



**Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, November 17, 2020 at 6:30pm
Mary Herbert Conference Room, 233 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, Lauri Etela, Shep Kroner, and Jim Maggiore, Select Board Representative; Alternate Member Valerie Gamache; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Vice Chair Monaghan called the meeting to order at 6:33pm.

Ms. Monaghan and Mr. Milner were present at the conference room location.

Mr. Harned, Mr. Wilson, Mr. Kroner, Mr. Etela, Mr. Maggiore, Ms. Gamache, and Ms. Rowden participated by electronic means as authorized by State of NH Executive Orders associated with the current public health crisis.

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.

Mr. Milner presented proposed zoning ordinance language revisions regarding accessory structures setbacks and the process to grant relief from accessory structures regulations:

- a. add required front setback distance for accessory structures to Section 304 Accessory Structures and
- b. clarify in Section 203.1 Yard and Lot Requirements that relief from size and setback requirements for accessory structures is granted through the issuance of a Conditional Use Permit from the Planning Board, not a variance from the Zoning Board of Adjustment.

Mr. Harned stated his opinion that the zoning amendment language may unnecessarily burden owners of larger properties with an approval process for accessory structures that are remotely located on a property yet do not precisely conform to the zoning ordinance language. The intent of the zoning ordinance language is to prevent accessory structures from being located on a smaller property close to a roadway. Mr. Harned suggested that the language be revised to allow more flexibility for the placement of an accessory structure in a more remote location on a larger property.

Mr. Wilson and Mr. Harned suggested that the following language revision be included in the proposed accessory structures zoning ordinance amendment:

301.1 Accessory Structures, regardless of structure size or lot size, shall require front minimum setback depths of 30 feet in the R-1 District, 35 feet in the R-2 District, and 50 feet I-B/R District. In addition, all Accessory Structures shall be sited no closer to a public road than the principal structure on

that lot unless the accessory structure can be sited at least 150 feet from the public road. The provision of this Section 301.1 which imposes the greater front setback depth shall govern.

Ms. Monaghan opened the public hearing at 7:02pm. No comments were made. Ms. Monaghan closed the public hearing at 7:03pm.

The Board came to a consensus without objection to include the suggested revisions in the zoning amendment proposal.

Mr. Harned moved that the Planning Board continue the public hearing to consider adoption of the proposed Accessory Structures setbacks and relief zoning ordinance language to the December 15, 2020 meeting date. Second by Mr. Wilson. The roll call vote was unanimous in favor of the motion (7-0).

The revised language is attached as Appendix A to these minutes.

II. Old Business

1. Discussion of proposed 2021 Zoning Ordinance amendments – Aquifer Protection District.

Mr. Harned presented changes to the proposed zoning ordinance language revisions to Section 503 Aquifer Protection District based on the Board's comments at the October 20 work session. Mr. Harned also presented stratified drift aquifer and source water protection maps to illustrate areas defined by the proposed regulations.

The Board discussed the following concepts:

- a. Definitions associated with different types of public water systems.
- b. The enlargement of the Aquifer Protection District to include a large area in the southwest corner of the Town of North Hampton which acts as a hydrologic influence/water source for Aquarion water supply wells in the northwest corner of the Town.
- c. The enlargement of the Aquifer Protection District to include areas with transmissivity rates as low as zero feet squared per day.
- d. The enlargement of the Aquifer Protection District to include wellhead protection areas indicated on NHDES source water protection map.

Mr. Maggiore stated that protecting water supply sources is paramount. The goals expressed by the proposed zoning ordinance is consistent with the desire of North Hampton residents to protect water supply areas, as expressed in multiple surveys and the Town's Master Plan. The Board came to a consensus without objection to include the proposed expanded water supply protection areas within the proposed new boundaries of the Aquifer Protection District.

2. Discussion of Master Plan updates.

Mr. Maggiore stated that the Long Range Planning Committee will be working on collecting current data and statistics in an attempt to identify land use trends as a way to frame a narrative for an updated Land Use Chapter of the Master Plan. The Land Use chapter currently has outdated data and statistics supporting its conclusions. An update of the statistical data in the Land Use chapter is needed to reflect the current land use environment in the Town.

3. Discussion of proposed 2021 Zoning Ordinance amendments – Self-Storage Facilities.

Mr. Kroner presented a draft of proposed zoning ordinance language regarding the regulation of self-storage facilities. Mr. Kroner stated that, after examining the zoning ordinances of several communities, the Town of North Hampton appears to be the only community where a wide variety of uses are allowed and the descriptions of the uses lack sufficient detail. The proposed zoning language included the following criteria:

- a. The purpose of the proposed zoning ordinance would be to provide for safe and attractive development of commercial sites and protect the health, safety, and welfare of the community.
- b. Self-Storage Facility use would only be allowed in the Industrial- Business/Residential District (I-B/R) through the issuance of a special exception.
- c. The number of self-storage units would be limited to 1,200.
- d. The self-storage use may be limited to a particular area of the I-B/R District. However, the use of many areas of the Route 1 business corridor have already been pre-determined by previous development.

The Board discussed the following concepts:

- a. Adding language that would make a self-storage facility essentially invisible.
- b. Allowing self-storage facilities as a permitted use in a particular area of the I-B/R District.

The Board came to a consensus without objection to have Mr. Kroner continue working on self-storage facilities zoning language.

