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**CALL TO ORDER:** Chairman Santora called the meeting to order at 7:01PM.

**ROLL CALL:** Chairman Todd Santora, Vice Chairman Andy Brubaker, Selectman Representative Ed Beattie, Members Lisa Brown-Kucharski, Shawn Hanson, Abigail Tonry, Eric Cimon.

Not present: Alternate Member Jon Ridzon

Non-voting: Building Inspector M. Sikorski and Circuit Planner G. Coppelman

**PRELIMINARY CONSULTATION**

Chairman Santora explains the parameters of a preliminary/conceptual consultation with the primary goal of this being an informal opportunity for a property owner or representative to discuss with Board Members, in very general terms, the types of uses that may be suitable for the property. Chairman Santora also states that this consultation is non-binding and that discussion can not extend beyond the general and conceptual limitations, therefore discussing the design or engineering details of this proposal cannot occur until the abutters and general public have been notified.

Eric Botterman, of Millennium Engineering Inc., is representing Applicant Miles Cook. E. Botterman gives a brief overview of the project and explained that the Applicant may be requesting a waiver related to minor relief for parking within building side-line setbacks. E. Botterman requests Board Members' comments and any other suitable feedback regarding the application.

Chairman Santora inquires if the Applicant could speak to the type of proposed business that would be located on the property. Applicant Cook responds that the business is primarily focused around the selling and servicing of a variety of power equipment, including motorcycles and ATVs. The Applicant is looking for a larger facility to operate the business within. He states that this use is currently permitted within Hampton Falls Zoning Ordinance, but there are several proposed parking spaces that do not fall within required building side-line setbacks.

E. Cimon expresses concern regarding the potential amount of vehicles that could be parked in the front of the building, as well as any potential noise that could impact nearby property owners.

G. Coppelman reminds Board Members of the scope of a preliminary/conceptual consultation.

Chairman Santora recommends Applicant Cook review the Town's Design and Construction Standards as mentioned in Site Plan Review Regulation Article VIII, Section 8. Chairman Santora also comments upon the importance of proper waste disposal, specifically related to used motor oil.

E. Beattie inquires about the rough timeline for the project. Chairman Santora inquires if a parking analysis has been completed and E. Botterman confirms that it has been.

Board Members discuss the potential request of minor relief for parking within setbacks. S. Hanson confirms that the setbacks in discussion are not wetland setbacks, but building side-line setbacks.

E. Cimon notes that he typically does not prefer to grant waivers of relief to Applicants, especially if the Public has concerns.

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L. Brown-Kucharski comments that every Applicant's situation is unique, but generally she is in favor of business development along Route 1.

E. Beattie expresses concerns of potential environmental impacts since the property is located close to marsh land.

Chairman Santora opens the public comment.

Jim Prentiss (Pelton Way) inquires if the public can view plans that were brought with the Applicant. Chairman Santora replies that due to the scope of the preliminary consultation, detailed plans will not be reviewed at this time.

Pam Miller (Pelton Way) thanks Board Members for addressing some of the neighbor's concerns. She would like the Board to consider potential noise pollution, as well as waste run-off that could impact abutting marsh land. She describes the existing drainage and well systems that exist on/nearby the property.

G. Coppelman explains that if Applicant Cook chooses to continue this process and formally present an application at a future public hearing, the public will then be officially notified and invited to comment upon specific details of the Application.

Chairman Santora closed the public comment.

**PUBLIC HEARING**

The purpose of this hearing is to propose amendments to the Hampton Falls Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations. Zoning Ordinance amendments will be placed on the Town Warrant in March of 2020.

Chairman Santora opened the public hearing. Seeing no public present, he closed the public hearing.

**AMENDMENT 1:**

**DEFINITION**

Article I, Section 4 – Definitions – repeal current limited list of definitions and replace with more accurate up-to-date list of definitions.

**MOTION:** To move the amendment of Article 1, Section 4 of the Zoning Ordinance, to update the list of definitions to Town Warrant in March of 2020.

