



**Meeting Minutes
Town of North Hampton
Zoning Board of Adjustment
Tuesday, July 28, 2020 at 6:30pm
Town Hall, 231 Atlantic Avenue
North Hampton, NH 03862**

These Minutes were prepared as a reasonable summary of the essential content of the Meeting, not as a transcription. All exhibits mentioned, or incorporated by reference, in these Minutes are a part of the official Case Record and available for inspection at the Town Offices.

In attendance: Mark Janos, Chair; Members Robin Reid, Rick Stanton, and Audrey Prior; and Recording Secretary Rick Milner.

I. Preliminary Matters.

Chair Janos called the meeting to order at 6:35pm. Mr. Janos announced that only four Board members were present at the meeting. An affirmative vote of three members was necessary for a variance to be granted. Mr. Janos offered the applicant the option of postponing the case until a later date when a full five member Board was in attendance or proceeding with the case at the present time.

Attorney James Scully stated that applicant Derek Lighthall wished to proceed with the case at the present time. All potential witnesses for Case #20:05 were sworn in.

Mr. Janos presented the minutes of the April 28, 2020 meeting.

Mr. Stanton moved that the ZBA accept the minutes of the April 28, 2020 meeting as written. Second by Ms. Prior. The vote was unanimous in favor of the motion (4-0).

II. New Business:

1. Case #20:05 – Applicant: Derek Lighthall, Committed Collision, 610 Lafayette Road, Hampton, NH 03842. The Applicant requests a special exception as required by Section 202.4 of the Town of North Hampton Zoning Ordinance to allow motor vehicle service facility use on the property. Property Owner: Joseph Roy Realty, LLC, P.O. Box 1627, North Hampton, NH 03862. Property Location: 203 Lafayette Road, North Hampton, NH 03862; M/L: 021-007-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

James Scully, attorney; John Chagnon, engineer.

Mr. Scully addressed the Board. Mr. Scully stated that the applicant intended to add a 7,100 square foot addition to the building. He intends to use the expanded building for his auto body/vehicle collision repair and refinishing service business. The applicant repairs vehicles damaged in collisions by performing auto body repair and painting services. The proposed building addition will allow for more damaged cars to be out of sight. Painting services will be conducted within the building inside painting booths using the newest painting technology. A portion of the lot will also be dedicated to auto sales. A portion of the office space within the building will be used for auto sales office and a rental car sales office.

Disclaimer – these minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91A:2,II. They will not be finalized until approved by majority vote of the Zoning Board of Adjustment.

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Mr. Scully addressed the two criteria for granting a variance identified in the Town of North Hampton Zoning Ordinance.

1. The Special Exception, if approved, shall not diminish the value of surrounding properties.

A car dealership and repair facility has existed on the 203 Lafayette Road site for many years. This area of Lafayette Road has other car dealerships and repair shops. The applicant's proposed auto body shop and car dealership uses will not diminish the surrounding property values. The applicant is bringing a new, successful business to the Town.

2. The Special Exception, if approved, shall not unreasonably adversely affect the public interests, safety, health, or welfare.

There is nothing substantially different about the proposed business than what is currently occurring on the property. The equipment to be used is new and state of the art technology. The applicant has always exceeded federal government standards. The paint booths use triple filter technology. The paint used is water borne. The amount of oil changes and fluid replacement services which currently occur on site will be reduced with the proposed use. With the proposed use, there will be no need to store large quantities of new or old oil on the site.

Mr. Stanton asked if the applicant's current business operations had received any violations.

Mr. Scully stated that he was not aware of any violations.

Mr. Stanton asked if the applicant intended to store any cars on the abutting lot as is currently being done.

Mr. Scully stated that the applicant did not intend to store cars on the abutting lot. Car display/storage areas for used car sales and rental car uses are indicated on the site plan to be located on the 203 Lafayette Road site only.

Mr. Stanton asked for clarification regarding drainage details for water borne paint materials.

Mr. Chagnon stated that drainage for used paint is not necessary. The paint is recovered as a vapor. The applicant uses environmentally friendly products.

Mr. Stanton expressed his concern that water soluble paints or other chemicals used for the applicant's auto body repair business may contaminate or break down a septic system. He stressed the need to follow state guidelines to protect the septic system.

Mr. Stanton asked for clarification regarding landscaping details to beautify the lot.

Mr. Chagnon noted landscaping details on the site plan which will improve the site aesthetics. Mr. Chagnon explained that the applicant is committed to not placing any cars in the landscape buffer areas.

Mr. Stanton asked if the outdoor storage trailers shown on the site plan would be used by the applicant.

Mr. Chagnon stated that the applicant had no intention to use the storage trailers at the present time. Mr. Chagnon noted areas on the building floor plan where chemical paints and auto body parts will be stored within the building.

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95 Ms. Reid asked for clarification regarding location of used car sales and rental car businesses.

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97 Mr. Chagnon noted the locations of the used car sales and rental car businesses on the building floor
98 plan.

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100 Mr. Stanton expressed his concern that the Fire Department have knowledge of what is stored within
101 the outdoor storage containers in case any items may be hazardous materials.

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103 Mr. Scully stated that any oils or other fluids stored on the site will be a smaller, limited quantity as
104 compared to current amounts stored on the site. An auto body repair business does not need to have as
105 much oil or other fluids available as a full service repair shop.

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107 Mr. Stanton asked why the hours of operation proposed for the 203 Lafayette Road site are expanded
108 beyond the applicant's hours of operation at his current Hampton site.

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110 Mr. Scully explained that the applicant's business activity has expanded due to an increase in customers.
111 The ability to have a larger service facility is one reason for moving the business to the 203 Lafayette
112 Road site.

113
114 Mr. Stanton expressed his concern with Sunday hours of operation for the auto body repair and painting
115 activities due to the close proximity of residential neighbors. The activities may create noise that
116 disrupts neighbors on a Sunday.

117
118 Ms. Reid asked for clarification regarding pavement removal notes.

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120 Mr. Chagnon described the proposed pavement removal and site improvements that will allow for
121 improved water infiltration and drainage.

122
123 Ms. Reid asked for clarification regarding proposed lighting plan.

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125 Mr. Chagnon stated that there was no intention to change the lighting along the front of the property.
126 The only lighting to be added is building-mounted lighting.

127
128 Ms. Reid asked if there was a need for all of the parking areas as proposed in the site plan.

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130 Mr. Chagnon explained that the proposed plan removes current parking spaces due to re-organization of
131 spaces along Hawthorne Drive. The amount of parking spaces proposed in the site plan is only 10 spaces
132 over the amount required by the Town's site plan regulations for the proposed uses of the site.

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134 Mr. Janos noted that there was no member of the public present at the meeting to make comment on
135 the application. Mr. Janos closed the public hearing at 7:17pm.

136
137 The Board discussed the locations of the outdoor storage containers and dumpster depicted on the site
138 plan.

139
140 Mr. Stanton expressed his concern with the potential noise generated by air blowers and repair
141 equipment associated with the auto body repair business on Sundays. Car sales and rental car activities
142 are appropriate on Sundays.

Mr. Scully stated that the applicant agrees to not performing auto body repair and painting activities on Sundays.

Ms. Reid stated her concern with the outdoor storage container near the lot line being seen from Lafayette Road.

Mr. Scully stated that the applicant agrees to move the outdoor storage trailer near the lot line to a location not visible from Lafayette Road. He may possibly remove the storage container from the site.

Ms. Prior stated that she is comfortable with the proposed site plan and proposed activities.

Mr. Stanton moved that the Zoning Board of Adjustment grant a special exception to allow motor vehicle service facility uses on the property located at 203 Lafayette Road as represented in the application presented to the Board subject to the following conditions:

1. No repair or painting activities shall occur on Sundays.

2. The storage container located next to the property line on the site plan presented to the Board shall be moved so that it is not visible from Lafayette Road.

Second by Ms. Prior. The vote was unanimous in favor of the motion (4-0).

Ms. Reid moved to adjourn the meeting at 7:30pm. Second by Mr. Stanton. The vote was unanimous in favor of the motion (4-0).

Respectfully submitted,

Rick Milner
Recording Secretary