



Meeting Minutes
North Hampton Planning Board
Tuesday, October 4, 2011 at 6:30pm
Town Hall

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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: Barbara Kohl, Chair; Shep Kroner, Vice Chair, Joseph Arena, Laurel Pohl, Mike Hornsby, and Phil Wilson, Selectmen’s Representative.

Members absent: Tim Harned

Alternates present: Michael Coutu

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

Ms. Kohl convened the Meeting at 6:30pm and noted for the record that there was a quorum.

Ms. Kohl seated Mr. Coutu for Mr. Harned.

Old Business

1. #11:11 – Gary Stevens, 69 Lafayette Road, North Hampton. The Applicant proposes, through a Change of Use Application, to change the existing “sign shop” retail business to a “donor drop off” facility with a “drive thru” service. Property owner: Stevens E. Inc., c/o Gary Stevens, 69 Lafayette Road, North Hampton; property location: 69 Lafayette Road; M/L 007-065-000; zoning district: I-B/R. This case is continued from the September 1, 2011 Meeting.

In attendance for this application:

There was no one in attendance for this application. The Board was in receipt of a copy of an E-mail communication to Wendy Chase from Gary Stevens informing the Board that he has withdrawn his application, Case #11:11. There was no action taken by the Board.

2. #11:12 – Brian Thibeault, 300 Gay Street, Manchester, NH 03103. The Applicant, Brett Haven, Verizon Cellular Sales, 109 Circle Lane, Knoxville, TN 37919 proposes, through a Change of Use Application, to change the previous Mitsubishi Car Dealership to Cellular Sales Retail Business (Verizon) office space and to modify the parking area. Property owner: Brian Thibeault, 300 Gay Street, Manchester, NH 03103; Property location: 25 Lafayette Road; M/L 003-087-000; zoning district: I-B/R. This case is continued from the September 1, 2011 Meeting.

In attendance for this application:

Brett Haven, Verizon Cellular Sales
Wayne Morrill, PE, Jones and Beach Engineering

48 Mr. Wayne Morrill presented the Change of Use Application. He explained that they calculated the
49 amount of parking spaces needed for the Change of Use from a Car Dealership to office space with a
50 training room to be 56 spaces. He said they designed the parking lot based on the possibility of future
51 development on the lot. Mr. Morrill commented on the conceptual plan brought before the Board last
52 year by Attorney Saari to add a bank building to the lot. He said there will be no changes to the
53 entrances; just the restriping of the parking lot.

54
55 Mr. Morrill said that they designed a new 1,145 gallon per day septic system plan that was approved for
56 construction by the NH DES. Mr. Wilson suggested that the septic approval number be added to the
57 plan.

58
59 Dr. Arena asked Mr. Haven about the "wind sail" signs located on the property at the Verizon store. Mr.
60 Haven said that they refer to them as "feather" signs and they were told that they were not allowed. He
61 said they removed them and have informed the Managers that they are not allowed and have instructed
62 them not to replace them.

63
64 Mr. Kroner asked Mr. Morrill if the State looks at the entire site collectively when reviewing septic
65 system plans. Mr. Morrill said that they look at the entire site.

66
67 The space is 4,200 square-feet and will be used as one (1) office where they will hold training sessions.

68
69 Ms. Kohl informed Mr. Haven that the "neon" "open" sign that Verizon has in the window of the
70 building is prohibited under the Town's Zoning Ordinance. Mr. Haven said that he would look into it and
71 will remove it if necessary.

72
73 **Mr. Wilson moved and Dr. Arena seconded the Motion to take jurisdiction of the Change of Use**
74 **Application.**

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

76
77 Mr. Groth commented that this would be a good opportunity for the Board to require added
78 landscaping at the site, reducing the impervious surface. Mr. Wilson said that the only problem with
79 that is there is a possibility of increased development on the site; at that point the Board can look at the
80 entire site and decide then.

81
82 Dr. Arena pointed out that landscape islands will be added in the parking lot. Mr. Morrill said that a few
83 islands will be added to "break up" the sea of pavement.

84
85 Dr. Arena asked how the storage of snow will be handled. Mr. Morrill said that the snow will be stored
86 against the fenced-in area taking up 11 or 12 parking spaces.

87
88 Ms. Kohl opened the Public Hearing at 6:48pm.

