



Meeting Minutes
North Hampton Planning Board Work Session
Thursday, November 18, 2010 at 6:30pm
Town Hall, 231 Atlantic Avenue

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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, Chair; Barbara Kohl, Vice Chair (arrived at 6:40pm); Shep Kroner (left the meeting at 7:30pm), Joseph Arena, Laurel Pohl (arrived at 7:30pm) and Mike Hornsby.

Members absent: Jim Maggiore, Selectmen’s Representative

Alternates present: None

Mr. Wilson convened at 6:31pm.

Others present: Brian Groth, RPC Circuit Rider, and Wendy Chase, Recording Secretary

I. Old Business

1. Minutes

September 16, 2010 – Ms. Pohl had requested that the minutes be tabled at the last meeting and was not present for this vote. The Board decided to table the September minutes to next Work Session meeting. Dr. Arena moved and Mr. Wilson seconded the motion to table the September 16, 2010 meeting minutes until December 16, 2010. The vote was unanimous in favor of the motion (5-0).

October 21, 2010 – Dr. Arena moved and Mr. Kroner seconded the motion to approve the October 21, 2010 meeting minutes. The vote was unanimous in favor of the motion (4-0).

November 4, 2010 – Dr. Arena commented that the minutes state that Mr. Philbrick wanted to use the same lighting for his North Hampton “fresh market” sign as his “fresh market” sign in at his Portsmouth store, when in fact Mr. Philbrick said that he would be using led lighting in North Hampton and uses neon lighting in Portsmouth. Dr. Arena also corrected a typo in the minutes. Dr. Arena moved and Mr. Hornsby seconded the Motion to approve the November 4, 2010 meeting minutes as amended. The vote was unanimous in favor of the motion (4-0). It was noted for the record that Mr. Wilson and Dr. Arena recused themselves from voting on the portion of the minutes that dealt with the Salomon case and the Corbett case.

45 Ms. Kohl arrived and had a substantive change to the November 4, 2010 minutes. **Mr. Hornsby**
46 **moved and Mr. Kroner seconded the motion to reconsider approval of the November 4, 2010**
47 **meeting minutes. The vote was unanimous in favor of the motion (5-0).**
48

49 Ms. Kohl added the following to line 403 of the November 4, 2010 meeting minutes: *Ms. Kohl stated*
50 *that the Board had agreed to invite Mr. Salomon to reapply for a subdivision and the Board would*
51 *approve it as a formality. The Board further agreed that the Town's Attorney would write a letter to this*
52 *affect to Mr. Salomon, however the waiver request was filed prior to this letter being written.*

53 **Mr. Hornsby moved and Mr. Kroner seconded the motion to approve the amendment to the**
54 **November 4, 2010 meeting minutes. The vote was unanimous in favor of the motion (3-0). Mr.**
55 **Wilson and Dr. Arena were recused and did not vote.**

56

57 **II. New Business**

58 1. Section VI.E.2 of the Site and Subdivision Regulations – proposed change to require applicant's
59 presence when requesting an extension on conditional approvals.

60 Ms. Kohl explained that at the last Work Session the Board received a letter from Mr. Crotty requesting
61 an extension on his conditionally approved site plan. The Board discussed whether or not this type of
62 request should be made in person. The regulation, VI.E.2 is found in both the Site Plan Regulations and
63 the Subdivision Regulations.

64

65 The Board agreed that the applicant should be present when requesting a continuance to explain why
66 they need the extension and to answer any questions that may arise.

67

68 Mr. Groth explained that the change to the regulations does not require a Town vote. He said that the
69 Board would draft an amendment to the regulation and present it for Planning Board approval; the
70 Board would then vote to take it to a Public Hearing, and if there are no substantive changes, the Board
71 could vote to approve the new regulation at that time.

72

73 Mr. Wilson commented that the proposed amendment must be available to the public at least 10 days
74 prior to the Public Hearing for review.

75

76 Mr. Wilson suggested that the current paragraph, Section VI.E.2, be broken up into five or six sections.

77

78 Mr. Groth volunteered to draft an amendment to the Regulation and have it available for the next Work
79 Session for the Board to review.

80

81 **III. Committee updates**

82 **Long Range Planning** – Mr. Kroner said that completed 2010 community surveys are still coming in even
83 though the "cut off" date was November 15, 2010. He hopes to have the first of the survey data by the
84 beginning of December.

