



Meeting Minutes
North Hampton Planning Board
Tuesday, April 2, 2013 at 6:30pm
Town Hall, 231 Atlantic Avenue

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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: Shep Kroner, Chair; Laurel Pohl, Vice Chair, Joseph Arena, Mike Hornsby, Tim Harned, Dan Derby and Phil Wilson, Select Board Representative.

Members absent: None

Alternates present: Nancy Monaghan

Others present: Jennifer Rowden, RPC Circuit Rider, and Wendy Chase, Recording Secretary

Mr. Kroner convened the meeting at 6:32 p.m.

I. Reorganization of the Planning Board

1. **Elect a Chair** – Dr. Arena nominated Mr. Shep Kroner as Chairman of the Board for one (1) year. Mr. Wilson moved and Mr. Harned seconded the motion to close the nominations. The vote was unanimous in favor of the motion (7 -0). Mr. Wilson proposed to elect Mr. Kroner as Chair by acclamation.
2. **Elect a Vice Chair** – Dr. Arena nominated Ms. Laurel Pohl as Vice Chairman of the Board for one (1) year. Ms. Pohl nominated Mr. Harned and commented that her work schedule may conflict with the duties of Vice Chair. Mr. Harned did not accept the nomination. Mr. Kroner said that he and the rest of the Board would cover for Ms. Pohl if need be. Ms. Pohl accepted the nomination. The vote to nominate Ms. Pohl as Vice Chair passed, (6 in favor, 0 opposed and 1 abstention). Ms. Pohl abstained.
3. **Board Consideration on Appointments of Alternates** – The Board was in receipt of a letter from Thomas McManus requesting a three (3) year term as an Alternate to the Board. It was noted that Mr. McManus’ current term as an Alternate to the Board expires this month and he is requesting to serve another term. Mr. McManus was also a primary member of the Planning Board, but had to step down because of work commitments. The Board was in receipt of a letter from Barbara Kohl requesting a three (3) year term as an Alternate to the Board. Ms. Kohl was a primary member of the Board and chose not to run for re-election, but would still like to stay involved with the Planning Board. Dr. Arena moved and Mr. Harned seconded the motion to Appoint Thomas McManus and Barbara Kohl as Alternates to the Planning Board for three (3) year terms.

- 47 4. **Board Consideration on Appointments of Planning Board Committee Members.**
48 **A. Long Range Planning** – Mr. Kroner, Dr. Arena and Mr. Derby volunteered to serve on the Long
49 Range Planning Committee. There were no objections from the Board.
50 **b. Application Review Committee (ARC)** – Mr. Harned, Mr. Hornsby and Dr. Arena volunteered
51 to serve on the ARC. There were no objections from the Board.
52 **c. Rules and Procedures Committee** – Mr. Kroner, Dr. Arena and Mr. Derby volunteered to serve
53 on the Rules and Procedures Committee. There were no objections from the Board.
54 **d. CIP Representative** – Ms. Pohl volunteered to serve as the Planning Board’s representative to
55 the CIP Committee, but would not be available to meet during the day because of her work
56 schedule. She stated that if the Committee chooses to meet during the day she will have to step
57 down. There were no objections from the Board.
58 **e. Heritage Commission Representative** – It was confirmed by members of the Heritage
59 Commission that they meet on the third Thursday of the month at 9:30 a.m. Mr. Kroner
60 disclosed that he was unable to make a lot of the previous meetings when serving on the
61 Commission because of work commitments. Mr. Wilson moved and Dr. Arena seconded the
62 motion to nominate Mr. Kroner as the Planning Board’s Representative to the Heritage
63 Commission. The vote was unanimous in favor of the motion (7-0).
64 **f. Economic Development Committee Representative** – The Select Board established the North
65 Hampton Economic Development Committee to identify and solicit appropriate business
66 development, encourage job creation and retention and increase the tax rate. The newly
67 established Committee will consist of one (1) Select Board Member; one (1) Planning Board
68 Member; one (1) Member of the North Hampton Business Association; one (1) representative
69 from the Rockingham Planning Commission, and one (1) Member of the Public at Large. Dr.
70 Arena commented that an Economic Development Committee does not coincide with the fact
71 that the Town wants to remain rural. He believes that the Committee would offer the
72 opportunity for some people to “push” town sewer which will increase businesses and asked
73 how many businesses in town are actually “tax neutral” and how many businesses are actually
74 subsidized by the townspeople. It was in his opinion to “shelve” the committee and create an Ad
75 hoc Committee through the Planning Board, because it is the Planning Board that should be very
76 actively involved in it. He said that he likes to move toward what the townspeople want and an
77 increase in economic ventures would change the rural character of the Town. Mr. Wilson
78 nominated Dr. Arena to serve as the Planning Board’s Representative to the Economic
79 Development Committee. Dr. Arena accepted the nomination. Mr. Harned moved and Ms. Pohl
80 seconded the motion to appoint Dr. Arena as the Planning Board’s Representative to the
81 Economic Development Committee. The vote was unanimous in favor of the motion (7-0). Mr.
82 Wilson stated that the Select Board makes the final decision on the member appointments.

