



**Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, February 16, 2016 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 **In attendance:** Tim Harned, Vice Chair; Members Dan Derby, Phil Wilson, Nancy Monaghan, and Jim
14 Maggiore, Select Board Representative; Shep Kroner, Chair (arrived at 8:00 pm); Jennifer Rowden, RPC
15 Circuit Rider; and Rick Milner, Recording Secretary.

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17 Vice Chair Harned called the meeting to order at 6:30 pm.

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19 **I. Preliminary Consultation: Case #16-03 – Applicant Robert McGrath, P.O. Box 932, Rye, NH requests a
20 preliminary consultation for a change of use from a commercial use to a residential apartment use.**

21 Property Owner: Atlantic Route 1, LLC, P.O. Box 932, Rye, NH, 03870; Property Location: 122-124

22 Lafayette Road, North Hampton, NH; Map/Lot: 017-004-000; Zoning District: I-B/R, Industrial-

23 Business/Residential District.

24

25 In attendance for this application:

26 Applicant Robert McGrath, Principal Manager, Atlantic Route 1, LLC

27

28 Mr. McGrath addressed the Board. Mr. McGrath stated that the property located at 122-124 Lafayette

29 Road currently was a mixed use property consisting of 13 apartments and 4 commercial spaces. A rug

30 shop was vacating one of the commercial spaces. Mr. McGrath proposes to divide the space into a 980

31 square foot, two bedroom apartment and a 670 square foot commercial photography studio. Mr.

32 McGrath stated that the addition of an apartment, rather than another business, would address a higher

33 demand for residential space and alleviate possible traffic and parking concerns that a new business

34 may create. There will be no change in the look of the building. The signs will remain the same.

35

36 Ms. Rowden stated that the purpose of the preliminary consultation was for the applicant to get

37 direction from the Planning Board as to the appropriate application process for this particular case. The

38 site plan regulations give the Board the discretion to not require a site plan or change of use review for

39 smaller projects. Ms. Rowden stated that, due to the nature of this project (the fact that it would not

40 cause any detrimental impact to parking and the septic system appears to be adequate for the proposed

41 use), she sees no reason for the Board to require a site plan or change of use review.

42

43 Mr. Maggiore asked for clarification regarding the ability of the septic system to handle the load for the

44 proposed uses.

45 Ms. Rowden stated that the Building Department will review the septic system requirements. As long as
46 the septic system is acceptable to the Building Department, there is no reason for a site plan review.

47

48 Mr. Wilson asked if there was a recorded site plan for this property.

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50 Mr. McGrath stated that there was a recorded site plan on file at the town offices.

51

52 Mr. Wilson stated that he believes the lot is a grandfathered, non-conforming lot. This is a change to a
53 non-conforming lot that may require a variance unless it can qualify as affordable housing. Also, section
54 406.5 of the zoning ordinance states that a lot in the I-B/R District that is presently utilized for business
55 purposes shall not be used for residential purposes.

56

57 Ms. Rowden stated that the proposed uses are pre-existing and conforming, even though the lot is non-
58 conforming. Section 406.5 of the zoning ordinance pertains to a lot that has only one type of use and the
59 nature of the lot will change to a mixed use. The lot is currently mixed use. The proposal does not
60 change this status.

61

62 Mr. Derby concurred with Ms. Rowden's opinion.

63

64 Mr. Wilson stated that the change of use is a perfectly reasonable proposal. However, he is troubled by
65 the non-conforming nature of the lot. New zoning language proposed for adoption on this year's town
66 warrant will clarify the issue. The change of use proposed in this project appears to be acceptable under
67 the new zoning language. However, it would not be approved if brought before the Board as a new
68 project (not grandfathered) today.

69

70 Mr. Harned stated the Planning Board's consensus without objection that no action by the Planning
71 Board was necessary regarding the proposed change of use at 122-124 Lafayette Road as presented by
72 Mr. McGrath upon the condition that a recorded site plan is on file with the Town of North Hampton.

