



Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, November 15, 2011 at 6:30pm
Town Hall, 231 Atlantic Avenue

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10 These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a
11 transcription.

12

13 **Members present:** Barbara Kohl, Chair; Shep Kroner, Vice Chair; Joseph Arena, Laurel Pohl,
14 Tim Harned, Mike Hornsby, and Phil Wilson, Selectmen's Representative.

15

16 **Members absent:** None

17

18 **Alternates present:** Nancy Monaghan

19

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

21

22 **New Business**

23

24 Voluntary Lot Merger Form – Shane Smith

25

26 The Board was in receipt of a "Voluntary Lot Merger" form from Mr. Shane Smith that combines his
27 three (3) lots (6-133-7, 6-141 and 6-142) into one (1) lot. Mr. Smith's Subdivision/Lot line Application is
28 currently before the Board and the lot merger pertains to that application.

29

30 Mr. Kroner voiced concern over signing the "Voluntary Lot Merger" and recording it at the Registry of
31 Deeds. He said that although any land owner has the right to merge their lots, without the knowledge
32 of the outcome of Mr. Smith's Subdivision Application, he takes the risk of the Application being denied
33 and he would end up with one large parcel which may be a disadvantage to him, given the odd shape of
34 the property.

35

36 Mr. Wilson said that the Applicant assumes all the risk; the Planning Board has no choice but to sign the
37 form submitted. Mr. Wilson suggested Ms. Chase inform the Applicant of the risk and explain to him
38 that he has the option to wait for the outcome of his application before "recording" the "Voluntary Lot
39 Merger" form at the Registry of Deeds.

40

41 Chair Kohl, on behalf of the Planning Board, signed the Voluntary Lot Merger Form submitted by Shane
42 Smith. It will not be recorded at the Registry of Deeds until the Applicant confirms to do so.

43

44 2012/2013 Budget Discussion

45 Mr. Kroner asked the Board as a whole if they anticipated any additional expenditures for studies
46 related to the Master Plan or any other increases/decreases to the Planning Board budgeted line items
47 for the 2012/2013 budget.

48

49 The Board discussed the Coastal Zoning Program (CZP) Grant that the Town applies for each year that
50 covers the cost of half of the Rockingham Planning Commission's Circuit Rider's yearly services to the
51 Town. There has been talk that the grant may not be available next year. Mr. Wilson said that the
52 prudent thing to do is to increase the Circuit Rider Services line item by \$12,200 to cover the full cost of
53 the Circuit Riders yearly fee (\$24,400) in case the grant is not available. Mr. Groth will discuss this with
54 Mr. Greenwood about the grant this week and if it is determined that there will be CZP grant money
55 available, they will adjust that suggested line item amount accordingly.

56

57 Dr. Arena questioned what the Planning Board's revenue figures were, and commented that the
58 Planning Board's Application fees and Abutter fees should be covering a lot of the Board's expenses.

59

60 Discussion ensued on the budgeting process. Each year the Planning and Zoning Boards are asked to
61 recommend any anticipated increases or decreases to the line items within the budget that they have
62 some control over, such as the Master Plan, Special Studies, Training and Education, etc. The revenue
63 from the Planning and Zoning Board Applications goes directly into the Town's General Fund, but those
64 revenues do not offset each specific line item, but ultimately all the expenditures come out of the
65 Town's General Fund

66

67 Mr. Groth explained that the matching grant the Town received for the Master Plan will cover the
68 "Future Land Use" Chapter and the "Vision" Chapter will be updated as well. The grant amount is
69 \$5,000 with matching funds from the Town of \$5,000 totaling \$10,000.

70

71 The Board discussed the budget amount for the "Master Plan". It was determined that the Master Plan
72 Chapters will be complete by next year. The budget amount for the Master Plan for this year is \$10,000;
73 the Board decided to zero out that amount and add \$2,500 to the "Special Studies" line item, which was
74 zeroed out this year in order to increase the "Master Plan" line item.

75

76 Dr. Arena said that, in his opinion, the budgeting process should be revamped. He said that the revenue
77 collected for the application fees should offset most of the line items the Planning Board budgets for;
78 therefore the Planning Board should not need to budget for things like postage, legal notices and
79 recording fees, because those fees are absorbed by the Applicant by way of the application fees. He
80 also commented on the Planning Board Administrator's salary including fica, medicare and social
81 security being part of the Planning Board's budget; he said it shouldn't, that it should be part of the
82 Town Administration's budget.

83

84 Mr. Wilson said that it is important to know what each Department is costing as far as salaries, and
85 benefits. He said that if the salaries and benefits for all employees are "lumped together" in one line;
86 it's impossible to determine how much money each Department is costing the Town.

