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2 **TOWN OF NORTH HAMPTON, NEW HAMPSHIRE**
3 **NORTH HAMPTON SELECT BOARD MEETING**

4 **MARCH 8, 2021 7:00 PM**

5 **NORTH HAMPTON TOWN HALL**

6 ***DRAFT MINUTES***
7

8 MEMBERS PRESENT: Vice Chairman James Sununu, Selectman Larry Miller

9 PRESENT VIA ZOOM: Chairman Jim Maggiore

10 ALSO PRESENT: Town Administrator Michael Tully, Conservation Commission Chairman Lisa Wilson,
11 Conservation Commission Easement Sub-Committee Chairman Andrew Vorkink, Aquarion Water
12 Company Operations Director Carl McMorrان

13 **AGENDA**
14

15 Vice-Chair James Sununu welcomed everyone to the March 8, 2021 Regular Select Board Meeting and
16 called the meeting to order at 7:03 pm, followed by the Pledge of Allegiance.

17
18 Vice-Chair Sununu said this is Mr. Miller's final meeting as a Select Board member and thanked him for
19 his 18 years of service to the Town of North Hampton.
20

21 **First Public Comment Session**

22 *Call 603-758-1447; email jmaggiore@northhampton-nh.gov*
23

24 Jeff Hillier presented a petition to the Select Board from the Glendale neighborhood in response to
25 continuous rock hammering and rock breaking going on daily since late September. The petition asks that
26 the Select Board and the Planning Board begin action to make sure North Hampton residents never again
27 be tormented in this way and find a way to better manage this type of construction in future. He said the
28 construction company is fully permitted, and the Town cannot take any action.
29

30 Andrew Vorkink of 120 Post Road brought up a point of order asking if Mr. Maggiore needed to be voted
31 into the meeting for his actions to be counted.
32

33 ***Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by***
34 ***NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***
35

36 ***A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and a***
37 ***DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North***
38 ***Hampton, New Hampshire 03862.***

39
40 **Motion:** To allow Mr. James Maggiore to participate in the meeting electronically per RSA 91-A:3 (a,d).
41 **Motioned:** Selectman Miller
42 **Seconded:** Vice-Chair Sununu
43 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye
44 *Motion approved by a vote of 2-0*

45
46 **Consent Calendar**

- 47 5.1 Payroll Manifest of February 25, 2021 in the amount of \$79,287.99
48 5.2 Payroll Manifest of March 4, 2021 in the amount of \$82,605.99
49 5.3 Accounts Payable Manifest of March 4, 2021 in the amount of \$581,907.94
50 5.4 Cemetery Deed
51 5.5 Fire Permits July 1, 2020 – December 31, 2020
52

53 **Motion:** To approve the Consent Calendar as presented
54 **Motioned:** Selectman Miller
55 **Seconded:** Chairman Maggiore
56 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye
57 *Motion approved by a vote of 3-0*

58
59 **Correspondence** – No items
60 *Copies of all Correspondence will be attached to these minutes.*

61
62 **Committee Updates**

63
64 Selectman Miller referred the *Economic Development Committee* to item 11.2 of the meeting and moved
65 that report to New Business.

66
67 Chairman Maggiore said the *Heritage Commission* has not met since last meeting and will meet in a few
68 weeks. The *Water Commission* has not met, and they are still working on some legal issues they have been
69 working on for several months.

70
71 Vice-Chair Sununu said the *Rails to Trails Committee* has not met, and they plan to meet early next month.

72
73 **Public Hearing**

74
75 ***Continuation of Public Hearing from February 22, 2021:***

76 *To consider whether the Town should acquire 39 acres of conservation land to be donated to the Town of North*
77 *Hampton by Waler E. Nordstrom of Fishers, Indiana. Approval by the Zoning Board of Adjustment of variance*
78 *requests necessary to subdivide the 42-acre located at Map 17, Lot 71 was granted February 23, 2021. Subdivision*
79 *of the property is necessary to create a 2.6-acre building lot in the southern portion of the lot to enable the Town to*
80 *own the conservation land, provide public access, and to limit impacts to wetlands located within the headwaters of*
81 *the Little River.*

