



**Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, December 15, 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 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 6:32pm.

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

Mr. Harned, Mr. Etela, Mr. Kroner, 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. Wilson.

I. Public Hearings

1. Town of North Hampton, NH review of amendments to Zoning Ordinance Section 203.1 Yard and Lot Requirements and Section 304 Accessory Structures for inclusion on the 2021 Town Warrant. Public Hearing continued from November 17, 2020 meeting date.

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

a. 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 and

b. add required front setback distance for accessory structures to Section 304 Accessory Structures.

Mr. Harned suggested a minor editorial change to clarify the intent of the accessory structure setback requirements. The Board came to a consensus without objection to make the editorial change. The revised language is attached as Appendix A to these minutes.

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

Mr. Harned moved that the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 203.1 Yard and Lot Requirements and Section 304 Accessory Structures appear on the 2021 Town Warrant as amended at the December 15, 2020 meeting. Second by Ms. Gamache. The roll call vote was unanimous in favor of the motion (5-0).

2. Town of North Hampton, NH review of amendments to Zoning Ordinance Section 503 Aquifer Protection District Ordinance for inclusion on the 2021 Town Warrant.

Mr. Harned presented proposed zoning ordinance language revisions associated with the Aquifer Protection District:

a. A Conditional Use Permit shall be required for an activity that does not comply with the requirements of the ordinance.

b. Provide definitions for public water system and wellhead protection area and include these areas within the Aquifer Protection District; thereby providing increased protection against contamination for these areas.

c. Expand the Aquifer Protection District boundaries to include aquifer areas defined by US Geological Survey (USGS) Water Resources Investigations Report for Lower Merrimack and Coastal River Basins, Southeastern New Hampshire and Public Water Supply Wellhead Protection areas.

Mr. Harned stated that some minor editorial changes to correct grammar and numbering sequences which do not change the intent of the proposed amendments will be made to the final version of the document. The Board came to a consensus without objection to allow the minor editorial changes. The revised language is attached as Appendix B to these minutes.

Mr. Maggiore joined the meeting at 6:50pm.

Ms. Monaghan opened the public hearing at 6:53pm. No comments were made. Ms. Monaghan closed the public hearing at 6:54pm.

Mr. Kroner moved that the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 503 Aquifer Protection District Ordinance appears on the 2021 Town Warrant as presented with minor editorial edits. Second by Ms. Gamache. The roll call vote was unanimous in favor of the motion (6-0).

II. New Business

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

Mr. Kroner presented changes to the proposed zoning ordinance language regarding the regulation of self-storage facilities based on the Board's comments at the November 17 work session. The proposal included drafts of zoning ordinance sections for self-storage facilities as a permitted use or as a use allowed by a special exception. The proposal also included the following:

a. a definition for self-storage facilities - a building or group of buildings containing storerooms or containers which are leased to customers for storage of personal household goods or products outside of their own home or place of business.

b. a purpose statement providing for safe and attractive development of self-storage facility sites and protecting the health, safety, and welfare of the community,

c. Self-Storage Facility use would only be allowed in the Industrial- Business/Residential District (I-B/R).

d. the number of self-storage units would be limited to 1,200, and

e. the self-storage use may be limited to a particular area of the I-B/R District.

The Board discussed the justification and legal basis in the Master Plan for creating self-storage facility regulations. The Board came to a consensus without objection that the Master Plan purpose statement and goal of maintaining the rural character of the Town provides justification for establishment of self-storage facility regulations.

Ms. Rowden suggested that only the definition and addition of the self-storage facility use to the list of I-B/R uses be included in the zoning ordinance proposal. Other details are best suited for inclusion in the Site Plan Regulations.

The Board discussed various concepts regarding the regulation of self-storage facilities such as screening, architectural standards, locating buildings at the back of a lot, and adding retail uses to self-storage facility projects. The Board also discussed whether self-storage facility use should be a permitted use or a use allowed by a special exception.

The Board came to a consensus without objection to propose that the self-storage facility use be listed as a use in the I-B/R allowed by a special exception and only add the definition of self-storage facility to the zoning ordinance proposed amendment language. The revised language is attached as Appendix C to these minutes.

Mr. Harned moved that the Planning Board schedule a public hearing on January 5, 2021 to consider the adoption of zoning ordinance language proposing that self-storage facility use be listed as a use in the I-B/R allowed by a special exception and adding the definition of self-storage facility as presented. Second by Ms. Gamache. The roll call vote was unanimous in favor of the motion (6-0).

2. Discussion of proposed Site Plan and Subdivision regulations revisions regarding performance guarantees.

Mr. Milner presented proposed revisions to the Site Plan Review and Subdivision Regulations regarding the process for performance financial guarantees to ensure completion of site plan and subdivision projects. The intent of the proposed language revisions was to simplify the process for the Town to collect performance guarantee funds in the case of a developer failing to complete a construction project. The proposed language revisions were developed with consultation from Town Counsel.

Mr. Harned and Mr. Kroner stated that a lot of work went into the drafting of the original language. They suggested that Board members review the proposal further and discuss at a later date. The Board came to a consensus without objection to table the matter until such time as Board members have adequately reviewed the legal implications of the proposed language.

3. Discussion of application procedures for proposed North Hampton Conservation Commission Subdivision application.

Ms. Monaghan presented a letter from the Conservation Commission requesting that the Planning Board allow the submittal of a subdivision proposal after the posted application submittal deadline. The Conservation Commission and the property owner needed extra time to prepare the appropriate application materials. The proposed subdivision would enable a donation of approximately 37 acres of land to the Town of North Hampton to be placed in conservation.

The Board discussed State of NH legal noticing guidelines and Planning Board application procedures. The Board discussed the unique nature of the proposed subdivision and the benefit of conserving a large portion of land within the town. Mr. Maggiore and Ms. Rowden informed the Board of State of NH Executive Orders which allow land use boards to amend their application submittal deadlines due to the current public health crisis. The Board came to a consensus without objection to allow the proposed subdivision application to be submitted as late as two weeks prior to the scheduled February 2, 2020

meeting date as long as other applications for the same meeting date are allowed the same amended submittal deadline.

Mr. Harned moved that the application submittal deadline for matters to be considered at the February 2, 2021 Planning Board meeting shall be the close of business on January 19, 2021. Second by Ms. Gamache. The roll call vote was 5-0-1 in favor of the motion. Mr. Harned, Ms. Monaghan, Mr. Kroner, Mr. Maggiore, and Ms. Gamache in favor. Mr. Etela abstaining.

III. Other Business

1. Committee Updates.

a. Long Range Planning (LRP) – Mr. Maggiore reported that the Current Land Use section of the Master Plan Land Use Chapter had been completed. The next step in the process is to prioritize Future Land Use goals and create action points to accomplish the goals.

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) – Ms. Monaghan reported that the professional consultant's revised presentation for a proposed Village Center District is not yet complete.

f. Select Board – Mr. Maggiore reported Budget Committee updates. Revenue streams which fund expected expenditures seem to be meeting anticipated levels.

g. RPC Circuit Rider – Ms. Rowden informed the Board of upcoming Master Plan Coastal Adaptation Chapter committee meetings.

h. Planning and Zoning Administrator – Mr. Milner informed the Board about upcoming applications.

2. Minutes.

Ms. Monaghan presented the Planning Board December 1, 2020 meeting minutes.

Mr. Maggiore moved that the Planning Board accept the minutes of the December 1, 2020 Planning Board meeting as written. Second by Mr. Etela. The roll call vote was unanimous in favor of the motion (6-0).

The meeting was adjourned at 8:30pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary