



**Meeting Minutes**  
**North Hampton Planning Board**  
**Tuesday, May 3, 2016 at 6:30pm**  
**Town Hall, 231 Atlantic Avenue**

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

**In attendance:** Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Dan Derby, Phil Wilson, Josh Jeffrey, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary

Chair Harned called the meeting to order at 6:35 pm.

**I. Other Business**

**1. Town of North Hampton, NH review of town-owned conservation land.**

Chris Ganotis, Conservation Commission Chair, addressed the Board. Mr. Ganotis stated that an audit of the deeds for conservation land owned by the Town of North Hampton revealed the need for conservation easements and/or deed restrictions being added to the language of several deeds in order to properly identify the intended conservation use for the land and apply use restrictions to protect the land. As explained in a memorandum prepared by Town Administrator Paul Apple, in accordance with NH RSA 41:14-a, the Select Board was requesting a Planning Board recommendation to amend the deeds for the parcels detailed in the memorandum to reflect appropriate conservation easements and deed restrictions.

Mr. Wilson asked for clarification regarding the classification of some parcels as being donated and not purchased.

Mr. Ganotis explained that the parcels were not part of the North Hampton Forever conservation land purchase program. They are different parcels that were donated by the original owners.

Andrew Vorkink, Conservation Commission member, addressed the Board. Mr. Vorkink explained that the deed language used for the parcels indicated in the memorandum would be similar to the language used for the North Hampton Forever conservation covenants. The purpose of the language would be to record the actual conservation nature of the properties.

Mr. Derby asked if the deed language would be flexible enough to adapt to the unique characteristics of a particular parcel.

Mr. Ganotis stated that the deed language template could be revised to meet the needs of a particular parcel.

47 **Mr. Wilson moved that the Planning Board recommends that the Select Board proceed to modify the**  
48 **cited deeds of land in the possession of the Town of North Hampton to reflect the fact that the land is**  
49 **meant to be conservation land in perpetuity. Second by Mr. Derby. The vote was unanimous in favor**  
50 **of the motion (6-0).**

51

## 52 **II. New Business**

### 53 **1. Case #15-06 – Applicant Robert R. MacDonald, 90 Lovering Road, North Hampton, NH 03862**

54 requests a one year extension of the conditional approval granted for the site plan review  
55 application to construct an 11,000 square foot mixed use building. Property Owner: Robert R.  
56 MacDonald, 90 Lovering Road, North Hampton, NH 03862; Property Location: 227 Lafayette Road,  
57 North Hampton, NH; M/L 020-012-000; Zoning District: Industrial - Business/Residential District.

58

59 Robert MacDonald addressed the Board. Mr. MacDonald explained that excavation site work began last  
60 fall. However, appraisals and other processes to complete a financial closing for the project took longer  
61 than expected. Mr. MacDonald further explained that the project may be redesigned possibly with a  
62 smaller footprint due to financial considerations.

63

64 Mr. Wilson asked for clarification regarding the excavation work performed on the site.

65

66 Mr. MacDonald explained that the subgrade for the property was being completed in order to prepare  
67 for construction of the building foundation.

68

69 Ms. Monaghan asked if the proposed redesign would create any substantial changes to the approved  
70 site plan.

71

72 Mr. MacDonald explained that the building size may shrink and more retail space may be added. The  
73 added retail space may require more parking spaces for the site.

74

75 Ms. Rowden stated that, if the design of the building is made smaller or the uses are reconfigured, then  
76 an amended site plan will be required prior to construction.

77

78 Mr. Milner informed the applicant that the following conditions of the conditional approval were  
79 outstanding and that all conditions of approval must be met prior to permits being issued for  
80 construction:

- 81 a. submittal of a recordable mylar and certificate of monumentation
- 82 b. notes added to the recordable mylar as stated in the conditional approval
- 83 c. deposit of required landscaping performance guarantee.