83
84 Mr. Kroner explained that the Chair of each newly organized Board is obliged to recite the Preamble
85 from the Code of Ethics. Mr. Kroner read it into the record.

86
87 **II. Public Hearing to consider the proposed addition of a Chapter to the Master Plan from**
88 **the Heritage Commission.**

89 Ms. Donna Etela, Chairman of the Heritage Commission asked if the Planning Board had any questions
90 regarding the proposed Master Plan Chapter from the Heritage Commission.

91 Dr. Arena asked what the difference was between the Heritage Commission and the Historical Society. It
92 was his opinion that they are both the same.

93
94 Ms. Etela said that the Heritage Commissioners are appointed by the Select Board and the Historical
95 Society is a private not for profit organization. The main difference is that the Heritage Commission is
96 regulated by the State and the Historical Society is not. Ms. Etela referred to NH RSA 674:44-b and said
97 that one of the main tasks of the Commission is to survey and inventory the Town, which takes a lot of
98 manpower, and a lot of time. The main mission of the Historical Society is that they collect artifacts and
99 restore, catalog, and display them. They also provide historical education by organizing key note
100 speakers of various historical topics.

101
102 Ms. Etela said that on May 4, 2013 they are hosting a Seacoast Heritage and Historic District meeting at
103 the Town Hall. A Preservation Planner from the Division of Historical Resources will be giving a
104 presentation and area Historical Societies and Heritage Commissions will congregate and offer
105 information on how they operate in their towns with such topics as demolition delays and town surveys.
106 She said that during the May 18, 2013 Heritage Celebration the local school children will be participating
107 by putting on an Art Show and other scheduled activities.

108
109 Ms. Rowden said that the Chapter was well written and the Planning Board should take into
110 consideration the recommendations made within the Chapter, and to remember that the Master Plan is
111 full of recommendations for things to be done in the future; they are not hard fast statements.

112
113 Mr. Kroner said that the Master Plan is a guide for this Board and future Boards in creating potential
114 additions to the Zoning Ordinances. He said that the "brief history" was well written and improved from
115 the first draft. He said that all the recommendations seem to be on point.

116
117 Ms. Etela said one of the goals they are particularly interested in working with the Board on is the
118 demolition delay, where owners of homes fifty (50) years or older have to allow a period of time for the
119 property to be documented before any demolition occurs.

120
121 Mr. Kroner opened the Public Hearing at 7:25 p.m. for public comment on the proposed Historic
122 Resource Section of the Master Plan.

123 Mr. Kroner closed the Public Hearing at 7:26 p.m. without public comment.

124
125 Mr. Wilson said that he is in favor of the proposed Chapter and thinks it's a great addition to the Master
126 Plan, but adopting the Chapter and dealing with the recommendations are two different things. He said
127 that he questions the 50-year criterion, and said that, in some instances it makes sense, but by and large
128 it's really not too old. He said that Ordinances regulate people's property rights and the Board has to be
129 very careful about that.

130
131 Ms. Etela explained the reason for the fifty (50) years is that it is a criterium that the National Register
132 and the State Register of Historic Places uses as a "cut off" date. She gave the example of the Governor
133 Dale property that would not have been able to be listed as an historical property if the "cut off" date
134 was more than fifty (50) years. She said that the Town of Rye changed their "cut off" date of sixty-five
135 (65) years to fifty (50) years because they were losing opportunities to record historically significant
136 buildings.

137

138 Ms. Etela said that the fifty (50) years is a “trigger” not a rule. She said the demolition delay will be used
139 to give them the chance to record and take pictures of historic buildings; it’s not designed to prohibit
140 property owners from demolishing their structure.

