



**Meeting Minutes**  
**Work Session**  
**North Hampton Planning Board**  
**Tuesday, June 16, 2015 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

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

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13 **Members present:** Shep Kroner, Chair; Tim Harned, Vice Chair, Dan Derby, Phil Wilson, and  
14 Nancy Monaghan.

15

16 **Members absent:** Josh Jeffrey and Jim Maggiore, Select Board Representative.

17

18 **Alternates present:** None

19

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

21

22 **I. Old Business**

23

1. None

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25 **II. New Business**

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27 **1. Michael Tully, Fire Chief – discussion on driveway width in regards to fire apparatus.**

28 Chief Tully explained to the Board his growing concern regarding the difficulty the Fire Department faces  
29 trying to access properties with their current fire apparatus that have inadequate driveway widths. He  
30 said that there have been discussions between the Capital Improvement Plan (CIP) Committee and the  
31 Select Board over purchasing a Quint in the future which is a much larger truck that combines the pump,  
32 tank and ladder trucks. He submitted pictures of the fire truck passing through the driveway at 9 Maple  
33 Road a few days ago showing the “trail over” (going off the driveway) when making a turn. He  
34 commented that the driveway would be narrower in the winter because of snow.

35

36 Ms. Monaghan is a member of the CIP Committee and said that they have not approved the Quint.

37

38 Chief Tully agreed and said that it is a future possibility for the town to purchase a Quint and that the  
39 regulations regarding driveway widths should be changed now or the town will continue to allow  
40 driveway widths that will not accommodate the larger trucks passage. He said that he attended the Site  
41 Walk for the Bauer case at 52 Lafayette Road and voiced concern over the width of the driveway. Ambit  
42 Engineering came up with a fire apparatus turning exhibit plan for 52 Lafayette Road and Chief Tully  
43 distributed a copy to each of the members. Chief Tully suggested each applicant be required to produce  
44 the same type of engineered plan when applying for a driveway permit.

45

46 Mr. Derby asked if the town receives mutual aid from other towns. Chief Tully said that it does, and  
47 some of the other towns have bigger trucks than North Hampton.

48

49 Mr. Kroner said that the Board has discussed this issue before. He said that the board has seen a lot in  
50 the way of private driveways, like the approved conservation subdivision on Mill Road, and the long  
51 driveways on Exeter Road.

52

53 Mr. Wilson said it is rational to adopt standards to driveway construction so that emergency vehicles  
54 may pass through; the Board just doesn't know what those standards should be. He suggested that Chief  
55 Tully and the Building Inspector work together on specific standards and bring them back to the  
56 Planning Board for review, and have the Town's Engineer, Steven Keach review what they come up with.

57

58 Chief Tully said that the Fire Department currently uses the standard: "14' wide/14' tall".

59

60 Ms. Rowden will come back to the Board with some examples of other town's driveway regulations.

61

62 Chief Tully said he will come back with information for the next Work Session.

63

64 **2. James Jones – Mylar for Site Plan at Lafayette Terrace not accepted at Registry of Deeds for**  
65 **recording. Discussion of Site Plan approval revocation procedure RSA 676.4.a.**

66

67 Ms. Chase explained that Mr. Jones called her earlier in the day and informed her that Mr. Cote has sent  
68 the Mylar to Alex Ross to be drawn up using CAD, and that Mr. Ross is aware that it has to be done as  
69 soon as possible.

70

71 The Board took no action.

72

73 **3. Committee Updates:**

74

- a. Long Range Planning (LRP) – the Committee met and Mr. Derby took notes of that  
75 meeting. They decided to update and refresh the community survey and include  
76 discussion provoking questions; not just the same questions from prior surveys. Each  
77 committee member will come up with 12 questions for the survey and bring them back  
78 to the board for board input. If any members have suggested questions they may  
79 forward them to Ms. Chase and she will forward them to the committee. Mr. Kroner said  
80 the survey done by Hampton Falls looks good and he will forward a copy of it to the  
81 members. They plan to utilize the town-wide email list the Library and Town uses. They  
82 will also work on the Future Land Use Chapter of the Master Plan using results from the  
83 survey. Ms. Rowden will do an "edit" of existing Master plan materials to make it read  
84 and look consistent so that it can be put on the town's website. The next scheduled Long  
85 Range Planning meeting will be on July 8<sup>th</sup> at 8:00am in the upstairs conference room.

