



Meeting Minutes
North Hampton Planning Board
Tuesday, June 2, 2015 at 6:30pm
Town Hall, 231 Atlantic Avenue

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

11
12 **Members present:** Tim Harned, Vice Chair, Dan Derby, Phil Wilson, Nancy Monaghan, Josh Jeffrey
13 (arrived at 6:50pm) and Jim Maggiore, Select Board Representative.

14
15 **Members absent:** Shep Kroner, Chair

16
17 **Alternates present:** None

18
19 **Others present:** Jennifer Rowden, RPC Circuit Rider, and Wendy Chase, Recording Secretary

20
21 Vice Chair Harned called the meeting to order at 6:35pm, and noted for the record that Chair Kroner
22 was absent and that Mr. Jeffrey will be arriving to the meeting shortly, and there was a quorum of the
23 Board.

24
25 **I. Old Business**

- 26 a. **Case #15:06 – Applicant Robert R. MacDonald, for property located at 227 Lafayette Road,**
27 **North Hampton, NH, 03862, proposes the following:** through a site plan review application
28 to construct an 11,000 square-foot mixed-use building, with an attic, along with the
29 associated parking, utility and stormwater management improvements. The mixed-use will
30 include a proposed wood shop, of 200 square-feet; Retail of 3,800 square-feet; Warehouse
31 of 4,000 square-feet, and office of 3,000 square-feet. The Applicant has also applied for a
32 Conditional Use Permit under Section 414.5.F.1.a, because the subject property is in the
33 Aquifer Protection District. Property owner: Robert R. MacDonald 90 Lovering Road, North
34 Hampton, NH 03862; property location: 227 Lafayette Road, North Hampton, NH; M/L 020-
35 012; Zoning District: I-B/R – Industrial Business Residential. The Conditional Use Application
36 was approved and the Board took jurisdiction of the plan at the May 5, 2015 Meeting. The
37 Site Plan Review Application is continued from the May 5, 2015 meeting.

38
39 In attendance for this application:

40 Robert MacDonald Owner/Applicant

41 Peter Ellison, TEC, Inc.

42 Eric Giroux, TEC, Inc.

43
44 Mr. Ellison said that he was filling in for Mr. Friberg who presented the *case* at the last meeting, but was
45 not in attendance due to illness.

46

47 Mr. Ellison said that they received a second review letter from the Town's Engineer and the RPC Circuit
48 Rider. As a result of those reviews they have added a snow storage area to the plan and fencing around
49 the propane tanks to screen them. They also added a lighting plan and landscape plan.

50

51 Mr. Wilson noticed that they also added bollards in front of the propane tanks to the plan for added
52 protection.

53

54 Ms. Monaghan noted that the proposed warehouse was described as a "garage" at the Zoning Board
55 meeting on April 28, 2015. Mr. MacDonald said that "warehouse" and "garage" have the same meaning
56 to him. She asked what would be stored in the warehouse/garage.

57

58 Mr. MacDonald said that the warehouse will be divided into thirds length-wise and he will occupy one
59 third for his business. He will store his construction equipment to protect it from the elements. The
60 other two sections will be rented to be used as storage.

61

62 Mr. MacDonald said that he has one pickup truck, a dump truck and a tri-axle that will be parked at the
63 site the majority of the time.

64

65 Ms. Monaghan said that there is a large residential community behind his site and asked what the traffic
66 would be throughout the day, she also asked if he would be loading and unloading his vehicles at the
67 site.

68

69 Mr. MacDonald said that they will begin the work day by 7:00am and start the trucks and add
70 equipment to the trucks when needed and go off site to work then later return in the day when the
71 work day is over; it will be no different from anyone else coming to and from work. He said that he may
72 have small piles (5 yards) of stone or loam left over from a job kept at the site.

73

74 Mr. Derby said that there was an abutter that was concerned about food service businesses at the site.
75 He was also concerned about a "drive-thru".