89 Ms. Kohl closed the Public Hearing at 6:49pm without public comment.

90
91 **Mr. Kroner moved and Mr. Wilson seconded the motion to approve the Change of Use Application**
92 **with the conditions that the NH DES septic plan approval number be added to the final plan and the**
93 **Applicant submit a Recordable Mylar.**

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

95

96 **New Business**

97

98 **1. #11:13 – Shane Smith, 14401 Cervantes Avenue, Darnestown, MD 20874.** The Applicant proposes a Lot

99 Line Adjustment that will maintain three (3) existing lots of record while creating three (3) conforming lots.

100 Property owner: Shane Smith, 14401 Cervantes Avenue, Darnestown, MD 20874; Property location:

101 Woodland Road, North Hampton; M/L 006-133-007, 006-141-000 and 006-142-000; zoning district: R-2.

102

103 In attendance for this application:

104 Wayne Morrill, PE, Jones and Beach Engineering

105

106 Mr. Morrill said that the ARC Committee met on this application and they requested the Applicant submit a
107 site plan showing the existing conditions of the site to the Board. The Board was in receipt of the updated
108 plans. He explained that the proposal is to merge lots 141 and 142, do a lot line adjustment on lot 133-7,
109 then a subdivision of the lots to create three (3) conforming lots. Mr. Morrill said that they did test pits on
110 lots 141 and 142 witnessed by Michael Cuomo of RCCD. Mr. Wilson pointed out that the test pit information
111 did not appear on the plans. Mr. Morrill will make that correction and add the information to the plans.

112

113 Mr. Coutu recused himself from the Case because he is an Abutter to the property.

114

115 The term “Rangeway” was depicted on the plan and Mr. Morrill explained it as an area, mainly in the
116 Seacoast, that allows passage between large parcels of land that were reserved strips to be used for roads
117 and are still shown on Seacoast tax maps. He said that there is a “Rangeway” that runs through the edge of
118 this property all the way down to the Beach. “Rangeways” haven’t been identified in a long time, but now
119 they are becoming more prevalent on property surveys to ensure that there is no building taking place over
120 them because they still have merit to potentially become useable roadways.

121

122 Dr. Arena voiced concerns over the closeness of the two well heads depicted on the plan. He said that the
123 two wells drawing water from the same vein may cause water supply shortage problems to the proposed
124 wells and also the existing wells in the area. Mr. Morrill said that he could not change the location of the well
125 on lot 141 because of the proposed well easement, but he would be able to move the well on lot 142 further
126 away from the proposed well on lot 141.

127

128 Mr. Wilson commented that the well radius for both proposed wells extends out onto Woodland Road. Mr.
129 Morrill explained that the State Code allows the well radius to extend halfway into the Town’s right-of-way;
130 it’s an area that cannot be built on.

131

132 Ms. Kohl asked Mr. Groth his opinion on whether the proposal is considered a “minor lot line adjustment” or
133 a “minor subdivision”. Mr. Groth considers the proposal a “lot line adjustment”. He said that it begins with
134 three (3) existing lots and it ends up with three (3) lots.

135

136 Mr. Groth referred Mr. Morrill to Subdivision Regulation IX. D – Monumentation. The plan depicts iron rods
137 used as boundary markers and the Regulation requires the markers to be made of concrete or granite. Mr.
138 Morrill will comply with the Monumentation Regulation.

139

140 **Ms. Pohl moved and Dr. Arena seconded the motion to accept jurisdiction of the Application for Case**
141 **#11:13.**

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

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Ms. Kohl opened the Public Hearing at 7:17pm.

Wayne Elliott, 106 Woodland Road – said that although he is not overly joyed to see houses going up in this area, he thinks the Smith’s are nice and have been good neighbors. He voiced concerns over the possibility that there will be “clear cutting” of the trees during the development. He said he and his wife do not object to the lot line adjustment application, but would like some of the trees to remain intact.

Mary Meyers, 11 Woodland Road – voiced concerns about how her well may be affected if the proposed wells draw from the same water vein as hers. She also commented that there is a lot of ledge in that area and wondered if they were going to have to “blast”. She also voiced concern of the water issues and said she has “standing water” on her lot when the water table is high. She said that there is very little buildable land on lot 141. She also mentioned that the plan shows that she has no road frontage, and she does.

