



**MEETING MINUTES**  
**NORTH HAMPTON PLANNING BOARD**  
**Thursday, September 04, 2008**  
**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, Laurel Pohl, Barbara Kohl, Tom McManus and Emily Creighton, Selectmen's Alternate Representative.

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

**Alternates present:** None

Mr. Wilson convened the meeting at 7:02pm

## **I. Old Business**

The board was in receipt of a letter from Mr. Craig Salomon regarding engineering fees charged to him for his Subdivision Application case # 07:28 to be discussed. Ms. Chase informed the board that Mr. Salomon had emailed a request to continue the topic for discussion to the next Planning Board Work Session meeting, September 16, 2008 because he was not able to be present this evening. The board agreed that because the topic of the letter has to do with Mr. Salomon's case #07:28, heard during the quasi judicial function of the board then it should be continued to the next regular meeting on October 2, 2008.

## **II. New Business**

#08:10 – Derek Burke, 1360 North Road, Parsonfield, ME 04047. The applicant requests a change of use from a bookstore to office space that will house medical records and x-ray storage that includes a "dark room" facility. Property location: 200 Lafayette Road, North Hampton, M/L 021-027-001, zoning district I-B/R.

In attendance for this application:

Robert Elliott, authorized by owner Derek Burke to represent him

Mr. Elliott explained that the new business is a company proposed to replace the space that was previously occupied by a book store is called Mobile X, which is a record storage company that also develops x-rays on site. He further explained that the technicians go off site to take x-rays and bring them back to the office to develop. The chemical (developer) is contained within the developing system. He said that within the system the developer is emptied into containers and removed off site by another Company every 3 to 4 days, and that the developer never goes into any drains.

Mr. Elliott said that there are two employees so there would be no need for additional parking and there would be no request for a sign.

The board reviewed the existing site plan for the property and Mr. Elliott showed the board where the business would be located on the site plan shown as unit number 3.

Dr. Arena asked if the x-rays would be stored at the office and Mr. Elliott said “yes”. Dr. Arena asked if the plumbing would be changed and Mr. Elliott replied “no”. He said that the developer would be kept in containers. Dr. Arena said that x-rays are rinsed and water is run through the system constantly when developing x-rays. Mr. Elliott said that nothing would go into the septic system. Dr. Arena asked how many films are developed and Mr. Elliott was not sure.

Mr. Kroner opined that the process is probably very similar to photo developing systems located at various pharmacies.

Mr. Elliott said that the hoses are transferred from one container to the other and the take the containers are taken off site; the chemicals never leave containers.

Dr. Arena requested that more information be provided by the applicant regarding the methodology of the developing process.

Mr. Elliott handed out information on the developer that listed names of the hazardous materials. Dr. Arena requested that a copy of the list be made for each of the members to review.

Dr. Arena voiced concerns over safety issues and suggested that the application be continued to the October meeting giving the applicant time to gather more information on the developing process and the chemicals used.

Mr. Wilson asked if Mr. Elliott could get more information on the developing process.

Mr. Elliott said that he would be able to provide more information.

Mr. West commented that the zoning ordinance prohibits photo processing in the aquifer and the location of this business is not near an aquifer.

Mr. McManus asked if the business would be inconvenienced if the application was continued to the next month.

He also informed the board that the business is currently occupying the space and it was because of the chemicals used that the owner thought they would need Planning Board approval.

Mr. Wilson explained the process of taking jurisdiction. He explained that the applicant could choose to continue the application to the next regular meeting and provide more information or proceed with the information at hand.

The board suggested that if the applicant were to continue that they provide information on the processing unit and maybe invite one of the operators of the system to come in and explain the process to the board. Mr. Wilson also suggested that the Fire Department be informed of the new business to see if they want to do a walk-through of the premises.

Mr. Elliott requested to continue the application for case #08:10 – Derek Burke, 200 Lafayette Road to the October 2, 2008 meeting.

**Mr. McManus moved and Ms. Pohl seconded the motion to continue case #2008:10 to the October 2, 2008 meeting.**

**The vote was unanimous in favor of the motion (7-0).**

Ms. Chase informed the board that Mr. Rudy Nadilo called to request discussing his engineering fees associated with the Wings your Way application.

The board agreed to continue Mr. Nadilo's discussion regarding the engineering fees for wings your way to the Oct 2, 2008 meeting.

### **Committee updates**

Mr. West brought copies of the master plan contract and special projects contract for the board to sign and then to have the select board sign. Mr. Wilson signed as Chair to the board and Ms. Chase signed as a witness.

Mr. Kroner updated the board on the meeting with Martha Fuller-Clark and Dick Ingram and others regarding Senate Bill 342. He said that it was a receptive meeting where everyone was sympathetic to the challenge Towns are facing with developing ordinances in relationship to SB 342. Mr. Kroner said that he brought to their attention some flaws with the law. He said that everyone at the meeting feels that there is a shortage of workforce housing.

Mr. Wilson said that he had never seen data that verified or characterized that there is a shortage of affordable housing. Mr. Wilson said that after meeting with Mr. Cliff Sinnott who said that the data for Towns to use to establish what their obligation was for affordable housing would be available by September 17, 2008; Mr. Ben Frost said that the information would not be ready by as late as December 2008. The board agreed that it would be impossible for the board to act upon on by amending/creating Zoning Ordinances.

Barbara asked where they get the actual data and Mr. Kroner said form the census.

Mr. West said that the census is collecting data every year and the 2007 data is still being processed and would not be ready until late October or as late as December.

Dr. Arena informed the board that he received a Federal form in the mail that needed to be filled out quickly or be subject to a fine. He said that income, dividends, taxes, water bill, electric bill etc. were some of the information requested on the questionnaire.

Mr. Wilson if we get some of the data prior to October then there is a chance to get something in place for the March town ballot. He said Zoning districts such as wetlands district and conservation land district would need to be created.

Mr. McManus asked Mr. West whether or not the fair share number and the HUD number for North Hampton would be received by Sept 17<sup>th</sup>? Mr. West said “yes”.

Mr. Kroner said they claimed in the meeting that this was driven by a grass roots initiative and not lobbyists, and the developers are the last group pushing this law.

Mr. Kroner asked if everyone was in receipt of a copy of the letter from Altus Engineering regarding the Greystone Village project. It was decided to put the topic of that discussion on the next Work Session agenda.

**Ms. Pohl moved and Dr. Arena seconded the motion to adjourn at 8:01pm.  
The vote was unanimous in favor of the motion (7-0).**

Respectfully submitted,

Wendy V. Chase  
Recording Secretary