76

77 Mr. Wilson said that the septic system is not designed for food service so the applicant would have to
78 come back to the Planning Board for approval and if a drive-thru were added, that would be a change to
79 the site plan and would also require Planning Board approval.

80

81 Mr. MacDonald explained that 90% of his business is excavation and that he will be using the wood shop
82 for building forms associated with home construction.

83

84 Mr. MacDonald said that the landscape plan was submitted to meet the site plan requirements and
85 wondered if they could use the existing natural buffers surrounding the property in place of some of the
86 plantings depicted on the landscape plan.

87

88 Ms. Rowden said that any natural vegetated buffer that is not on the applicant's property does not
89 count as the landscape buffer.

90

91 Mr. Wilson said the landscape buffer is to shield abutters from anything they may find offensive of the
92 commercial business and to protect them from light, dust, pollutants and noise the business may
93 contribute.

94 **Mr. Wilson moved and Mr. Derby seconded the motion to approve the Site Plan Application for**
95 **Case #15:06 with the following conditions:**

- 96 1. **Recordable Mylar.** Applicant shall submit a recordable Mylar of the approved plan with
97 signatures and seals affixed of all licensed professionals whose names appear on the
98 plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.
- 99 2. **Certificate of Monumentation.** Applicant shall provide the Board with a Certificate of
100 Monumentation, stamped and signed by a NH LLS, certifying that all monuments
101 depicted on the plan have been properly set in accordance with the subdivision
102 regulations.
- 103 3. **State Permits.** Applicant shall submit evidence of receipt of all required federal, state,
104 and local permits, including but not limited to, subsurface system approval and NH DOT
105 driveway permit, and shall note their numbers, as appropriate, on the plan.
- 106 4. A note shall be added to the plan that **no** hazardous materials will be stored or used at
107 the site.
- 108 5. A note shall be added to the plan of the ZBA approval and date of approval of the Special
109 Exception for light manufacturing.
- 110 6. The lighting plan shall be modified to show that all lighting shall comply with the “dark
111 sky” standard.
- 112 7. The Applicant shall provide a landscape surety equal to 25% of the estimated cost of the
113 plantings and will be held by the Town for two (2) growing seasons to ensure prompt
114 replacement of any dead plantings (X.D.2.g).
- 115 8. **L-CHIP Fee.** Applicant shall submit a check made payable to the Rockingham County
116 Registry of Deeds for \$25.00. (This mandatory State Fee is to fund The Land and
117 Community Heritage Investment Program).
- 118 9. **Fees.** All fees incurred by the Planning Board, including but not limited to, Consulting,
119 Engineering and Legal fees, have been paid by the Applicant.
- 120 10. There shall be no changes to the Mylar except to meet these Conditions of Approval.

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

122
123 **II. New Business**

- 124
125 1. **Case #15:07 – Conceptual Plan presented by Joseph Coronati, Jones and Beach Engineering**
126 **on behalf of Michelle Brewster for property located at 165 Lafayette Road, North**
127 **Hampton, NH.** The Applicant proposes to discuss a project that includes a building addition,
128 septic extension and additional porous pavement parking lot. Owner: Michelle Brewster,
129 Seacoast Birth & Family Connections, LLC, 7 Taft Road, Portsmouth, NH 03801; M/L 017-
130 099-000; Zone: I-B/R.

131
132 In attendance for this application:

133 Joseph Coronati, Jones and Beach Engineering

134 Michelle Brewster, Owner/Applicant

135

136 Mr. Coronati explained that his client proposes to build an addition on her existing building to expand
137 her business. The property is within the Aquifer Protection District and they discussed constructing the
138 front parking area with porous material. They will meet the 10-foot landscape buffer. He said that the
139 original application to change the residence into a commercial use was approved by the Board last year
140 and he did not do a hydrogeologic study and asked if he would need to do one for the addition
141 considering the size of the project.

