



**Meeting Minutes**  
**North Hampton Planning Board**  
**Tuesday, June 3, 2014 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:** Tim Harned, Vice Chair, Joseph Arena, Dan Derby, Barry Donohoe, and Jim Maggiore, Select Board Representative.

**Members absent:** Shep Kroner, Chair and Mike Hornsby

**Alternates present:** Nancy Monaghan

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

Mr. Harned called the meeting to order at 6:35 p.m.

Mr. Harned seated Ms. Monaghan for Mr. Kroner, and noted for the record that there was a quorum.

**I. Old Business**

1. **Case #13:02 – Harbor Street Limited Partnership, 7B Emery Lane, Stratham, NH 03885.** The Applicant, Joseph Falzone, Harbor Street Limited Partnership, pre-application Design Review continued from the February 4, 2014 meeting. Property owner: Field of Dreams at Post Road, LLC, 7B Emery Lane, Stratham, NH 03885; Property location: 160-186 Post Road, North Hampton; M/L 018-038-000; Zoning District R-1: High Density and R-2: Medium Density.

**In attendance for this application:**

There was no one in attendance for this application.

Mr. Harned informed the Board that the Conservation Easement has gone through on the old Governor Dale property at 160-186 Post Road, and the majority of the land is now in conservation and undevelopable, so there is really no need to keep continuing the Design Review Application.

**Dr. Arena moved and Ms. Monaghan seconded the motion to end the Design Review for Case #13:02 – Harbor Street Limited Partnership, because it was no longer pertinent.**

Dr. Arena asked if the Applicant and Owner had requested an end to the Design Review. Mr. Harned replied that he did not, but that he did receive written confirmation from the Southeast Land Trust that the conservation easement deed transaction did take place.

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

Ms. Chase will draft a letter to inform the applicant/owner, Harbor Street Limited Partnership of the Board's decision, pursuant to NH RSA 676:4.II (b).

## I. New Business

1. **Case #14:05 – Elizabeth Sparkowich, 22 Pembroke Street, Portland, ME 04103.** The Applicant requests a Conditional Use Permit pursuant to Article V, Section 508.5.B.2.b.3 to allow the raising of pigs, sheep and chickens on a lot less than four (4) acres. Property location: 4 Cedar Road, North Hampton, NH; Property Owner: Louise Knox Revocable Trust, 4 Cedar Road, North Hampton, NH; M/L 003-059-000; Zoning District R-1.

### In attendance for this application:

Applicants Elizabeth Sparkowich and Everett Reid

The Board members were informed that the Applicants mistook the time and would arriving to the meeting by 7:00 p.m.

The Vice Chair addressed "Other Business".

Mr. Maggiore informed the Planning Board that, Select Board Member Rick Stanton, suggested implementing an employee/board or commission members/volunteers recognition program, for those who have made outstanding contributions or achievements above and beyond their normal duties; Department Heads and the Select Board Members would be exempt. He said each Department, Board or Commission would nominate someone quarterly and the Select Board would decide a person out of the pool of nominees and their names would be engraved on a plaque, or added to the Town Report. He said the process is not "etched in stone" and still in its infancy stage. He suggested the members think about it and maybe put the topic on the next Work Session Agenda so they can give feedback to the Select Board. Mr. Maggiore said that his daughter has volunteered to update the Boards and Commissions contact list when she is out of school for summer break.

Dr. Arena commented that it would be set up like a popularity contest and could cause problems. He said that it is a waste of time; everyone is working hard, and will continue to work hard.

Mr. Harned suggested the Board think about it, and asked that the topic be added to the next Work Session Agenda.

Mr. Harned said that Mr. Kroner was contacted by Attorney Peter Loughlin who offered to meet with the Planning Board, at no cost to the Town, to explain the new state legislation and how it relates to the town's telecommunication ordinance. Mr. Harned asked if the Board would be interested in having Attorney Loughlin come to a Work Session for that purpose.

It was a general consensus of the Board, that it would be a great opportunity for the Board to have Attorney Loughlin meet with them to discuss the new state legislation on cell towers.

Ms. Rowden suggested the members review the cell tower information Ms. Chase sent to them from DTC, and review the current telecommunication ordinance. She said there are areas in the ordinance that need to be updated.

Ms. Rowden reminded the Board that there is a workshop on the flood maps that FEMA came out with for North Hampton. She said for those interested in attending, the meeting is scheduled for June 12, 2014.

Mr. Harned suggested suspending the meeting for Case #14:05 until 7:00 p.m. to wait for the Applicants to arrive.