87 Mr. Harned agreed and said when he, as a Town Resident, looks at the town's budget; he likes to see the
88 "breakdown" of expenses in each department.

89

90 Mr. Harned suggested color-coding the budget list by columns for the Board's review; one color for the
91 line items the Board has no control over and another color for the line items the Board is asked for their

92 input on. The Board would only address one set of colors but they're both there for informational
93 purposes.

94

95 **Dollar Tree Landscape Surety Discussion**

96

97 Ms. Chase explained that the landscape surety escrow account for the Dollar Tree and AutoZone site
98 was due to expire in August 2011. Mr. Mabey went out to inspect the site in August and discovered that
99 there were two dead fir trees. The owners at the time the landscape escrow account was established
100 was Federated Construction, LLC; they have since sold the property and they are discussing with the
101 new owners as to who is responsible for replacing the dead plantings and who should receive the
102 remaining surety amount.

103

104 The Board advised Ms. Chase to contact the Public Works Director about replacing the trees and using
105 money from the escrow to do so. They also suggested Ms. Chase contact Town Counsel to see who
106 should receive the remaining money from the escrow account minus the amount used to replace the
107 plantings.

108

109 **Mr. Wilson moved and Ms. Pohl seconded the motion to take the money out of the landscape escrow**
110 **account and authorize the Administrator to direct the Public Works Department to have the dead**
111 **plantings replaced and have the Town Administrator consult with Town Counsel for advice on who**
112 **should receive the remaining money from the escrow account.**

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

114

115 **Committee updates**

116

117 **CIP Committee**— Ms. Pohl said that she didn't attend the last two meetings. Mr. Wilson informed the
118 Board that the Department Heads have submitted their completed CIP forms and the Committee met
119 and reviewed them to see if there were any gaps with information provided or if there were any
120 mistakes. Mr. Fournier is going to put things in a uniformed format and the Committee will then meet
121 on November 18th to review the forms in detail and decided which Department Heads the CIP
122 Committee would like to meet with on a one on one basis. He said that they would like to get things
123 done before Christmas and be able to present something to the Select Board for their
124 comments/suggestions and then to the Budget Committee for the same. Mr. Wilson also commented
125 that it looks like the School is going to participate.

126

127 Discussion ensued on the School being its own entity. Ms. Pohl referred to RSA 674:7 – "In preparing
128 the capital improvements program, the planning board or the capital improvement program committee
129 shall confer, in a manner deemed appropriate by the board or the committee, with the mayor or the
130 board of selectmen, or the chief fiscal officer, the budget committee, other municipal officials and
131 agencies, the school board or boards, and shall review the recommendations of the master plan in
132 relation to the proposed capital improvements program."

133

134 Mr. Wilson commented that the School is also part of the CIP process. He said that the School is
135 supposed to, return to the town, funds they haven't used within the year to be put in the Town's
136 "undesignated fund balance"; he said they haven't found evidence where they have done that over the
137 past few years.

138

139 **Blasting Ordinance update –**

140

141 Mr. Harned said that he is going through the first “draft” and pulling things together. He commented
142 that Ms. Kohl put together, in the first “draft”, more of the structural aspects of “blasting” and he will
143 incorporate the water quality aspects into it, such as, the explosive chemicals and how they can “bleed”
144 into the ground contaminating the water supply.

145

146 Dr. Arena commented that the Committee has not met yet, and as a member of the Ad hoc Committee,
147 he is looking forward to offering his prior knowledge of “blasting” protocols into the mix. He suggested
148 the discussion on “blasting” be tabled until after the Committee has held their first meeting.

149

150 **Code of Ethics Committee update –**

151

152 Mr. Wilson said that the Committee received the suggestions from the Planning Board regarding the
153 “Code of Ethics”. They haven’t heard from any other Board so far. Ms. Chase said that the Zoning Board
154 is waiting for the scheduled Public Hearing.

155

156 **Minutes**

157

158 **October 4, 2011** – The October Meeting Minutes were tabled from last month and Ms. Chase was
159 directed to review the DVD to include the “factors” Ms. Pohl was referring to. The statements were
160 included. Ms. Pohl wanted it stated in the record what she had meant to say, regarding the denial of the
161 179 Lafayette Road “message board sign” that the factors for denial included that an electronic message
162 board shows motion by words or animation which is prohibited.

