



**Meeting Minutes**  
**Work Session**  
**North Hampton Planning Board**  
**Tuesday, July 17, 2018 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

7 These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a  
8 transcription.

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10 **In attendance:** Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Phil Wilson, Wally Kilgore,  
11 and Jim Maggiore, Select Board Representative; Alternate Member Lauri Etela; Jennifer Rowden, RPC  
12 Circuit Rider; and Rick Milner, Recording Secretary.

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14 Vice Chair Monaghan called the meeting to order at 6:30pm.  
15 Ms. Monaghan appointed Mr. Etela to stand in for Mr. Derby.

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17 **I. New Business**

18 1. Review of proposed 2018-19 Zoning Ordinance amendments – Wetlands Buildable Area.  
19 Mr. Harned presented proposed language changes to the Wetlands Conservation District section of the  
20 zoning ordinance to clarify the meaning of buildable area as it relates to construction on properties  
21 within the Wetlands Conservation District.

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23 The Board came to a consensus without objection to create a definition for buildable area or building  
24 envelope which may be used throughout all sections of the zoning ordinance. Mr. Wilson suggested the  
25 following definition language:

26 “Buildable Area or Building Envelope: That area of the contiguous uplands on a lot which is outside any  
27 setback or buffer area.”

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29 The Board came to a consensus without objection to accept the proposed changes to the Wetlands  
30 Conservation District section of the zoning ordinance and consider a revised version at the August 21  
31 work session. Proposed language as revised attached as Appendix A to these minutes.

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33 2. Review of proposed 2018-19 Zoning Ordinance amendments – Outdoor Lighting.  
34 Mr. Maggiore presented proposed language changes to the Outdoor Lighting section of the zoning  
35 ordinance. The proposed revisions included allowing non-conforming lighting uses through the issuance  
36 of a Conditional Use Permit issued by the Planning Board, rather than a variance granted by the Zoning  
37 Board of Adjustment. The proposed revisions also included updates to reflect changes in modern  
38 technology and national and international health and safety standards.

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40 Mr. Kilgore stated his concern that proposed changes mandating installation of items such as timers and  
41 motion sensors which would limit outdoor lighting for residential and commercial properties after  
42 11:00pm was an infringement upon a property owner’s right to light his property in a way to provide  
43 better security and safety. He preferred the current outdoor lighting ordinance language which allowed  
44 the option of installing such items whenever practicable.

Mr. Wilson stated that the original intent of the language in question was to encourage energy efficiency and better address dark sky initiatives along the Route 1 corridor.

Ms. Rowden suggested that the language be changed so that installation of items such as timers and motion sensors be encouraged, not mandated. The Board came to a consensus to revise the language to encourage, not mandate, the use of timers, dimmers, and/or motion sensors.

Mr. Milner suggested removing proposed language which may allow other laws to supersede the outdoor lighting ordinance. The Board came to a consensus to remove the proposed language.

The Board came to a consensus without objection to accept the proposed changes to the Outdoor Lighting section of the zoning ordinance and consider a revised version at the August 21 work session. Proposed language as revised attached as Appendix B to these minutes.

### 3. Review of proposed 2018-19 Zoning Ordinance amendments – Accessory Structures

Mr. Harned presented proposed language for a new Accessory Structures section of the zoning ordinance and changes to the Agriculture Accessory Structures section of the zoning ordinance. The intent of the proposed language is to create a definition for accessory structures and establish permitting regulations for the construction of accessory structures within all zoning districts of the Town of North Hampton.

Ms. Monaghan asked if it would be advisable for the proposed language to address the number of accessory structures allowed on a lot.

Ms. Rowden suggested that the issue of the number of accessory structures allowed on a lot would be better addressed during consideration of lot coverage regulations.

Ms. Rowden stated that a distinction between the proposed language regarding non-agricultural and agricultural uses of accessory structures needed to be clarified in order to more effectively administer the different standards applied to the different uses. Ms. Rowden also asked for clarification regarding the proposed definition of an accessory structure.

Mr. Harned stated that, due to the already existing agriculture section of the zoning ordinance which includes accessory structures, there are two different proposed definitions and different proposed standards for a non-agricultural and an agricultural accessory structure. There may be inherent conflicts or unintended consequences that may result from having the two different sets of rules based on the proposed use of an accessory structure.

Mr. Wilson stated that the intent of an accessory structure regulation is to allow a property owner to build an accessory structure without adversely impacting neighbors. Standards to consider should be building size, building size relative to the size of the lot, building height, and setbacks from property lines or wetlands areas. A conditional use permitting process to approve larger accessory structures would allow neighbors to comment and give the Board feedback.

Mr. Kilgore stated that he does not see an overwhelming demand for agricultural construction in the town which would necessitate two different sets of standards for non-agricultural and agricultural accessory structures. Requiring agriculture applicants to follow the same procedures as non-agriculture

applicants by obtaining Planning Board approval for a larger accessory structure through a conditional use permitting process is not burdensome.

The Board came to a consensus without objection to:

a. not distinguish between agricultural and non-agricultural uses when considering accessory structure regulations

b. define accessory structure as follows: "Accessory Structure: Any structure on a lot that is detached or not from the principal structure on that lot and its use is incidental and subordinate to that principal structure."

Mr. Harned stated that, based on the Board comments, he would draft a new version of a proposed accessory structure zoning ordinance.

#### 4. Discussion of proposed Site Plan Review Regulations – Minor Site Plan.

Ms. Monaghan suggested that, since it has been quite some time since the Board discussed proposals for minor site plan regulations, the Board re-examine the matter from the beginning at the August 21 work session.

## II. Other Business

### 1. Committee Updates.

a. Long Range Planning (LRP) – Mr. Maggiore reported that the committee would continue its discussions regarding Master Plan updates on July 19.

b. Application Review Committee (ARC) – No report.

c. Rules and Regulations/Procedures – No report.

d. Capital Improvement Plan Committee (CIP) – Ms. Monaghan reported that the committee has completed initial review of Fire Department proposals and will begin review of Police Department proposals.

e. Economic Development Committee (EDC) – Mr. Wilson reported that a representative from the RPC presented a transportation plan for the Route 1 corridor to the committee and discussed its potential impacts on the Town of North Hampton. Mr. Wilson also reported that the committee will be receiving training from UNH regarding the best strategies to retain current business and attract new business to the Town.

f. Select Board – No report.

g. RPC Circuit Rider – No report.

h. Planning and Zoning Administrator – No report.

### 2. Minutes.

Ms. Monaghan presented the minutes of the July 3, 2018 Planning Board meeting.

**Mr. Harned moved that the Planning Board accept the minutes of the July 3, 2018 Planning Board meeting as written. Second by Mr. Maggiore. The vote was 5-0-1 in favor of the motion with Mr. Wilson abstaining.**

### 3. Decision procedure.

The Board discussed the potential consequences of placing a condition of approval on a decision. The Board came to a consensus that details regarding a condition of approval should be clearly defined in order to avoid possible unintended consequences that may occur as the result of a condition not being satisfied.

139 The meeting was adjourned at 8:26pm without objection.

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141 Respectfully submitted,

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145 Rick Milner

146 Recording Secretary

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