Craig Salomon, 100 Woodland Road - said that he is not an Abutter but is familiar with the development issues. He stated the following concerns:

- The lot line adjustment is necessary to create lot 142. He respectfully submitted that in order for the proposal to happen there should be a tender of a lot line merger.
- He questioned the location of the building footprint and septic for lot 141 and how close it would be to Pond Path. Ms. Kohl confirmed that Pond Path is not considered the “Rangeway” that is depicted on the plan.
- During his subdivision application hearings the abutters, as well as Mr. Smith, voiced concerns over line of sight and traffic issues because of the topography of Woodland Road. He said that the proposed driveways should be depicted on the plan with adequate line of sight demonstrated.
- He said that he was required to do a high intensity soils survey and an environmental impact study because there are a lot of wetlands in that area. He suggested the Board impose “no clear cutting” areas and there should be careful engineering of roof drains and culverts under the road to determine what drainage impacts there may be on the whole area.
- He said the same type of rigorous analysis and questions that faced him during his two-lot subdivision application should be asked of the Smiths.

Dr. Arena asked Mr. Salomon if Woodland Road was considered a “Scenic Road” because there are restrictions when it comes to “clear cutting” on a “Scenic Road”. Mr. Salomon said that, to the best of his knowledge, Woodland Road is not designated as a “Scenic Road”.

Kari Schmitz, 101 Woodland Road – said in all fairness the Salomon’s were asked to do a variety of testing during their subdivision application hearings. She said “ditto” to everything Mr. Salomon just said. She commented that she has a lot of water that drains onto her property and has concerns about that as well as the driveway issues. She said that before she purchased her property there was a land exchange and wanted to make sure that was reflected in the land survey. She also said that she has her own well and septic and wondered if at some point they saturate the area and there is no longer enough water in that area. She inquired whether or not the Board had ever discussed the possibility of providing public water and public sewer in Town.

Dr. Arena asked what the condition of the area properties were in after the rain storms that recently occurred.

190 Mr. Salomon said that he does not have “standing water” on his property but the field is level to the water
191 table which has improved since his neighbor’s house was built. He said that when he was going through his
192 subdivision his engineers identified a 7-acre sub-catchment that drains onto the Schmitz property.

193
194 **Mike Coutu, 21 Cotton Farm Lane,** said that there is a lot of water in the area and he has “standing water” on
195 his lot year round, a pond estimated to be 100,000 gallons. He said that the water that drains off of his lot
196 and the lots above him ultimately drain onto the Smith’s property. He said he is concerned over whether or
197 not the wetlands have been fully reviewed in connection to what this change may be.

198
199 **Adriana Salomon, 100 Woodland Road,** said that she hopes that Board looks at this application with a little
200 irony. She said the Applicant, Mr. Smith and some of the Abutters, fought against her subdivision application.
201 She asked the Board to be consistent when looking at this application, taking into consideration the scenic
202 Woodland Road and rural character of North Hampton, and make the right decision.

203
204 **Monica Fraser, 18 Bradley Lane,** said that she affirms what Ms. Meyer’s said; her lot also is very wet. She
205 said that she is concerned because the entire area has a lot of ledge and is wet most of the year.

206
207 Mr. Salomon spoke again and pointed out that the 7 acre sub-catchment drains out through the Cotton Farm
208 development and reaches Atlantic Avenue in the vicinity of the Little River.

209
210 **John Weigold, 20 Bradley Lane** - said that he was an Abutter and did not get notified of this Public Hearing.
211 It was determined that Mr. Weigold was an abutter as indicated on the plan, but was not notified as
212 indicated on the abutter list submitted with the Application.

213
214 Ms. Kohl closed the Public Hearing at 7:40pm.

215
216 Mr. Kroner said that at the ARC meeting they decided that the approach would be for the Applicant to do a
217 voluntary lot merger to create a “parent lot” and then to apply for a subdivision. Mr. Kroner was looking for
218 clarification as to whether they proceed with a lot line adjustment or require a subdivision, because they are
219 two different things.

220
221 Mr. Wilson said that in his opinion it would be inappropriate to require the Applicant to merger the lots then
222 apply for a subdivision.