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74 **II. New Business**

75 **1. Committee Updates**

76 **a. Long Range Planning (LRP) – Town-wide survey questions**

77 Mr. Derby stated that:

78 i. the Sign Ordinance Committee suggested changes to the survey questions have been incorporated
79 into the survey

80 ii. a map for the proposed Village District concept was added to the survey

81 iii. an information card will be prepared for distribution to residents

82 iv. the survey has an end of May tentative distribution date.

83 **b. Capital Improvement Plan (CIP) – No report.**

84 **c. Rules and Regulations/Procedures – No report.**

85 **d. Application Review Committee (ARC) – Ms. Rowden suggested moving the ARC meetings to the first
86 or second Thursday of the month to better coincide with the application deadline schedule and the
87 Circuit Rider Planner's office hours at the town offices.**

88 **e. Economic Development Committee – Mr. Maggiore stated his goal to make the restarting of the
89 Economic Development Committee a priority after the March election.**

90 **f. Select Board – No report.**

91 **g. RPC Circuit Rider** – Ms. Rowden stated that she is continuing to work on updating the Town’s
92 stormwater ordinance and vegetative buffer ordinance.

93

94 **2. Other Business**

95 Mr. Kroner arrived at 8:00 pm.

96 **a. Review of application fee schedule** – Mr. Milner presented proposed revisions to the Planning Board
97 application fee schedule. No fees have changed. The revisions include adding fees (Excavation, Blasting,
98 and Lot Line Adjustment) not currently documented on the town web site and informing the public that
99 additional costs may be incurred by prospective applicants for professional review of a particular
100 application.

101

102 Ms. Rowden suggested that the appropriate sections of the RSA’s authorizing applicant payment for
103 professional review be cited in the fee schedule notes.

104

105 Mr. Wilson suggested a language change in the fee schedule notes to clarify the intent of required
106 additional payments for professional review.

107

108 **Ms. Monaghan moved that the Planning Board approve the application fee schedule as presented and**
109 **amended and recommend acceptance of the fee schedule to the Select Board. Second by Mr. Kroner.**
110 **The vote was unanimous in favor of the motion (6-0).**

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112 **b. Minutes**

113 Mr. Harned presented the minutes of the February 2, 2016 Planning Board meeting.

114 **Mr. Wilson moved that the Planning Board accept the minutes of the February 2, 2016 Planning Board**
115 **meeting as written. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (6-0).**

116

117 **c. Correspondence**

118 Ms. Rowden informed the Board that John Normand recently submitted a request for a 90 day
119 extension of consideration of his solar array site plan review application. The applicant was granted a 90
120 day extension at the December 1, 2015 meeting with the intent to get to the March meeting. However,
121 the 90 day extension does not get the applicant to the March meeting. Ms. Rowden suggested that the
122 Board grant an extension until the March 1 meeting date since the original intention was to get to the
123 March 1 meeting date.

124

125 Mr. Milner stated that the Planning Board office did not receive the extension request until earlier in the
126 day on Tuesday, February 16.

127

128 Mr. Wilson stated that the Planning Board should not act on the extension request without including the
129 matter on an agenda to allow interested abutters proper notice. The applicant will have the opportunity
130 to re-submit his application when he has all necessary information. At that time, the applicant can
131 request a waiver for additional application fees connected to the resubmitted application.

132

133 Mr. Derby stated that the applicant submitted an extension request as he was advised to do. The
134 applicant may not be aware of the scheduling shortfall that the original 90 day extension created.

135

136 Mr. Kroner stated that he agreed with Mr. Wilson’s comment that the extension request should not be
137 considered at this time.

138 Mr. Harned stated that the extension request should not be considered at this time due to the fact that
139 it was not received in a timely manner to be placed on the agenda.

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141 Mr. Harned stated the Planning Board's consensus that no action shall be taken with regards to the 90
142 day extension request submitted by John Normand. Mr. Derby stated that he does not concur with the
143 Board's consensus.

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145 The meeting was adjourned at 8:30pm without objection.

146

147 Respectfully submitted,

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149

150 Rick Milner

151 Recording Secretary

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