



**Meeting Minutes
Public Hearing & Work Session
North Hampton Planning Board
Tuesday, April 17, 2012 at 6:30pm
Town Hall, 231 Atlantic Avenue**

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

Members present: Shep Kroner, Vice Chair; Laurel Pohl, Tim Harned, and Phil Wilson, Select Board Representative.

Members absent: Barbara Kohl, Chair; Joseph Arena, Mike Hornsby

Alternates present: Nancy Monaghan

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

I. Public Hearing to consider adopting the following Master Plan Chapters to the Town's Master Plan:

- 1. Broadband Chapter**
- 2. Existing Land Use Chapter**
- 3. Housing Chapter**
- 4. Energy Chapter**

Mr. Kroner opened the Public Hearing at 6:30pm and noted that there was a quorum.

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

Mr. Kroner noted for the record that there was no one from the public present; the Public Hearing would remain open throughout the Meeting.

Broadband Chapter – Mr. Kroner thanked Mr. Robert Landman for his input on the Broadband Chapter.

Mr. Wilson referred to the "footnote, #6" in the chapter that identified a typographical error in the Wireless Telecommunications Facilities Zoning Ordinance and advised Ms. Chase to correct the word "town" to "tower". The "footnote, #6" will be eliminated from the Broadband Chapter.

Mr. Wilson suggested the following change to the second paragraph under *Wireless services available*: add a comma after the word "conditions" in the last sentence and add "will not have adequate coverage".

The Board discussed fiber optics. Mr. Wilson commented that one of the recommendations is to amend the subdivision plan review regulations to require the installation of fiber optics, just as the Town requires underground utilities. He asked Mr. Groth whether or not other towns have invested in fiber optic infrastructure.

Mr. Groth said that he knows that towns in other States have invested in fiber optics, he said that if, for instance, the Town wanted to attract high-tech businesses in the I-B/R District having that option in place would only increase that attraction.

Mr. Wilson commented that one way to get the DAS, Distributive Antenna System, up and going in Town is if the community was willing to make an investment in the infrastructure to do it. He said that the Board may want to look into the costs of fiber optic infrastructure.

Mr. Groth said that it's just the matter of getting it on the radar in the event that a potential opportunity arises.

Mr. Wilson suggested adding to the second recommendation so that it reads, *Evaluate the feasibility and capital investment costs of a fiber optic network.*

The Board discussed whether or not there was a need to hold a second Public Hearing because of the suggested change to the recommendations. Mr. Groth did not think the suggested change to the recommendations was a substantive one. Mr. Kroner agreed and said the added verbiage was just continuing a thought.

**Mr. Wilson moved and Ms. Monaghan seconded the motion to adopt the Broadband Chapter of the Master Plan with the emendations made at this Public Hearing.
The vote was unanimous in favor of the motion (5-0).**

Mr. Groth congratulated the Planning Board for being the first Town to adopt a Broadband Chapter in their Master Plan. Mr. Wilson thanked Mr. Groth for his hard work on the Broadband Chapter.

Existing Land Use Chapter – Mr. Wilson suggested a change in the last paragraph on the last page from “Industrial Business District/Residential” to “Industrial Business/Residential and pluralizing “restaurant” in the last paragraph on the first page.

The Board reviewed the maps that are included in the Existing Land Use Chapter.

There were no other suggested changes from the Board.

**Mr. Wilson moved and Ms. Pohl seconded the motion to adopt the Existing Land Use Chapter of the Master Plan with the emendation made by Mr. Wilson.
The vote was unanimous in favor of the motion (5-0).**

Housing Chapter – The Board discussed the assessing process. The Town was last assessed in 2008; the assessed values were 95% of fair market value (equalization ratio). The current equalization ratio is at 107%. The next town-wide assessment is scheduled for 2013. The Town is reassessed every five years. The Assessors update a quarter of the Town each year for four years; statistical data is collected to compute the equalization ratio, assessments that change during the quarterly update is for changes

made to the property that may have been missed, i.e. added sheds or razed decks, and then the total reassessment occurs for the entire Town on the fifth year.

Mr. Wilson said that the Select Board discussed contracting with the Assessors to conduct a full "measure and list" assessment next year, which would entail measuring each property and listing every feature. That would cost the Town between \$250,000 and \$300,000. Because of the huge expense the Select Board felt that the Town was not prepared to have the tax rate increased to perform that type of assessment so they opted for the statistical revaluation that costs approximately \$80,000.