223
224 Mr. Groth said that since one of the Abutters was not notified, and should have been, the Board cannot take
225 jurisdiction of the application because it is incomplete.

226
227 **Mr. Wilson moved and Dr. Arena seconded the motion to reconsider the earlier motion to take jurisdiction
228 of this case.**

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

230
231 **Mr. Wilson moved and Ms. Pohl seconded the motion to rescind the Planning Board’s decision to take
232 jurisdiction of this application because an abutter was not properly notified of this Public Hearing.
233 The vote was unanimous in favor of the motion (6-0).**

234
235 Mr. Morrill said that he thought it to be in the best interest of everyone involved to make sure all the
236 abutters are properly notified, and requested a continuance of Case #11:13 to the next Planning Board
237 Meeting. He said he heard a lot of the abutter’s concerns and will be prepared to answer those concerns. He

238 said that they did test holes that “prove out” where the water table is on the lots and they will share that
239 information with the Board next month.

240
241 Mr. Wilson suggested they locate the areas that have significant ledge.

242
243 Ms. Kohl asked if the Applicant should be applying for a subdivision application.

244
245 Mr. Kroner said they struggled with that issue at the ARC meeting.

246
247 Dr. Arena commented that the proposal is to create two more lots and that is the definition of a subdivision.

248
249 **Mr. Wilson moved and Dr. Arena seconded the motion to continue case #11:13 to the November 1, 2011**
250 **Meeting, as requested by the Applicant.**

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

252
253 The Board determined that the Applicant did not have to re-notify all of the abutters; they would only need
254 to notify the abutter that was initially not notified properly, Mr. Weigold, because the Board publicly
255 announced that they would need to continue this Public Hearing and that is considered proper notice.

256
257 Mr. Coutu rejoined the Board.

258
259 **2. #11:14 – Cambridge Trust Company of NH, Eugenia Stephen and William H.M. Beckett, Trustees of**
260 **Eugenia C. Boies 1984 Trust as Restated 2/8/08, 237 Water St., Exeter, NH 03833.** The Applicants propose to
261 subdivide a 6.07 acre lot into two separate lots with the following waiver request: Section VIII.B.20 of the
262 Subdivision Regulations – stormwater drainage control plan. Property owner(s): Cambridge Trust Company
263 of N.H., Eugenia Stephen and William H.M. Beckett, Trustees of the Eugenia C. Boies 1984 Trust as Restated
264 2/8/08; Property location: 44 Woodland Road; M/L 002-045-000; zoning district: R-2.

265
266 In attendance for this application:
267 Corey Colwell, MSC Engineering
268 William Beckett, Trustee of Eugenia C. Boies 1984 Trust

269
270 Mr. Colwell presented the Application to the Board. He submitted a colored copy of the proposal to enable
271 the Board to follow along more easily. He explained that the lot contains 6.07 acres and the plan is to
272 subdivide the lot into two lots:

273
274 **Proposed lot 2-45-1** will contain 2.5 acres with 260-feet of frontage along Ship Rock Road. The lot will be
275 accessed off of Ship Rock Road and the Building envelope is on the front half of the lot; suitable test pits were
276 obtained. There is an isolated “pocket” of wetlands on the north/west side of the property. The lot is mostly
277 wooded and the majority of the site is upland.

278
279 **Proposed lot 2-45-1** will contain 3.5 acres with 439-feet of frontage along Woodland Road and 402-feet of
280 frontage along Ship Rock Road. The house, barn and other structures are situated on this lot. The access to
281 this lot will remain over the existing driveway, via Woodland Road. The lot has an existing septic system and
282 is on town water. The Septic system was designed and constructed in 2002 for a 4-bedroom dwelling. A test
283 pit was done in case of any failures.

284

285 They received subdivision approval from the State of NHDES on September 16, 2011 and they will add the
286 approval number to the plan. They intend to record Sheet 1 that has the boundary information on it; not
287 sheet 2 that depict the topography and soil calculations.

288
289 Mr. Colwell said that they have requested a waiver to Subdivision Regulation VIII.B.20 – Drainage Control
290 Plan. He said that the Applicants are proposing one new street frontage lot with no new roads.

291
292 **Mr. Wilson moved and Dr. Arena seconded the motion to approve the waiver request from Section**
293 **VIII.B.20 – drainage control plan.**

294
295 Ms. Kohl opened the Public Hearing on the waiver request at 8:00pm.