**MOTION: E. CIMON**

**SECOND: S. HANSON**

**UNANIMOUS**

**AMENDMENT 2:**

**STRUCTURE**

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Amend Article I, Section 4 – Definitions as follows: Delete and Replace

**CURRENT:**

**“Structure”** As defined in Article III, Section 13.3.14. Anything constructed that is of necessity attached directly or indirectly to the ground, including but not limited to: all above grade structures, being buildings, towers, signs (except for those flat against other structures), service station islands, and the like; and all below grade structures such as septic systems and leaching fields; swimming pools constructed above or below grade including decks and constructed aprons; and tennis courts and other manufactured or constructed playing surfaces, inclusive of barriers or other containment construction.

**PROPOSED:**

**“Structure”** As defined in Article III, **Section 9.3.24 and** Section 13.3.14. Anything constructed **or erected, except a boundary wall or fence**, that is of necessity attached directly or indirectly to the ground, including but not limited to: all above grade structures, being buildings, towers, signs (except for those flat against other structures), service station islands, and the like; and all below grade structures such as septic systems and leaching fields; swimming pools constructed above or below grade including decks and constructed aprons; tennis courts and other manufactured or constructed playing surfaces, inclusive of barriers or other containment construction. **For the purposes of this Ordinance, buildings are structures.**

**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, to update the definition of “Structure” to Town Warrant in March of 2020.

**MOTION: E. SIMON**

**SECOND: L. BROWN-KUCHARSKI**

**UNANIMOUS**

**AMENDMENT 3:**

**MANUFACTURED HOUSING, MOBILE HOMES & TRAILERS**

Amend Article I, Section 4 – Definitions as follows: Delete and Replace

**CURRENT:**

**“Manufactured Housing, Mobile Homes and Trailers”:** These terms shall include all forms of modular, unitized or prefabricated housing, as well as mobile homes, intended as permanent residences. These terms do not include housing structures which are fully constructed on a site, or travel trailers, campers, pick-up campers or any other similar type of vehicle or apparatus.

**PROPOSED:**

**(1)“Manufactured Housing, Mobile Homes and Trailers”:** See Article III, Section 9.3.18. These terms shall include all forms of modular, unitized or prefabricated housing, as well as mobile homes, intended as permanent residences. These terms do not include housing structures which are fully constructed on a site, or travel trailers, campers, pick-up campers or any other similar type of vehicle or apparatus.

**(2)“Manufactured Home”:** See Article III, Section 9.3.18 means a structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a

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permanent foundation when connected to the required utilities. For Floodplain management purposes ~~and~~ the term “manufactured home” includes park trailers, travel trailers and other similar vehicles placed on site for greater than one hundred eighty (180) consecutive days.

**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, to update the definition of “Manufactured Housing, Mobile Homes and Trailers” and the addition of the definition “Manufactured Home”, to Town Warrant in March of 2020.

**MOTION: E. BEATTIE**  
**SECOND: A. BRUBAKER**  
**UNANIMOUS**

**AMENDMENT 4:**  
**REGULATORY FLOODWAY**

Amend Article I, Section 4 – Definitions as follows: Delete and Replace

**CURRENT:**

“**Regulatory Floodway**” See Article III, Section 9.3.22. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.

**PROPOSED:**

“**Regulatory Floodway**” See Article III, Section 9.3.22 **means** the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation **more than a designated height**.

**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, to update the definition of “Regulatory Floodway” to Town Warrant in March of 2020.

**MOTION: L. BROWN-KUCHARSKI**  
**SECOND: S. HANSON**  
**UNANIMOUS**

**AMENDMENT 5:**  
**AFFORDABLE**

Amend Article I, Section 4 – Definitions as follows: Add:

**PROPOSED:**

“**Affordable**” See Article III, Section 11.2.1 and Article III, **Section** 14.5.2 means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes and required insurance that do not exceed thirty percent (30%) of a household’s gross annual income.

**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, addition of the definition of “Affordable” to Town Warrant in March of 2020.

