



MEETING MINUTES
NORTH HAMPTON PLANNING BOARD
Thursday, April 2, 2009
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; Joseph Arena, Barbara Kohl, Tom McManus, Laurel Pohl arrived at 7:10pm, and Jon Rineman, Alternate Select Board Representative.

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

Alternates present: None

Mr. Wilson convened the meeting at 7:02pm and noted for the record that the meeting was properly posted and there was a quorum.

08:14 – James G. and Karen S. Confalone, PO Box 415, Rye Beach, NH 03871. The applicants propose a 3-lot subdivision on contiguous land located in Rye, NH and North Hampton, NH. Property owners: James and Karen Confalone. Property location: 41 Causeway Road, Rye Beach, NH, M/Lots 005-012, 013, 014, zoning district R-2. The case is continued from the March 5, 2009 meeting.

In attendance for this application:

James Verra, Surveyor

James Confalone, Owner/Applicant

Mr. Verra submitted a letter on behalf of the Applicants requesting a continuance to the May 7th meeting to give them more time to respond to the drainage analysis review done by Rob Phillips of KNA.

Dr. Arena Moved and Ms. Kohl seconded the Motion to grant the continuance to the May 7, 2009 Meeting.

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

09:02 – Peter Horne, Trustee F.S. 123 Nominee Trust, H.T.L.A.E.H., Nominee Trust. The Applicant proposes a 3-lot subdivision. Property owner: F.S. 123 Nominee Trust, H.T.L.A.E.H. Nominee Trust, Peter Horne Trustee, PO Box 1435, North Hampton. Property location: 110 & 112 Mill Road. M/L 006-147-2 and 006-147-3, zoning district R-2. The case is continued from the March 5, 2009 meeting. **Mr. Steve Oles, on behalf of Mr. Horne, requests a continuance of case #09:02 to the May 7, 2009 meeting.**

In attendance for this application:
Peter Horne, Owner/Applicant

Dr. Arena Moved and Ms. Kohl seconded the Motion to grant the continuance to the May 7, 2009 meeting.
The vote was unanimous in favor of the Motion (6-0).

09:03 – Black Marble Realty Trust, 17 Lafayette Road, North Hampton. The Applicant requests a Conditional Use Sign Application to install an additional 18 square-foot internally lit sign below the existing internally lit ground sign at Seacoast Harley Davidson. The Applicant requests for the following waivers are continued from the March 5, 2009 meeting: (1) Article IV, Section 505.5.F – Internally lighted signs, and (2) Article IV, Section 506.6.Q – Color. Property owner: Black Marble Realty Trust. Property location: 17 Lafayette Road. M/L 003-086, zoning district I-B/R.

In attendance for this application:
Andrew Janiak, Applicant

Mr. Wilson recused himself.
Mr. Kroner assumed the Chair.
Mr. McGilvary was seated for Mr. Wilson.

Mr. Kroner gave a brief history:

- The Board granted a waiver from Section 506.6.E to the size requirement to add an 8 square-foot sign to the current Harley Davidson ground sign at the March 5, 2009 meeting.
- The Applicant's waiver requests to Sections 506.6.Q –Color and 505.5.F – Internally lighted were tabled from the March 5, 2009 meeting.

Ms. Pohl arrived at 7:10pm.

Mr. Janiak explained that the new sign proposal will not be internally lit and the color is different. He also informed the Board that the sign size was changed from 18 square-feet to 16 square-feet. Mr. Janiak withdrew his waiver request to Section 505.5.F – Internally lighted. He further stated that the sign would be made of aluminum.

Mr. Kroner opened the Public Hearing on the waiver request to Section 505.5.F – Color at 7:17pm.

Mr. Kroner closed the Public Hearing at 7:17pm without public comment.

Mr. Janiak explained that the new addition to the internally lighted Harley Davidson sign will not be internally lighted nor have any added lighting.

The Board was in receipt of a picture of the proposed sign, and the color matched perfectly with the current Harley Davidson sign.

Dr. Arena Moved and Ms. Kohl seconded the Motion to grant the waiver request to Section 505.5.F – Color.

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

Dr. Arena Moved and Mr. McGilvary seconded the Motion to approve the Conditional Use Sign Application for case #09:03 – Black Marble Realty Trust.

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

Mr. Wilson was reseated and resumed the Chair.

New Business

09:04 – Bohler Engineering on behalf of TD Bank, N.A., 352 Turnpike Road, Southboro, MA 01772. The Applicant requests a Conditional Use Sign Application to install a 57.8± s.f. wall sign on the north side of the TD Bank building. The Applicant requests the following waiver: Article V, Section 506.6.K – Wall sign size requirement. Property owner: TD Bank, 2 Portland Sq., Portland, ME 04101. Property location: 46 Lafayette Road, M/L 007-115-002, zoning district I-B/R.

In attendance for this application:

Randy Myron, Representative of TD Bank

Mr. Myron explained that there is no current wall sign on the bank building, and the owners propose to place one on the building as a source of advertising on the Fern Road side of the bank, and to also inform the public that the bank will be open 7 days a week. He further explained that it would not be illuminated, and that the requested size is well proportioned with the size of the building.

Mr. Rineman questioned the purpose of the proposed sign. He commented that the front of the building is not visible most of the year because of the foliage, and people driving into the parking lot of the bank are already aware that the building is a bank so further advertising is not necessary.

Dr. Arena said that the monument sign on the Lafayette Road side is attractive, and that it would make more sense for the owners to apply for a second monument sign to place on the Fern Road side than to request the wall sign on the front of the building.

