



**Meeting Minutes**  
**North Hampton Planning Board Work Session**  
**Thursday, June 17, 2010 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.

These minutes were transcribed from an audio recording; a Recording Secretary was not present.

**Members present:** Phil Wilson, Chair; Barbara Kohl, Vice Chair; Joseph Arena, Laurel Pohl, Mike Hornsby, and Jim Maggiore, Selectmen's Representative.

**Members absent:** Shep Kroner

**Alternates present:** None

**Others present:** Brian Groth, RPC Circuit Rider

Ms. Kohl convened the meeting at 6:34pm.

Ms. Kohl said that she spoke to Ms. Chase and confirmed with her that the agenda was properly posted and noted that there was a quorum.

## **I. Old Business**

Case #10:03 – AutoZone Inc., 123 Front Street, Memphis TN. – The Applicant proposes elevation changes from the approved amended site plan. Property location: 26 Lafayette Road; property owner: Federated Construction, LLC, 535 Boylston Street, Suite 203, Boston, MA 02116; M/L 003-101; Zoning district: I-B/R.

In attendance for this application:

Curtis Fidler, AutoZone Project Manager

Mr. Fidler explained that shortly after AutoZone received approval from the Board on May 6, 2010 to amend the original site plan the owners of the building requested a few minor changes.

Mr. Fidler presented elevation plans of the original approval and plans of the proposed changes to the building. The proposed changes include:

- Removing the 3 lights off the left side front of the building
- Move the parapet to be symmetrical with the adjacent Dollar Tree Store
- Add one storefront window to give more of a symmetrical centering between the two columns

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- Center the sign and lights

Dr. Arena commented that the sign color looked different from what was approved.

Mr. Fidler said that they did not change the sign colors or the sign size from the May 6, 2010 approval.

Mr. Wilson commented that the changes presented were cosmetic and not a material change. Mr. Hornsby agreed with Mr. Wilson.

Ms. Kohl opened the Public Hearing at 6:41pm.

Ms. Kohl noted that there was no one from the public present and closed the public hearing at 6:41:20pm.

Mr. Wilson moved and Dr. Arena seconded the motion to approve the amendments to the AutoZone Building as presented.

Dr. Arena suggested a light be added to the south side of the building.

Dr. Arena withdrew his second to the motion and Mr. Wilson withdrew his motion.

**Mr. Wilson moved and Ms. Pohl seconded the motion to approve the plan as presented on condition that the Applicant verifies in writing that there is a lighting fixture that complies with the Town's lighting ordinance over the emergency egress located on the south side of the building.**

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

## **II. New Business**

No new business

## **III. Other Business**

### **1. Minutes**

- a. May 20, 2010 Work Session Minute – Mr. Wilson moved to approve the minutes as presented.**

Dr. Arena suggested a grammar change, and the Board agreed.

Mr. Wilson withdrew his motion.

**Mr. Wilson moved and Mr. Hornsby seconded the motion to approve the May 20, 2010 Minutes as amended.**

The following amendment was made to paragraph 2 on page 4: *Mr. Kroner suggested that the Board identify properties in Town that fall in the vehicle salvage category and educate their owners on the new law and bring those properties into compliance.*

The Board discussed town licenses for “junk yards”. Mr. Groth said that the State RSA empowers towns to issue licenses for “junk yards” but there must be an ordinance in place first.

Mr. Wilson suggested the Board work on creating an ordinance for “junk yard” licensing and have it ready to be voted on at the March 2011 Town Election.

Mr. Wilson referred to RSA 236:15 and 236:16 that states it is the Select Board that issues the “junk yard” license and holds the Public Hearing, and that after the Select Board receives the application it must be submitted to the ZBA for their ruling. The specific issue the ZBA addresses is whether the “junk yard” is in a location that is in an established district that isn’t restricted against such uses.

Mr. Groth said that “junk yards” are not a permitted use in any district in North Hampton. He said North Hampton needs to deal with already established “junk yards”, because there are no new proposals presented to the Town for “junk yards”, and referred to RSA 236:125.

The Board concluded, after reading the RSA that the Town does not need to create an ordinance for licensing “junk yards”.

Mr. Maggiore suggested bringing the “junk yard” topic up at the next Select Board meeting.

Mr. Wilson said that there are established “junk yards” in Town that are not being regulated in any way, and the Planning Board has, for many years, tried to find a way to address the issue. He said that the State changed the regulations three years ago in that to operate an established “junk yard” you must have a license from the Town and comply with certain reporting requirements. He said that the way the RSA reads, an owner of an established “junk yard” would need to apply to the Select Board and they would refer it to the ZBA where they would determine whether it is a permitted use in the proposed district; “junk yards” are not a permitted use in North Hampton under any district, so the ZBA would need to determine that it is a “special exception” and the applicant would need to apply to the ZBA for a “special exception”; if the ZBA grants the “special exception” then it goes back to the Select Board where they issue the licenses, and track and maintain the recording requirements.