141
142 Mr. Wilson said that his intention was not to initiate discussion on the recommendations at this Public
143 Hearing. He said that the proposed Chapter is a good Chapter and there are things in it that need
144 further discussion at some point. He said that the documentation of properties can begin now, instead
145 of waiting until a structure is about to be demolished. He commented that the Heritage Commission has
146 done a great job in surveying the Town. He said that using fifty (50) years as a “trigger” date instead of
147 an actual “cut off” date is fine; the Board needs to be very thoughtful when proposing ordinances for
148 the Town to preserve the Town’s heritage and character by keeping in mind people’s property rights.

149
150 Mr. Harned said that there are recommendations within the Chapter that are going to take a lot of
151 thought and discussion before any proposal of an ordinance. Ms. Etela agreed.

152
153 **Mr. Harned moved and Mr. Wilson seconded the motion to accept the Heritage Commission’s Historic**
154 **Resources Section as a Chapter to the Town’s Master Plan.**

155
156 Mr. Wilson quoted “If you destroy the roots of an oak, no matter how mighty it is; it falls”. He said that
157 the role of the Heritage Commission and Historical Society is critical in preserving the life blood of the
158 Town and he would like to see it move forward, and this, as a beginning document, is a very good step.

159
160 **The vote was unanimous in favor of the motion (7-0).**

161
162 Mr. Kroner thanked the Heritage Commission for their efforts.

163
164 **III. Old Business**

- 165
166 1. **Case #12:12 – Richard Chorebanian, Ipswich Bay Yacht Sales, 6 Lafayette Road, North**
167 **Hampton, NH. Owner: Christopher Bolton, Woodridge Properties, LLC, 1225 River Road,**
168 **Weare, NH 03821.** Board action on the requested continuance from the Owner’s Counsel, Peter
169 Saari, to the May 7, 2013 Meeting.

170
171 The Board was in receipt of a letter from Attorney Saari, the Applicant’s Counsel, requesting a
172 continuance, on behalf of his client Richard Chorebanian, to the May 7, 2013 meeting to clear the 30-
173 day appeal period for the Equitable Waiver request approved by the Zoning Board at their March 26,
174 2013 meeting.

175
176 **Dr. Arena moved and Ms. Pohl seconded the motion to grant the request to continue Case #12:12 to**
177 **the May 7, 2013 meeting.**

178 **The vote was unanimous in favor of the motion (7-0).**
179

180 **IV. New Business**
181

- 182 1. **Case #13:04 – Nathan and Brenda Batchelder, 2A Winterberry Lane, Stratham, NH 03885.** The
183 Applicant’s request a two-lot subdivision to create one (1) new buildable lot located in Stratham,

184 NH and accessed through North Hampton. Property owners: Same as Applicants; Property
185 location: 2A Winterberry Lane, Stratham, NH 03885; M/L 019-054-019; Zoning District: R-2
186 (Residential Medium Density District).

187

188 In attendance for this application:

189 Tom Brouillette, LLS, Applicant's Engineer

190 Nathan and Brenda Batchelder, Owners/Applicants

191

192 Mr. Batchelder said that his family once owned the entire property in that area and subdivisions of the
193 land occurred over the years. He explained that the property is located in Stratham with frontage in
194 North Hampton. He said that emergency services are provided by Stratham and also North Hampton
195 because of the mutual aid contract between the two towns. Mr. Batchelder said that the subdivision
196 would need to be approved by both the Town of North Hampton and the Town of Stratham.

197

198 Mr. Brouillette stated that there are no wetlands on the property in North Hampton and a small wetland
199 in Stratham.

200

201 The Board was in receipt of a report from the Fire Chief and the Public Works Director regarding the
202 proposed subdivision.

203

204 Fire Chief, Dennis Cote stated that because the curb cut for the driveway is in North Hampton and the
205 actual residence is in Stratham, the new lot will have a North Hampton address, which will be 2B
206 Winterberry Lane.

207

208 Public Works Director, John Hubbard had no objections and recommended that the Applicant wait to
209 apply for a driveway permit until they determine the location of the building on the new lot.

210

211 Ms. Rowden said that she has no concerns with the proposed subdivision and referred to RSA 674:53 –
212 Land Affected by Municipal Boundaries, and said that the lots are in two different towns with the
213 majority of acreage in Stratham, but the lot has to be treated as one lot for the sake of lot area, frontage
214 and setback requirements. She said that the subdivision has to comply in both towns.