163

164 **Mr. Wilson moved and Ms. Kohl seconded the motion to approve the October 4, 2011 meeting**
165 **minutes as amended.**

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

167

168 **October 18, 2011** – Corrections were made to the minutes regarding the Code of Ethics. Line 88 was
169 changed to “The board discussed the “Statue of Limitations” in regards to alleged Ethics violations
170 bearing anything from 90 days to 2 years”. **Ms. Kohl moved and Mr. Wilson seconded the motion to**
171 **approve the October 18, 2011 meeting minutes.**

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

173

174 **November 1, 2011** –a typo was corrected.

175 **Ms. Pohl moved and Ms. Kohl seconded the motion to approve the November 1, 2011 meeting**
176 **minutes.**

177 **The vote passed in favor of the motion (6 in favor, 0 opposed and 1 abstention). Mr. Wilson**
178 **abstained.**

179

180 **Master Plan update** - Mr. Kroner said that he and Mr. Groth will be presenting the Board with a final
181 schedule on how the Master Plan will “flow” from now on. It will include the visioning session and the
182 Future Land Use Chapter. He suggested the Board keep in mind, whether the provisions for mobile
183 home parks should remain available given the chronic issues with the ability of septic systems handling
184 mobile home parks.

185 Mr. Groth presented copies of the draft Broadband Chapter for the Board to review. He will email a
186 copy to everyone also.

187
188 **Junk Yard update** – Mr. Wilson said that Town Counsel is still working on the “Junk Yards”. He said that
189 they are making significant progress that he cannot discuss because it is privileged information.

190
191 Dr. Arena made the comment that the dumpster located in the parking lot of the Town Office should be
192 screened. He said it is important that the Town follow its own Site Plan Regulations.

193
194 The Performance Surety Agreement was discussed. The Board advised Ms. Chase to include a copy of
195 the Performance Surety Agreement with Planning Board applications and to include the agreement
196 application at her discretion.

197
198 **Sign Ordinance update** – The deadline date on the letter sent to the Business Association is due to
199 expire this week. Ms Chase was advised to inform the interim Building Inspector to deliver proposed
200 sign violation notices along with a copy of the sign ordinance to businesses along Route 1.

201
202 Mr. Kroner commented on the signs at “Precision Fitness” and said that they installed more signs than
203 they were approved for. He said that statements made by the Applicant regarding the amount of
204 signage they had were not accurate. Mr. Kroner said that the Planning Board should have the same
205 privilege as the ZBA to Administer Oaths, so that all testimony made by the Applicant is done under
206 Oath. Mr. Wilson said that he thought State Representative, Michele Peckham is putting that legislation
207 forward.

208
209 Ms. Pohl suggested that complexes built like the one that houses Precision Fitness should be allowed to
210 put all the wall signs on the end unit facing Route 1, instead of allowing each business its own wall sign.

211
212 Dr. Arena disagreed and said that it is not fair for the end unit to display all the signs just because it is
213 closer to Route 1; he said it is unattractive and the end unit tenant probably has to pay a higher rent
214 than the other tenants in the complex.

215
216 Ms. Kohl commented that the Planning Board should be denying the sign applications that come in and
217 if there is a problem with the Ordinance itself, then make the necessary changes to it. Ms. Pohl agreed.

218
219 Mr. Groth said that the sign applications need flexibility because it’s on a case by case basis; many
220 different circumstances.

221
222 **Rock Wall protection** – The Board discussed the removal of “old” rock walls in town. Mr. Groth said
223 that they cannot be removed if they mark a boundary, but can be removed otherwise.

224
225 Mr. Wilson commented that restrictions on “rock walls” are appropriate, but the Board may be
226 overstepping the government’s role by not allowing them to be removed.

227
228 The Board agreed that it would be an infringement on the property owner’s rights.

229
230

231 Ms. Kohl suggested each member submit a list of possible issues with the Sign Ordinance for the Board
232 to review at the next Work Session.

233

234 Mr. Kroner read a thank you letter from Michael Coutu to the Board.

235

236 Mr. Groth informed the Board that the RPC has Energy “grant hours” available for the Town to use to
237 draft an Energy Chapter for the Master Plan.

238

239 Mr. Wilson said that an Energy Committee had an Energy Audit prepared and the report could be
240 incorporated in the Chapter. Ms. Chase was directed to make copies of it and forward a copy to Mr.
241 Groth and each of the Members.

242

243 Mr. Groth suggested Ms. Chase email Julie LaBranche from RPC and set up a time when she can meet
244 with the Board to discuss the Energy Chapter.

245

246 Ms. Kohl moved and Ms. Pohl seconded the motion to adjourn at 8:30pm.

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

248

249 Respectfully submitted,

250

251 Wendy V. Chase

252 Recording Secretary

253

254 Approved December 20, 2011