84

85 **Mr. Wilson moved that the Planning Board grant a one year extension to June 2, 2017 of the**  
86 **Conditional Approval for Case #15:06 – Robert MacDonald 11,000 square foot mixed use building at**  
87 **227 Lafayette Road. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (6-0).**

88

## 89 **III. Other Business**

### 90 **1. Town of North Hampton, NH review of 2017 zoning ordinance amendment proposals.**

- 91 a. Accessory Apartment Ordinance proposed revisions –

92 Mr. Harned presented the proposed accessory apartment ordinance revisions to the Board along with  
93 edits proposed by Mr. Wilson.

94

95 Mr. Wilson asked the Board members if they agreed that the approval of an accessory apartment use  
96 was better accomplished through the conditional use permit process rather than with a special  
97 exception.

98

99 Mr. Harned stated that the type of approval process indicated in the zoning ordinance for an accessory  
100 apartment use should be a conditional use permit issued by the Planning Board and not the current  
101 special exception issued by the Zoning Board of Adjustment. The planning process required to properly  
102 review an accessory apartment use is a process that the Planning Board performs on a regular basis.

103

104 The Board came to a consensus without objection that changing the type of approval for an accessory  
105 apartment use from special exception to conditional use permit is appropriate.

106

107 Ms. Rowden suggested that the Board could also consider adding architectural standards to the  
108 accessory apartment language to clarify the Board's intent regarding the appearance of an accessory  
109 apartment such as location of entrances to the accessory apartment.

110

111 Mr. Wilson stated that, by changing the approval process to a conditional use permit, these types of  
112 standards could be addressed by the Planning Board during the permit review process. It may not be  
113 necessary to include language in the ordinance.

114

115 Mr. Jeffrey suggested revising the last paragraph of the accessory apartment ordinance as follows:  
116 "The Accessory Apartment shall be designed so that the appearance of the building remains that of a  
117 single-family dwelling. ~~Any new~~ The entrance shall be located on the side or rear of the building. "

118

119 The Board came to a consensus without objection to revise the accessory apartment ordinance language  
120 as proposed by Mr. Jeffrey.

121

122 **Mr. Derby moved that the Planning Board schedule a public hearing at the September 20, 2016**  
123 **Planning Board meeting to consider the adoption of the Accessory Apartment Ordinance language**  
124 **revisions for inclusion on the 2017 Town Warrant. Second by Ms. Monaghan. The vote was unanimous**  
125 **in favor of the motion (6-0).**

126

127 b. Planning and Zoning Administrator proposed revisions –

128 Mr. Milner presented a list of revisions intended to correct discrepancies in and clarify the intent of  
129 various sections of the zoning ordinance.

130

131 The Board discussed several of the proposed revisions. The Board came to a consensus without  
132 objection that the list should be re-structured to help the Board prioritize the proposed revisions.

133

134 **2. Town of North Hampton, NH** review of Planning Board meeting schedule submittal deadlines.

135 Mr. Milner presented to the Board a revised deadline schedule for submitting applications and  
136 information to the Planning Board in order to allow the Planning Board and its contracted professionals  
137 enough time to adequately review the information prior to a Planning Board meeting. Revisions to the

138 language in the Site Plan, Subdivision, and Excavation Regulations intended to bring the regulations into  
139 conformance with the revised submittal schedule were also presented to the Board.

140

141 **Ms. Monaghan moved that the Planning Board place the consideration of adoption of the proposed**  
142 **revisions to the deadline schedule for submitting applications and information to the Planning Board**  
143 **and the associated regulations language revisions on the May 17, 2016 Planning Board meeting**  
144 **agenda. Second by Mr. Jeffrey. The vote was unanimous in favor of the motion (6-0).**

145

146 **3. Minutes.**

147 Mr. Harned presented the minutes of the April 19, 2016 Planning Board meeting.

148 **Mr. Maggiore moved that the Planning Board accept the minutes of the April 19, 2016 Planning Board**  
149 **meeting as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (6-0).**

150

151 The meeting was adjourned at 8:10 pm without objection.

152

153 Respectfully submitted,

154

155

156

157 Rick Milner

158 Recording Secretary