



Meeting Minutes
Work Session
North Hampton Planning Board
Thursday, August 18, 2011 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.

There was no Recording Secretary Present; the minutes were transcribed from an audio recording.

Members present: Barbara Kohl, Chair; Shep Kroner, Vice Chair; Joseph Arena, Mike Hornsby, and Phil Wilson, Selectmen's Representative.

Members absent: Laurel Pohl and Tim Harned

Alternates present: Mike Coutu

Others present: Brian Groth, RPC Circuit Rider

Mr. Kroner convened the meeting at 6:35pm, and noted that there was a quorum.

Mr. Kroner seated Mr. Coutu for Ms. Pohl.

Old Business

1. Blasting Protocols – Ms. Kohl said that she found three other towns with well written "Blasting" Ordinances. She said that she would like to have Mr. Harned review them and get his opinion. She further mentioned that she would like to see North Hampton's "Blasting" Ordinance to be stricter when it comes to abutter notification and require better warnings before the actual "blast". She said that the current Statute requires notification to properties within 100-feet of the "blast".

Ms. Kohl said that she met with the Heritage Commission earlier and asked that they do research on the impacts "blasting" has on historical homes in Town. Ms. Kohl suggested that she and Mr. Harned and one other volunteer work on drafting the "Blasting" Ordinance.

Mr. Kroner suggested adding a component of the future "Blasting" Ordinance in the Subdivision Regulations.

Dr. Arena said that he was on the prior Ad hoc Committee to draft "Blasting" protocols and one of the requirements was that the "blasting" company had to go to each home within a certain distance of the "blast" and take pictures of everything hanging on the walls in case of damage from the "blast".

Dr. Arena volunteered to work with Ms. Kohl and Mr. Harned in drafting the "Blasting" Ordinance, and bring with him the information he gleaned from being involved in drafting "Blasting" protocols in the past. Mr. Harned was appointed to be the Chair of the Ad hoc Committee and Ms. Kohl volunteered to be the scribe.

Mr. Kroner presented a list of possible sign violations and said that the Board may wish to add to the list. He suggested that once it's completed that they pass it along to the Code Enforcement Officer.

Ms. Kohl suggested that rather than passing the list over to the Code Enforcement Officer the Board should instead write a complaint, and anyone wishing to sign it can do so along with her. She commented that "action" needs to be taken on a written code enforcement complaint.

The Board discussed possible zoning and sign violations on a property on Route 1. It was determined that the sign met the requirements under the current Sign Ordinance. They did add to the list the possible zoning violation regarding the rentals of dumpsters on that property.

Mr. Kroner said that, in his opinion, the biggest sign violation is the "wind sail" signs. There are a lot of those types of signs around Town.

Ms. Kohl suggested reminding business owners of the Sign Ordinance. Mr. Kroner agreed with that idea, and suggested the Board send out an informational guideline on the Sign Ordinance. Ms. Kohl said that that is the Code Enforcement Officer's job to cite those in violation of the Sign Ordinance. Ms. Kohl said that the Building Inspector is also supposed to submit copies of sign permits approved by him to the Planning Board, and that has never occurred.

Ms. Kohl reported on the businesses that have multiple "open" signs out and "sandwich board" style signs that remain outside after hours, which is not permitted.

Mr. Wilson moved and Ms. Kohl seconded the motion that the Chair and Vice Chair combine their lists of possible sign violations and submit the list to the Building Inspector/Code Enforcement Officer and those Board Members who wish to can sign a complaint to go along with the list.

Dr. Arena suggested the Board vote on, whether or not, a certain approved sign conformed to the Sign Ordinance.

Mr. Kroner suggested they compile the list of possible sign violations for the Board to review before taking any Board action.

The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Dr. Arena abstained.

Ms. Kohl said that clarification needs to be made on sections of the sign ordinance, such as "flag" signs, color, and size (the size of the sign more proportionate to the size of the façade).

Mr. Wilson moved and Mr. Coutu seconded the motion that the Planning Board formally requests that the Code Enforcement Officer appear at the next Planning Board Meeting to explain how the "Stuff for Sale" sign on Route 1 is compliant with the Sign Ordinance and how it got approved after the Sign Ordinance was adopted.