Mr. Kroner said that another big part of this Chapter is the Regional Housing Needs Assessment. He said based on what we know there are a large percentage of houses that meet this criteria. According to the 2008 Regional Housing Needs Assessment, North Hampton can be said to be providing its fair share with 824 units in 2006 and 927 by 2015 that meet the standards of workforce housing.

The Board discussed whether or not mobile homes were included in the calculation to qualify as workforce housing units. Mr. Groth confirmed that mobile homes are under the category of single family dwellings.

Ms. Pohl moved and Mr. Harned seconded the motion to adopt the Housing Chapter of the Master Plan.

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

Energy Chapter – The Board decided that in lieu of the fact that the Board just received draft copies of the Energy Chapter at this meeting they would continue or hold a second Public Hearing on it so they had a chance to review it. Table 3 within the Chapter was left blank regarding the inventory of Municipal Buildings. Ms. Chase was asked to gather the information on the date constructed and square footage of each municipal building listed. After further discussion the Board determined that the information on the year built and square footage had no relevance to the energy chapter and decided to eliminate it and just "list" the municipal buildings. Eliminating the two columns would constitute a substantive change.

Mr. Harned moved and Mr. Wilson seconded the motion to take the revised Energy Chapter of the Master Plan to a second Public Hearing on May 15, 2012.

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

II. Public Hearing to consider amending the Town's Subdivision, Site Plan and Excavation Regulations by adopting and adding the proposed Blasting Regulations to the regulations

Mr. Kroner commented that Mr. Harned "spearheaded" the drafting of the Blasting Regulations on behalf of the Town and the Board.

Mr. Kroner opined that the Blasting Regulations should be a part of the Regulations this year and then to be placed on next year's ballot as an amendment to the Zoning Ordinances. He said that adding it as part of the Zoning Ordinances would allow a "trigger" for all Departments to follow it.

Mr. Harned explained that he made a significant change to the regulations on pages 13 section B.3. He said that he spoke with Brian from Aquarion Water Company who has done PowerPoint presentations on "Blasting" and said that water should be tested for nitrates and nitrites, because anything ending up in the water from blasting will test positive for nitrates and nitrites. He also added to the surveys on page 13, 3.g. and 3.h.

The Board discussed where the 17-page blasting regulations should appear in the regulations.

Mr. Groth said that some town's have a "policy" section within their Regulations. The Board decided to include the 17-page Blasting Regulations as an Appendix under the Excavation Regulations and to add a paragraph in the Site Plan and Subdivision Regulations that references it. The paragraph referencing blasting shall be as follows: Regulations Governing Blasting and/or Explosive Demolition – Applications proposing blasting for any purpose shall comply with the Board's Regulations Governing Blasting and/or Explosive Demolition, included in the Excavation Regulations as Appendix F.

Mr. Wilson moved and Ms. Pohl seconded the motion to adopt the Blasting Regulations as Appendix F of the Excavation Regulations and to add a paragraph referring to the Regulations in the Excavation, Subdivision and Site Plan Review Regulations stating that Applications proposing blasting for any purpose shall comply with the Board's Regulations Governing Blasting and/or Explosive Demolition in Appendix F of the Excavation Regulations.
The vote was unanimous in favor of the motion (5-0).

The Board thanked Mr. Harned for a job well done on the Blasting Regulations.

Mr. Kroner closed the Public Hearing at 7:32pm.

Mr. Kroner opened the Work Session meeting at 7:33pm.

The Board was in receipt of a draft copy of the Select Board's Junk Yard Ordinance, drafted by Attorney Serge. Mr. Kroner explained that the Select Board was looking for comments from the Planning Board on the Ordinance. Mr. Harned asked if the Town had to vote on the proposed Ordinance. Mr. Wilson said that he was not totally sure, but believed that the Select Board was working under the assumption that they had authority to adopt the Junk Yard Ordinance and that it did not need to be voted on by the Legislative Body.

Mr. Harned asked if it were an Ordinance or a Regulation; the title references Regulation and Section J refers to the policy as an Ordinance.

Mr. Wilson said that there should be a consistent use of the terms Regulations and Ordinance and it should be determined how it is adopted.

Mr. Harned said that under the definitions of "junk yard". He said that trash and waste sounds more like a landfill than a junk yard.

Mr. Kroner said that he knows of a site that has things that might qualify as things in a landfill.

Mr. Harned said that items found in a junk yard has resale value and waste and trash in a landfill has no resale value.

