



**Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, December 20, 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, and Jim Maggione, Select Board Representative; and Jennifer Rowden, RPC Circuit Rider.

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

I. Public Hearing

1. Town of North Hampton, NH review of amendments to zoning ordinances for inclusion on the 2023 Town Warrant.

1. Town of North Hampton, NH: Section 602.5.C Accessory Structures for Agriculture. Mr. Harned presented the proposed revised zoning ordinance language. The intent of the proposed revision is to clarify the required lot line setback distance for accessory structures used in the pursuit of agricultural activities and make this distance consistent with the required lot line setback distance for other types of accessory structures.

Ms. Monaghan opened the public hearing at 6:32pm.

Resident Dieter Ebert addressed the Board. Mr. Ebert stated that he appreciated making the agricultural accessory structure setback consistent with that of other accessory structures. Mr. Ebert also stated his opinion that the 150 foot front setback requirement for an accessory structure located closer to the road than the principal structure is excessive. The setback should not be greater than the front setback for a principal structure.

Mr. Wilson stated that the purpose of the current setback requirement for an accessory structure located closer to the road than the principal structure is to maintain the residential character of a neighborhood.

Mr. Harned stated that another purpose of the setback requirement is to curtail the potential propagation of multiple accessory structures on a property closer to the road than the principal structure and protect the residential character of a neighborhood. If a property has special conditions which necessitates placement of an accessory structure closer to the lot line than the principal structure, the conditional use permit process is available to a property owner to allow placement of the accessory structure.

Board members acknowledged Mr. Ebert's concerns. However, Board members stated that there was not sufficient time remaining in the legally binding 2023 Town Warrant calendar to make any further zoning ordinance language changes. The Board could continue discussions regarding accessory structure setback requirements in the upcoming year for inclusion on the 2024 Town Warrant.

Ms. Monaghan closed the public hearing at 6:43pm.

Mr. Harned moved that the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 602.5.C Accessory Structures for Agriculture appears on the 2023 Town Warrant as presented. Second by Mr. Etela. The vote was unanimous in favor of the motion (5-0).

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

2. Town of North Hampton, NH: Section 104 Definitions and Section 303 Signs. The intent of the proposed revision is to clarify the required lot line setback distance for monument signs and pole signs.

Ms. Monaghan opened the public hearing at 6:46pm. No comments were made. Ms. Monaghan closed the public hearing at 6:47pm.

Mr. Maggiore moved that the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 104 Definitions and Section 303 Signs appears on the 2023 Town Warrant as presented. Second by Mr. Harned. The vote was unanimous in favor of the motion (5-0).

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

II. New Business

1. Discussion of proposed zoning ordinance amendments.

Mr. Harned presented proposed revised zoning ordinance language regarding the interpretation of concepts within Section 603 Conservation Subdivision Design. The following concepts were more clearly explained in the proposed revised language:

- a. allow duplexes within a conservation subdivision only if allowed within the underlying zoning district,
- b. establish minimum lot sizes of 10,000 square feet for single family homes and 15,000 square feet for duplexes within a conservation subdivision, and
- c. remove the term 'dwelling unit' from the Section 603 language and use the term 'house lot' throughout the zoning ordinance language to clarify the allowed maximum density in a conservation subdivision.

After discussing several aspects of the conservation subdivision design ordinance, the Board revised the proposed language to clarify the following concepts:

- a. guidelines for allowing single family or duplex dwelling units within a Conservation Subdivision Design,
- b. yard and lot requirements for single family and duplex dwelling units within a Conservation Subdivision Design,
- c. minimum width for open space within a Conservation Subdivision,
- d. modification of the process for establishing the maximum density of lots allowed on a Conservation Subdivision Plan,
- e. calculation of the allowed maximum density for a Conservation Subdivision Design,
- f. definition of unbuildable land within a Conservation Subdivision Design, and
- g. purpose and objective of a Conservation Subdivision Design.

Mr. Wilson moved that the Planning Board schedule a public hearing on January 3, 2023 at 6:00pm to consider adoption of the proposed conservation subdivision design ordinance language as revised at the December 20, 2022 meeting. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (5-0).

2. Discussion of proposed revisions to excavation and blasting regulations.

Mr. Harned presented language revisions regarding the excavation and blasting regulations. The intent of the proposed revisions is to require that hammering be used as a process for excavation rather than blasting and limit the time period for hammering operations. Hammering is potentially less damaging to surrounding area than blasting. If hammering operations exceed the allowed time period, then blasting operations will be used to minimize long term disturbance to neighbors.

Mr. Harned asked the Board to review the proposed language for further consideration at a future work session.

III. Other Business

1. Committee Updates.

No updates.

2. Minutes.

Ms. Monaghan presented the Planning Board December 6, 2022 meeting minutes.

Mr. Harned moved that the Planning Board accept the minutes of the December 6, 2022 Planning Board meeting as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

Ms. Monaghan presented the minutes of the December 15, 2022 site walk.

Mr. Harned moved that the Planning Board accept the minutes of the December 15, 2022 site walk as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

The meeting was adjourned at 8:00pm without objection.

Respectfully submitted,

Rick Milner

Recording Secretary

APPENDIX A

C. Accessory Structures for Agriculture

1. All structures erected to be used in the pursuit of agricultural activities and raising of animals and poultry 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 **or unless the accessory structure can be sited at least 150 feet from the public road.**

APPENDIX B

Section 104 Definitions

49. Structure: Anything constructed or erected, the use of which requires a fixed location on or in the ground or requires an attachment to something having a fixed location on the ground. "Structure" under this definition includes, but is not limited to leach fields that are, in whole or in part, constructed above the grade existing prior to construction; septic systems, buildings, billboards, carports, porches, swimming pools, tennis courts, and building features. For the purpose of this zoning ordinance, leach fields that are constructed entirely below the grade existing prior to construction, sidewalks, driveways, fences, and patios are not deemed to be structures. **For the purpose of determining required setback distance only, monument signs and pole signs will not be considered structures.**

303.2 Definitions

A. Sign: An object, including a structure, movable object, wall or image displaying any message visible to the public. Letters individually painted on or attached to a face of a building that identify only the address of the occupant are not considered a Sign. **For the purpose of determining required setback distance only, monument signs and pole signs will not be considered structures.**

303.6

F. One Ground Sign per lot which may be either:

1. A Pole or a Pylon Sign, not to exceed 32 square feet, which shall be no greater than 12 feet nor less than six feet in height as measured from the top of the Sign **and shall be located at least 10 feet back from the property line,** or