



MEETING MINUTES
NORTH HAMPTON PLANNING BOARD
Work Session
Tuesday, February 14, 2008 at 6:30pm
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; Joseph Arena, Barbara Kohl.

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

Alternates present: None

Mr. Kroner called the meeting to order at 6:35pm.

Ms. Robinson introduced Mr. West and stated that he would be replacing her as the RPC Circuit Rider for the Town of North Hampton.

Minutes

Mr. Wilson moved and Dr. Arena seconded the motion to approve the November 6, 2007 meeting minutes as amended.

The vote was unanimous in favor of the motion (4-0).

Mr. Wilson moved and Dr. Arena seconded the motion to approve the November 15, 2007 Work Session minutes.

The vote was unanimous in favor of the motion (4-0).

Mr. Wilson moved and Ms. Kohl seconded the motion to approve the December 4, 2007 meeting minutes as amended.

The vote passed (3 in favor, 0 opposed and 1 abstention). Dr. Arena abstained because he was not present at the December 4th meeting.

Mr. Wilson moved and Dr. Arena seconded the motion to approve the December 6, 2007 minutes as amended.

The vote was unanimous in favor of the motion (4-0).

Mr. Wilson moved and Ms. Kohl seconded the motion to approve the December 13, 2007 Public Hearing minutes as amended.

The vote passed (2-0-2). Mr. Kroner and Dr. Arena abstained because they were not present at the December 13th meeting.

Dr. Arena moved and Mr. Wilson seconded the motion to approve the December 27, 2007 Public Hearing minutes as amended.

The vote was unanimous in favor of the motion (4-0).

Dr. Arena moved and Mr. Wilson seconded the motion to approve the January 8, 2008 meeting minutes as amended.

The vote was unanimous in favor of the motion (4-0).

Dr. Arena moved and Ms. Kohl seconded the motion to approve the January 15, 2008 Public Hearing minutes.

The vote was unanimous in favor of the motion (4-0).

Ms. Kohl moved and Dr. Arena seconded the motion to approve the February 5, 2008 meeting minutes as amended.

The vote was unanimous in favor of the motion (4-0).

Old Business

Mr. Glenn Martin was not present for the discussion on decommissioning Well # 15 off of Evergreen Drive. The discussion was a continuation of the December 4, 2007 meeting. Mr. Martin sent the Board an email showing back and forth correspondence between Aquarion Water Company and himself. The Well was to be capped by the end of January 2008. The Board has not receive evidence that the Well has been capped.

The Board decided to hold Mr. Martin's bond (approximately \$3,200.00) until Mr. Martin requests the remaining funds and to prove that Well # 15 off of Evergreen Drive has been decommissioned.

Mr. Wilson moved and Dr. Arena seconded the motion to continue the discussion on Mr. Martin's surety release and the decommissioning of Well # 15 to the March 13, 2008 Work Session meeting.

The vote was unanimous in favor of the motion (4-0).

New Business

The Board was in receipt of the Plan NH Design Charrette Program application. The program offers services to local communities by providing a team of Plan NH members to visit a community for a Friday and Saturday and work with municipal leaders and citizens to develop options and design suggestions for a project of local interest.

Mr. Wilson said that on behalf of the Planning Board he had completed the application for the last two years and was denied both times. Mr. Wilson explained that when the Town was talking about a new municipal complex he applied to the Charrette Committee based on that idea and was later informed by members of the program that the proposal was beyond what the program was designed to assist applicants with.

Mr. Wilson suggested that the application be forwarded to the Library. The Board agreed.

The Board reviewed the legal opinion from Attorney Jae Whitelaw regarding the proposed Building Reuse site plan review regulation (X.F) and the Community Impact site plan review regulation (VIII.E). It is the opinion of Attorney Whitelaw that neither the proposed regulation, Section X.F nor the approved regulation, VIII.E would be upheld in a court of law if appealed.

Ms. Robinson commented that the Planning Board legally has the right to regulate the size of buildings, size of lots and the limitations and to also look at the impacts on the neighborhood, welfare and prosperity of the neighborhood. She referenced RSA 674:21 – Innovative Land Use Controls. Ms. Robinson opined that Attorney Whitelaw has a narrow view of the Planning Board's authority and did not totally agree with her opinion.

Mr. Wilson referenced RSA 674:44 II h, pertaining to Site Plan Review Regulations adopted by the Planning Board, and states *includes such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity.*

The Board decided that they would like clarification on the legal opinion from Attorney Whitelaw.

Mr. Kroner suggested that he and Mr. Wilson contact Attorney Whitelaw by making a conference call and request clarification of her opinion she provided on the Building Reuse and Community Impact site plan regulations and report back to the Board on their findings at the next Work Session.

Dr. Arena brought to the Board's attention a possible sign violation on Route 1 at the pet shop. He also commented on the large bright light located in the vicinity of Callahan's Motors.

Mr. Kroner said that he would let the Building Inspector know because he also has noticed a sign violation at the gas station on the corner of Lafayette Road and Elm Road.

The Board was in receipt of a letter from Mr. Paul McInnis requesting the release of the remaining money being held in the landscape bond for 1 Juniper Road. Mr. McInnis provided proof that the monuments were set, which was a condition the Board set that had to be met by Mr. McInnis before releasing the \$300.00 bond to him.

Mr. Wilson moved and Ms. Kohl seconded the motion to release the landscape bond in the amount of \$300.00 plus any interest to Mr. Paul McInnis. The vote was unanimous in favor of the motion (4-0).

Committee Updates

Mr. Wilson updated the Board on the Budget Committee Resident Survey that he helped design to provide the Budget committee members with resident's feedback on important priorities, town and school services and financial issues. He shared the responses to how satisfied the resident's are on how elected or appointed officials in Town act in the best interest of the Town: (1 being the highest percentage of satisfaction)

1. North Hampton Forever
2. Conservation Commission
3. Budget Committee
4. Planning Board
5. Water Commission
6. Board of Selectmen
7. Zoning Board of Adjustment

Lisa Wilson spoke from the audience and opined that the Conservation Commission ranked high because they do something tangible that the residents can see, such as buying land and putting it into Conservation land.

David West introduced himself and gave the Board a little background information on himself:

- Masters Degree in Natural Resources
- Hired by RPC six months after Ms. Robinson
- Has been the RPC Circuit Rider for the Towns of Kensington, Freemont, Greenland and Hampton Falls and is still currently working with Freemont
- Has been currently doing a lot of work with GIS and working on maps

The Board welcomed Mr. West.

Mr. Wilson moved and Ms. Kohl seconded the motion that this Planning Board is deeply appreciative of the significant contributions that Jill Robinson has made to us for the years that she has sat with this Board, and not only grateful for her expert advice and counsel, but for her good humor, her equanimity, and for the intelligence she brought to each meeting on every issue that she has been asked to comment on, and the hard work she has put in on some of the innovative things that the Board has done, many of which that was a result of her initiative.

The vote was unanimous in favor of the motion.

Dr. Arena told Jill that she was welcome to come back to the Board anytime.

Mr. Kroner expressed to Jill how much the Board appreciated all of her hard work and presented her with a gift along with well wishes from the Board.

Mr. Wilson moved and Dr. Arena seconded the motion to adjourn at 7:40pm
The vote was unanimous in favor of the motion (4-0).

Respectfully submitted,

Wendy V. Chase
Recording Secretary

Minutes approved April 17, 2008