82
83 *Conditional Use Permits and waivers to the Town of North Hampton Subdivision Regulations have been obtained*
84 *from the Planning Board for the proposed 2.6-acre building lot and subdivision of the property.*

85
86 **Motion:** To resume the Public Hearing from February 22, 2021.
87 **Motioned:** Chairman Maggiore

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88 **Seconded:** Selectman Miller

89 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye

90 *Motion approved by a vote of 3-0*

91

92 Vice-Chair Sununu said a letter was received this week from Lisa Wilson Chairman of the Conservation
93 Commission and he read the letter in full. The Conservation Commission requested that the Select Board:
94 (1) formally agree to the acquisition of the 39 conservation acres donated from Map 17, lot 71 to protect
95 the headwaters of the Little River and be open to the public for recreation; (2) authorize the Chair of the
96 Conservation Commission to accept and sign the Conservation Warranty Deed presented to the Select
97 Board; (3) abate the current use penalty Land Use Change Tax (LUCT) once determined by tax assessor.

98

99 Ms. Wilson said the Conservation Commission already determined that the value of the donated
100 conservation land far exceeds the LUCT which is a one-time fee to convert current use land into land for
101 development and applies only to the 2.6-acre buildable lot; the lot will be subject to property tax once
102 recorded at the registry. She said the Conservation Commission requests the Select Board approve this
103 proposal.

104

105 Vice-Chair Sununu continued the Public Hearing.

106

107 Conservation Commission Chairman Lisa Wilson presented slides for public understanding and said the
108 buildable lot parcel will increase tax revenue to the Town. She said access to the conservation land starts
109 at North Road with a 40-foot-wide strip that runs to the Greenland Line with the 2.6-acre lot to the left.
110 The aerial map shows the Rail Trail and the potential for a hiking path from the Rail Trail to Forest Hills.

111

112 Chairman Maggiore asked Ms. Wilson to tell everyone here what the vote was at the Zoning Board
113 meeting on these matters. Ms. Wilson said the Zoning Board voted 4-1 in favor of granting the requested
114 variances. Vice-Chair Sununu said the public can call 603-758-1447 with questions or comments.

115

116 Mr. Wilson of 9 Runnymede Drive said he worked with Tim Harned on the North Hampton Forever
117 Committee and they had their eyes on the headwaters of the Little River because of its value. He said this
118 is an incredible opportunity for the Town and will help protect Little River right where it starts.

119

120 Vice-Chair Sununu closed the Public Hearing at 7:25 pm.

121

122 Discussion: Vice-Chair Sununu said he has no issue with accepting the donation of the land and having
123 the Conservation Commission sign the Warranty Deed but does not support abating the current use
124 penalty. He said this land has been in current use for 37 years and LUCT exists for a reason. When people
125 pull that land out of current use a fee is assessed on the buildable lot which has a measurable economic
126 value, and he preferred those fees be accumulated over the years to be available for land purchases.
127 Selectman Miller disagreed.

128

129 Chairman Maggiore said given the unanimous decision from the Planning Board regarding the Map and
130 Lot, and given the 4-1 decision of the Zoning Board he would make the following motions:

131

132 **Motion:** That the Select Board acquire the 39 acres of land being donated from Map 17, Lot 71 by Mr.
133 Walter Nordstrom to be owned by the Conservation Commission in the name of the Town.

134 **Motioned:** Chairman Maggiore

135 **Seconded:** Selectman Miller

136 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye
137 *Motion approved by a vote of 3-0*

138
139 **Motion:** To authorize the Chairman of the Conservation Commission to accept and sign the Conservation
140 Warranty Deed presented to the Select Board.

141 **Motioned:** Chairman Maggiore

142 **Seconded:** Selectman Miller

143 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye
144 *Motion approved by a vote of 3-0*

145
146 **Motion:** Move that the Select Board abate the current use penalty once such a penalty is determined by
147 the tax assessor which will be 10% of the assessed value of the buildable lot.