III. Other Business

1. Committee Updates.

- a. Long Range Planning (LRP) – No report.
- b. Application Review Committee (ARC) – No report.
- c. Rules and Regulations/Procedures – No report.
- d. Capital Improvement Plan Committee (CIP) – No report.
- e. Economic Development Committee (EDC) – Mr. Wilson reported that the committee will meet to discuss zoning change recommendations suggested by professional consultant tasked with developing a Village Center District concept. A substantial part of the zoning change recommendations deal with incorporating mixed uses (commercial-residential) on properties within the I-B/R District or a proposed Village Center District. The committee will also start crafting its economic development recommendations for submittal to the Select Board.
- f. Select Board – Mr. Maggiore reported Budget Committee updates.
- g. RPC Circuit Rider – Ms. Rowden informed the Board about State of NH website which gives the public access to database of zoning ordinance provisions throughout the state as a means to compare zoning methods between different regions in the State of NH.
- h. Planning and Zoning Administrator – Mr. Milner informed the Board about upcoming applications.

2. Minutes.

Ms. Monaghan presented the Planning Board November 3, 2020 meeting minutes.

Mr. Wilson moved that the Planning Board accept the minutes of the November 3, 2020 Planning Board meeting as written. Second by Mr. Harned. The roll call vote was unanimous in favor of the motion (7-0).

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

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141 Respectfully submitted,

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145 Rick Milner

146 Recording Secretary

SECTION 203 DISTRICT REQUIREMENTS

203.1 Yard and Lot Requirements *3/12/2019

		R-1	R-2	I-B/R
Minimum Lot Area in Square Feet		87,120	87,120	87,120
Minimum Frontage in Feet		175	175	250
Maximum Lot Coverage	Lots < 2 acres	35%	35%	75%
	Lots ≥ 2 acres	25%	25%	75%
Minimum Depth in Feet, Front Yard, Principal Structures		30	35	50
Minimum Depth in Feet, Side Yard & Rear Yard, Principal Structures		25	30	35
Minimum Depth in Feet, Front Yard, Accessory Structures ¹		30	35	50
Minimum Depth in Feet, Side Yard & Rear Yard, Accessory Structures ¹ with footprint size no greater than 1,008 square feet.	Lots < 2 acres	15	15	35
	Lots ≥ 2 and < 4 acres	15	15	35
	Lots ≥ 4 acres	15	15	35
Minimum Depth in Feet, Side Yard & Rear Yard, Accessory Structures ¹ with footprint size greater than 1,008 square feet but no greater than 1,440 square feet.	Lots < 2 acres	NA ²	NA ²	35
	Lots ≥ 2 and < 4 acres	25	30	35
	Lots ≥ 4 acres	25	30	35
Minimum Depth in Feet, Side Yard & Rear Yard, Accessory Structures ¹ with footprint size greater than 1,440 square feet but no greater than 2,500 square feet.	Lots < 2 acres	NA ²	NA ²	35
	Lots ≥ 2 and < 4 acres	NA ²	NA ²	35
	Lots ≥ 4 acres	35	35	35
Minimum Depth in Feet, Side Yard & Rear Yard, Accessory Structures ¹ with footprint size greater than 2,500 square feet but no greater than 4,000 square feet.	Lots < 2 acres	NA ²	NA ²	35
	Lots ≥ 2 and < 4 acres	NA ²	NA ²	35
	Lots ≥ 4 acres	50	50	35
Minimum Depth in Feet, Side Yard & Rear Yard, Accessory Structures ¹ with footprint size greater than 4,000 square feet.	Lots < 2 acres	NA ²	NA ²	35
	Lots ≥ 2 and < 4 acres	NA ²	NA ²	35
	Lots ≥ 4 acres	NA ²	NA ²	35

¹ In addition to setback requirements, accessory structures, ~~unless attached to the principal structure by a common interior wall~~, shall be sited no closer to a public road than the principal structure on that lot ~~unless the accessory structure can be sited at least 150 feet from the public road~~, whichever distance is greater. Accessory structures erected for agricultural uses shall also meet the requirements of Section 602. *3/12/2019 Size and setback requirements for accessory structures are established in Section 301. As stated in Section 301, relief from size and setback requirements for accessory structures shall be accomplished through the issuance of a Conditional Use Permit by the Planning Board, not a variance granted by the Zoning Board of Adjustment. *3/9/2021

² NA – Not Allowed

ACCESSORY STRUCTURES PROPOSED REVISIONS

301.1 Accessory Structures, regardless of structure size or lot size, shall require front minimum setback depths of 30 feet in the R-1 District, 35 feet in the R-2 District, and 50 feet I-B/R District. In addition, all Accessory Structures shall be sited no closer to a public road than the principal structure on that lot ~~unless attached to the principal structure by a common interior wall, unless the accessory structure can be~~ sited at least 150 feet from the public road. The provision of this Section 301.1 which imposes the greater front setback depth shall govern.

301.6 Accessory Structures with a footprint no greater than 1,008 square feet shall require side and rear minimum setback depths of 15 feet in ~~the R-1 District, 15 feet in the R-2 District~~ both the R-1 and R-2 Districts. ~~and shall meet all other zoning and planning requirements.~~

301.7 Accessory Structures with a footprint greater than 1,008 but no greater than 1,440 square feet shall require side and rear minimum setback depths of 25 feet in the R-1 District ~~and~~ 30 feet in the R-2 District. ~~and shall meet all other zoning and planning requirements.~~

301.8 Accessory Structures with a footprint greater than 1,440 but no greater than 2,500 square feet shall require side and rear minimum setback depths of 35 feet in both the R-1 and R-2 Districts. ~~and shall meet all other zoning and planning requirements.~~

301.9 Accessory Structures with a footprint greater than 2,500 square feet but no greater than 4,000 square feet shall require side and rear minimum setback depths of 50 feet in ~~both~~ the R-1 and R-2 Districts. ~~and shall meet all other zoning and planning requirements.~~