**Dr. Arena moved and Mr. Donohoe seconded the motion to suspend the meeting until 7:00pm. The vote was unanimous in favor of the motion (6-0).**

**Mr. Harned resumed the meeting at 7:00pm.**

**Case #14:05 – Elizabeth Sparkowich, 22 Pembroke Street, Portland, ME 04103, Knox Farm, 4 Cedar Road, North Hampton, NH 03862.**

The Applicant, Mr. Reid, gave a brief description of their application and an overview of their farming operation at 4 Cedar Road. He said that they want to raise sheep, pigs and chickens for their own use. They do not have chickens yet, but want approval to get them and use them for tick control. The pigs are “freezer” pigs and “roaster” pigs. The sheep were originally going to be used for meat and wool, but the neighbors are making friends with them. They plan to use the existing barn and build a shelter for the sheep. They don’t intend to go over the maximum amount of animals they have included in their applications. They plan to keep three (3) full grown pigs and sell the piglets. The two pigs on the property have been there for the past two months and there have been no issues with flies or odors.

Cindy Jenkins, Exeter Road, Chair of the Agricultural Commission said that the applicants met with the Commission. The Commission submitted a report to the Board; they reviewed the current and anticipated density of animals and determined that the facilities and land available are sufficient to conduct the operation they indicate.

Mr. Reid said that he has 11 piglets he is raising and intends to sell, but to always keep 3 adult pigs on the property. He said an adult market pig weighs between 220 and 280 pounds.

Ms. Monaghan asked how often they dispose of the manure. Mr. Reid said they have left it for up to two weeks to test it out and there is virtually no smell; as long as the pig pen is cleaned out the pen has no smell.

Ms. Rowden asked where they intended to place a farm stand. Mr. Reid said that when they do decide to have a farm stand they would like to place it out by the road and would sell fruits and vegetables, and maybe eggs, but no meat.

Dr. Arena said that the animals have a good G.I. tract system, and asked how they regulate the methane the animals produce. Mr. Reid said they won’t have a problem because they feed the animals grain.

Dr. Arena commented that animals are smart, and it is hard to keep them penned in. He voiced concern over the fact that the applicants live so far away and there will be no one there to keep an eye on the animals at night, leaving a risk of them getting out of the pen and wondering on others properties. Mr. Reid said that the pigs are kept in the barn and cannot get out. He said that there are neighbors that will keep an eye on things, and he is at the farm every day.

Mr. Reid said that they do not intend on having any roosters.

Ms. Rowden said that if the Board finds the permit application to be complete they can consider taking jurisdiction of the application. She said it does meet Best Management Practices (BMP) of Agriculture for manure and housing; living on the farm is not a prerequisite under BMP. The Farm Stand can be a safety concern regarding traffic; the Board may want to have them come back with a plan when they are ready to put up a Farm Stand. Removing the manure weekly seems to be sufficient, and the Board may want to think about adding it as a condition of approval.

**Ms. Monaghan moved and Mr. Donohoe seconded the motion to take jurisdiction of the application.**

Mr. Derby said that part of the application is for a Farm Stand, and since it is unknown where it's going, or when they will have one, can the Board take jurisdiction of the application.

Ms. Rowden said that they only have to apply for a conditional use permit for animals; it is not specific for a Farm Stand. The Board may want to add it as a condition of approval.

**The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Dr. Arena abstained.**

Ms. Monaghan asked if there was a limit to the number of animals on a lot this size.

Ms. Rowden said that animal density is governed by BMPs.

Ms. Jenkins said that 3 contiguous acres of uplands can support a lot of animals. She referred to a highly functioning farm in Rye on West Road that has a smaller lot, and encouraged the Board to visit it.

Mr. Maggiore asked if they had any experience with farming. Mr. Reid said that he has some experience; it's a learning process. He said he does have some experience with sheep.

Mr. Reid said they haven't decided if they are going to have "roasters" or "laying" hens. They really want chickens to control the ticks on the property.

Dr. Arena asked whether they have received negative comments from the neighbors. Mr. Reid said that they have not; the neighbors and their kids are always welcome to visit the farm.

Mr. Harned opened the Public Hearing at 7:23 p.m.

Julie Defelice, 27 Mill Road – said that her mother-in-law lives in the house at 4 Cedar Road. She said that she's been on farms that smelled awful and full of flies; this farm is very clean and peaceful. She said it is beautifully laid out and the animals are well cared for. This farm brings the neighbors together as a community.

Jane Cummings, 22 Mill Road - said they have been neighbors for a long time and there has never been a problem. She said she is fixated with the baby sheep and would go over and check out the farm any time she suspects there is a problem.

