



## MEETING MINUTES

### NORTH HAMPTON PLANNING BOARD

#### Regular Meeting

Monday, May 1, 2006 at 6:30pm

Mary Herbert Conference Room

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*These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription.*

**Members present:** Phil Wilson, Chairman; Shep Kroner, Vice Chairman; Craig Salomon, Laurel Pohl, Paul Fennell and Joseph Arena.

**Others present:** Jill Robinson, Circuit Rider/RPC, Wendy Chase, Recording Secretary and Henry Marsh, Selectmen Representative.

**Alternates present:** None

Mr. Wilson convened the meeting at 6:31pm.

### OLD BUSINESS

**06:08 Dietrich and Kathleen Ebert, 80 Lovering Road, North Hampton, NH.** Applicant proposes to consolidate lots 37 & 38 into one parcel and subdivide the total into three lots. Zoning district R-3, M/L 019-037&038.

Present for this application:

Dietrich Ebert

Dieter Ebert

Doug explained the changes to the original plan. Uplands were added to proposed lot 37 and decreased on proposed lot 37-1, resulting in both lots having more than one acre of required uplands.

Doug also explained that the applicant and neighbor are on the verge of signing a boundary agreement.

Mr. Wilson opened the public hearing at 6:36pm.

Mr. Wilson closed the public hearing at 6:37pm with no public comment.

**Mr. Salomon moved and Mr. Kroner seconded the motion to approve the subdivision with the following conditions: A recordable Mylar and Certificate of Monumentation.**

**The vote was unanimous in favor of the motion (5-0).**

### New Business

**06:09 Carrell, Poole and Yost 5646 Milton St., Suite 888, Dallas, TX 75206.** Applicant proposes on behalf of S.R. Wiener, 1330 Boylston St., Chestnut Hill MA, an application for a conditional use permit to erect a TGIFriday sign at 356 Lafayette Road, North Hampton.

Present for this application:

Attorney Bernard Pelech

Attorney Pelech explained that there were no changes to the signs that were shown on the original approved application except that the "to go" sign will be removed.

It was determined by the board that a conditional use permit was not necessary. The applicant has reduced the amount of signs that were previously approved by the board.

**Mr. Kroner moved and Mr. Fennell seconded the motion that the board determined that no review of signage was required for case 06:09.**

**The vote was unanimous in favor of the motion (5-0).**

**06:10 Cabot M. & Marva W. Carabott, 37 Chapel Road, North Hampton, NH. Applicant proposes a lot line adjustment. Property location: 35 & 37 Chapel Road, zone district R2, M/L 005-064-003 and 005-067. The applicant requests the following waivers:**

- **VIII.B.15 Topographic contour boundaries**
- **VIII.B.20 Stormwater drainage control plan**
- **VIII.B.25 Location and results of test pits**

The board received a letter from J. Corey Colwell of Ames MSC requesting the Carabott case, 06:10 be tabled to the June 5, 2006 meeting so that the applicant may present their case to the Little Boars Head Planning Board prior to this board.

**Mr. Kroner moved and Mr. Salomon seconded the motion to grant the request made by the applicant's representative, J. Corey Colwell to table case 06:10 to the June 5, 2006 meeting.**

**The vote was unanimous in favor of the motion (5-0).**

**06:11 Michael and Stacy Whittier, 15 Chapel Road, North Hampton, NH. Applicant proposes a lot line adjustment. Property location: 15 Chapel Road & 7 Old Locke Road, zone district R2, M/L 005-026 & 005-023.**

In attendance for this application:

Michael Whittier

Mr. Wilson explained to the applicant that it is customary for any application within the Little Boars Head District to apply with the Little Boars Head District Planning Board prior to this board.

He asked Mr. Whittier if he wished to table his application to the June 5, 2006 meeting. He responded that yes, he would.

**Mr. Salomon moved and Ms. Pohl seconded the motion to grant the applicant's request to table case 06:11 to the June 5, 2006 meeting.**

**The vote was unanimous in favor of the motion (5-0).**

**06:12 Pea Patch Properties, LLC, 20 Mill Road, North Hampton, NH. Site plan review application: Applicant proposes to construct six (6) 60' x 60' aircraft hangers adjacent to existing hangers #1-#6. Property location: 9A Lafayette Road, North Hampton, zone district I-B/R, M/L 003-061.**

There was no one in attendance for this application. The application was tabled.

**06:13 Budget Rent A Car 90-20 Grand Central Parkway, E. Elmhurst, NY 11369. Change of use application: On behalf of owners Dean & Cora Stevens, the applicant proposes to change the use from a clothes/shoe retail store to a car rental office. Property location: 178A Lafayette Road, North Hampton, zone district I-B/R, M/L 017-084-001.**

In attendance for this application:

John Kirn, District Manager, Cendant Car Rental Group

Mr. Kirn explained that the applicant proposes to change the use at 178A Lafayette Road to operate a Budget rent-a-car business there. He further explained that the cars are delivered from Boston and there will be no detailing or washing of the vehicles on site other than a garden hose to rinse off dust.