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**MOTION: S. HANSON**  
**SECOND: L. BROWN-KUCHARSKI**  
**UNANIMOUS**

**AMENDMENT 6:**  
**FRONTAGE**

1) Amend Article III, Section 11.2.8, definition as follows:

**CURRENT:**

**“Frontage”** is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher town road or state highway.

**PROPOSED:**

**“Frontage”** is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher Town road, state highway or **private road**.

2.) Amend Article I, Section 4, definition as follows:

**CURRENT:**

**“Frontage”**: The length of a lot bordering on a street.

**PROPOSED**

**“Frontage”** See Article III, Section 11.2.8. Frontage is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher town road, state highway **or private road**.

**MOTION:** To move the amendment of Article I, Section 4 and Article III, Section 11.2.8 of the Zoning Ordinance, to update the defition of “Frontage” to Town Warrant in March of 2020.

**MOTION: S. HANSON**  
**SECOND: A. BRUBAKER**  
**UNANIMOUS**

**AMENDMENT 7:**  
**DWELLING UNIT**

Amend Article I, Section 4 – Definition as follows: Delete and replace:

**CURRENT:**

**“Dwelling Unit”** A dwelling or portion thereof providing complete living facilities for one family, including cooking and sanitary and septic disposal facilities.

**PROPOSED:**

**“Dwelling Unit”** See Article III, Section 13.3.3. A building or that portion of a building consisting of one or more areas designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.

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**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, to update the definition of “Dwelling Unit” to Town Warrant in March of 2020.

**AMENDMENT 8:**

**ACCESSORY HOUSING UNIT**

1.) Amend Article I, Section 4 – Definitions as follows: Delete:

**CURRENT:**

“Accessory Housing Unit” As defined in Article III, Section 7.2

2.) Amend Article III, Section 7.5.9 – as follows: Replace word “housing” with “dwelling”:

**CURRENT:**

7.5.9 All uses permitted in the “A District” shall be permitted on any lot on a private road, except for family day care home, private schools, churches, golf courses, nursing homes, hospitals and accessory housing units.

**PROPOSED:**

7.5.9 All uses permitted in the “A District” shall be permitted on any lot on a private road, except for family day care home, private schools, churches, golf courses, nursing homes, hospitals **and accessory dwelling units.**

**MOTION:** To move the amendment of Article I, Section 4 of the Zoning Ordinance, to update the definition of “Accessory Dwelling Unit” and to move the amendment of Article III, Section 7.5.9 to Town Warrant in March of 2020.

**MOTION: S. HANSON**

**SECOND: E. BEATTIE**

**UNANIMOUS**

**AMENDMENT 9:**

**INVOLUNTARY LOT MERGING**

Amend Article II, Section 2.1 as follows: Delete and Replace:

**CURRENT:**

**Non-Conforming Lots:** Where a lot in separate ownership at the time of passage of this ordinance does not conform to the area and width requirement of the zone in which it is located, such lot may be occupied by any use permitted in that zone provided it conforms to the front, side and rear yard requirements and further provided that if any lot that is non-conforming in the area of frontage, abuts land in the same ownership and the division of the parcel into said lot predates the Subdivision Regulations of the Town of Hampton Falls, said lot shall be deemed merged into a more conforming lot or lots. In the event the lots are shown on the subdivision plats signed by the Planning Board of the Town of Hampton Falls and recorded by the Registry of Deeds, and said lots no longer conform to the minimum area and frontage requirement of this ordinance, then said lots shall be deemed lots of record and shall not be required to be merged except by the Planning Board following the procedure for the

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revocation of plats as described in RSA 676:4a, said revocation to be recorded in the Rockingham County Registry of Deeds.-(Amended March 1993

**PROPOSED:**

**Non-Conforming Lots:** Where a lot in separate ownership at the time of passage of this ordinance does not conform to the area and width requirement of the zone in which it is located, such lot may be occupied by any use permitted in that zone provided it conforms to the front, side and rear yard requirements.