148 **Motioned:** Chairman Maggiore

149 **Seconded:** Selectman Miller

150 **Roll Call Vote:** James Sununu-nay, Larry Miller-aye, Jim Maggiore-aye
151 *Motion approved by a vote of 2-1*

152
153 **Report of the Town Administrator**

154 *A copy of the Report of the Town Administrator will be attached to these minutes.*

155
156 Report from February 23 to March 5, 2021: Under Finance 33% of Budget remaining with 17 weeks left
157 in fiscal year; Fire and Police fielded many calls during recent windstorm and worked assisting the power
158 company; Firefighters from North Hampton assisted with the mass vaccination event in Loudon, NH;
159 septic at Police Station had to be dug up to resolve issues; summer camp will run 9 weeks starting in late
160 July; MDCOM recommends replacing entire phone system; Philbrick Pond MOU signed and sent to DOT.

161
162 Selectman Miller thanked Fire, Police, and Highway Departments for taking care of things during the 30-
163 hour power outage.

164
165 **Items Left on the Table**

166
167 **NEW BUSINESS**

168
169 **11.01 Surprise Presentation** –_John Savastano
170

171 Channel 22 Director John Savastano thanked Larry Miller on his departure for his support and his great
172 view on things, and said he, Troy, and Luke got something from Channel 22 to thank him for being a part
173 of our station. He presented Mr. Miller with a North Hampton Community Media Channel 22 mug.

174
175 **11.1 Aquarion Water Company Quarterly Update**

176
177 Aquarion Water Operations Director Carl McMorran said they had started maintenance to get ready for
178 the spring season and were handling requests for seasonal meters. He said he would address the PFAS
179 treatments project, High Street water main replacement, and staff recognition.

180
181 Mr. McMorran said the update on PFAS is similar to the previous chart shown at the last quarterly update
182 showing most levels very low with the highest at Mill Road Treatment Plant where 6 wells come together.

183 He said the others were so low the State has allowed reduction in monitoring frequency to once every 3
184 years, with Mill Road once per year for compliance sampling; non-compliance sampling will continue.

185
186 Mr. McMorran said they have been monitoring PFAS for over 5 years and have some sense of how they
187 are trending with Well 6 appearing to steadily increase, Well 11 on the rise, and Well 9 also trending
188 upward. He said capacity of these wells will need to be reduced in future to stay under MCL unless
189 treatment is put in; and they are on schedule to put treatment in this spring initially with just Well 6. He
190 said they are renovating an existing building and are looking at less than \$2 Mil to do this project.

191
192 Mr. McMorran said they applied for a grant from State Drinking Water & Groundwater Trust Fund for 25%
193 on a construction project. The State is also just starting a PFAS Remediation Loan Fund which they will
194 also apply for. He said the State has filed suit against some PFAS manufacturers and any settlement could
195 provide money for this project. They are currently on track to start construction in April; a map of the
196 central part of the Aquarion system shows the main replacement summer project.

197
198 Mr. McMorran said a member of his staff Glenn Eaton received the Meritorious Achievement Award by
199 the New Hampshire Water Works Association. He worked as lead on most of our production side
200 operations and maintenance, worked for Aquarion for 32 years, and is retiring at the end of the month.

201
202 **11.2 Economic Development Committee Majority Report Presentation and Minority Report on**
203 **Ironwood Study**

204
205 Selectman Miller said the EDC Committee met by Zoom and voted on the Final Report of the EDC, and
206 Chairman Richard Luff is here to make the presentation.

207
208 EDC Chairman Richard Luff said the primary objective for Ironwood was to create a vision and conceptual
209 master plan to guide evolution of development, uses, and infrastructure enhancements along the Route
210 1 Corridor. He said Ironwood technically delivered on the primary objectives, but the degree to which the
211 ideas and concepts they presented were consistent with the vision statements created by EDC led to a
212 considerable amount of debate by the Committee. He said they agreed that parts of the plan looked like
213 they took a previous plan and made North Hampton follow that model.