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

Dr. Arena moved that “aesthetics” must be applied to all signs.

Ms. Kohl said that that was difficult because “aesthetics” are in “the eye of the beholder”.

Mr. Wilson suggested that the Board review the Sign Ordinance again and look at other community’s ordinances and try to adopt an Ordinance that is reasonable, but at the same time, strict enough where it would be difficult to seek relief from a waiver request. He said that the three most important criteria for the Board to consider regarding the Sign Ordinance are (1) Attractive, (2) Visible, and (3) Important.

There was no second to the motion; the motion failed.

Master Plan Chapter Update

Mr. Groth explained that they did not have current data when drafting the updates on the Housing Chapter. He said that he will be able to use updated 2010 data from the American Community Survey when it is completed. He suggested the Board table the work on the Housing Chapter until they receive that updated data.

Mr. Groth said that the American Community Survey is part of the Census Bureau, but not part of the Census survey itself, and that it should be completed within the next few months.

Mr. Groth said that he included the map that he updated with the Conservation parcels that were initially missed, into the Future Land Use Chapter along with the suggested changes to the language the Board recommended at the last meeting. He asked the Board to review the updated Chapter prior to the next meeting.

The Board discussed the definition of “buildable acres”. The concept of “buildable acres” is land that is suitable for building, whether it is developable under current zoning, or not.

Mr. Groth said that the map shows what acreage is left in Town and commented that there cannot be a future plan without that information. Ms. Kohl said that there may be a different word that can be used other than “buildable”.

Mr. Groth said that they could describe the 3,300 acres as land that is buildable, but not necessarily developable under North Hampton’s land use controls.

Mr. Kroner suggested the Board review the Future Land Use Chapter and to consider either adopting it or editing it.

Mr. Groth updated the Board on the Broadband Chapter. He said that he has made contact with David Maxson from Broadcast Signal Lab and he will meet with him sometime next week. He said that Mr. Maxson had responded enthusiastically to helping with the Chapter.

Mr. Groth said that he researched the appointment process of the Heritage Commissioners and Mr. Mabey forwarded him a copy of the Warrant Article that was passed in 1997 that established the procedure. The Board agreed to write a new Warrant Article that eliminates the need for the Select Board to approve the Planning Board's appointments of the Heritage Commissioners.

Minutes

July 21, 2011

Mr. Coutu suggested language be added clarify the paragraph addressing the RPC Circuit Rider contract, beginning at line #152. The following language was added, *it is understood that the RPC will provide the difference of \$1,000.00 to bring the total to \$16,006.00.*

Ms. Kohl had typographical changes to the minutes and will "mark up" her copy and leave it for Ms. Chase to correct. The corrections will include Mr. Coutu and Mr. Wilson's changes.

Mr. Wilson moved and Mr. Coutu seconded the motion to approve the July 21, 2011 Meeting Minutes as amended.

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

Ms. Kohl moved and Mr. Hornsby seconded the motion to approve the August 4, 2011 Meeting Minutes as amended.

The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Mr. Coutu abstained because he was not present.

Junk Yard Update

Mr. Wilson informed the Board that Mr. Fournier updated the Select Board at the last meeting on the status of "junk yards". He said that Attorney Serge is gathering the material necessary to act on the properties in town that he believes the Town has a chance to act on legally.

Other Business

Mr. Kroner referred to a recent article in the Hampton Union regarding high levels of bacteria that caused closures to the North Hampton Beach. Mr. Ganotis had suggested that there needs to be a process to prove that septic systems are being maintained. Mr. Wilson said that he spoke to Mr. Mabey and asked if he knew of any communities that had septic inspection/maintenance ordinances in place. Mr. Mabey said that there is a process in Maine that those who have septic systems must prove that they are maintained and inspected regularly. He said that he would research and make copies of any such ordinances for the Board to review.

The meeting adjourned without objection at 8:05pm.

Respectfully submitted, Wendy V. Chase, Recording Secretary

Approved: September 15, 2011