



Meeting Minutes
North Hampton Planning Board
Tuesday, April 3, 2012 at 6:30pm
Town Hall

6

7

8

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

11

12 **Members present:** Shep Kroner, Vice Chair, Joseph Arena, Laurel Pohl, Tim Harned, and Phil Wilson,
13 Select Board Representative.

14

15 **Members absent:** Barbara Kohl, Chair and Mike Hornsby

16

17 **Alternates present:** Nancy Monaghan

18

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

20

21 Mr. Kroner convened the meeting at 6:33pm and noted that Ms. Kohl and Mr. Hornsby were absent,
22 and that there was a quorum.

23 Mr. Kroner seated Ms. Monaghan for Ms. Kohl.

24

25 **I. Old Business**

26

- 27 **1. 12:05 – Public Service Company of New Hampshire (PSNH), PO Box 330, Manchester, NH**
28 **03105. Property location: Lafayette Road, North Hampton; M/L 017-027-000 and 017-028-000.**
29 **Representative of PSNH: GZA GeoEnvironmental, Inc., 380 Harvey Road, Manchester, NH**
30 **03103.** The Applicant submits a Conditional Use Permit Application under Article IV, Section
31 409.10 and seeks Planning Board approval under “Essential Services” to allow the replacement
32 of the existing PSNH Distribution Substation within the 100-foot wetland buffer. Property
33 owner: PSNH, PO Box 330, Manchester, NH 03801; Zoning District: I-B/R.
34 This case is continued from the March 6, 2012 meeting.

35 In attendance for this Application:

36 Sherrie Trefrey, GZA Environmental, Inc.

37 Pat Pinault, Representative of PSNH

38

39 Ms. Trefrey explained that the Application was continued from the March 6, 2012 Meeting and that she
40 and Mr. Pinault met with some members of the Planning Board on March 13, 2012 for an informal
41 meeting to review the application. She gave a brief history on the application:

42

- 43
 - The original project required more than 3,000 square-feet of impact to the wetland buffer for
44 the replacement of the substation.

- 45 • They met with the Conservation Commission and they had concerns with the gravel driveway
46 and amount of impervious surface; they reconfigured the plan and shrunk the size of the gravel
47 driveway by reducing it to 2,800 square feet, below the 3,000 square feet and would no longer
48 require a Conditional Use Permit approved by the Planning Board.
49 • They met with the Board on March 6, 2012; an abutter to the property voiced his concerns.
50 They went back to the “drawing board” and revised the plan and moved the transformer and
51 poles further away from the Abutter.
52 • They met with the Board on March 13, 2012 to review the new plan and received a positive
53 response from the Board members present.
54

55 Mr. Kroner asked how many feet the substation will be away from the Abutter; Mr. Pinault said that it
56 will be thirty (30) feet away.
57

58 Mr. Kroner opened the Public Hearing at 6:40pm.
59

60 Mr. McInnis, an abutter to the project site, said that he appreciated the efforts from both sides and
61 thought the plan looked good.
62

63 Mr. Kroner closed the Public Hearing at 6:42pm.
64

65 **Mr. Wilson moved and Ms. Pohl seconded the motion to approve the plan as revised at this meeting**
66 **with the standard condition that the Applicant submit a Recordable Mylar.**
67

68 The Applicant confirmed that the property was surveyed and there were appropriate monuments set.
69

70 Dr. Arena asked if there was going to any kind of “lighting” at the site.
71

72 Mr. Pinault said that there would be no lighting, but there will be a “convenience outlet” in case of an
73 emergency.
74

75 **The vote was unanimous in favor of the motion to approve the plan (6-0).**
76

77 Ms. Trefrey submitted the revised plan for the permanent record.
78

79 **II. New Business** 80

- 81 1. **12:06 – Sagamore-Hampton Golf Club, Richard Luff, President, 101 North Road, North**
82 **Hampton, NH 03862. Property location: 101 North Road; location of activity: adjacent to 3rd**
83 **Fairway & Route 95 on Sagamore-Hampton Golf Club; M/L 018-036-000 and -22-005-000.** The
84 Applicant, Richard Luff, submits a Conditional Use Sign Application with two waiver requests: (1)
85 Article V, Section 506.6.R – (amount of signs) to allow more than one sign per business and (2)
86 506.6.G – (size of signs in the Residential District) to allow a 240 square-foot sign where a sign in
87 excess of 18 square-feet is not permitted. Property Owner: Sagamore-Hampton Golf Club, Inc.,
88 101 North Road, North Hampton, NH 03862; Zoning District: R-1.
89
90

91 In attendance for this application:

92 Richard Luff, Owner and President of Sagamore-Hampton Golf Club

93

94 Mr. Kroner recused himself.

95

96 Ms. Pohl disclosed that she is an abutter to Sagamore Golf Course, but not to the parcel in question and
97 that the proposed sign is not within sight of her house. She said that she did not intend to recuse
98 herself unless the Applicant wanted her to.

99

100 Mr. Luff said that he did not think Ms. Pohl needed to recuse herself.

101

102 Ms. Pohl assumed the Chair.

103

104 Mr. Luff presented his application to the Board.

105

- 106 • There is a 24 square-foot sign on North Road and a 6 square-foot sign on Post Road that have
107 been there since the 1960s. The Applicant is requesting a third sign that would be located
108 adjacent to the third fairway visible to those travelling north on Route 95.
- 109 • The Golf Course has 3,300 feet of frontage along Route 95; 3,150 feet of frontage on North
110 Road, and 1,350 feet of frontage on Post Road.
- 111 • The Golf Course has over 150 acres.
- 112 • The current sign ordinance allows for 18 square-feet; an 18 square-foot sign along Route 95
113 would be ineffective and unintelligible to those travelling north.
- 114 • Mr. Luff stated in his application that it could be argued that Section 506.6.R was written to
115 address businesses that occupy far less acreage and road frontage than the Golf Course, and
116 doesn't think it would be contrary to the objectives of Section 506.6.R because of its
117 uniqueness.
- 118 • The proposed location provides for maximum viewing time for those travelling on Rout 95 but is
119 also placed adjacent to a cluster of existing red pine trees to soften the impact of the sign.
120 Additional plantings in front of the sign will further enhance the appeal of the sign.
- 121 • The location of the proposed sign provides little or no impact on abutters.
- 122 • Those travelling on Route 95 would be viewing the sign from a maximum distance of 900 feet
123 and a minimum distance of 300 feet.
- 124 • Mr. Luff stated in his application that no fair and substantial relationship exists between 506.6.G
125 and the unique setting of the golf course.
- 126 • Mr. Luff said that he would like to take advantage of the exposure from Route 95; 30,000 travel
127 north on Route 95 everyday.

128

129 The Board discussed whether or not the proposed sign was in fact a "billboard". "Billboards" are
130 prohibited under Section 506.5.B.

131

132 Mr. Luff referred to the definition of a "billboard" and said that a "billboard" advertises a business off
133 the premises.

134

135 Ms. Pohl read the definition of “billboard” into the record, *a sign that directs attention to a business,*
136 *commodity, service, or entertainment conducted, sold or offered at a location other than the premises on*
137 *which the sign is located.*

138
139 Mr. Wilson pointed out that it could be argued that the proposed sign is a “billboard” because it
140 advertises a whole collection of businesses not just Sagamore-Hampton Golf Club; it doesn’t even read
141 Sagamore-Hampton Golf Club. Mr. Wilson opined that there are too many letters on the proposed sign
142 and that combined with the proposed colors will make it unreadable from a distance.

143
144 Mr. Luff said that the picture of the sign he submitted is more for clarification for the size.

145
146 The Board determined that the proposed sign would also need a waiver to the height requirement,
147 Section 506.6.B. The Case would need to be continued so that waiver request could be properly
148 noticed.

149
150 Ms. Pohl asked if Mr. Luff planned to cut down trees. Mr. Luff said that at some point they will need to
151 address the taller trees.

152
153 Mr. Harned said that he sympathized with the Applicant, but those travelling down Lovering Road will be
154 looking at the proposed sign “front and center” every day.

155
156 Mr. Groth said that the proposed sign is not visible off of Winnicut Road because there is a house there
157 that blocks the view, but it would be visible from Post Road and Lovering Road. He said that the
158 proposed sign looks like a “billboard”; maybe it could be redesigned to look more rural, like a rock wall
159 design. He commented that there are a lot of people who want to promote local businesses.

160
161 Other concerns the Board discussed:

- 162 • Setting a precedent if the proposed sign is approved.
- 163 • Visibility from the abutters; maybe relocate the sign so it’s not so prominent from those
164 travelling down Lovering Road and Post Road.
- 165 • Smaller sign and redesign to make it more rural in character
- 166 • The Board can’t regulate the content of the sign, but it should advertise the actual business.
- 167 • The proposed sign is beyond what is allowed within the ordinance, and the ordinance is in place
168 for a reason.
- 169 • The proposed sign is a classic “billboard” sign of sight and construction; “billboard” signs are
170 prohibited. People will interpret the sign as a “billboard”.

171
172 Ms. Pohl said that the quantity may not be an issue; there are four (4) sides of the golf course and it isn’t
173 an unreasonable request to have smaller signs than to have the proposed sign at the proposed location.

174
175 Ms. Monaghan said that the size of the sign is giving the Board great pause. She said that the largest
176 letters, shown on the proposed sign, are 16 inches; with the reduction of wording on the sign Mr. Luff
177 could use much less sign space while maintaining the 16 inch size of the letters. (SAGAMORE-HAMPTON
178 GOLF CLUB).

179

180 Mr. Harned agreed that the proposed sign is oversized and people will interpret it as a “billboard”. He
181 sympathized with Mr. Luff and suggested presenting a different sign; something in between.
182 Mr. Luff commented that the proposed sign is that size for a reason; people are travelling by it on Route
183 95 at 65mph.

184
185 Dr. Arena said that a sign gives information, and the people in Town already know what the business is;
186 the proposed sign is to benefit those travelling by on Route 95.

187
188 Mr. Wilson said that if the Board considers approving the proposed sign the Board will have to
189 demonstrate that they used objective criteria in granting the waivers. If approved, what will stop other
190 applicants coming before the board requesting the same size and type of sign? He said that he is
191 sympathetic to the Luff Family and that they are good Citizens, but the Board needs to treat like things
192 alike.

193
194 Mr. Luff asked what the deadline date was to submit a revised plan and a waiver request from 506.6B.
195 Ms. Chase said the waiver request would need to be in by the end of the week, and the revised plan two
196 weeks before the May 1st meeting.

197
198 Mr. Luff requested to continue his application to the May 1, 2012 meeting.

199
200 **Mr. Wilson moved and Mr. Harned seconded the motion to approve the request to continue case**
201 **#12:06 to the May 1, 2012 meeting.**

202 **The vote was unanimous in favor of the motion (5-0).**

203
204 Mr. Kroner resumed the Chair.

205
206 Mr. Kroner explained that it was brought to his attention that the Board approved a two-lot subdivision
207 plan for E. Dean and Cora Stevens for property located at 273 Atlantic Avenue, M/L 014-002 on February
208 1, 2005; conditions were added to the approval and were met by the Applicants. The Planning and
209 Zoning Administrator left employment with the Town in May 2005 and the Board never received the
210 Mylar to sign and then have recorded. Mr. and Mrs. Stevens did not notice that they were receiving one
211 tax bill instead of two so it was never brought to the attention of the Town. The lots have been placed
212 on the market for sale and the Realtor for the property discovered that the subdivided lots were never
213 recorded.

214
215 The Board members verified that the conditions were met and signed the Mylar. Ms. Chase informed
216 Mr. Gary Stevens, who was in attendance, that there would be a fee of \$25.00 payable to the Registry of
217 Deeds for the LCHIP fee to record the Mylar. Dr. Arena requested that it be added to the record that
218 this was an Administrative error and that is why the Board did not sign the Mylar seven (7) years ago.

219
220 **Master Plan update**

221
222 **Master Plan update** – Mr. Groth said that he has not heard from anyone regarding the Energy Chapter.
223 Mr. Kroner explained that Theresa Walker from RPC met with the Town’s Energy Committee and drafted
224 a model energy ordinance and incorporated specific interests from the Town into it.

225

226 Mr. Groth informed the Board that they got the “okay” from NH DOT regarding the Future Land Use and
227 Growth Management Chapters. The DOT grant is a 50/50 match; \$5,000 from the Town and \$5,000
228 from NH DOT. Mr. Groth submitted the contract to the Board and asked that they vote to recommend
229 that the Select Board agree to sign the contract.
230

231 Mr. Groth explained the scope of the project; *the project proposes that the RPC staff develop Future*
232 *Land Use and Growth Management Master Plan chapters incorporating community input gathered*
233 *through a public visioning process. The goal of this project is to combine input from the community,*
234 *Town officials and transportation studies into a consensus to balance future transportation needs with*
235 *development patterns. This will be accomplished by meeting with Town officials, MPO staff and other*
236 *applicable stakeholders to coordinate a public visioning process that will describe the alternatives*
237 *presented in the US Route 1 Corridor Study and existing development conditions to capture the residents’*
238 *input and goals concerning land-use and transportation. These goals, along with the Route 1 Corridor*
239 *Study recommendations will be examined by a sub-committee of the Planning Board with RPC staff to*
240 *determine a framework for both the Future Land Use and Growth Management chapters. RPC staff will*
241 *then synthesize this framework into master plan chapters and recommendations, including maps and*
242 *graphics illustrating policy alternatives. The project will culminate in presentation to the Planning Board*
243 *and Select Board for Town acceptance.*
244