215

216 Dr. Arena commented that the land would be landlocked if it did not have the North Hampton frontage
217 for access.

218

219 Mr. Batchelder noted that his current house has a Stratham, NH address.

220

221 Mr. Wilson referred to RSA 674:53.IV – *No plat or plan showing land or streets in more than one*
222 *municipality in the state shall be deemed approved for the purposes of this title unless it has been*
223 *approve by the planning boards of all included municipalities in which the planning board has been*
224 *granted authority over approval of that type of plat or plan.* The two issues which may be addressed or
225 regulated by the Board are (1) adequacy of street access and (2) the impact of the proposal upon it.
226 It was a general consensus of the Board that Winterberry Lane provided adequate access for the
227 proposed lot and that adding an additional lot would not have a negative impact on the street or town;
228 therefore the application satisfies the requirements under RSA 674:53.

229

230 Mr. Kroner opened the Public Hearing at 8:15 p.m.

231
232 **Debra Bronson, 5 Vanessa Lane, Stratham, NH 03885** - said that she abuts the Batchelder's property
233 and was told by her Realtor when she purchased the property that the land around her wouldn't be
234 developed. She said that she currently has privacy and has a view of trees. She asked if the Batchelders
235 intended on cutting a lot of trees and they said they did not because they like their privacy too. Ms.
236 Bronson said she had no objections to the proposed subdivision.

237
238 Mr. Kroner closed the Public Hearing at 8:20 p.m.

239
240 **Ms Pohl moved and Mr. Harned seconded the motion to approve the subdivision for Case #13:04 with**
241 **the following conditions:**

- 242
243 1. **Recordable Mylar.** Applicant shall submit a recordable Mylar of the approved plan with
244 signatures and seals affixed of all licensed professionals whose names appear on the plan.
245 2. **Certificate of Monumentation.** Applicant shall provide the Board with a Certificate of
246 Monumentation, stamped and signed by a NH LLS, certifying that all monuments depicted on
247 the plan have been properly set in accordance with the subdivision regulations.
248 3. **State Permits.** Applicant shall submit evidence of receipt of all required federal, state, and
249 local permits, including but not limited to, approval for subdivision, state septic approval, and
250 approval for driveway, and shall note their numbers, as appropriate, on the plan.
251 4. **The Applicants shall secure subdivision approval from the Town of Stratham, NH.**

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

253 **II. Other Business**

254 255 **1. Minutes**

256
257 a. February 19, 2013 Work Session meeting minutes – Mr. Harned moved and Dr. Arena seconded the
258 motion to approve the February 19, 2013 meeting minutes. The vote was unanimous in favor of the
259 motion (7-0).

260 b. March 5, 2013 meeting minutes – Dr. Arena moved and Ms. Pohl seconded the motion to approve the
261 March 5, 2013 meeting minutes. The vote was unanimous in favor of the motion (7-0).

262
263 **2. North Hampton Visioning Session Summary review/discussion** – Ms. Rowden was not the Circuit
264 Rider for the Town when the Visioning Sessions took place. She compiled a summary from notes she
265 received on what transpired during the sessions and asked the Board to review it and make any
266 necessary changes. The Visioning Sessions focused on the Route 1 Corridor Study on the reconfiguration
267 of the intersections along Route 1, Land Use and Transportation issues. Ms. Rowden said that the
268 Sessions were not intended to change the Vision Chapter of the Master Plan, but for the Board's
269 information only, and if any member felt that she didn't capture what occurred at the Sessions, she will
270 make the necessary corrections.

271
272 Mr. Wilson suggested that Ms. Rowden bolster up the comments regarding the North Road intersection
273 and the Atlantic Ave/Lafayette Road intersection, two very dangerous intersections in North Hampton.

274

275 Mr. Kroner suggested that after the Post Road/ Rout 1 intersection she add a caveat that the
276 intersection is in the Town of Hampton, NH.

277

278 It was suggested that the comments from the Visioning Sessions should be included in the Future Land
279 Use Chapter.

280

281 Mr. Kroner complimented Ms. Rowden on the good job she did with the Visioning Summary, especially
282 since she didn't get involved until the Town was 90% into the project.

283

284 The meeting adjourned at 8:45 p.m. without objection.

285

286 Respectfully submitted,

287

288 Wendy V. Chase

289 Recording Secretary

290

291 Approved 4/16/2013

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