



**Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, April 19, 2022 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, Lauri Etela, Shep Kroner, Valerie Gamache, and Jim Maggiore, Select Board Representative; Alternate Member Rob Omberg; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Vice Chair Monaghan called the meeting to order at 6:32pm.

I. Public Hearing

1. Town of North Hampton, NH. Planning Board consideration of adoption of the proposed Master Plan Land Use Chapter. Hearing continued from March 15 work session to allow time for the public to review the document.

Ms. Rowden presented the proposed Master Plan Land Use Chapter revisions created by the Long Range Planning (LRP) Committee with the assistance of Ms. Rowden. The proposed chapter will replace the existing land use and future land use chapters. The chapter presents a purpose, objectives, identifiable goals, activities to effectuate the goals, and a timeline for anticipated completion of the activities. The purpose of the document is to suggest prudent management, planning, and development principles of land use throughout the Town of North Hampton based upon resident input, best practices strategies, and available institutional knowledge.

Ms. Monaghan opened the public hearing at 6:36pm. No comments were made. Ms. Monaghan closed the public hearing at 6:37pm.

Mr. Wilson moved that the Planning Board adopt the proposed Town of North Hampton Master Plan Land Use Chapter as presented. Second by Mr. Harned. The vote was unanimous in favor of the motion (7-0).

II. Old Business

1. Discussion of proposed Master Plan Coastal Hazards and Adaptation Chapter.

Ms. Rowden presented a revised draft of the proposed Master Plan Coastal Hazards and Adaptation Chapter previously discussed at the March 1 and March 15 meetings. The draft included some minor language edits and new information regarding impervious surface coverage in the Industrial-Business/Residential (I-B/R) District which did not change the intent of the document. Ms. Rowden stated that the Village District of Little Boar's Head Planning Board intends to adopt a similar document at its May 2022 meeting.

Mr. Harned moved that the Planning Board schedule a public hearing at the May 17, 2022 Planning Board meeting to consider the adoption of the Master Plan Coastal Hazards and Adaptation Chapter as presented. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).

III. New Business

1. Discussion of proposed Site Plan Review Regulations revisions regarding temporary outdoor dining permits.

Ms. Rowden presented proposed Site Plan Regulations language which detailed procedures regarding the issuance of temporary outdoor dining permits on sites with commercial restaurants. The temporary outdoor dining permits issued by the Building Inspector would be effective only from May 1, 2022 to November 1, 2022. The proposed language listed parking, septic system, noise, lighting, and application information requirements that must be met in order for a restaurant business to receive a temporary outdoor dining permit.

The Board discussed various aspects of potential temporary outdoor dining proposals such as:

- a. Planning Board's responsibility to ensure that outdoor dining activities are performed safely.
- b. Importance of adequate parking and septic system capabilities if seating capacity on a site is increased by a temporary outdoor dining proposal.
- c. All proposals will be evaluated with respect to approved site plans and conformance to the site plan regulations. If site plans do not exist for a site, the Building Inspector will use the site plan regulations as a basis for approving a proposal or requiring revisions to a proposal to conform to the regulations. For example, if an outdoor seating proposal uses space needed to satisfy parking requirements, then that proposal must be denied or revised. Also, a septic system must be rated to handle the increased load placed upon it by any proposed increase in seating capacity.

Mr. Harned stated that any tents or temporary structures associated with a temporary outdoor dining proposal must follow the Planning Board Conditional Use Permit approval process outlined in the zoning ordinance. A temporary structure conditional use permit must be issued at a public hearing of the Planning Board. Since this requirement is stated in the zoning ordinance, the Planning Board does not have the legal authority to create a revised, expedited permitting process for a tent or temporary structure associated with outdoor dining.

Mr. Harned moved that the Planning Board schedule a public hearing, beginning at 6:00pm, at the May 3, 2022 Planning Board meeting to consider the adoption of proposed revisions to Site Plan Review Regulations Section V regarding the issuance of temporary outdoor dining permits as edited at the April 19, 2022 Planning Board meeting. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).

Proposed temporary outdoor dining permit regulations attached as Appendix A to these minutes.

IV. Other Business

1. Review and prioritize potential zoning ordinance and site plan regulations changes for 2022-23.

Ms. Monaghan suggested that Board members review potential zoning ordinance and site plan regulations revisions for future 2022-23 amendment work sessions and submit their top priorities to be discussed at the May 17 work session.

2. Committee Updates.

a. Long Range Planning (LRP) – No report.

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

c. Rules and Regulations/Procedures – No report.

d. RPC Commissioner – Ms. Gamache reported that the Rockingham Planning Commission discussed the

93 increasing senior citizen 65+ population in the region. This increase in population will require planning
94 on a regional level to address this population's existing and future housing, transportation, and general
95 assistance needs.

96 e. Select Board – Mr. Maggiore reported that plans for a new Town Safety Complex are progressing.

97 f. RPC Circuit Rider – Ms. Rowden reported that a regional housing assessment survey was available on
98 the RPC website. Also, there will be a discussion of regional housing needs at a meeting in Exeter, NH on
99 May 6.

