



**Meeting Minutes**  
**Work Session**  
**North Hampton Planning Board**  
**Tuesday, April 16, 2012 at 6:30pm**  
**Town Hall, 233 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, Chair; Laurel Pohl, Vice Chair, Joseph Arena, Dan Derby and Phil Wilson, Select Board Representative.

**Members absent:** Mike Hornsby and Tim Harned.

**Alternates present:** None

**Others present:** Jenn Rowden, RPC Circuit Rider, and Wendy Chase, Recording Secretary.

Ms. Pohl convened the meeting at 6:35 p.m.

## **I. Old Business**

### **1. Visioning Summary prepared by RPC Circuit Rider Jenn Rowden.**

The original Visioning Summary was reviewed at the April 2, 2013 Planning Board Meeting. Ms. Rowden incorporate the suggested changes made at the April 2<sup>nd</sup> meeting, 1) identify the Post Road and Route 1 intersection as being located in Hampton, NH and 2) more emphasis added about the concerns of the dangerous North Road and Route 1 intersection.

Mr. Wilson reported to the Board that the RPC NPO adopted the Transportation Improvement Plan (TIP) for the next ten (10) years. There are roughly 133 projects of which only 46 will likely be funded; two of the projects are in North Hampton, 1) project list #23 - the northerly North Road and Route 1 intersection, that will include signalization, and 2) project list #43 - widening of Route 1 from Hampton, NH to Atlantic Avenue, North Hampton, that includes the construction of a road from Fern Road between TD Bank and the Post Office to the intersection that services the Home Depot shopping mall. He said that the southerly intersection of North Road is listed as project #70.

Ms. Rowden explained that the Summary is not part of the Master Plan. She will submit the accepted Summary to NH DOT along with the official report.

Mr. Wilson moved to approve the Visioning Session Summary.

Dr. Arena suggested adding a comment to the Visioning Session Summary before accepting it. He said that they should invite the Town's State Political Representatives to come in to get a firsthand account of what the situation is really like in North Hampton. He said that the southerly North Road intersection and the intersection at Atlantic Avenue and Route 1 need to take top priority in the 10-year Transportation Improvement Plan.

Mr. Kroner commented that the Visioning Summary is a summary of what took place at the Visioning Sessions; it's not about the Planning Board making judgment.

Ms. Rowden suggested adding Dr. Arena's comments to either the Future Land Use or Growth Management Chapter of the Master Plan. Dr. Arena did not agree.

Mr. Wilson explained that the Visioning Summary is actually Minutes of what occurred at the Visioning Sessions, and there was no mention of inviting State Representatives in to discuss the traffic safety issues in town. He did agree that the Planning Board should develop a better relationship with the State Representatives to work together in solving the southerly North Road intersection and Atlantic Avenue and Route 1 intersection. He suggested Dr. Arena's comments be added to the Transportation Chapter. Dr. Arena agreed.

**Dr. Arena moved and Mr. Derby seconded the motion to accept the Visioning Session Summary as presented.**

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

**Discussion on Article IV, Section 406.5** – The Article reads as follow, *A lot in the I-B/R District that is presently utilized for business purposes shall not be used for residential purposes. Any existing undeveloped lot may be used for either a business or residential purpose, but not both.*

Over the past year it had come to the Board's attention that there was a "loop hole" in Article IV, Section 406.5. The provision's "loop hole" is that there is no mention that *a lot in the I-B/R District that is presently utilized for residential purposes shall not be used for business purposes*. The Board held a Public Hearing on December 18, 2012 to address the "loop hole" or to eliminate the Article completely. Members of the Business Association attended the Hearing and there was a lot of discussion on the pros and cons of "mixed use". The Board voted to table further discussion and not move it forward onto the 2013 Town Warrant.

Ms. Chase researched the Article that was adopted by the Legislative Body on March 12, 1985.

- A new State Law came into effect in 1984, RSA 674:32 Manufactured Housing – *municipalities shall afford reasonable opportunities for the siting of manufactured housing. A municipality which adopts land use control measures doesn't have to allow manufactured housing in all land areas in districts zoned to permit residential uses....*
- The town was not in compliance with the RSA and the Planning Board began discussions on moving toward compliancy 1/11/1984. They discussed changing the then current I-B District (Industrial-Business) to I-B/R (Industrial Business Residential) to allow mobile homes.
- The Planning Board was concerned with businesses putting mobile homes on their commercial properties that would accommodate living quarters for the managers of their businesses to live

in, so they created Article IV, Section 406.5. (See Planning Board minutes dated 4/4/1984 and 4/18/1984).

Dr. Arena commented that each case pertaining to Article IV, Section 406.5 should be handled on a case-by-case basis. He said that the catalyst to the discussions on this Article was the Case before the ZBA for the apartment at Rollins Furniture.

Mr. Kroner said that land is a limited resource and he would rather have a commercial district that allows some form of mixed use because he would rather see that than a subdivision for one house out on a 50-acre lot. He said he'd rather have added houses where there is infrastructure than urban sprawl that town's are now experiencing, which has a lot of negative impacts.