296
297 **Kenneth Ingalls, 92 Atlantic Avenue, said** that he has a lot of water all around his house all year long and is
298 concerned that this proposal will add more water onto his property. He said there is a nice wildlife preserve
299 and he does not want to see it disturbed.

300
301 Mr. Colwell said that he appreciates Mr. Ingalls' concerns on drainage, but he can guarantee that the
302 proposal will not contribute excess water onto his property.

303
304 Ms. Kohl closed the Public Hearing at 8:10pm.

305
306 Mr. Kroner said that the wetland in that area is a natural feature that should accommodate any increase in
307 water from the proposed additional lot.

308
309 Mr. Wilson said that the flow of water on to the abutting property based on more impervious surface is
310 relevant to "conditions" if the Board approves the application; not relevant to the waiver request before the
311 Board.

312
313 **The vote was unanimous in favor of the motion to approve the waiver request from Section VIII.B.20.**
314 **(7-0).**

315
316 Mr. Colwell said that most of the water runoff will be absorbed, and what doesn't get absorbed will go into
317 the wetlands; one of Nature's greatest attributes. Mr. Wilson agreed and said that wetlands are worth
318 preserving, they are a valuable service in flood control.

319
320 Mr. Beckett said that the Boies' have owned the land since the 1950s. They have had the property on "the
321 market" for two years without success in selling it. He said that any conditions imposed by the Board that
322 would add more expense or make the property less attractive would be a hardship on the Estate. He said
323 that the additional house will not negatively affect Mr. Ingalls' wetlands.

324
325 **Mr. Wilson moved and Mr. Kroner seconded the motion to take jurisdiction of Case #11:14.**
326 **The vote was unanimous in favor of the motion (7-0).**

327
328 Mr. Wilson said that, in his view, this is a straight forward application; both lots are conforming and have
329 septic capabilities and conforming building envelopes. He said the only questionable thing is drainage and
330 they have stated that they will take steps where there will be no increase in water runoff.

331
332 Mr. Coutu asked how far out they probed for ledge. Mr. Colwell said they probed beyond the out crops
333 themselves.

334

335 Mr. Colwell said that given that the soils drain so well and with the added wetlands, he is confident that the
336 new house would not contribute to excess water runoff onto abutting properties.

337

338 Mr. Groth pointed out the monumentation section of the subdivision regulations; granite markers are
339 required. Mr. Colwell said that he is aware of the section, but does not think it's appropriate to use the
340 granite markers because they would have to disturb the existing stonewall by replacing it with a granite
341 marker. He opined that drilling a marker into a large stone is more permanent.

342

343 The Board agreed with Mr. Colwell.

344

345 **Mr. Wilson moved and Dr. Arena seconded the motion to approve the subdivision application with the**
346 **following conditions: (1) The Applicant shall submit a Recordable Mylar, and (2) The Applicant shall submit**
347 **Certificate of Monumentation.**

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

349

350 Ms. Kohl called for a five minute recess.

351 Ms. Kohl reconvened the meeting at 8:41pm.

352

353 **3. #11:15 – Laura A. Milliken, Trustee Milliken Progeny Family Trust, PO Box 977, North Hampton, NH and**
354 **Gregory & Elyn Phelps, 15 Maple Road, North Hampton.** The Applicants propose a Lot Line Adjustment
355 with the following waiver requests from the Subdivision Regulations: (1) Section VIII.B.15 - topography, (2)
356 Section VIII.B.20 – stormwater drainage control plan, (3) Section VIII.B.21 – location of fire hydrants, and (4)
357 VIII.B.25 – test pits. Property owners: Laura A. Milliken, Trustee Milliken Progeny Family Trust and Gregory
358 and Elyn Phelps; Property location: 15 Maple Road, North Hampton; M/L 006-128-000 and 006-130-000;
359 zoning district: R-2.

360

361 In attendance for this application:

362 Corey Colwell, MSC Engineering

363 Laura Milliken, Owner/Applicant

364

365 Mr. Colwell explained that the application is for a lot line adjustment by moving the boundary line between
366 the Milliken's lot (6-128), a decrease in the acreage from 5.97 acres to 4.81 acres, and the Phelps' lot (6-130)
367 increasing the acreage from 1.29 acres to 2.45 acres, changing it from a non-conforming lot to a conforming
368 lot. Mr. Colwell said the current easements on the property will remain including the "no tree removal"
369 easement that will remain to benefit both properties.