**MOTION:** To move the amendment of Article II, Section 2.1 of the Zoning Ordinance to Town Warrant in March of 2020.

**MOTION: S. HANSON  
SECOND: E. BEATTIE  
UNANIMOUS**

G. Coppelman clarifies that the next two amendments only apply to new subdivisions and commercial development.

**AMENDMENT 10:**

**MAILBOX PLACEMENT**

**Amend Subdivision Regulations, Section 8.1.2:**

**CURRENT:**

Guidelines are in place for the proper location of mailbox posts (a copy can be obtained from the Building Inspector's office).

**PROPOSED:**

Mailbox design and placement must meet current U.S. Postal Service requirements at time of application. Applicant must provide documentation from local Postmaster indicating approval of their design/ placement plan, and must provide details of such on submitted plans.

**MOTION:** To adopt Section 8.1.2 of the Subdivision Regulations as amended.

**MOTION: S. HANSON  
SECOND: A. BRUBAKER  
UNANIMOUS**

Board Members signed the Certificate of Adoption.

**AMENDMENT 11:**

**Amend Site Plan Regulations, Article VII**

**ADD NEW:**

**7.5 Mailbox Design and Placement**

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Mailbox design and placement must meet current U.S. Postal Service requirements at time of application. Applicant must provide documentation from local Postmaster indicating approval of their design/ placement plan, and must provide details of such on submitted plans.

**MOTION:** To adopt Article VII, Section 7.5 of the Site Plan Review Regulations.

**MOTION: L. BROWN-KUCHARSKI**

**SECOND: S. HANSON**

**UNANIMOUS**

Board Members signed the Certificate of Adoption.

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: 10/22/2019**

**MOTION:** To approve the October 22, 2019 meeting minutes as written.

**MOTION: A. BRUBAKER**

**SECOND: S. HANSON**

**6 IN FAVOR, 1 ABSTAINED, PASSES**

**COMMUNICATIONS TO BOARD MEMBERS**

Chairman Santora reports that the Master Plan has been completed. Board Members discuss the potential process and funding for future Master Plans. After continued discussion, Chairman Santora states that he will share his recommendation for future Master Plans at the Board of Selectmen meeting tomorrow evening. Chairman Santora also shared a news article from the Portsmouth Herald detailing the City of Portsmouth's plans to regulate short-term rentals.

Vice Chairman Brubaker suggests reviewing the wording of "Conceptual Consultation" in Section 6, Part A of the Town Planning Board's Organization, Rules, and Procedures Bylaws and Article V, Section 5.2.1 of the Site Plan Review Regulations, entitled, "Preliminary Consultation". Vice Chairman Brubaker volunteers to review NH RSA 676:4 to ensure the most accurate label, and will present this information at the next Planning Board meeting on December 17<sup>th</sup>.

**OTHER BUSINESS**

**2020 Proposed Meeting Schedule**

Board Members propose amendments to the draft 2020 Planning Board schedule. Amendments include:

- 2020 Meeting Date of April 28<sup>th</sup> amended to April 21<sup>st</sup>
- 2020 Application/Legal Notice Deadline of April 6<sup>th</sup> amended to March 31<sup>st</sup>
- 2020 Application/Legal Notice Deadline of October 23<sup>rd</sup> amended to October 26<sup>th</sup>
- 2020 Agenda Deadline of April 20<sup>th</sup> amended to April 10<sup>th</sup>

**MOTION:** To approve the 2020 Planning Board Application Deadlines as amended.

**MOTION: S. HANSON**



**PLANNING BOARD  
TOWN OF HAMPTON FALLS**

**NOVEMBER 19, 2019 - 7PM  
TOWN HALL**

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**SECOND: E. CIMON  
UNANIMOUS**

**ADJOURNMENT**

**MOTION:** To adjourn the meeting at 8:20PM.

**MOTION: A. TONRY  
SECOND: S. HANSON  
UNANIMOUS**

*Next meeting scheduled Tuesday, December 17<sup>th</sup> of 2019 at 7PM*