142
143 Ms. Rowden explained that it is a zoning ordinance and would require a variance if the applicant did not
144 do the study. She said that because of the size of the project she doesn't believe it to be unreasonable
145 for the ZBA to grant a variance for the hydrogeologic study.

146
147 Mr. Coronati said that there are seven (7) existing parking spaces and they propose an additional seven
148 (7) spaces.

149
150 Ms. Brewster explained that the entrance to the new building would be through the breezeway.

151
152 Ms. Rowden noted in her report that even though the site is non-conforming it may be expanded
153 because the addition would meet the setback requirements and regarded Section 501.5.

154
155 Discussion ensued on the expansion of non-conforming uses, Section 501.

156
157 Mr. Coronati said that he was involved with the Imprints Day Care project and this same issue came up
158 and it was determined that a variance to 501.2 was not required because they met the requirements
159 under Section 501.5.

160
161 Ms. Rowden said that the Planning Board sent Prowash Car wash for a variance to section 501.2 and the
162 ZBA determined they did not need a variance because the proposal was an expansion, but met the
163 setbacks, and referred to 501.5.

164
165 Mr. Wilson noted that section 501.5 was adopted in 1998 to modify the previous ordinance adopted in
166 1968 and because of that Board should proceed with confidence from Ms. Rowden's opinion.

167
168 Ms. Rowden said that if the applicant requests a variance from the hydrogeologic study to the ZBA, they
169 can also get an opinion on whether they need relief from Section 501.2.

170
171 Ms. Brewster asked the Board what would be required of her if she wanted to hold family events on the
172 property, such as movie night or other family events. She said that she would open the building for
173 guest to use the bathroom facilities.

174
175 Mr. Maggiore said that she would be required to apply for a Large Gathering Permit for events of 200 or
176 more people. The application is available on the town's website www.northhampton-nh.gov.

177
178 **2. Case #15:08 – Applicant Rick Newman for property located at 219 Lafayette Road, North**
179 **Hampton, NH,** proposes a Change of Use from a Restaurant to a Restaurant and Charitable
180 Gaming. Property owner: Bercrom, Inc., 38B South Road, North Hampton, NH 03862; M/L:
181 021-002-000; zoning district: I-B/R.

182

183 Mr. Newman withdrew his application. There was no action taken by the Planning Board.

184

185 **3. Case #15:09 – The Owner/Applicant Allen Associates, 131 Lafayette Road, North Hampton,**
186 **NH, for property located at 131 Lafayette Road, North Hampton, NH,- Site Plan Review for**
187 proposed expansion of an existing business and construction of a 30' x 70' building with
188 associated site improvements.

189 M/L 013-076-000; zoning district: I-B/R.

190

191 In attendance for this application:

192 Alex Ross, Engineer

193 Peter Saari, Counsel to the Applicant

194 Jeff Allen, Owner/Applicant

195 Phelps Fullerton, Architect

196

197 Mr. Ross explained that they propose to construct a 30 x 70 square-foot building to expand the business.
198 The business is a leading fire alarm system supplier and is working with the Naval Shipyard for new
199 contracts. He commented on the following specifics:

- 200 • The new building will have an office and storage space.
- 201 • They plan on no additional employees.
- 202 • The current site has a parking lot, water service, septic system and utilities.
- 203 • The new building will have a new septic system for its sole use.
- 204 • They met with PSNH and have arranged for an easement to access electric pole to the new
- 205 building from the abutting property; the abutter has agreed and signed an agreement.
- 206 • They acquired a commitment letter from Aquarion Water to service the new building.
- 207 • They did a 50 page drainage analysis that proves the water runoff rate will decrease after
- 208 construction.
- 209 • Mr. Ross met with Mr. Kelley, Ms. Rowden and Ms. Chase to go over the plan and no pressing
- 210 issues came up at that time.
- 211 • Received State approval for a septic design.
- 212 • He went over the Plan Set with the Board.
- 213 • Mr. Ross will change the note on page 3, note #9 from “dark sky friendly” to “dark sky
- 214 compliant”.
- 215 • Per KNA suggestion they have added detail to the dumpster and will use a concrete slab and
- 216 solid stockade fence with a gate around it.
- 217 • 18 arborvitae trees will be planted along the property to provide screening.
- 218 • Dug successful test pits; good soils
- 219 • Changed the note on the landscape plan that the surety will be held for two years.
- 220 • The new building will have two exterior lights that will be dark sky compliant.