370

371 Mr. Groth pointed out a mistake on the plan; a little triangle that is mislabeled "lot line to be relocated". Mr.
372 Colwell agreed that it was a mistake and will correct the plan.

373

374 Mr. Wilson commented on the waivers the Applicant requested. He said that none of the requests are
375 relevant for the extension of the Phelps' property. The proposal is not going to require test pits, fire hydrants
376 or drainage study.

377

378 **Mr. Wilson moved and Mr. Coutu seconded the motion to approve all four waiver requests because they**
379 **are not relevant to the proposal.**

380

381 Ms. Kohl opened the Public Hearing at 8:58pm.

382 Ms. Kohl closed the Public Hearing at 8:59pm without public comment.

383 **The vote was unanimous in favor of the motion to approve the waiver requests (7-0).**

384

385 **Mr. Wilson moved and Dr. Arena seconded the motion to take jurisdiction of the Lot Line Adjustment**
386 **Application, Case #11:15.**

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

388

389 Ms. Kohl opened the Public Hearing at 9:03pm

390 Ms. Kohl closed the Public Hearing at 9:03:02pm without public comment.

391

392 **Mr. Kroner moved and Mr. Wilson seconded the motion to approve the Lot Line Adjustment Application**
393 **with the following conditions: (1) The Applicant shall submit a Recordable Mylar, and (2) The Applicant**
394 **shall submit Certificate of Monumentation.**

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

396

397 **4. #11:16 – Robert Milliken, Trustee Milliken Family Realty Corp., 179 Lafayette Road, North Hampton, NH.**

398 The Applicant proposes to change the existing monument sign to an Electronic Message Board sign with the
399 following waiver request: Article V, Section 506.5.E – Prohibited Signs – Electronic message boards and
400 flashing neon signs. Property owner: Robert Milliken, Trustee Milliken Family Realty Corp.; Property location:
401 179 Lafayette Road, North Hampton; M/L 017-096-000; zoning district: I-B/R.

402

403 In attendance for this application:

404 Robert Milliken, Owner/Applicant

405 John McIntire, Timberline signs

406

407 Mr. Milliken was present and verbally authorized Mr. McIntire to present his Sign Application to the Board.

408

409 Mr. McIntire said that they would be replacing the existing monument sign with an Electronic Message Board
410 sign. He said it is the best way to advertise Mr. Milliken's business. He said that the sign would have six lines
411 of text as well as graphics that will be capable of "rolling".

412

413 Mr. Wilson said that the Ordinance specifically prohibits Message Board Signage, and when crafting the
414 Ordinance originally they took into consideration "light spillage" that would negatively affect "dark sky
415 standards" as well as safety issues; flashing messages distracts drivers and cause accidents and aesthetically
416 they are not rural New England in character, which the Town prefers as indicated in all the Town's surveys.
417 He said the only "reader board" in town was passed by the ZBA one month before the current Sign Ordinance
418 was passed. Mr. Wilson said that he personally thinks Mr. Milliken has a great business, but he is a firm
419 believer in treating like things alike.

420

421 Ms. Kohl said that the current sign Mr. Milliken has is more than ample. She said that a "reader board" is the
422 kind of sign the townspeople, as well as the Planning Board, does not want. She said the sign, as well as the
423 business, is very visible.

424

425 Ms. Pohl said that there are a couple of items in the Sign Ordinance that a "bill board" sign is in violation
426 other than on its "face" being a "bill board" sign. The Planning Board can't control color or regulate the size
427 and the readability of the sign. She said that these are other factors that make it difficult to approve this
428 application.

429

430 Dr. Arena said that the current sign is a nice sign and that the equipment parked out in front of the business
431 is advertisement in itself.

432 Ms. Kohl opened the Public Hearing.

433

434 Mr. Milliken said that he bought the business from Philbricks three years ago. He said he appreciates the
435 Board's position in trying to preserve the rural character of the Town, but economically, times have been
436 tough with no end in sight. He said that they are competing with the internet and they are trying to promote
437 business the best way they can. He said that the decisions that the Board make has a real affect on
438 businesses in Town.