86

87 Mr. Wilson said that there is an active strain of work in Hampton Falls to extend the sewer from  
88 Seabrook to Route 1 so they can develop Route 1 in Hampton Falls like Seabrook. He said that North  
89 Hampton has to come up with a unique brand of businesses that will be a positive impact on the town.

90

91 Mr. Kroner said that he thinks businesses like in Freeport Maine have the type of businesses that would  
92 fit North Hampton's long term interests better than areas like Woodbury Ave in Portsmouth or  
93 Seabrook.

94

95 Mr. Wilson said that it may be nice to have destination stores, but does the town want the traffic those  
96 types of stores produce. He said a lot of retail stores do not pay sufficient wages that would enable  
97 those employees to live in the seacoast area.

98

99 b. Capital Improvement Plan (CIP) – Ms. Monaghan said that the CIP Committee will meet in  
100 a couple of weeks and be done by September 2015.

101

102 c. Rules and Regulations/Procedures – No update

103

104 d. Application Review Committee (ARC) – No update

105

106 e. Economic Development Committee (EDC) – Mr. Wilson said that he missed the June 12<sup>th</sup>  
107 meeting and apologized to the Board and will also apologize to the EDC members at the  
108 next meeting. Ms. Rowden did not attend the meeting but had information from the  
109 meeting and updated the Board. She said that the EDC requested that the RPC do a  
110 follow-up study on the Economic Development Study the Planning Board and EDC  
111 worked on with the RPC last year on the intensity of development that could occur within  
112 the I-B/R District and the area near the Stratham Industrial Park, to show how it would  
113 look to put all split zoning parcels entirely in the I-B/R Zoning District to see if it would  
114 increase the development potential of those lots. She said in some cases splitting the lots  
115 help buffer residential neighborhoods, but some instances it would be good to put the  
116 entire split lot in the I-B/R zone to develop more business. Mr. Harned said that another  
117 follow up question is, if the split lots are put entirely under the I-B/R District how many  
118 lots would then abut the I-B/R Zone that currently do not. Ms. Rowden will forward  
119 copies of the maps from the Study to each of the members and they can discuss it at the  
120 next Work Session.

121

122 f. Select Board – Mr. Maggiore is out of town; therefore no update.

123

### 124 III. Other Business

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#### 1. <sup>1</sup> Items laid on the table

126

##### a. Proposed Zoning Ordinance amendments/additions and/or Regulation 127 amendments/additions Discussion.

128

129 Mr. Kroner distributed suggested changes to Section 501.2 – nonconforming use. He explained to the  
130 Board that he struggled with the right way to amend it to fix the issue with it; to articulate what keeps  
131 happening over and over with it in terms of expansion proposals of non-conforming uses.

132

133 Mr. Wilson said that the issue with the section is the word “changed”. One suggestion is to get rid of the  
134 word “changed” and change the definition of “non-conforming use”.

135

136 Mr. Kroner said that he will reexamine it and come back to the Board with something else.

137 Mr. Harned passed out a copy of suggested changes to the Zoning Ordinance regarding "Riding Stables"  
138 and "Greenhouses" listed under "Special Exceptions", Section 405. He attended the Agricultural  
139 Commission meeting last night and Attorney William Becket spoke about the recent court ruling on  
140 Agritourism; Agritourism is not part of the definition of Agriculture and the two have separate  
141 definitions. Attorney Beckett raised concern about the ruling that all Riding Stables existing since 1968  
142 when the Ordinance was changed would now be considered nonconforming.