214
215 Mr. Luff said the following 3 elements of the Ironwood Project are what the EDC Committee recommends
216 the Select Board consider moving forward with:

217
218 (1) Town should coordinate with New Hampshire DOT to improve the appearance of Route 1 in the Village
219 Center area. Ironwood addressed this quite well and had different design concepts to beautify Route 1
220 and enhance its overall visual impact. Select Board should enter into discussions as soon as possible with
221 NH DOT and Rockingham Planning Commission to revise plans for future modifications and changes
222 consistent with a designation of a section of Route 1 within a Village Center.

223
224 (2) Ironwood reviewed our present Zoning Ordinances, and EDC developed a Sub-Committee to review
225 those and make recommendations. EDC recommends Zoning issues be forwarded to the Planning Board
226 for their consideration.

227
228 (3) Mixed use was the most controversial issue and was a large part of Ironwood's recommendation. The
229 EDC recommends the Planning Board review potential changes to Town Ordinances to explore for
230 appropriate planning tools that allow for *limited* mixed-use development in the Route 1 Corridor and ask

231 that it be explored and looked at. He said a large part of the EDC Committee felt limited mixed use was a
232 good way to incentivize landowners and developers to take that risk and beautify one of the lots to have
233 multiple forms of income for capital investments greatly needed along Route 1.
234

235 Mr. Luff said lastly one of the biggest disappointments of the EDC Committee was that Ironwood really
236 failed to depict a picture of what the Committee felt North Hampton needs to look like to have something
237 to share with residents and said they cannot recommend using any of Ironwood's visual representations.
238 He said overall the EDC does not recommend adopting the Ironwood Plan in entirety, but says limited
239 mixed use, reviewing of the Zoning Ordinances to another level by the Planning Board to perhaps make
240 some gradual changes to allow developers to have more flexibility on how they can approach their
241 properties on Route 1, and the beautification efforts which all agreed on.
242

243 Questions: Chairman Maggiore said EDC started as an idea about 8 years ago and recently has moved
244 along, and he thanked all the members of the EDC Committee, past and present, who have gotten us to
245 this point. He asked if COVID derailed the direction or change its course at all for EDC.
246

247 Mr. Luff said the Committee had multiple discussion about how they do not know what the end is going
248 to look like here along with all the changes in retail, but they need to give property owners and developers
249 more opportunities to make their properties work to bring enhancements to the Town that are needed,
250 and the Town should work through Zoning and input from property owners on how we might ameliorate
251 some of this.
252

253 Vice-Chair Sununu said the recommendations seem to make sense and suggested the Planning Board be
254 the starting point to look at Planning and Zoning Ordinances and put forward recommendations. He said
255 we have to try to make it attractive to private property owners and developers to build something that
256 fits in and he would like to see consideration of some of these flexible zoning changes. He said personally
257 he did not feel any development on Route 1 would take away from the character of North Hampton and
258 said zoning changes would be limited to that scope and footprint.
259

260 Chairman Maggiore said the Select Board has received the EDC Report regarding the proposed Village
261 Center and pursuant to the recommendations from the EDC I make the following motion:
262

263 **Motion:** The Select Board will open discussion with the NH DOT and the Rockingham Planning
264 Commission regarding the improvement of the appearance of Route 1 in the Village Center area and the
265 Select Board will refer all Zoning matter from the EDC Report to the Planning Board for their consideration;
266 the Select Board does not endorse or adopt the Ironwood Report.

267 **Motioned:** Chairman Maggiore

268 **Seconded:** Selectman Miller

269 Discussion: Vice-Chair Sununu said there is a Minority Report of several members of the EDC who had a
270 difference of opinion on some items in the official Majority Report. Anyone wishing to address that can
271 call during the second Public Comment Session.

272 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye

273 *Motion approved by a vote of 3-0*
274

275 **11.3 Discussion of Outdoor Dining**

276

277 Town Administrator Tully said last year the Town set up a temporary permit system for expanding outside
278 dining areas, and he is now proposing to extend outdoor dining permits until October 31, 2021 allowing

279 businesses to invest. He said he would like to propose that the Select Board allow his office to continue
280 the permitting system until October 31, 2021; after that they will need to go to the Planning Board for
281 approval.

282

283 Selectman Miller asked how the system was established in relation to the Planning Board and Town
284 Administrator Tully said he met with several Planning Board members but never went in front of the whole
285 Board. Selectman Miller felt it would be advisable for the Administrator to at least go to the Planning
286 Board Chairman and start a discussion.

