

TOWN OF NORTH HAMPTON, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT
Special Meeting MINUTES
JUNE 29, 2002

The Town of North Hampton Zoning Board of Adjustment ("Board") met on Saturday June 29, 2002 at the North Hampton Town Hall to conduct a Special Meeting of the Board ("Meeting"). Notice of the Meeting had been properly noticed in the Portsmouth Herald on June 19, 2002.

I. Member(s) Present: Robert Field, Jr., Chairman, Richard Wollmar, and Ted Turchan.

Member(s) Absent: None

Alternate(s) Present: Craig Kelleher and James Kierstead

II. Other(s) Present: Ms. Krista Tischendorf, Recording Secretary of the Board

Chairman Field called the meeting to order at 9:00am; declared a Quorum present, which Quorum remained present and voting throughout the Meeting; and, then proceeded to the business of the Meeting. It was noted that each Applicant coming before the Board is entitled to have the Application/Appeal considered by a Board consisting of five (5) members; although Board action may be taken by a unanimous vote of a Quorum of three (3).

I. Swearing in of Witnesses.

In accordance with the provisions of NH RSA 673:15, the Chairman swore in all persons present who intended to submit evidence or present testimony before the Board at the Hearing.

II. New Business

A. 2002:26 – 101 North Rd, Sagamore Golf Center, Richard Luff, Requests a Variance to Article V, Section 501 and asks that said terms be waived to permit an expansion of an existing non-conforming use within the medium density (R-2) district.

i. Jurisdiction. Properly Before the Board.

ii. Case Presentation: Mr. Bill Burbank with Abbellire, a Division of DTC, and Mr. Jim Gove with Gove Environmental were present to represent the Applicant. Mr. Field reviewed for the Board and audience the history of the case for the proposed driving range alteration, expansion and improvements to include a "treating" facility. Mr. Burbank reviewed for the Board some of the property history; the Luff family purchased the property in 2000 as a "non-conforming" use. Mr. Burbank described the proposed drainage system for the property and the proposed new vegetation conservation measures that would be placed around the existing farm pond and the proposed pond. The water for irrigation would come from those water sources. Mr. Jim Gove, Gove Environmental Service, Inc., reviewed with the Board the proposed practice area and the wetland impact. Mr. Gove noted the DES Wetland Bureau filing (2002.943) for the Board to reference. Mr. Gove described the upland areas along the edge of the road and forest. There would be 5085sf of wetland impact with the proposed project. The proposed walkways would be elevated and support posts would be the only direct impact of less than 500sf. The posts would be 10" to 12" pressure treated southern yellow pine, the walkway would be 10' wide to handle maintenance equipment and bolted together with galvanized material. Mr. Burbank explained to the Board that a temporary road would be put in with coconut fabric, topped with gravel and silt fencing around the area. As the vehicles leave the area the fabric, gravel and fencing would be removed and the area seeded. Noted in the wildlife assessment is 122,841 (4 acres) of tree cutting. This would provide the underbrush to grow and be maintained by hand. The staff would be the only people to maintain the wetland areas and also retrieve the golf balls.

Mr. Burbank stressed to the Board that the Luff family would like to leave this space as “open land” along the Route 1 corridor.

- iii. Five (5) Conditions: Mr. Burbank addressed the five (5) conditions, which must be satisfied to enable the granting of a Variance. The Board concluded that the five (5) conditions were satisfied.
- iv. Board Observations/Special Considerations: Various members of the Board expressed their deep concern that the ground water supply, recharge capacity, and quality not be impaired by the granting of the Variance. The Board then discussed with the Applicant several conditions, which it contemplated. The Applicant agreed to accept such conditions. The proposed conditions are as follows:
 - 1) The Variance is granted for the use of recreation or golf.
 - 2) All materials used in the construction of the walkway and bridges will be non-chemically impregnated timbers.
 - 3) The use of manufactured chemicals (herbicides, fungicides and pesticides) will be restricted to the tee boxes and greens in as a restrictive a manor as possible.
 - 4) Any cutting of trees will follow the best management practices of forestry.
- v. Public Comment: Mr. Robert Gross, Drake Farm, had been sworn in at the beginning of the Meeting. Mr. Gross stated he was in favor of the Application. He noted it would be a benefit to the Town and the wildlife habitat. Mr. Gross also spoke against the application with concerns for the bridge supports. He listed several chemicals that would leach from pressure treated wood and would urge the applicant to consider other alternatives.

Mr. Burbank commented that cedar was a consideration and was indigenous and milled in the area. Mr. Luff commented to the Board that the family had used hemlock and it was not treated and would last 10-15 years.

Vote: Upon motion duly made by Mr. Kelleher an seconded by Mr. Wollmar it was voted to approve the variance to permit an expansion of an existing non-conforming use within the medium density (R-2) district with four conditions noted above. The vote was 4-0. Mr. Field abstained.

III. Adjournment

Chairman Field invited a motion to adjourn.

VOTE: Upon motion duly made by Mr. Kelleher, and seconded by Mr. Wollmar, it was voted to adjourn the meeting. The vote was 4-0. Mr. Field abstained.

The Meeting was adjourned at 10:30 am.

A true record,

North Hampton Zoning
Board of Adjustment

By: _____
Krista Tischendorf,
Recording Secretary