate land use boards.

Mr. Milner noted the following comments from the Circuit Rider Planner's review letter regarding the proposed site changes:

a. The proposal will require site plan approval with an amended site plan due to the change in use and the associated changes to the site itself.

b. The proposal will also require a conditional use permit for the new commercial/industrial activity within the Aquifer Protection District.

c. It is recommended that the applicant submit additional information regarding the materials being used or stored to determine if the use is allowed or prohibited by the Aquifer Protection District Ordinance.

III. Other Business.

1. Minutes.

Mr. Harned presented the minutes of the June 15, 2021 meeting.

Ms. Monaghan moved that the Planning Board accept the minutes of the June 15, 2021 meeting as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).

Mr. Harned presented the minutes of the June 29, 2021 site walk.

Ms. Monaghan moved that the Planning Board accept the minutes of the June 29, 2021 site walk as written. Second by Mr. Wilson. The vote was 4-0-2 in favor of the motion with Mr. Kroner and Mr. Maggiore abstaining.

The meeting was adjourned at 8:59pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary