

PLANNING BOARD	November 28, 2017 7:00 P.M.
TOWN OF HAMPTON FALLS	TOWN HALL

Public Hearing and Business Meeting

DRAFT

**CALL TO ORDER:** The meeting was called to order at 7:03 P.M.

**ROLL CALL:** T. Santora, Chairman, C. Brown, Vice Chairperson, S. Hanson, A. Brubaker, L. Brown-Kucharski, R. P. McDermott, Selectmen’s Representative, G. Coppelman, Circuit Rider Planner, M. Sikorski, Building Inspector, H. B. Fazzino, Secretary. A. L. Tonry was absent.

**ZONING ORDINANCE CHANGE- PRESENTATION BY JULIE LABRANCHE, RPC**  
 Section 13 Aquifer Protection District- the high risk land uses identified by RPC are prohibited under RSA 485-C:12 as listed in RPC materials. Zoning amendments are recommended to comply with state requirements for groundwater reclassified as GAA under RSA-C.

Discussion: Julie LaBranche, RPC presented Section 13 and need to protect groundwater in the Seabrook Reclassification Zone. Ms. LaBranche recommended that the Board amend the Table of Uses, or add another section to the Table of Uses. Reviewed #1 under RSA 485-C and sub i. – vi. Currently, two properties are inspected every three years, to detect chemicals that have been buried in the ground. The properties are Three Weare Road and 35 Weare Road. Ms. LaBranche recommended Hampton Falls take advantage of free training available from DES. Hampton Falls would need to agree to participate, provide administrative support for the two sites and attend the inspections. R. P. McDermott confirmed that the Selectmen have endorsed the project. Ms. LaBranche requested that the Town adopt an ordinance to not allow the six uses in the shaded area. Currently, on page 47, four of the six uses are addressed. If it is not on the Table of Uses, it is not permitted. T. Santora raised the question of whether to propose the adoption Town-wide. Julie recommended wording for Article III, Section 3.5 of the Zoning Ordinance. Six uses would be permanently prohibited Town wide.

**MOTION:** To bring the matter of the addition of Zoning Ordinance Article III, Section 3.5, to prohibit six high risk land uses Town wide to public hearing at the Planning Board meeting of December 19, 2017.

**MOTION: S. HANSON**  
**SECOND: A. BRUBAKER**  
**UNANIMOUS**

T. Santora opened discussion to the Board. No members of the public were present.

**PUBLIC HEARING FOR PROPOSED ORDINANCES**

ZONING ORDINANCE, ARTICLE I, SECTION 4, Definitions

- 1) Add a definition for “**Living Area**” to Page 6 of the green pages, to provide guidance when determining the square footage of an Accessory Dwelling Unit.

Discussion: see definition in materials.

***“Living Area” (for an Accessory Dwelling Unit): That space within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes. Living Area is calculated by using the exterior wall dimensions per floor to calculate the gross Living Area of the ADU. Any finished unheated area that is contiguous (i.e. sunroom) to the conditioned living area will be considered living area.***

**MOTION:** To bring to the Warrant the definition of Living Area in Article 1, Section 4, Definitions.

**MOTION: C. BROWN  
SECOND: L. BROWN-KUCHARSKI  
UNANIMOUS**

**MOTION:** To amend the definition of Living Area to correct a grammatical error in the last sentence. “Living area” and “considered.”

**MOTION: L. BROWN-KUCHARSKI  
SECOND: T. SANTORA  
UNANIMOUS**

ZONING ORDINANCE, ARTICLE III, Section 7.2.1

- 2)** Amend Article III, Section 7.2.1 (paragraph 2) of the Zoning Ordinance as follows (changes shown in ***Bold/Italicized/Underlined*** type):

A second dwelling unit attached or incorporated within the primary dwelling unit on any approved building lot is permitted by obtaining a building permit from the Building Inspector. In addition, per RSA 674:71 through RSA 674:73, a detached accessory dwelling unit that utilizes an ***existing*** accessory use building (e.g. garage or barn) shall be permitted by obtaining a Conditional Use Permit from the Planning Board (see ***Appendix VII in Site Plan Review for typical examples of detached accessory dwelling units***). In order to obtain permit(s) for either an attached or detached accessory dwelling unit the following standards shall be met.

T. Santora opened discussion to the Board.

Discussion: None.

**MOTION:** To approve the amended wording for Article III, Section 7.2.1 (paragraph 2) to move this amendment to the Warrant.

**MOTION: C. BROWN  
SECOND: L. BROWN-KUCHARSKI  
UNANIMOUS**

ADDITION OF ARTICLE III APPENDIX VII- DEFINITIONS to Site Plan Review Regulations.

- 3) Add Appendix VII to **Site Plan Review Regulations**. The new section will be titled ***“Design Guidelines for Detached Accessory Dwelling Units (ADU).”*** The purpose of this new Appendix is to provide design guidelines for Detached ADUs in Hampton Falls.

Discussion: G. Coppelman discussed the additional section.

**MOTION:** To approve the addition of Design Guidelines for Detached Accessory Dwelling Units (ADU) in Site Plan Review Regulations.

**MOTION: C. BROWN**  
**SECOND: L. BROWN-KUCHARSKI**  
**UNANIMOUS**

- 4) Amend **Site Plan Review Regulations** Section 8.8.3 by replacing the current wording with the following: ***“Illuminated signs, including neon or tubular signs, shall be permitted in “BDS, BDN and TCD Districts.” No moving, flashing or animated light signs are permitted, except as temporary seasonal holiday decorations.***

Comments: None.

**MOTION:** To accept the amendment to site plan review regulations to replace the current Site Plan Review Section 8.8.3 with ***“Illuminated signs, including neon or tubular signs, shall be permitted in BDS, BDN and TCD Districts.” No moving, flashing or animated light signs are permitted, except as temporary seasonal holiday decorations.***

**MOTION: L. BROWN-KUCHARSKI**  
**SECOND: C. BROWN**  
**UNANIMOUS**

T. Santora then closed the public meeting to the four proposed amendments.

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES:** October 24, 2017

**MOTION:** To approve the meeting minutes with the following amendments:

- Page 3, Motion to grant Applicant’s request, subject to item #4, removed, as recommended by T. Santora.
- Page 4, Proposal #1, remove title “Zoning Ordinance (Warrant Article)” and replace with “Site Plan Regulations” as recommended by C. Brown
- Page 5, Update last line of “Living Area” definition to remove the word “conditioned” and replace with “considered” as recommended by C. Brown.
- Page 5, Amend “Motion: To move proposed Appendix 7...” and replace with “To move the proposed additional definition to Zoning Ordinance Article I, Section 4, Definitions.”

- Page 5, Motion: To amend Article III, Section 7.2.1 (paragraph 2) of the Zoning Ordinance. Detached accessory dwelling units are allowed in “existing” accessory use buildings. MOTION: S. HANSON, SECOND: C. BROWN, UNANIMOUS.

**MOTION: S. HANSON**  
**SECOND: L. BROWN-KUCHARSKI**  
**UNANIMOUS**

**COMMUNICATIONS TO BOARD MEMBERS**

**2018 PLANNING BOARD APPLICATION DEADLINES.** The Board reviewed and approved the proposed 2018 Planning Board Application Deadlines. The November 2018 meeting will be held on the fourth Tuesday.

**OTHER BUSINESS:**

**CAPITAL IMPROVEMENT PROGRAM (CIP) UPDATE- T. SANTORA**

T. Santora provided an update to the Board on the CIP process. Most of the recommendations were not accepted by the Board of Selectmen. Members encouraged participation at Town Meeting.

**AVESTA HOUSING- REQUEST FOR RELEASE OF LETTER OF CREDIT WITH MEREDITH VILLAGE SAVINGS BANK.**

T. Santora read Tyler Norod’s letter of request. The Board reviewed the outstanding items.

**MOTION:** Conditional upon receiving final payment of \$3,889.50, copies of as-built plans, signature from project representative on the Certificate of Occupancy, that the request to release the Irrevocable Letter of Credit #292 be granted.

**MOTION: C. BROWN**  
**SECOND: A. BRUBAKER**  
**UNANIMOUS**

C. Brown reported that she received the Fall 2017 Newsletter from the NHDES Drinking Water and Groundwater Bureau.

**ROCKINGHAM PLANNING COMMISSIONER**

**MOTION:** To nominate Andrew Brubaker as a Rockingham Planning Commissioner for the Town of Hampton Falls for a 4 year term.

**MOTION: L. BROWN-KUCHARSKI**  
**SECOND: S. HANSON**  
**UNANIMOUS**

This matter will be referred to the Town Administrator for the Selectman’s Agenda of

December 20, 2017.

**ADJOURN**

**MOTION:** To adjourn the meeting at 9:15 p.m.

**MOTION: S. HANSON**

**SECOND: C. BROWN**

**UNANIMOUS**

**NEXT MEETING SCHEDULED TUESDAY, DECEMBER 19, 2017, 7:00 p.m.**