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

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102 3. Minutes.

103 Ms. Monaghan presented the Planning Board April 5, 2022 meeting minutes.

104 **Mr. Harned moved that the Planning Board accept the minutes of the April 5, 2022 Planning Board**
105 **meeting as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).**

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107 The meeting was adjourned at 8:06pm without objection.

108 Respectfully submitted,

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110 
111

112 Rick Milner

113 Recording Secretary

Outdoor Dining Temporary Regulations

DRAFT 5/3/2022

Existing Text ~~Text to Be Removed~~ Text to Be Added *Optional Text*

Section V – Site Plan Requirements (Amended 4/16/19)

A. Applicability

The following criteria specify the level of review for a proposal to develop or expand a non-residential or multi-family dwelling site. When Planning Board review is required, the Planning Board shall have the final decision whether a proposal qualifies for Minor Review or Major Review.

B. No Planning Board Review Required

Proposed activities or uses are exempt from Minor and Major Review by the Planning Board provided that the proposed activities or uses comply with all other applicable federal, state, and Town regulations. Proposed activities or uses that appear to qualify for no review by the Planning Board shall require consultation with the Building Inspector to ensure the proposed activities or uses qualify for no review by the Planning Board. Any proposed temporary outdoor activities or uses which, in the opinion of the Building Inspector, require Planning Board approval in order to safeguard the health, welfare, morals, convenience and safety of North Hampton's citizens shall require Planning Board approval.

1. Temporary outdoor activities or uses that require no permanent alterations to the site. Criteria for temporary outdoor activities or uses shall include:

- a. The proposed activities or uses can function safely within the approved configuration of the site as determined by the Building Inspector.
- b. The temporary outdoor activity or use is an approved permitted use on the site.
- c. A Large Gathering Permit is obtained as required by North Hampton Large Gathering Ordinance. **~~This criterion does not apply to temporary outdoor dining as described in Section V.B.2.~~**
- d. Any temporary structures erected in association with proposed outdoor activities or uses comply with Zoning Ordinance 302 – Temporary Structures.
- e. Temporary outdoor activities or uses are limited on non-residential sites to a total of no more than 45 days per calendar year and no more than five (5) events on non-consecutive days per calendar year. **~~This time limitation does not apply to temporary outdoor dining as described in Section V.B.2.~~**

~~2. Temporary outdoor dining between May 1, 2022 to November 1, 2022, provided that the North Hampton Outdoor Seating Authorization form is approved by the Building Inspector, or the Select Board's designated agent. Criteria for temporary outdoor dining shall include all requirements listed in Section V.B.1 above except V.B.1.c & e and include:~~

- ~~a. The addition of temporary outdoor dining may increase the seating capacity of the eating and drinking establishment if and only if the increased capacity meets all site plan regulations.~~**
- ~~b. The temporary outdoor dining location configuration on the site shall allow for adequate on-site parking that complies with the number of parking spaces required by Section XII.~~**
- ~~c. Amplified music or speaker systems for outside dining areas are prohibited.~~**

- d. Proposed lighting shall not trespass onto adjacent properties and comply with Zoning Ordinance 305 – Outdoor Lighting**
 - e. Existing hours of operation shall not be exceeded.**
 - f. Existing septic facilities must comply with applicable NH Department of Environmental Services requirements for an eating and drinking establishment with the proposed increase in capacity.**
 - g. Information included with any North Hampton Outdoor Seating Authorization form shall include:**
 - 1. Name and contact information of the property owner and business operator (if different than owner).**
 - 2. An approximately-to-scale sketch of the property showing street frontage, building location, parking, proposed outdoor dining area, driveways, traffic flow, loading spaces and walkways.**
 - 3. Number of existing seats and proposed number of seats.**
 - 4. Hours of operation.**
 - 5. A description of proposed lighting change, if applicable.**
 - 6. Proposed use of a tent or other temporary structure. All temporary structures are required to follow requirements of Zoning Ordinance 302-Temporary Structures. A temporary structure to be used for more than two weeks requires a Conditional Use Permit approved by the Planning Board.**
 - h. As of November 2, 2022, this Section V.B.2 shall no longer be in effect. All language associated with Section V.B.2 requirements shall be removed from the Site Plan Review Regulations on this date.**
- 3. Home Occupations. Home Occupations must receive a Special Exemption from the Zoning Board of Appeals under the North Hampton Zoning Ordinance.**
- 4. Changes in landscaping that do not decrease the amount, area or height of approved plantings for sites with approved site plans and are in compliance with Section X.B and C - Parking Lot Design and Landscaping and Screening.**
- 5. Changes to architectural appearances that do not result in increased building height, building footprint, decreased building setbacks, and are in compliance with Section X.E - Architecture/ Appearance Standards.**
- 6. Conversion of up to 500 square feet from one non-residential use to another legal use and of a non-residential nature in a legally existing buildings that does not change the number of parking spaces required by Section XII – Parking Requirements.**
- 7. Temporary structures placed on a property in compliance with Zoning Ordinance 302 – Temporary Structures.**