Mr. Fennell asked how many cars the business would possess and what the hours of operation would be. Mr. Kirn answered "20 to 25 cars". He estimated the hours of operation to be 7:30am to 5 or 6:00pm Monday through Friday and weekend hours 7:00am to 2 or 4:00pm. There will be no night hours.

There will be no structural changes to the building. The applicant wishes to add a counter and one lighted sign.

Mr. Salomon asked the Recording Secretary to note in the minutes the arrival of Mr. Marsh and Dr. Arena at 7:00pm.

Mr. Salomon suggested that the applicant provide a copy of the lease with a provision stating that the parking is exclusive to Budget rent-a-car.

Mr. Wilson opened the public hearing at 7:02pm.

Mr. Wilson closed the public hearing at 7:03pm with no public comment.

**Mr. Salomon moved and Mr. Kroner seconded the motion to approve the change of use application with the following conditions:**

1. *The applicant must comply with the North Hampton Fire Department's recommendations regarding installation of a Knox Box, emergency lighting and building number to be visible from the street.*
2. *Applicant shall provide the Planning Board a copy of the lease agreement indicating the exclusive right to use 25 parking spaces plus five spaces for customer parking, to access the dumpster depicted on the plan, and to use the designated area for snow removal.*
3. *The parking lot shall be re-stripped.*
4. *Bollards shall be installed around the propane tank.*
5. *No Certificate of Occupancy shall be granted until dumpster screening is installed and all of the above conditions are met.*

**The vote passed in favor of the motion (6 yes, 0 no and 1 abstention) Dr. Arena abstained.**

**06:14 Claire Larrabee, 152 Candia Road, Chester, NH 03036. Applicant proposes a lot line adjustment. Property location: 8 & 9 Appledore Ave., North Hampton, zone district R2, M/L 002-026 & 027.**

In attendance for this application:

William Gregsak, Gregsak Engineering Inc.

It was determined by the board that the applicant will have to go before the Zoning Board of Adjustment and apply for a variance for relief from Article V, Section 501.2. They would also have to go before the Little Boars Head District Boards prior to this board because the property lies within the Little Boars Head District.

Mr. Gregsak, on behalf of his client, requested that the application be tabled to the July 3, 2006 meeting.

**Dr. Arena moved and Mr. Salomon seconded the motion to grant Mr. Gregsak's request to table Case #06:14 to the July 3, 2006 meeting.  
The vote was unanimous in favor of the motion (7-0).**

**06:15 Russell Jeppesen, PO Box 990, North Hampton, NH. Subdivision application: Applicant proposes a two-lot subdivision. Property location: 152 Atlantic Ave., North Hampton, zone district R1, M/L 007-031.**

In attendance for this application:

John Chagnon, Ambit Engineering  
Attorney Michael Donahue, Donahue, Tucker and Ciandella

Mr. Wilson stated that cases 06:15 and 06:16 should be considered together. Mr. Wilson explained to Mr. Chagnon that the ARC reviewed the subdivision plans and they recommend to the Planning Board not to take jurisdiction of applications 06:15 and 06:16 due to required variances.

At the applicant's request for time to review the ARC recommendations, the board recessed the discussion of cases 06:15 and 06:16 and moved on to case #06:17.

**06:17 Park Avenue Development Corp., 255 North Road #135, Chelmsford, MA 01824. Subdivision application: On behalf of owners Cedric Dustin and Frances Winch, the applicant proposes a five-lot subdivision. Property location: 29 Winnicut Road, North Hampton, zone district R3, M/L 022-024.**

In attendance for this application:

Steven Oles, AMES MSC Architects and Engineers

Mr. Oles presented copies of colored plans depicting the wetlands, uplands and boundary lines of the proposed subdivision.

Mr. Oles explained that the existing house and barn would be removed from the site.

Mr. Oles presented a request for a waiver from Section VIII.B.20 of the subdivision regulations. Mr. Wilson explained that all waivers shall be submitted with the application and properly noticed.

A member of the audience questioned the incorrect property location on the application and notice. Mr. Oles explained that he corrected the address and submitted a corrected application to the Planning & Zoning Administrator.

Mr. Oles requested to table case #06:17 to the June 5, 2006 meeting. Mr. Oles also requested that the board perform a site walk on the property.

The board will perform a site walk on the property at 29 Winnicut Road on May 17, 2006 at 4:30pm.

**Mr. Kroner moved and Ms. Pohl seconded the motion to grant Mr. Oles request to table case 06:17 to the June 5, 2006 meeting.  
The vote was unanimous in favor of the motion (7-0).**

**06:12 Pea Patch Properties, LLC, 20 Mill Road, North Hampton, NH. Site plan review application: Applicant proposes to construct six (6) 60' x 60' aircraft hangers adjacent to existing hangers #1-#6. Property location: 9A Lafayette Road, North Hampton, zone district I-B/R, M/L 003-061.**

In attendance for this application:

W. Michael Hart

Mr. Hart introduced himself and explained that he and his wife own the North Hampton airport and all buildings thereon and that the Hampton Airfield leases the airfield and runs the flight schools and operations at the airfield.