The Board discussed non-conforming, pre-existing use. Mr. Wilson said that once a use is "grandfathered" it becomes non-conforming, but it's "grandfathered" so it can continue to exist.

"Junk yards" became non-conforming when the Zoning Ordinances were adopted in 1946.

The Board discussed "Penalties", Section K. Mr. Wilson suggested that the penalty should be set at the maximum allowed by RSAs, as amended.

Mr. Wilson will take back to the Select Board the following:

1. Review the document for consistent use or "regulations" versus "ordinance"
2. Review the document for consistent use of "enactment" versus "adoption"
3. Review Section III.K – Penalties, suggest that they are set at the maximum allowed by RSAs, as amended
4. Section II.A.a). determine whether "trash" and "waste" should be included in the definition

CIP update – Mr. Wilson said that Dr. Azzi committed to have his report done by mid-April and the Committee is expecting to receive that. Mr. Wilson took on the assignment of putting a draft of the Committee's "out-put" for their next Committee meeting. He said he received several "sample" copies and decided to draft his own and make it simple by stating the facts.

- The Town adopted a CIP process in 1988
- 2008 - 2009 the Town amended that to form a separate CIP Committee
- The CIP Committee has met monthly since June 2011
- The CIP Committee has reviewed all requests from Town Municipal Departments and the School
- The Committee has met with each Department and the School to discuss those requests
- The Committee stratified their requests according to three criteria, safety and public health, preservation assets and necessary for the long term preservations of assets.
- The Committee Stratified all requests for the next six years
- The Committee determined at the first meeting that the Municipal Complex should be treated as one separate major request
- Engaged Dr. Azzi to review all the proposals received by the Town relating to the Municipal Complex

In the course of the year the CIP Committee realized that it appeared that no entity in Town was engaging the issue of what to do about the Municipal Complex, so the CIP Committee took it upon itself, the task of identifying the timeline for decision points in respect to that issue, and realized the Library was the initial gating item, so they met with the Library Trustees and gave them a timeline which they later modified. The Trustees will be meeting with the Select Board and ask for endorsement by the Board to use the "homestead" property as a site for the new Library. They plan to fund half the total cost of building the new Library by private donations and asking the tax payers, at the appropriate time, to fund the other half. Mr. Wilson said that after that point the rest of the Complex can be dealt with either by putting Town Administration in the old Library by renovating it or razing it and building a new building and then deal with the Safety Complex, Police and Fire. The Town Hall will not be moved.

The Board agreed that the Library should present a vision of what a "Library" of the 21st Century is going to be. There is a lot of footwork involved in fundraising and a lot can be done before asking money from

people. The Library estimated the new building costing 2.6 million and the CIP Committee estimates it costing at least 3 million.

Application Review Committee (ARC) – The Board discussed establishing regular ARC meetings to review Planning Board applications for completeness prior to the Public Hearing. Mr. Kroner suggested that the matter be taken up after the May 2012 election but was in favor of the idea. He said that if he were re-elected that he would volunteer to be a member of the ARC.

Mr. Kroner referred to the Design Review application before the Planning Board on May 1st and said that a design review is not binding to the Planning Board and not binding for the Applicant. He suggested that each member review the Inclusionary Ordinance very carefully.

Minutes

March 20, 2012 – Ms. Pohl moved and Mr. Wilson seconded the motion to approve the March 20, 2012 minutes as amended.

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

April 3, 2012 – Ms. Pohl made corrections to line 96 to clarify her disclosure of being an abutter to the Sagamore Golf Club case. Ms. Monaghan made corrections to line 75 to clarify her suggestion on the proposed Sagamore Golf Club Sign.

Mr. Wilson moved and Ms. Monaghan seconded the motion to approve the April 3, 2012 Meeting Minutes as amended.

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

Master Plan – Mr. Groth reported that they are moving ahead with other Chapter of the Master Plan and also working to schedule a Charrette in North Hampton. Mr. Wilson suggested that they should probably not schedule the Charrette until after school is out. Mr. Groth said that the funding schedule from NH DOT has changed to January 2012. Mr. Wilson said that the Town has to spend the \$5,000 they budgeted by June 30, 2012 unless the Board encumbers the funds. Ms. Chase will contact Mr. Fournier and Mr. McCormick and let them know that the Board may need to encumber some of the money budgeted for the matching grant for the Master Plan Chapter update.

The Meeting adjourned at 8:40pm without objection.

Respectfully submitted,

Wendy V. Chase
Recording Secretary

Approved May 15, 2012