Donna Kempton, 27 Mill Road – commented that she would not like to see the trucks coming and going to take the animals away to be slaughtered. Mr. Reid said that the animals will be carted off the property in his truck; there will be no big trucks coming and going from the property.

Mr. Harned read a letter from Mr. Kroner who is the Chair of the Planning Board, but also an abutter to the property. He was writing to the Board as an abutter; not representing the Planning Board.

Mr. Kroner suggested the following conditions if the Board decides to approve the Conditional Use Permit.

1. As the proposed farm is situated within Aquifer Protection District, the Board should consider requiring an annual report from the North Hampton Agricultural Commission verifying on an annual basis, that manure is being properly managed on the site per BMPs.
2. When or if the farm chooses to add a Farm Stand, that the location of the stand be put on a plan, and to also indicate a specific area for off street parking due to the high traffic counts on Cedar Road during the summer months.

Mr. Kroner opined in his letter that it was a mistake, by the Town, to have allowed the continued use of the access road from Cedar Road to the Home Depot Plaza as it provides an incentive to drivers to utilize secondary residential road ways to access the plaza, rather than Route 1.

Ms. Rowden stated that the subject property is not in the aquifer protection zone. She said it is very close to it.

Mr. Harned closed the Public Hearing at 7:29pm.

Dr. Arena asked how many sheep they had and Mr. Reid said 9.

Dr. Arena commented that they are a natural lawn mower.

The Board discussed possible conditions of approval.

**Farm Stand** – The Board agreed that if the applicants want a farm stand they will have to come back to the Board to address location and parking.

**Manure Management** – Mr. Reid said that they have kept the manure in blue barrels for up to two weeks and there have been no odor or fly problems.

Ms. Rowden said that BMP explains how to manage manure so that it doesn't contaminate the water supply.

Ms. Jenkins suggested that they compost the manure on site; it's considered "black gold". Manure is a resource for healthier soils for gardens. She said that if the pigs are fed meat that it could not be

composted. Mr. Reid said that if the pigs eat meat they will remove that manure from the site. He said that rabbit and sheep manure are the rare few manures that don't burn the grass.

**Roosters** – Mr. Reid said that if he had the choice he would like to have a rooster, but doesn't need to have a rooster.

Ms. Jenkins said that roosters come in different temperaments and are a gamble, some are friendly and some are very obnoxious. With the size of the lot and closeness of the neighbors the Board leaned toward not allowing roosters on that lot.

**Maximum number of animals allowed** – Mr. Reid will always want to have at least 3 full sized pigs and sell the piglets, but nature can't be pinpointed and they cannot always have a certain amount of animals, there has to be some leeway. Ms. Rowden said the Board should separate between the adult number and animal number.

Mr. Donohoe said that it is a good idea to implement a number so that the neighbors know how many animals there will be; he voiced concern over the lot becoming overpopulated.

Mr. Harned re-opened the Public Hearing at 8:07pm.

Ben Gerkin, 23 Mill Road - said that if the Board gets a complaint about the farm from one individual it is not fair, it should be the whole neighborhood, and the Board should take into consideration the consensus of the neighborhood and they enjoy having the animals.

Mr. Harned said that if a new neighbor were to complain they would have to file a complaint with the Code Enforcement Officer.

Mr. Harned closed the Public Hearing at 8:10 p.m.

Dr. Arena commented that it would be a benefit to the Applicant to consult with UNH's Department of Agriculture. He said that it is obvious that the neighbors are very supportive of the farm.

Mr. Harned commented that if the lot were 4 acres instead of 3.56 acres they wouldn't have to come to the Board for a Conditional Use Permit. The Board agreed.

Mr. Maggiore commented that Best Management Practices are going to "rule the roost" and BMP is included in the Town's Agriculture Ordinance.

**Ms. Monaghan moved and Mr. Derby seconded the motion to approve the Conditional Use Permit Application with the following conditions:**

1. There shall be no Roosters allowed.
2. There shall be no "Farm Stand" on the property without further application and approval of an amended Conditional Use Permit to the Planning Board that includes a drawn plan depicting the location of the "farm stand" and addressing parking issues.
3. The manure shall be handled in accordance with Best Management Practices (BMP).

278 The vote passed in favor of the motion (5 in favor, 0 opposed and 1 abstention). Mr. Donohoe  
279 abstained.

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281 **III. Other Business**

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283 Dr. Arena suggested that the Board discuss possible amendments to the Duplex Ordinance.

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285 Mr. Harned said that the topic is going to be on the next Work Session Agenda.

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287 The meeting was adjourned at 8:17 p.m. without objection.

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289 Respectfully submitted,

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291 Wendy V. Chase

292 Recording Secretary

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294 Approved July 15, 2014

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