143  
144 Mr. Harned said that neither "Riding Stable" nor "Greenhouse" has a definition in the Zoning Ordinance,  
145 and commented that he is comfortable with the common definition for both. He raised the question,  
146 "has the Court ruling made all stables (since Special Exception) nonconforming" and will a person be  
147 required to apply for a Special Exception if they want 1 horse or a 10' x 10' greenhouse. He referred to  
148 the Agriculture Ordinance 508 which sites that any lots over 4 acres can have as many animals as long as  
149 they abide by best management practices; under 4 acres requires a conditional use permit from the  
150 Planning Board.

151  
152 Mr. Harned offered the following suggestions:

- 153 1) Keep special exception requirements, but only require it for more than X amount of horses and  
154 for Greenhouses larger than Y square feet.
- 155 2) Delete Special Exceptions – require a Conditional Use Permit (Section 508) on lots greater than 4  
156 acres for, a) more than X horses or b) Greenhouses larger than Y square feet.
- 157 3) Delete Special Exceptions, but require Conditional Use Permit (Section 508) on lots greater than  
158 4 acres (or any lots) for agriculture purposed buildings greater than Z square feet.
- 159 4) Or require an owner to apply for a Conditional Use Permit if they want 50% more animals than  
160 what is regulated under Best Management Practices.

161  
162 Mr. Harned said that Attorney Beckett feels that a Special Exception on a property devalues it because it  
163 puts constraints on the property.

164  
165 Mr. Kroner said he would like to have a "trigger" on accessory structures such as any accessory structure  
166 over 10,000 square feet would require a site plan review because it could negatively impact surrounding  
167 neighbors. He also commented that he is concerned with using BMP as a "trigger" because it is difficult  
168 to monitor to make sure people are following BMP.

169  
170 Mr. Wilson said that the requirement to follow Best Management Practices was put into place to  
171 provide the Building Inspector with a level to use when a complaint is made; it gives the Building  
172 Inspector a guide. He suggested a distinction between commercial use and residential use be considered  
173 as a "trigger". He said some people have arenas to exercise their horses which would be a residential  
174 use, but some invite other horses to board making it more of a commercial enterprise. He also agreed  
175 that it makes sense to eliminate riding stables from "Special Exception" and require a site plan review if  
176 a commercial use is involved. It could also be based on size.

177  
178 Ms. Rowden said the "size" factor could be added to the Agriculture Ordinance under Accessory  
179 Structures, Section 508.5.C. The size would be used as a "trigger", when over a certain size it would  
180 require a Conditional Use permit. She gave an example that if a proposed greenhouse were to be larger  
181 than the house it would require a CUP. She agreed that it should be a Conditional Use permitting  
182 process rather than a Special Exception process through the ZBA.

183

184 Mr. Wilson suggested Mr. Harned think about something that ties the regulation to the size of the  
185 structure relative to the primary structure. And maybe consider a square footage factor.

186

187 Mr. Harned said that he is trying to develop a mechanism to manage the impact on abutters and  
188 neighborhoods when a large accessory structure is being proposed; to come up with a way to balance  
189 the rights of the landowner and the abutting property owners.

190

191 **Minutes**

192

193 **May 5, 2015 – Mr. Wilson moved and Mr. Kroner seconded the motion to approve the May 5, 2015**  
194 **minutes as written.**

195 **The vote passed in favor of the motion (4 in favor, 0 opposed and 1 abstention). Mr. Harned**  
196 **abstained because he was not present.**

197

198 **May 19, 2015 – Mr. Kroner moved and Mr. Wilson seconded the motion to approve the May 19, 2015**  
199 **minutes with a few typographical corrections.**

200 **The vote passed in favor of the motion (4 in favor, 0 opposed and 1 abstention). Mr. Harned**  
201 **abstained because he was not present.**

202

203 **June 2, 2015 – Mr. Wilson moved and Ms. Monaghan seconded the motion to approve the June 2,**  
204 **2015 minutes as written.**

205 **The vote passed in favor of the motion (4 in favor, 0 opposed and 1 abstention). Mr. Kroner abstained**  
206 **because he was not present.**

207

208 The meeting adjourned at 8:40pm without objection.

209

210 Respectfully submitted,

211

212 Wendy V. Chase

213 Recording Secretary

214

215 Approved July 21, 2015