



## **MEETING MINUTES**

### **NORTH HAMPTON PLANNING BOARD**

#### **Work Session**

**Monday, December 18, 2006**

**Mary Herbert Conference Room**

---

*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; Vince Vettraino, Joseph Arena, Laurel Pohl and Henry Marsh, Selectman's Representative.

**Absent:** Craig Salomon

**Others present:** Jill Robinson, RPC Circuit Rider and Wendy Chase, Recording Secretary.

**Alternates present:** None

Mr. Kroner called the meeting to order at 6:30pm.

### **Minutes**

The Board made emendations to the November 20, 2006 Work Session minutes.

**Mr. Wilson moved and Dr. Arena seconded the motion to approve the November 20, 2006 Work Session minutes as amended.**

**The vote passed in favor of the motion (4-0). Mr. Marsh and Mr. Kroner did not vote because they were not in attendance for that meeting.**

The Board made emendations to the December 4, 2006 Regular Planning Board meeting minutes.

**Mr. Marsh moved and Ms. Pohl seconded the motion to approve the December 4, 2006 meeting minutes as amended.**

**The vote was unanimous in favor of the motion (6-0).**

Mr. Kroner recessed the meeting at 6:58pm to allow the Selectmen to hold their meeting on the proposed land acquisitions.

Mr. Kroner resumed the meeting at 7:18pm.

### **Old Business**

The Board discussed the correspondence sent by John Anthony Simmons, Chairman of the Zoning Board on behalf of the Zoning Board, suggesting possible changes to Zoning Ordinance Article IV, Section 406.2. Article IV, Section 406.2 states: *Any lot of record existing at the effective date of this Ordinance and then held in separate ownership different from the ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this Ordinance.* \*3/5/74

Mr. Simmons stated in his letter to the Board that the Zoning Board feels that the current Ordinance is very poorly worded and difficult to understand and that the ZBA respectfully requests that the Planning Board hold public hearings on this matter and re-write this section of the Ordinance. Mr. Simmons further stated that the feeling of the ZBA was that the presumption should be made in favor of developing parcels of land on which citizens have been paying taxes.

Mr. Marsh suggested that the two Boards hold a joint meeting to discuss the matter.

**Mr. Wilson moved and Dr. Arena seconded the motion to ask the ZBA meet to with the Planning Board to discuss and arrive at a solution to issues raised by the ZBA regarding Article IV, Section 406.2.**

**The vote was unanimous in favor of the motion (6-0).**

Mr. Kroner will contact Mr. Simmons and inform him of the Planning Board's decision.

Mr. Wilson said that there are certain provisions that must be abided by to hold a joint meeting.

Dr. Arena stated that when the two Boards hold a joint meeting that it is the responsibility of the Planning Board Chairman to Chair the meeting.

## New Business

Mr. Kroner read an email from State Representative Judy Day responding to the Planning Board's invitation to meet with them. Ms. Day explained in her email that it would be better if the Board had specific topics to discuss with her and that she would be happy to come to a meeting in the future when the Board had more specific questions or focus for a presentation the members may want her to make. Ms. Day also stated that she has contacted other Democratic Representatives from District 13 who are willing to meet with the Planning Board.

Mr. Kroner will contact Ms. Day and ask that she come to a Planning Board meeting to discuss general land use issues.

**Committee updates**

Mr. Kroner and Ms. Pohl updated the Board on the Long Range Planning Committee. The Committee would like to meet next week and finalize the CIP to be able to recommend it to the Planning Board and Board of Selectmen. The Committee would like to hold the first public hearing on the CIP on January 2, 2007 at 6:00pm.

Ms. Robinson presented maps that were compiled for a regional project that the Rockingham Planning Commission, Nature Conservancy, Forest Society and the Strafford Planning Commission did. Ms. Robinson explained that the maps were of natural resources that have high value all across the State and that the smaller maps were natural resources of just North Hampton. She said that the application period for the Coastal Zone Program (CZP) (grant program) is coming up in February 2007. The grant money could be used for projects with the Conservation Commission on different zoning and regulations to protect natural resources, like shorelines, aquifers and things of that nature.

Ms. Robinson went over draft #3 of the proposed Route 1 Corridor Access Management Performance District Zoning Ordinance with the Board.

As stated in the proposed Ordinance under Location, the provisions of the Access Management Performance District shall apply to all areas abutting Route One beginning at the parcel boundary of Map 8, Lot 24 on the West side of Route 1 and Map 7, Lot 59, on the East side of US Route 1 and extending Northerly to the Town Boundary between the Town of North Hampton and the Town of Rye, and extending generally east and west to the boundaries of the IBR district.

Ms. Robinson said that she has been working with David Walker, RPC's Transportation Planner who has done a lot of work on the Route 1 Corridor Study. Mr. Walker reviewed the proposed Ordinance and made a few suggestions through out the proposed Ordinance.

Ms. Robinson asked whether or not the Board wanted to include mixed use with commercial and residential in the proposed ordinance.

Dr. Arena stated that in the past the Planning Board wanted to keep Route 1 purely an IB district with no residential component, and as soon as a residential property was sold it would no longer be considered residential.

Ms. Robinson said the core of the Ordinance is about the Route 1 Corridor Study, and that the whole reason for doing this is that if nothing were to be done then Route 1 will be significantly different than it is today. Route 1 will be widened to five lanes, which will cause a lot of different impacts to Town that are undesirable from the Board's perspective.

Mr. Wilson suggested language changes to number 5 of the proposed Ordinance for better clarification. Ms. Robinson made the suggested changes.

Mr. Marsh suggested that members of the Planning Board meet with the Business Association and request their input on the proposed ordinance.

Mr. Kroner suggested Mr. Wilson and Ms. Robinson meet with the Business Association.

It was decided that both Mr. Wilson and Ms. Robinson would set up a meeting with the Business Association to get their feed back on the proposed Ordinance.

The proposed amendments to the Sign Ordinance regarding the enforcement provision were discussed. It was determined that any violator may receive a verbal warning but once the violator is in receipt of a written notice of violation the daily penalty would begin.

**Mr. Wilson moved and Ms. Pohl seconded the motion to hold a public hearing on the proposed amendments to Section 506.8.**

**The vote was unanimous in favor of the motion (6-0).**

Ms. Chase was directed to notice the public hearing on the proposed amendments to the Sign Ordinance for January 2, 2007 at 6:00pm.

Mr. Kroner suggested that the enforcement language in the Sign Ordinance should be added to the end of the entire Zoning Ordinance.

### **Other Business**

Mr. Wilson explained to the Board that the Planning Board does have the authority to rescind a site plan even years after it has been approved if in violation. The Board would hold a public hearing, take findings of fact and rescind the site plan. Ms. Robinson said that the Planning Board is the only Board that has the authority to revoke a plan.

**Mr. Wilson moved and Ms. Pohl seconded the motion to adjourn at 10:00pm**

**The vote was unanimous in favor of the motion (6-0).**

Respectfully submitted,

Wendy V. Chase  
Recording Secretary