Mr. Wilson said that big ordinance changes are usually handled through the Long Range Planning Committee or an Ad hoc Committee; it depends on the magnitude of the task.

Mr. Derby said that the Article is a narrow piece of a much more important and much bigger picture of how the Board moves toward the future development of the Town.

Mr. Wilson said that mixed use in the I-B/R under Workforce housing has been adopted by the Town, but this is mixed use, meaning residential and commercial, and although it appears to be a very narrow issue, it is an approach to how the town wants particular areas to look like in the future.

Mr. Kroner said that the way it is currently written a business use is allowed on a lot that is currently utilized for residential purposes.

Mr. Wilson said that if the Town is okay with the way the Article is written then they don't need to change it. An Applicant has the right to seek relief from the Zoning Board. Mr. Derby commented that that would mean that the ZBA is currently designing the Town regarding this issue.

Mr. Kroner suggested that the issue be taken up by the Long Range Planning Committee. Mr. Wilson agreed and suggested that the Long Range Planning Committee take a look at the issue in a broader context of what they envision the nature of what the I-B/R District should be in, in five, 10 or 15 years. They should also look into defining another commercial zone on Route 111 that abuts the Stratham, NH Industrial Zone. He said that there is a large buffer (the Dalton Forest and the Corbett conservation land) between the residential area and the Industrial area. He said that it would help increase the tax base if they allowed light industrial business there, but it is also very important to know how the residents in that area feel about a change like that.

**Mr. Derby moved and Mr. Wilson seconded the motion that the Long Range Planning Committee consider the issues with Article IV, Section 406.5 as part of their overall order of business. The vote was unanimous in favor of the motion (5-0).**

**Committee updates:**

**CIP** – Mr. Wilson reported that the CIP has been completed, signed and accepted by the Select Board.

Ms. Pohl commented that she was perusing the Office of Energy and Planning's website and discovered that North Hampton's CIP is not registered with them and other towns are. Ms. Chase will contact the OEP and find out how to register the Town's CIP with the State OEP.

Ms. Chase questioned whether the Wetlands District and Conservation District were intended to be overlay districts.

Mr. Wilson explained that the two districts are not overlay districts. He said that was done intentionally when creating the Inclusionary Housing (workforce) Ordinance so that the Town would be able to use the acreage amount to meet the goals to allow Workforce housing in the R-1 Zone and not the R-2 Zone.

**Rules and Procedures** – Mr. Kroner said that he would like to set up a Rules and Procedures Committee meeting to look over the Board's Rules.

**ARC** – Dr. Arena reported that the ARC will be meeting on April 22, 2013 at 4:00pm to go over two Cases that are on the May 7<sup>th</sup> Planning Board agenda.

**Heritage Commission** – Mr. Kroner said that the Heritage Commission will be hosting a Seacoast regional meeting of Heritage Commissions and Historic District Commissions on May 4, 2013. The North Hampton Heritage Commission has invited 13 towns to participate in the half day event.

**Economic Development** – Mr. Wilson said that the Committee has not been fully constituted yet. Dr. Arena was nominated by the Planning Board to be appointed by the Select Board as the Planning Board's Representative to the Economic Development Committee.

**Master Plan update** – Ms. Rowden completed a slight modification of the existing Growth Management Chapter of the Master Plan.

Mr. Kroner said that when it was originally written the Town was experiencing a rapid growth, and based on the tone, the original chapter was being written to justify implementation of a growth management ordinance which was never enacted. He said that the town took the approach of conserving land to manage growth and formulated North Hampton Forever.

Ms. Rowden said that if the Town doesn't intend on adopting a Growth Management Ordinance there isn't a need for a Growth Management Chapter, unless the Board wants to keep it just in case they develop an Ordinance.

Mr. Kroner suggested that the Long Range Planning Committee meet soon to discuss it in more depth. Mr. Derby said that there is good insight written in it but has mixed feelings about growth management.

Mr. Wilson said that managing growth by ordinances ultimately stimulates growth. Growth is managed by buying open space and by land use regulations that accommodates the amount of growth the townspeople want.

Mr. Kroner will reach out to the Long Range Planning Committee Members and set up a meeting to research this further.

**Junk yard update** – Mr. Wilson reported that the Building Inspector has been working on potential Junk yards. It is a slow moving process because of all the legalities involved.

Mr. Derby asked if other Agencies are involved. Mr. Kroner said that NH DES is involved with some of the case.

The Planning Board doesn't have a connection with potential junk yards in town. The way the Statute is written, the Applicant applies for a junk yard license with the Select Board and they direct them to the ZBA to see if they meet the ordinance.

Mr. Kroner suggested removing "junk yards" from the "items laid on the table" on the Agenda. Dr. Arena disagreed and would not like the topic removed.

## **Minutes**

**April 2, 2013** – Mr. Wilson made a typographical correction.

**Mr. Wilson moved and Mr. Kroner seconded the motion to approve the April 2, 2013 meeting minutes as emended.**

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

Respectfully submitted,

Wendy V. Chase  
Recording Secretary

Approved May 21, 2013