



## Meeting Minutes

### North Hampton Planning Board

**Tuesday, August 1, 2023 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

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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:** Phil Wilson, Chair; Rob Omberg, Vice Chair; Members Nancy Monaghan, Shep Kroner, Valerie Gamache, and Jim Maggiore, Select Board Representative; Alternate Member Dan Derby; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Chair Wilson called the meeting to order at 6:30pm.

Mr. Derby seated for Mr. Etela.

#### **I. New Business**

**1. Case #23:17 - Applicant: Kathleen Demers, 15 Stevens Road, North Hampton, NH 03862.** The Applicant requests a Conditional Use Permit to allow placement of an accessory structure (shed) within the accessory structure setback. Property Owner: Kathleen Demers, 15 Stevens Road, North Hampton, NH 03862; Property Location: 15 Stevens Road, North Hampton, NH 03862; M/L: 008-064-000; Zoning District: R-1, High Density District.

#### In attendance for this application:

Kathleen Demers, property owner.

Ms. Demers addressed the Board. Ms. Demers stated that she was requesting that the Planning Board approve the placement of a 10 foot by 12 foot shed at a distance of 10 feet from the northerly side yard lot line where a distance of 15 feet is required. The proposed location of the shed will be 58 feet from the front yard lot line and be no closer to the road than the existing home. This location meets the front yard setback requirement. Ms. Demers presented the following information to the Board:

- a. a sketch of the 15 Stevens Road property showing the location of the home, proposed shed, driveway, septic system, attached garage, and attached outdoor deck with approximate measurements of the various structures to the front, side, and rear yard lot lines,
- b. a photo with a satellite view of the property,
- c. a narrative letter explaining the proposed use for the shed and the applicant's justifications for granting the Conditional Use Permit request, and
- d. an architectural rendering of the proposed shed.

Ms. Demers explained that the proposed shed was needed to create more storage space for yard tools/equipment and a snowblower. There is not enough storage space available in the one car garage attached to the older home. The proposed location for the shed is the most feasible location to allow easy access to the stored equipment, especially during the winter for snow removal activities.

Ms. Demers addressed the criteria for granting a Conditional Use Permit for non-conformance to the accessory structure setback requirements.

- a. The accessory structure will not diminish the value of surrounding properties in that eleven (11) properties have sheds in the neighborhood. Three (3) of the properties in the neighborhood have the

sheds placed in a similar location as the applicant's proposed shed in the side yard next to the garage. The architectural style of the shed will conform to the character of the neighborhood and match the color of the existing home. A storage shed is a common and reasonable use for homeowners.

b. The accessory structure will not adversely affect the public safety, health, or welfare in that no hazardous materials will be stored in the shed. Also, there are no wetlands impacts associated with the proposed location of the shed.

Ms. Monaghan asked if there was any other location for placement of the shed on the property that would conform to the setback requirements.

Ms. Demers stated that the shed could be placed in the back yard. However, this location would be difficult to access in the winter months. Also, the proposed shed location near the driveway would be more functional for snow removal activities.

**Ms. Monaghan moved that the Planning Board find that the application is complete and take jurisdiction of the Case #23:17 Conditional Use Permit application to allow placement of an accessory structure (shed) within the accessory structure setback at 15 Stevens Road. Second by Mr. Derby. The vote was unanimous in favor of the motion (7-0).**

Mr. Wilson opened the public comment session at 6:39pm. No comments were made. Mr. Wilson closed the public comment session at 6:40pm.

Mr. Wilson stated his opinion that the application satisfied the criteria to grant a Conditional Use Permit for non-conformance to the accessory structure setback requirements.

**Mr. Omberg moved that the Planning Board approve the Case #23:17 Conditional Use Permit application to allow placement of an accessory structure (shed) within the accessory structure setback for property located at 15 Stevens Road as represented in the plan presented to the Board. This decision is based on the following finding of fact:**

**1. The application meets all relevant Conditional Use Permit criteria as indicated in Zoning Ordinance Section 301.**

**Second by Ms. Gamache. The vote was unanimous in favor of the motion (7-0).**

**2. Case #23:18 – Applicant: PSNH d/b/a Eversource Energy c/o Kurt Nelson, 13 Legends Drive, Hooksett, NH 03106.** The Applicant requests a Conditional Use Permit for temporary impacts associated with utility pole replacements within the Wetlands Conservation District and associated buffer zones. Property Owner: PSNH d/b/a Eversource Energy, 13 Legends Drive, Hooksett, NH 03106. Property Location: Existing and maintained right of way adjacent to Exeter Road; M/L: Multiple locations along Exeter Road; Zoning District: R-2, Medium Density District.

In attendance for this application:

Jacob Barrett and Andrew Mahoney, applicant representatives.

Mr. Barrett addressed the Board. Mr. Barrett stated that the applicant was requesting that the Planning Board grant a Conditional Use Permit for the replacement of existing utility poles at several locations along the Exeter Road right of way within the Wetlands Conservation District and associated buffer

zones. Work associated with the installation of the new utility poles will have a temporary impact on the Wetlands Conservation District and its buffer zone in this area. Mr. Barrett presented the following information to the Board:

- a. plans which included overhead satellite photos depicting several current utility pole locations and proposed utility pole locations in relation to wetlands and wetlands buffer zones on properties adjacent to Exeter Road,
- b. USGS topography and wetlands mapping for the Exeter Road area, and
- c. narrative letter describing the installation project details, the natural resources associated with the wetlands in the area, proposed land area temporarily impacted by the project, and explanation how the proposed activity satisfies the criteria for granting a Conditional Use Permit.

The narrative letter stated the following proposed temporary impacts created by the new utility pole installations:

- a. delineated wetland – 3,316 square feet,
- b. 25 foot vegetative buffer – 5,702 square feet,
- c. 100 foot wetland buffer – 5,834 square feet, and
- d. total impact – 14,852 square feet

Mr. Wilson stated that he observed that the utility pole replacement work had already begun.

Mr. Barrett stated that the work outside of the wetlands buffer areas had begun. The work within the wetlands buffer areas which is the subject of the Conditional Use Permit application has not yet begun.

Ms. Monaghan asked how the new poles compared in size to the current poles.

Mr. Barrett stated that the new poles are about six inches larger in circumference and slightly taller than the current poles. The taller poles will avoid potential tree hazards and allow more power to be carried by the electrical utility infrastructure.

Mr. Maggiore stated that he observed that in many instances two poles will remain installed together for some period of time. He asked for clarification regarding the purpose of two poles and how long the second pole would remain in place.

Mr. Barrett stated that the original pole remains in place to aid with the effective transfer of shared utilities and attachments to the new pole. The utility company has an operational standard that the installation of shared features by other companies be completed within 30 to 60 days of the utility pole and utility line installation.

Mr. Maggiore stated that, in his experience as a state legislator, he is aware that the completion of shared feature installations and the removal of the second supporting utility pole sometimes take two to three years to complete. He suggested that the applicant endeavor to ensure that completion of the installation of shared features on the utility poles be completed in an expeditious manner in order to reduce the duration of the temporary wetlands impacts.

**Mr. Kroner moved that the Planning Board find that the application is complete and take jurisdiction of the Case #23:18 Conditional Use Permit application for temporary impacts associated with utility**

**pole replacements within the Wetlands Conservation District and associated buffer zones. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).**

Mr. Wilson opened the public comment session at 6:54pm. No comments were made. Mr. Wilson closed the public comment session at 6:55pm.

Mr. Barrett addressed the criteria for granting a Conditional Use Permit for temporary impacts associated with utility pole replacements within the Wetlands Conservation District and associated buffer zones.

a. The proposed activity is essential to the productive use of the land not within the wetlands district in that the proposed maintenance work is required to maintain the reliability of the existing electric utility infrastructure by reducing the frequency of tree related electrical outages.

b. The proposed activity will minimize detrimental impact on the wetlands district in that the replacement utility poles will be placed in the same configuration as the existing utility poles. Replacement work will be conducted from the existing roadway using trucks with elevated buckets.

c. No alternative with less detrimental impact on the wetlands district is feasible in that the proposed work will be conducted in a small area surrounding the location of the existing structures. Exposed soils will be stabilized. Erosion control measures following best management practices and NHDES regulations will be installed.

d. The proposed activity is not otherwise prohibited by the zoning ordinance.

e. The proposed activity will not result in any diminution of abutting property values in that all work will be conducted in the existing right of way along Exeter Road, not on the abutting properties. The increased reliability of electrical service to neighboring homes will be a benefit to property owners.

f. All required permits shall be obtained from State and Federal agencies to ensure compliance with wetlands and clean water regulations.

Mr. Wilson stated his opinion that the criteria for granting a Conditional Use Permit for temporary impacts associated with utility pole replacements within the Wetlands Conservation District and associated buffer zones have been met.

**Ms. Monaghan moved that the Planning Board approve the Case #23:18 Conditional Use Permit application for temporary impacts associated with utility pole replacements within the Wetlands Conservation District and associated buffer zones as represented in the application presented to the Board. This decision is based on the following finding of fact:**

**1. As detailed by the applicant's evidence presented to the Board, the application meets all relevant Conditional Use Permit criteria indicated in Zoning Ordinance Section 501.**

**Second by Mr. Kroner. The vote was unanimous in favor of the motion (7-0).**

## **II. Other Business**

### **1. Minutes.**

Mr. Wilson presented the minutes of the July 18, 2023 meeting.

Ms. Monaghan stated that her comment regarding the accessory dwelling unit ordinance in lines 686-688 of the draft minutes was incorrect. She requested that the comment be removed from the July 18 minutes. The Board came to a consensus without objection to remove the comment from the July 18 minutes.

188 **Mr. Maggiore moved that the Planning Board accept the minutes of the July 18, 2023 meeting as**  
189 **amended. Second by Mr. Omberg. The vote was 6-0-1 in favor of the motion with Mr. Derby**  
190 **abstaining.**

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192 The meeting was adjourned at 7:05pm without objection.

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194 Respectfully submitted,

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198 Rick Milner  
199 Recording Secretary