Mr. Groth does not know of another Town that has already enacted “junk yard” licensing.

Dr. Arena thought that the Planning Board should have some say to the aesthetics regarding the “fencing” requirement and, felt that it was a function of the Planning Board.

Mr. Wilson read portions of the RSA regarding fencing and aesthetics that clearly authorizes the Board of Selectmen to perform what is essentially a Planning Board site plan review function.

Dr. Arena said that, in his opinion, the licensing of the established “junk yards” should be a function of the Planning Board.

**Mr. Hornsby withdrew his second and Mr. Wilson withdrew his motion to approve the May 20, 2010 minutes as amended.**

**Dr. Arena moved and Mr. Wilson seconded the motion to approve the May 20, 2010 minutes as amended.**

**The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Mr. Maggiore abstained.**

**June 3, 2010 – change the sentence in line 274 to read *He said that both the Board and the Park Owner needs to be amenable to change in order for this project to work.***

**Change line 248 add the word *he* before “will put lighting”**

**Addition to line 271 *Dr. Arena expressed concern that the way the proposal to eliminate the “clubhouse” was presented to residents in effect intimidated them into agreement.***

**Ms. Pohl moved and Mr. Wilson seconded the motion to approve the June 3, 2010 meeting minutes as amended.**

**The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Mr. Hornsby abstained.**

Mr. Groth submitted copies of a Master Plan “plan” from Mr. Kroner for the Board to review.

Mr. Groth said that he would go over the information with the Board, but would like to “hold off” the discussion until Mr. Kroner was present.

- Updating the Master Plan
- Review what currently exists
- Identify the gaps within the Master Plan
- Get public input
- Mr. Kroner would like the Board to review and inform him of any suggestions to the process
- Timeline – pace it out in a realistic fashion (Mr. Groth thought the timeline to be very reasonable)
- RPC will be involved mainly in data collection and maps
- Envision the public input session in the fall, fashioned as a charette where people bring their ideas to the “table”.
- Basically looking at updating one chapter per month
- Some topics the Board would like to get public input on: athletic facilities and parks
- Public Boards and Commissions involvement
- Assignments for RPC and Boards and Commissions

Mr. Wilson said that it is unknown how much land in town is consumed by “rights of way” and that should be figured out and implemented into the Master Plan. Mr. Groth said that that can be done easily by GIS.

Dr. Arena mentioned the railroad trails and that the Board may be inclined to preserve the potential for rail transportation rather than getting rid of the tracks and using it as a walking trail. Mr. Hornsby said that Hampton has dismantled the rails that are connected to North Hampton.

Mr. Kroner asked the Board if it was worth doing a community survey. Mr. Wilson and the Board agreed that it would be good to do a community survey every five years. Mr. Wilson said that the 2005 survey was sent to every household and there were 1600+ households; they received 300+ completed surveys. He would like to figure a way to get a better return, and to have the questions reviewed by a third party to ensure that there is no questionable bias in the formed questions.

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The Master Plan topic will be added to the July 15, 2010 Work Session Meeting.

Ms. Kohl said that she would like to review the RSA regarding “junk yards” and would like the topic to be addressed at a Select Board meeting; she will contact Mr. Maggiore about placing it on a Select Board agenda.

Mr. Goth explained that a “grandfathered” use stays with the land and an “established” use does not; a property that has an established “junk yard” ceases once the property is sold.

### **Committee updates**

Ms. Kohl spoke to Cindy Jenkins, Chair of the Agriculture Commission, and they were both unclear on how to establish the Agriculture Ad hoc Committee.

Mr. Wilson said that the Ad hoc Committee is a subcommittee of the Planning Board. Mr. Wilson said that the Board has been advised by the Local Government Center to publicly post all Committee meetings whether ad hoc or sub, and that it is a good idea not to have 4 or more members of the Planning Board (quorum of the Board) to sit on a sub or ad hoc committee.

Mr. Wilson suggested that they solicit members of the public first and try not to allow more than seven people on the Committee.

Ms. Jenkins informed Ms. Kohl that the first meeting will be at a farm in Rye.

Ms. Pohl has a meeting with Town Accountant Tom McCormick on June 18, 2010 to collect data on Channel 22 capital reserve funds.

Ms. Kohl adjourned at 7:53pm without objection.

Respectfully submitted,

Wendy V. Chase  
Recording Secretary