245 Mr. Kroner explained that the Planning Board properly budgeted the amount of \$5,000 last year and
246 they would need to formally vote to recommend that the Select Board agree to enter into the contract
247 with the Rockingham Planning Commission.
248

249 **Mr. Harned moved and Dr. Arena seconded the motion that the Planning Board forwards the contract**
250 **to the Select Board for approval.**
251

252 **Dr. Arena made a friendly amendment that the Planning Board “recommends” that the Select Board**
253 **approve and sign the contract.**
254

255 **Mr. Harned accepted Dr. Arena’s friendly amendment.**
256 **The vote was unanimous in favor of the motion (6-0).**
257

258 **Junk Yard update** – Mr. Wilson said that the Town Attorney completed a draft of the Regulations for the
259 control of Junk Yards and the Select Board is seeking comments from the Planning Board and the Zoning
260 Board. The topic will be on the April 17, 2012 Work Session Agenda. Mr. Wilson asked that Ms. Chase
261 circulate a copy to each member. Mr. Wilson commented that the way the RSA defines it; it is a Select
262 Board and ZBA process, not a Planning Board process. He noted that the Planning Board has spent the
263 most discussion time on the subject.
264

265 Dr. Arena said that Town should be collecting the Junk Yard License fees, and commented that it was too
266 bad that the collection of the license fees was not retroactive.
267

268 **Blasting Protocol** – Mr. Harned explained that there were a few “to be determined” sections in the draft
269 that the Board would need to address.
270

271 Mr. Wilson referred to Section XI.B.3, regarding water samples, and suggested Mr. Harned contact
272 Aquarion Water. He said that they do reports on the water either annually or biannually on the various

273 minerals in the water, and this information may be used as a guide for a baseline before and after a
274 blast occurs.

275
276 Mr. Harned said that he was going to contact NH DES also for their recommendations.

277
278 Mr. Wilson referred to Section IV regarding blasting in the Aquifer and suggested adding the following
279 language, *at the sole discretion of the Planning Board a review by the Town Engineer may be requested*
280 *at the Applicant's expense.*

281
282 Mr. Harned recommended the following language under Section V. B. *The application form shall be*
283 *developed by the Blast Administrator approved by the Select Board.* The Board agreed.

284
285 The Board discussed who would be the Blast Administrator. Mr. Harned said that the Blast
286 Administrator has to be a blasting expert; a person who can determine whether or not the blasting
287 taking place is done correctly.

288
289 Mr. Wilson said the town's engineering firm, as part of their contract, would provide the Board with a
290 qualified person. The firm would also be the ones to draft the appropriate blasting form for the Town.

291
292 Mr. Kroner commented that the blasting regulation will be part of the subdivision, site plan and
293 excavation regulations, and questioned what would be the trigger for someone that wanted to blast to
294 apply for a blasting permit if they were not applying for one of the aforementioned applications with the
295 Planning Board.

296
297 Dr. Arena suggested making it part of the Building Permitting process. There should be a section on the
298 building permit application that asks if blasting would be required and if so they would need to comply
299 with the blasting regulations.

300
301 The Board was very agreeable with the suggestion made by Dr. Arena.

302
303 Mr. Wilson suggested researching the adoption of local building codes so that blasting would fall under
304 the Building Inspectors authority. He suggested Mr. Groth look into it.

305
306 The Board agreed to adopt the blasting regulations as part of the site plan, subdivision and excavation
307 regulations and add it as an appendix in the same way they added the policy on collateralization.

308
309 The Board corrected a couple of typographical errors in the document.

310
311 **Ms. Pohl moved and Ms. Monaghan seconded the motion to hold a Public Hearing to consider**
312 **adoption of the Blasting Regulations by adding them to the Site Plan, Subdivision and Excavation**
313 **Regulations on April 17, 2012.**

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

315
316 Mr. Kroner read correspondence from the Heritage Commission regarding the moose plate grant. The
317 Heritage Commission is looking for volunteers to participate in the Heritage Commission's Historic
318 Resources Survey. There will be a half day training session on May 5, 2012 conducted by Mary Kate

319 Ryan, which will include actual field work. Trained volunteers will gather and record architectural and
320 historical data and take photographs at approximately 46 sites.

321
322 The Heritage Commission has requested that Planning Board sign a letter to help them receive the
323 grant.

324
325 **Mr. Wilson moved and Mr. Harned seconded the motion to authorize the Vice Chair to sign the grant**
326 **letter on behalf of the Planning Board.**

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

328
329 **The meeting was adjourned at 9:02pm without objection.**

330
331 Respectfully submitted,

332 Wendy V. Chase
333 Recording Secretary

334
335 **Approved April 17, 2012**