85 Mr. Hornsby said that he did not receive a survey in the mail. Ms. Chase informed the Board that there
86 were extra copies of the survey at the Town Office.

87 Mr. Groth is working on the transportation chapter of the Master Plan. He said that he has the data and
88 is working with RPC's transportation planner on the subject matter of the Route 1 Corridor Study.

89 Dr. Arena asked if the chapter would provide more specific information rather than just a generic way of
90 representing it. Mr. Kroner said that there won't be many changes to the current transportation
91 chapter.

92
93 **Agriculture Ad hoc** – Ms. Kohl reported that the Agriculture Ad hoc Committee held its third meeting
94 and they are close to completing a draft of the agriculture ordinance. She said that they may have it
95 reviewed by Town Counsel and would like input from Mr. Groth. She said that they are basing
96 everything on the NH Department of Agricultural and Food Markets Manual Best Management Practices
97 for Agriculture and the UNH guidelines to space and housing of farm animals. She explained that there
98 are formulas that deal with handling and disposing of manure which determines how many animals you
99 can have in a given space.

100 Ms. Kohl said that the proposed ordinance will designate between plant cultivation and animal
101 operations and there won't be a lot of regulations for plant cultivation. She explained that the applicant
102 will be required to apply for a conditional use permit regarding animal operations if they have less than
103 4 acres, and if they want a rooster they will have to prove, at a public hearing, that the rooster will not
104 negatively impact the abutters.

105
106 Mr. Kroner asked if the Ad hoc Committee was aware of Senate Bill 515. He explained that if passed it
107 would allow the world trade organization to basically establish all the standards for agriculture in this
108 Country including backyard gardening.

109
110 Ms. Kohl said that the next meeting for the Agriculture Ad hoc Committee is scheduled for December 16,
111 2010 at 4:30pm in the Town Hall.

112
113 Ms. Kohl said that the State wants Towns to encourage agriculture and the Committee is trying to
114 promote agriculture but staying cognizant of the quality of life for abutting neighbors and protection of
115 the water supply.

116
117 Mr. Kroner left the meeting at 7:30pm and Ms. Pohl arrived at 7:30pm and joined the Board.

118
119 **CIP** – Ms. Pohl reported that the CIP Committee is going to tour the Police Department and the Town
120 Offices. They will later tour the Library and may not tour the Public Works Department because they
121 probably do not have any facility needs since the current facility is only a couple of years old. She said
122 that the Committee is still waiting on some data (Capital Reserve balances) to finish the analysis phase.
123 She said if they get the remaining data by their December meeting, they will begin the analysis phase.

124
125 **Code of Ethics** – Mr. Wilson reported that the Committee reviewed a manual that California developed
126 for Towns to use in creating their own codes of ethics, using a "value" based approach rather than a
127 "rule" based approach. He said that they are going to mainly use the "rule" based approach with some
128 of the values that residents have indicated were important for North Hampton. He said that they are
129 working on a first draft of the code of ethics and intend to hold at least two public hearings on it prior to
130 the deliberative session. The Committee will decide how to put the final draft onto the warrant, either
131 by citizen's petition or by the Select Board or Planning Board.

132 Mr. Wilson suggested the Planning Board review the Code of Ethics draft at one of their Work Sessions
133 and the Board agreed that that would be a good idea.

134
135 Mr. Wilson said that the Committee will begin writing a draft of enforcement procedures and start with
136 the notion of self enforcement by the Chairs of the Boards. He noted that employees are covered by
137 personnel policies and/or contracts; they are focusing on Elected and Appointed Officials. He said that
138 everyone who takes the Oath needs to abide by the Code of Ethics, and that each public official should
139 sign their Oath in front of a notary public. He said that the Committee plans to establish a Code of Ethics
140 Committee with one appointed member and one alternate member of each Board, and they will handle
141 more serious violations such as malfeasance. He said that the established committee will have the
142 responsibility of meeting once a year to read the Code of Ethics.

143
144 **IV. Other Business**

145 There was no other business to come before the Board.

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147 **Dr. Arena moved and Mr. Hornsby seconded the motion to adjourn at 8:00pm.**
148 **The vote was unanimous in favor of the motion (5-0).**

149
150 Respectfully submitted,

151
152 Wendy V. Chase
153 Recording Secretary

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