221

222 Mr. Wilson commended those involved in preparing the application on the thoroughness of the
223 application submitted to the Board.

224

225 **Mr. Wilson moved and Ms. Monaghan seconded the motion to take jurisdiction of the plan for Case**
226 **#15:09.**

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

228

229 Mr. Harned opened the Public Hearing at 8:06pm.

230 Mr. Harned closed the Public Hearing at 8:06:05pm without public comment.

231

232 **Mr. Wilson moved and Mr. Derby seconded the motion to approve the plan with the following**
233 **conditions:**

234 **11. Recordable Mylar. Applicant shall submit a recordable Mylar of the approved plan with**
235 **signatures and seals affixed of all licensed professionals whose names appear on the**
236 **plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.**

237 **12. Certificate of Monumentation. Applicant shall provide the Board with a Certificate of**
238 **Monumentation, stamped and signed by a NH LLS, certifying that all monuments**
239 **depicted on the plan have been properly set in accordance with the subdivision**
240 **regulations.**

241 **13. State Permits. Applicant shall submit evidence of receipt of all required federal, state,**
242 **and local permits, including but not limited to, NH DOT Driveway permit and NH DES**
243 **Subsurface system approval, and shall note their numbers, as appropriate, on the plan.**

244 **14. A note shall be added to the plan citing the Aquarion Water commitment letter and**
245 **concurrence with the proposed connection technique specified on the plan and a copy of**
246 **the letter shall be provided to the Town for the permanent record.**

247 **15. A note shall be added to the plan citing the Book and Page number of the recorded**
248 **easement for access to the electric utility from the Abutter's property (125 Lafayette**
249 **Road, Coastal Canine Resort, LLC).**

250 **16. The Applicant shall provide a landscape surety equal to 25% of the estimated cost of the**
251 **plantings and will be held by the Town for two (2) growing seasons to ensure prompt**
252 **replacement of any dead plantings (X.D.2.g).**

253 **17. L-CHIP Fee. Applicant shall submit a check made payable to the Rockingham County**
254 **Registry of Deeds for \$25.00. (This mandatory State Fee is to fund The Land and**
255 **Community Heritage Investment Program).**

256 **18. Fees. All fees incurred by the Planning Board, including but not limited to, Consulting,**
257 **Engineering and Legal fees, have been paid by the Applicant.**

258 **19. There shall be no changes to the Mylar except to meet these Conditions of Approval.**

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

260

261 Mr. Maggiore said that Matt Serge is leaving Upton and Hatfield and moving to Drummond and
262 Woodsum in Manchester. The Select Board will be meeting tomorrow to discuss this matter and he
263 asked if the Planning Board had any thoughts on the subject that they would like the Select Board to
264 consider, such as going out to bid.

265

266 Mr. Wilson said that whenever there is a change like this it is a good time to go out to bid. He also
267 suggested the Select Board add to the RFQ a request for bid to examine the town's zoning ordinances,
268 site plan review and subdivision regulations. There has been some interest from some people that it is in
269 need of a thorough review.

270

271 Mr. Maggiore will pass that information along to the Select Board.

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273 The meeting adjourned at 8:30pm without objection.

274

275 Respectfully submitted,

276

277 Wendy V. Chase

278 Recording Secretary

279

280 **Approved June 16, 2015**

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