287

288 Chairman Maggiore said they needed to make it clear to businesses this is temporary and said it is a good
289 idea and he supports it. Vice-Chair Sununu agreed and said he wholeheartedly supported this to help
290 businesses operate as effectively as they can under the conditions.

291

292 **Motion:** To authorize the Town Administrator to continue with the temporary outdoor dining permits
293 through October 31, 2021 with the idea the Town Administrator will go to the Planning Board Chairman.

294 **Motioned:** Chairman Maggiore

295 **Seconded:** Selectman Miller

296 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye

297 *Motion approved by a vote of 3-0*

298

299 **11.4 Discussion of GZA Environmental Agreement**

300

301 Town Administrator Tully said Muriel of GZA handled all our supporting documentation and updates for
302 the Gun Club remediation going on in our community and she has since retired and GZA Environmental is
303 requesting that the Town sign another agreement to handle the Hampton Rod & Gun Club property
304 updates coming up in 3 or 4 months and asked the Board for permission to sign the agreement.

305

306 Selectman Miller said they need someone monitoring that as it is a large environmental liability and is
307 now being evaluated by DES. He said the Gun Club management can simply walk away (Town has an
308 agreement with them), and it is important for the Town to understand the physical qualifications of what
309 is there, and need some representation on final treatment.

310

311 Chairman Maggiore said he has 2 huge binders with a lot of material, and they need to continue toward
312 some resolution.

313

314 **Motion:** To approve the GZA Contract as presented and empower the Town Administrator to sign the
315 agreement.

316 **Motioned:** Vice-Chair Sununu

317 **Seconded:** Selectman Miller

318 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye

319 *Motion approved by a vote of 3-0*

320

321 **MINUTES OF PRIOR MEETINGS**

322

323 **Approval of the Regular Meeting Minutes of February 22, 2021**

324 **Motion:** To approve the Regular Meeting Minutes of February 22, 2021 as presented.

325 **Motioned:** Selectman Miller

326 **Seconded:** Chairman Maggiore

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327 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye
328 *Motion approved by a vote of 3-0*

329

330 **Approval of the Non-Public Meeting Minutes of February 22, 2021**

331 **Motion:** To approve the Non-Public Meeting Minutes of February 22, 2021 as presented

332 **Motioned:** Selectman Miller

333 **Seconded:** Chairman Maggiore

334 **Roll Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-aye

335 *Motion approved by a vote of 3-0*

336

337 **Any Other Item that may legally come before the Board**

338

339 **Second Public Comment Session**

340 *Call 603-758-1447; email jmaggiore@northhampton-nh.gov*

341

342 Andrew Vorkink expressed appreciation on behalf of the Conservation Commission for the vote tonight.
343 He asked that the votes for each of the 3 motions be listed separately in the minutes to show there was
344 Select Board support for the land acquisition, Select Board support for the Conservation easement, but
345 there was one member who did not support the abatement of the current use tax.

346

347 Lisa Wilson thanked the Select Board for supporting the Nordstrom acquisition, and on behalf of the
348 Conservation Commission thanked Selectman Miller for his steadfast and moral support over many years.
349 On a personal note she said Phil and I want to thank Larry and let him know it has been an absolute honor
350 and privilege to have the chance to work with him for over 2 decades. She said you are a person of honor,
351 integrity, extreme thoughtfulness, and what you have done for the North Hampton has left the Town a
352 better place; we will miss you.

353

354 Selectman Miller said it has been a pleasure to serve the Town and said he and his wife got involved a
355 long time ago and had a great time of it. He said I now have other priorities and thanked all who supported
356 him.

357

358 **Next Regular Meeting:** March 22, 2021

359

360 **Adjournment**

361

362 Selectman Miller made a motion to adjourn which was seconded by Chairman Maggiore. The
363 motion was approved by a vote of 3-0 and Vice-Chair Sununu adjourned the meeting at 8:34 pm.

364

365 Respectfully submitted,

366

367 Patricia Denmark, Recording Secretary

368

369