



**Meeting Minutes**  
**Work Session**  
**North Hampton Planning Board**  
**Tuesday, July 15, 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; Shep Kroner, Chair; Joseph Arena, Dan Derby, Barry Donohoe and Jim Maggiore, Select Board Representative.

**Members absent:** None

**Alternates present:** Nancy Monaghan.

**Others present:** Jennifer Rowden, RPC Circuit Rider

There was no Recording Secretary present. These Minutes are transcribed from a video recording.

Mr. Harned convened the meeting at 6:31 p.m.

Ms. Monaghan was seated for Mr. Hornsby who recently resigned from the Board.

**I. Old Business**

There is no Old Business before the Board.

**II. New Business**

1. Appoint Planning Board member to fill vacancy left by Michael Hornsby until March 2015.

Mr. Harned explained that Mr. Hornsby resigned and the Board was charged in appointing someone to replace him. Mr. Hornsby's term expires in 2016. The Board will appoint someone to fill his seat until the next regular election in March 2015. At that point there will be Mr. Hornsby's remaining 1-year term vacancy and two 3-year term vacancies.

Mr. Harned referred to the Planning Board's Rules of Procedure, Section XI: Filling Board Vacancies 1. Elected Members: *in accordance with RSA 673:12, I., remaining members of the Planning Board shall appoint by majority vote someone to fill a vacant elected position on the Board for a period until the next municipal election, at which time, someone shall be elected to fill the unexpired term or start a new term, as appropriate.*

Mr. Harned said that the notice of Mr. Hornsby's vacancy was properly posted and the Board received two (2) letters of interest to serve the remaining term. He read them into the record, by alphabetical order.

**Mr. Jonathan Pinette** – *To the North Hampton Planning Board: My name is Jonathan Pinette – I have been a North Hampton resident for the past 18 years. Sandra my wife and I have owned our house in North Hampton since October 2000. I would like to be of service to the community as a member of the North Hampton Planning Board. I have over 12 years of Operations, Sales Management and real estate investment experience. I have been engaged in the development of company financing, sales and operating practices. I am a current alternate on the zoning board and believe this will afford me invaluable experience. Thank you for your consideration. Jonathan Pinette.*

Dr. Arena called for a point of order. He said that there was no need to prolong the meeting by reading Mr. Wilson's letter; his experience on the Planning Board speaks for itself.

Mr. Harned said that he wanted to read all letters into the record for the audience.

**Mr. Phillip Wilson** - *Dear Shep, Please accept this letter as my application for appointment to fill the vacancy on the Planning Board that was left by the recent resignation of Mr. Mike Hornsby. As you know, I served on the Planning Board for 13 years – one year as an alternate, nine years as an elected member and Chair of the Board, and three years as the Select Board Representative to the Board. During these years of service I attended meetings diligently – missing very few meetings and only those that occurred when I was seriously ill or out of town. More important, as a member of the Board I contributed to many projects of the Board, including various Master Plan projects, drafting the Inclusionary Housing Ordinance, revising regulations pertaining to wireless telecommunications facilities, and actively participating in the Application Review Committee and other standing and ad hoc subcommittees of the Board. Currently, I represent North Hampton as its only Commissioner on the Rockingham Planning Commission, of which I am Vice Chair. In the past I have served the Town in many capacities – as a member of the Select Board and Chair of the North Hampton forever Subcommittee to name only two. During the 17 years that my family has lived in North Hampton I have consistently taken great interest in planning and zoning issues and in the reasonable and prudent development of the Town from both residential and commercial perspectives. I have also worked hard at preserving the rural New England character of the Town while also seeking to restrain the growth of the tax burden on residents. Respectfully, I asked that you and the Board consider my application to fill the vacant seat on the Board. Sincerely, Phillip E. Wilson*

**Dr. Arena moved and Ms. Monaghan seconded the motion to nominate Dr. Phillip Wilson to fill the member vacancy left by Mr. Hornsby's resignation.**

Mr. Derby referred to the notice of vacancy Ms. Chase prepared and noted that it referred to a verbal presentation and asked if that was a requirement by State Statute.

Ms. Rowden said that it is not a requirement of the RSA to hold verbal presentations.

Mr. Kroner said he is thankful for the two applicants who took the time to apply. He said at this time the Board would benefit from Mr. Wilson's experience and the fact that he is a strong conduit into the RPC and in a time where there are major planning issues taking place regionally. Mr. Wilson's presence would be beneficial to the Board considering the workload the Planning Board currently has before it.

Mr. Derby concurred and said given the richness of Mr. Wilson's background he makes the perfect candidate.

Mr. Maggiore concurred with both comments.

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

## **2. Committee Updates**

a. Long Range Planning (LRP) – The Committee has not met.

b. Capital Improvement Plan (CIP) – Ms. Monaghan reported that the CIP Committee has been meeting and will begin meeting regularly every Friday beginning next week, July 25<sup>th</sup>. They will be discussing the Police Department and the following week they will be discussing the Fire Department. Dr. Arena commended Ms. Monaghan and the CIP Committee on the great job they are doing. He commented that it was difficult to get the Committee to meet in prior years.

c. Rules and Regulations/Procedures – schedule a meeting to discuss (1) minor lot line and subdivision applications, (2) updates to the Wireless Telecommunication Facility Ordinance per RSA 12-K, and (3) Solar Array Ordinance. – Mr. Harned said that there are other issues the Board has been discussing over the past year, such as, adding a solar array ordinance, updating the duplex ordinance, shared driveways and wetlands setbacks, but have come up with no conclusions. He said he has some suggestions on how to move these issues forward and asked for the Board's suggestions. Mr. Kroner said that they discussed updating the wetlands setback specifically from septic systems last year but lacked the science to bring it before the voters. He wondered if the Board should recommend that they expend funds to have someone analyze the pros and cons of the town's current setbacks and whether the setbacks for septic systems are placing our wetlands at risk. He said they should have a resource to articulate why the need for a setback change or people will view it as a taking. Mr. Harned suggested that the Board come up with a strategy to deal with the issues. He suggested each member volunteer to take the lead on a specific issue and work independently at first and bring information back to the Board for further development. He suggested each member send an email to Ms. Chase so she can compile a list of potential problem areas and possible solutions and she can distribute to the Board for the next work session so the Board can begin the process to draft some verbiage for updates or new ordinances. Ms. Rowden said that most of the issues are ordinances and the time frame is to hold public hearings beginning in November and ending in January for the March 2015 meeting. She said there is a lot to do in that amount of time. Mr. Derby suggested each member send Ms. Chase their priority list and reasons why; he said the solution part of it can wait. Once Ms. Chase gathers everyone's priority list she can compile it and bring it to the

next meeting, then the Board can decide how to begin. It was agreed that there are things in the current wireless telecommunication ordinance that is in direct conflict of what is allowed under State and Federal Law and that is why updating the ordinance should be high on the priority list. Ms. Rowden said that the Rules and Regulations Committee can begin to meet on the minor site plan, lot line adjustment and minor subdivision provisions.

Dr. Arena said that the Board works for the Townspeople and cannot lose sight of what they want. He said that they have to remain cognizant of the results shown in the past town surveys and it is up to the Board to protect the townspeople's interest.

Mr. Maggiore said that the Select Board has identified some of the same issues the Planning Board has, such as solar arrays and wireless coverage throughout Town. He also stated that the Select Board works with a prioritized list and it works well.

The Board agreed to create and prioritize a list of ordinances/regulations/rules that each member feels a need to modify or work on. Each member will prioritize what each member feels is the order of importance and the reasoning/concerns/problems/issues that support the order. The responses are due into Ms. Chase by Friday, July 25<sup>th</sup>. Ms. Chase will be asked to compile the list for the next regular meeting and will come up with volunteers to work various items at the next work session. The list is as follows: (members are encouraged to add to the list if they feel an issue is important to add to this year's prioritized list):

1. Minor Site Plan/Subdivision provisions
2. Wireless (impact of recent Federal and State legislation)
3. Solar Array Ordinance
4. Duplexes
5. Shared driveways
6. Wetland Buffers (markers, setbacks, septic setbacks)
7. Lot coverage (minimum/maximum areas requirements) (building site inside setbacks (not upland), impervious area)

d. Application Review Committee (ARC) – the Committee has not met; no report.

e. Economic Development Committee (EDC) – Dr. Arena said the Committee is doing a great job. They are getting a lot of interesting speakers that will be helpful to the Board and anything the Committee comes up with will eventually come before the Planning Board. Ms. Rowden said that they discussed the analysis the RPC worked on and essentially the rezoning near the Industrial park is off the table. She said that the EDC asked the RPC to take all parcels that lie partially in both the I-B/R and Residential district and redraw the line to show those lots entirely in the I-B/R zone. She had draft copies of the maps on how that would appear. Mr. Donohoe said that he would like to see a map showing the parcels entirely in the Residential zone; the opposite of what the EDC asked for. Ms. Rowden said that residential is allowed in the I-B/R; hence the R for residential, she said the committee is not in favor of it either way; it's just a line drawn to show what it would look like. She said the next meeting is scheduled for the morning of July 25<sup>th</sup>.

f. Report from the Select Board Representative – Jim Maggiore – Mr. Maggiore reported that the Select Board and Town Administrator met with Little Boar's Head Village District on June 30<sup>th</sup> and a concern that came up was the amount of garbage generated at the Beach. He asked if there were any restrictions the Planning Board may put on new businesses coming into town that would control the garbage output. Dr. Arena suggested the Town fine anyone who litters

as a way to control it. Mr. Kroner said that the Beach Plum was allowed to expand by the Town so he doesn't feel there is much the Town can now do about it. He said he is happy for their success but is not sure the area can support a business of that magnitude and it is an unfortunate situation. Mr. Maggiore gave the example of if the amount of business a business takes in is "A" and the amount of garbage is estimated as "B" is there a calculation on the size of the garbage containers "C" and asked if anything like that was outlined in the regulations or ordinances, and if there isn't can one be created to control that issue or other potential issues. Ms. Rowden said that there is no direct measure within the regulations, but if a new business were to go in they would have to abide by the parking regulations and health and safety clause regarding trash. Ms. Rowden said that the State is working on the Route 1A byway and is aware of the traffic, trash and parking concerns at the State Beach location. She said the Board should reach out to D.R.E.D. who manages the State Beach to let them know of the Town's concerns. She will provide contact information for the Board.

Mr. Maggiore reported that the Fire house communication was struck by lightning on July 3<sup>rd</sup>. The Fire house had no communications at all and did a fantastic job. He said cell phones were used to communicate and cell phone coverage at the Beach is sketchy at best. He said cell phone coverage has risen to the list of concerns for the Select Board.

3. Review/comment on proposed wireless telecommunications application. – The members did not get a chance to review the draft application Ms. Chase copied from the Office of Energy and Planning. Mr. Harned suggested each member read it and be prepared to comment on it at the next Work Session.

4. Digitized plans – Jenn Rowden – continued discussion from last month. – Ms. Rowden suggested the Board require digitized copies of everything along with the paper copies. She suggested adding the requirement to the Board's regulations so that an applicant had the opportunity to request a waiver from the requirement. As far as a reduction in paper copies; the Board may want to discuss that and add it as a Board Rule at a later date. Ms. Rowden suggested the regulation be added under Section B, #28, page 12 of the Site Plan Review Regulations and the equivalent under the subdivision regulations.

**Mr. Derby moved and Mr. Kroner seconded the motion to hold a Public Hearing to amend the Site Plan and Subdivision Regulations to include submittal of a digitized copy of subdivision and site plan review applications.**

**The vote was unanimous in favor of the motion.**

Ms. Rowden will forward the information to Ms. Chase.

Ms. Rowden suggested this not to include minor subdivision and site plan applications.

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

### **III. Other Business**

#### **1. Items laid on the table**

- a. Master Plan update – Natural Resource Chapter, consideration of adoption of the Chapter as part of the Master Plan. Ms. Rowden suggested the Board not adopt the

Natural Resource Chapter because it has outdated information in it. She said there is updated maps and updated science.

**Mr. Derby moved and Dr. Arena seconded the motion to remove the Natural Resource Chapter from items laid on the table.**

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

**2. Minutes**

- a. May 20, 2014 – tabled from the June 17, 2014 meeting, A typo on line 151 was correct. **Ms. Monaghan moved and Mr. Kroner seconded the motion to approve the May 20, 2014 meeting minutes as amended.**  
**The vote passed in favor of the motion (6 in favor, 0 opposed and 1 abstention).**  
**Mr. Harned abstained because he was not present.**
- b. June 3, 2014 – tabled from the June 17, 2014 meeting. **Ms. Monaghan moved and Mr. Donohoe seconded the motion to accept the June 3, 2014 meeting minutes as drafted.**  
**The vote passed in favor of the motion (6 in favor, 0 opposed and 1 abstention).**  
**Mr. Kroner abstained.**
- c. June 17, 2014 – a typo on line 128 was corrected. **Mr. Kroner moved and Ms. Monaghan seconded the motion to approve the June 17, 2014 meeting minutes as amended.**  
**The vote passed in favor of the motion (4 in favor 0 opposed and 3 abstentions).**  
**Dr. Arena, Mr. Donohoe and Mr. Maggiore abstained).**
- d. July 1, 2014 – **Ms. Monaghan moved and Mr. Kroner seconded the motion to approve the July 1, 2014 as written. The vote was unanimous in favor of the motion (7-0).**

Mr. Donohoe stated his appreciation to Ms. Monaghan for her willingness to sit as an Alternate over these past months. He said that being the “new member” he has found her input valuable and informative. The Board agreed and thanked Ms. Monaghan.

Dr. Arena said that he has always thought that alternate members should be seated with the primary members and be involved in all discussions except for the actual vote.

Mr. Harned thought it would be a good idea to involve the alternate members to be a part of the subcommittees the Board forms and to allow everyone to participate in the Work Sessions.

The Board adjourned without objection at 8:06 p.m.

Respectfully submitted,

Wendy V. Chase

Recording Secretary

Approved August 19, 2014