The applicant proposes to add six hangers to be constructed directly behind the six large white existing hangers. The access to these proposed hangers will be the same as the existing entrance on Cedar Road and the utilities will come off of Mill Road. Each hanger is privately owned and can house up to four planes.

Mr. Kroner voiced concerns with the reduction of wooded area and the increased dust the proposed expansion would create.

Mr. Wilson voiced concerns on drainage referring to an existing drainage plan, which showed a swale where proposed buildings 11 and 12 would be located. Mr. Hart stated that the swale, which was part of a previously approved site plan, had never been constructed.

The airport is publicly licensed and privately owned. There is no control over the activity. Anyone can land a plane there.

Sydney Rhino of Mill Road stated that the noise is unbearable due to the planes and is concerned if more hangers are allowed the noise level will increase.

Vince Vettraino asked if there were minimal altitudes in the area. Mr. Hart explained that the planes go up 800' on Route 1 and decline to 500' when landing.

Dr. Arena stated that the board would have to notify the Town of Hampton regarding this application due to the fact that the airport is partially situated in Hampton.

Mr. Hart stated that the Town of Hampton was not noticed, just the abutters.

Regional Impact, RSA36:54 was discussed. The board felt that the Town of Hampton would be directly affected.

**Dr. Arena moved and Ms. Pohl seconded the motion that the proposed expansion of the airfield does have regional impact and the Town of Hampton shall be notified. The vote was unanimous in favor of the motion (7-0).**

**Ms. Pohl moved and Mr. Fennell seconded the motion to deny the application for incompleteness due to lack of an updated drainage study. The vote passed in favor of the motion (6 yes, 0 no and 1 abstention). Mr. Kroner abstained.**

**06:15 Russell Jeppesen, PO Box 990, North Hampton, NH. Subdivision application: Applicant proposes a two-lot subdivision. Property location: 152 Atlantic Ave., North Hampton, zone district R1, M/L 007-031.**

**06:16 Russell Jeppesen, PO Box 990, North Hampton, NH. Subdivision application: Applicant proposes a seven-lot subdivision. Property location: Mill Road, North Hampton, NH, zone district R1, M/L 007-002-001 & 007-027.**

Mr. Chagnon went over the ARC report on case 06:15. The ARC questioned whether both applications would need variances and that both applications presented significant issues.

It is the opinion of Keach and Nordstrom Associates Inc. that the applications submitted by Russell Jeppesen be combined into one application.

Mr. Chagnon stated that they would be willing to combine the subdivision applications into one.

Attorney Donahue requested a continuance for case 06:15 to the June 5, 2006 meeting.

**Mr. Salomon moved and Mr. Kroner seconded to grant Attorney Donahue's request to continue case 06:15 to the June 5, 2006 meeting.  
The vote was in favor of the motion (6 yes, 0 no and 1 abstention). Mr. Wilson abstained.**

Mr. Salomon suggested that the applicant propose a plan to show the lot line adjustment and consolidation for the 3-lot subdivision but to keep the two applications separate.

Mr. Wilson voiced concerns with emergency vehicles accessing the twenty-foot driveway and the amount of lots that would be sharing said driveway.

Attorney Donahue confirmed that seven lots would be sharing the driveway.

Mr. Donahue explained that it is their belief that the long driveway shown on the plan was once owned by the Town and that by town vote, many years ago, it was discontinued so that the Town would not have to maintain it.

The board requested that the applicant provide proof that the Town did in fact once own the proposed driveway as a town road driveway and the vote to discontinue it.

Attorney Donahue explained that the proposed lot six did not have frontage. The applicant's intention was to reserve the right that any landowner has to pursue seeking a building permit through the ZBA, not for a variance but specifically under RSA 674:41.

Mr. Salomon stated that the applicant would have to get relief from the ZBA before the Planning Board could approve a plan that included lot six.

Attorney Donahue suggested a provision be added to the approval that if relief were not obtained then lot six would become part of the other lots.

Attorney Donahue requested a continuance for case 06:16 to the June 5, 2006 meeting.

**Dr. Arena moved and Mr. Salomon seconded the motion to grant Attorney Donahue's request to continue case 06:16 to the June 5, 2006 meeting.  
The vote was in favor of the motion (6 yes, 0 no and 1 abstention). Mr. Wilson abstained.**

Mr. Hart requested clarification on how to proceed with his application to add six hangers to the airport.

Mr. Wilson explained that his application was denied and that he would have to reapply and to include an updated drainage report. Mr. Wilson advised Mr. Hart to request the board waive the fees for reapplication.

**Mr. Kroner moved and Ms. Pohl seconded the motion to adjourn at 10:30pm.  
The vote was unanimous in favor of the motion (7-0).**

Respectfully submitted,

Wendy V. Chase  
*Recording Secretary*