439

440 **Lisa Wilson, 9 Runnymede Drive** – said that she is opposed to the Electronic Message Board Sign. She said it
441 is not consistent with the Spirit and Intent of the Ordinance. Ms. Wilson said that if the Board grants
442 approval for this sign, then how could they deny another business the same type of sign, potentially leading
443 to Electronic Message Board Signs all along Route 1? She asked that the Board take her comments into
444 consideration.

445

446 Ms. Kohl closed the Public Hearing at 9:27pm.

447

448 **Ms. Pohl moved and Mr. Coutu seconded the motion to deny the waiver request to Article V, Section**
449 **506.5.E – Electronic Message Board Signs.**

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

451

452 **Mr. Wilson moved and Mr. Coutu seconded the motion to deny the Sign Application, Case #11:16.**

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

454

455 **5. #11:17 Mark Connolly, 45 Fiorenza Drive, Wilmington, MA 01887.** The Applicant requests waivers to the
456 Sign Ordinance through a Conditional Use Sign Application: (1) Article V, Section 506.6.K – wall sign size and
457 amount, and (2) Article V, Section 506.6.Q – Color to allow a black and orange sign on the building facing
458 Lafayette Road. Property owner: W/S North Hampton Properties, 1330 Boylston St., Chestnut Hill, MA
459 02467; Property location: 45 Lafayette Road, North Hampton; M/L 007-053-000; zoning district: I-B/R.

460

461 There was no one in attendance for this application.

462

463 Mr. Wilson commented that it would do no good to continue the case because it is a temporary business and
464 will be gone by the time the Board meets again on November 1st.

465

466 **Mr. Wilson moved and Dr. Arena seconded the motion to deny the Sign Application, Case #11:17.**

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

468

469

470 **III. Other Business**

471

472 **Master Plan update** - There was no update at this time.

473

474 **Junk Yard update** – Mr. Wilson said that the Select Board had a Non-Meeting with Counsel regarding
475 potential junk yards, but because it was a meeting with Counsel, he could not divulge any information from
476 that meeting. He did say that the Attorney is still working on the issue.

477

478 The Board agreed to continue meeting on the first and third Tuesday of each month regardless of the
479 meetings that conflict with the Budget Committee Meetings. Ms. Chase will give as much notice as possible

480 of the Meetings that will be held in the Mary Herbert Room, when the Town Hall will be occupied by the
481 Budget Committee.

482
483 Mr. Wilson said that the Rockingham Planning Commission will be holding their monthly meeting at the
484 North Hampton Town Hall Wednesday, October 12, 2011. He encouraged the Members and public to attend.
485 The topic of discussion will be "transportation" and they will be giving a presentation on the Route 1
486 Corridor.

487
488 The Board was in receipt of an anonymous letter. Ms. Kohl read it into the record.

489
490 *To whom it may concern,*

491
492 *I have been a resident of North Hampton for over 30 years. I now live near the intersection of Willow and*
493 *Chapel. As you probably know, a large construction project has started in our neighborhood. Will anything be*
494 *done to protect the neighbors of the construction from the constant noise and traffic? I am looking forward to*
495 *having new neighbors and don't want to cause any waves, but the constant banging is hard to take. I think*
496 *they might be drilling for a well, but the pounding is lasting longer than one would think. Also, some cracks*
497 *have appeared on our inside walls that weren't there before the pounding. Again, I don't want to start off on*
498 *the wrong foot with our new neighbors but is it possible that this subject be addressed at the next Planning*
499 *Board meeting? Since I am not the nearest neighbor to the construction I am probably not the only one with*
500 *these issues. I am writing this letter anonymously. I would appreciate it if I could stay that way. Thank you*
501 *for your valuable time.*

502
503 Mr. Kroner said that the new house being constructed in that area is using best management practices
504 regarding the old trees by "wrapping" them to preserve them.

505
506 The Board agreed that they sympathize with the person that wrote the anonymous letter, but there isn't
507 anything that they can do because the builders are not breaking any Ordinances.

508
509 The Meeting was adjourned at 9:40pm without objection.

510
511 Respectfully submitted,

512
513 Wendy V. Chase
514 Recording Secretary

515
516 Approved November 15, 2011