Ms. Kohl was in favor of the proposed wall sign, and asked if the owner planned to install an awning on the building, and Mr. Myron said, “No”.

Mr. Wilson explained to Mr. Myron that the owners are entitled to have a 12 square-foot wall sign, and would not need Planning Board approval; they would need to apply for a sign application through the Building Inspector.

Mr. McManus opined that the wall sign would be beneficial to people not familiar with the area.

Mr. Wilson opened the Public Hearing at 7:38pm on the waiver request to Section 506.6.K.

Nancy Warf, 19 Cedar Road, said that she works near the bank and many people throughout the day ask her where the nearest bank is. She said that many people do not realize the bank building is a bank.

David McGilvary, said that a lot of people from out of town don't know it's a bank, and opined that the public travelling on Fern Road would see a ground sign better than a wall sign.

Mr. Wilson closed the Public Hearing at 7:40pm.

Mr. Myron presented copies of the wall sign at 40 square-feet rather than 57 square-feet. He said that the owners were not willing to offer a smaller sign than 40 square-feet.

Dr. Arena said that a sign is to give information. He suggested that Mr. Myron consult with the owners and suggest they apply for an additional ground sign to be placed on the Fern Road side of the bank.

Dr. Arena Moved and Ms. Pohl seconded the Motion to deny the waiver request to Section 506.6.K.

The vote passed (5 in favor, 2 opposed and 0 abstentions).

Dr. Arena Moved and Ms. Pohl seconded the Motion not to take jurisdiction of the Conditional Use Sign Application for case #09:04 – Bohler Engineering on behalf of TD Bank, N.A.

The vote passed (5 in favor, 2 opposed, and 0 abstentions). Mr. McManus and Ms. Kohl voted against.

09:05 – Hampton Airfield Inc., 9A Lafayette Road, North Hampton. Site Plan Application. The Applicant proposes a change to the site plan by allowing the temporary structure (Bus) to be used as an ice cream stand. Property owner: Pea Patch Properties, LLC, Property location: Cedar Road, M/L 003-061, zoning district I-B/R.

In attendance for this application:

William Michael Hart, Owner/Applicant

Mr. Hart explained that his initial proposal was to park a double-decker bus to be used as an ice cream stand at the airport, but after considering the extent of the renovation needed to be done, he chose to use a temporary portable vehicle instead. He further explained

that it would be done on a trial basis, and if successful he would like to set up a permanent business.

Mr. Hart said that he would like to open from the middle of May to the first week in October. He said that the stand will be stored in a hanger in the off-season.

Mr. West explained that the ordinance for a temporary structure, Section 505.2.A reads "In an I-B/R zone, each lot may have one vehicle as described in Section 505.2 for periods not to exceed a total of 90 days annually". He pointed out that it does not have to be 90 consecutive days.

Mr. Hart explained the following:

- The stand is 22' x 14' when the sides are opened outward
- The hours of operation would be approximately 2pm to dusk
- The septic system was designed to include an ice cream stand at the Airport Café
- There is bathroom facilities in the parking lot and a handicapped accessible bathroom located in the Café for patrons to use
- There will be no inside seating
- There will be a couple of picnic tables set up
- There will be minimal washing of utensils, there is a three thousand gallon grease trap and 3 thousand gallon septic system design
- The structure is similar to a motor home requiring a 220-volt hookup

Mr. McManus Moved and Ms. Pohl seconded the Motion to take jurisdiction of the application for case 09:05 – Hampton Airfield Inc.

Mr. West explained that by taking jurisdiction, the Board is voting to accept a full site plan.

After further discussion among the Board members and with the applicant the Board determined that the Applicant should withdraw his Planning Board site plan review application to the Planning Board and apply for a building permit for a temporary structure with the Building Inspector. Mr. Wilson explained that if the Applicant plans on continuing the ice cream stand operation on a more permanent basis he would have to apply for a site plan review application with the Board and the Mylar would need to be changed to include it and registered, if approved. Mr. Wilson also suggested that the Board waive the application fees except for the notification of abutters if the Applicant chose to pursue the permanent status at a later date, and apply to the Board within six months of this meeting.

Mr. McManus withdrew his Motion and Ms. Pohl withdrew her second to the Motion.

Mr. Hart was directed to apply for a building permit for a temporary structure with the Building Inspector.

Mr. Hart withdrew his Planning Board Application.

Mr. Hart submitted a copy of the airport Master Plan and Preservation Study done by Hoyle and Tanner.

Other Business

Mr. Wilson was in receipt of a letter from the Rockingham Planning Commission (RPC) regarding projects in the State's 10-year transportation plan. He explained that the only project in the 10-year transportation plan is for the sidewalks and that was recently voted down by the townspeople at the March Election. He further explained that the long range plan (2009-2035) are projects derived from the Route 1 corridor study which includes the realignment of both sides of North Road, the closure of Fern Road, and re-routing traffic between the bank and post office, reconfiguring the intersection of Hobbs Road and Lafayette Road, installing a new light at Lafayette Terrace and widening Lafayette road from Hampton to Atlantic Avenue by creating five lanes, and ~~provide~~ providing full shoulders from Glendale to Hobbs Road. Mr. Wilson said that the North Road project is one is the most important projects on the Route 1 corridor study as far as a safety standpoint.

The issue will be discussed at the RPC meeting on Wednesday April 8, 2009.

A Motion was made and seconded to adjourn at 8:50pm with all in favor of the Motion.

Respectfully submitted,

Wendy V. Chase
Recording Secretary

Approved April 16, 2009

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