

PUBLIC HEARING AND BUSINESS MEETING
draft

- A. CALL TO ORDER:** The meeting was called to order at 7:00 p.m.
- B. ROLL CALL: Present:** C. Brown, Chairwoman; T. Franciosa, Vice Chairman;
A. Tonry, B. Mutrie, S. Volpone, T. Santora, Members;
P. Stone, G. Parish, G. Hardee, Alternate Members;
M. Kasprzak, Selectmen's Representative;
D. Smith, Circuit Rider Planner; K. Croteau, Secretary
Not Present: M. Sikorski, Building Inspector

C. PUBLIC HEARING – ZONING AMENDMENT

LEGAL NOTICE OF PUBLIC HEARING
HAMPTON FALLS PLANNING BOARD

Pursuant to NH RSA and 674:16, 675:3 and 675:7, notice is hereby given of a public hearing to be held by the Planning Board on Tuesday, November 26, 2013 beginning at 7:00 p.m. at the Town Hall, 1 Drinkwater Road, Hampton Falls, NH.

The purpose of the hearing is to: Amend the Hampton Falls Zoning ordinance and official zoning map by replacing the current Business District boundaries, permitted uses and dimensional standards with three new business zoning districts along the Route 1 corridor. Each district will have corresponding permitted uses, definitions, and dimensional requirements. Current zoning standards within the Agricultural/Residential District are to remain as is and unaffected with the exception of not permitting the commercial use "hospitals" and "beauty shops" within the current residential district.

The addition of these sections will promote public health, safety and welfare, preserve the rural character of the Town, support economic development, encourage the appropriate and wise use of land and otherwise contribute to the Town's ability, through its zoning ordinance, to more fully meet the aims and purposes of zoning as set forth in New Hampshire RSA 672:1.

Chairwoman Brown opened the hearing explaining the purpose of the hearing was to deal with the proposed zoning amendments prepared by the Planning Board. She said the Board had been working on the Re-Vision Route 1 project to enhance viability of economic development along the corridor and protect architectural design for a little over a year now. The Board is proposing a change from the current Business District to 3 separate districts: Business District South, Town Village District and Business District North each with separate guidelines for uses.

C. Brown referred everyone to the handouts provided. She began by addressing the proposed amendments to Article I, Section 4. She asked if there were any questions; there were no questions heard.

Upon review of Article III, Section 5, R. Wiener, Surrey Lane, questioned the rationale of proposing a change in lot size requirement from 2 acres to 1 acre in the Business District South. C. Brown explained this would allow for more buildings on the same amount of land allowing for the possibility of 2-3 shops in a row. She also noted that the hope was to maintain existing buildings along Route 1 as professional buildings and allow for narrower setbacks. She also mentioned the acreage requirement remains at 2 acres for the Business District North.

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At this time, H. Knowles, Marsh Lane, asked what effect the change from residential to business district would have on the tax assessment and resale value of her property. C. Brown noted that sometimes business property has more value than residential but did not have an answer to the question on tax assessment changes.

H. Knowles referred to properties on Woodlawn Avenue and asked why these properties were excluded from this change while the properties surrounding them were included in the proposed amendment change. She asked for an explanation as to why these changes were being proposed.

C. Brown explained that the Revision Route 1 project included the Route 1 corridor, they looked at the properties between Route 1 and Route 95 and back up to the Route 88 boundary, unfortunately this included the properties on Marsh Lane. The properties on Woodlawn Avenue, located in the proposed Town Village District, were excluded because of their smaller lot sizes.

H. Knowles said that she was extremely upset as she works at the Town Offices as the Town Clerk and was not aware that the changes being proposed for the Re-Vision Route 1 would affect her directly. She also stated that she had called numerous neighbors and none of them were aware of this. She noted a letter received from Andrea Melville, daughter of the owner of 16 Marsh Lane stating their concern.

C. Brown said she understood the frustration but noted that this process had been ongoing for over a year with public hearings held and notices posted.

M. Nadeau, Marsh Lane agreed with H. Knowles and stated that he felt ill informed. He noted that the poster for the Re-Vision Route 1 project with a gazebo did not imply to him that there could be an effect on his residential property. He felt that publishing of the meetings was limited.

At this point, T. Franciosa stated that it was frustrating for the Board as well. He noted that they have held public meetings 2-3 times a month over the last year and a half. He said the meetings were all posted and open to the public. Two of the visioning sessions were well attended by the business community.

H. Knowles stated they would have appreciated more notice as a courtesy. She noted that when a tree is cut or a road is paved in town, the residents are notified.

M. Nadeau asked if there were any plans for sewer and water.

T. Franciosa answered there were no agreements at this time for sewer and water. He noted that the amendments allow for certain uses; anything that is not addressed in the uses would come before the Planning Board on a site specific basis.

R. Wiener asked why the Town Village District extends past Route 95.

C. Brown said they felt it was important that the Town Village District include a walking area from the Town Common through to the Municipal Buildings.

L. Knowles, Marsh Lane, noted concerns about the possibility of a portable saw mill being located on the property adjacent to his if the ordinance change takes place.

D. Smith noted portable saw mill use is currently permitted town wide as it is part of the current zoning.

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A. Tonry explained that as far as tax assessment, there is a designation to be taxed as a residence in a commercial zone that is available for residences in commercial zones. She also mentioned that from a value standpoint commercial property may have a higher resale value.

D. Janik, Exeter Road, said he felt the people affected by the proposed amendment changes should have been notified individually by certified letter.

Discussion took place regarding Route 1 widening and access ramps for Route 95. C. Brown noted that Route 1 would remain at 3 lanes in Hampton Falls. It is not certain when future widening is to take place.

B. Sheets, 9 Drinkwater Road, asked what impact the proposed changes would have on her property.

T. Franciosa noted that 9 Drinkwater is in the proposed Town Village District. He felt there would not be an adverse effect on the property; the changes would allow for a more mixed use with added flexibility.

At this point, C. Brown referred to the proposed table of uses.

D. French, Exeter Road, noted that in the Agricultural/Residential section medical offices outpatient were not permitted and asked if that meant a doctor would not be allowed to set up shop in his house.

D. Smith replied that a doctor or dentist could set up in a house under home occupation. C. Brown noted there are two levels to home occupation dependent on number employees and parking.

D. French, Exeter Road, asked whether a tennis facility would be permitted. It was noted that the property referred to was located in the Town Village District and would be permitted.

D. French, Exeter Road, asked if there would be a restriction for the number of units allowed for manufactured housing. C. Brown stated one on a two-acre lot. G. Parish noted there is a two acre minimum.

M. Nadeau asked a question regarding an automotive shop currently located in the proposed Business District North. T. Franciosa noted that any existing businesses would be grandfathered.

R. Wiener, Surrey Lane, asked if the elderly & multi-family differed from existing. D. Smith explained the goal was to promote a more mixed use for this allowing for offices on the first floor with apartments on the second floor with a shopping and living environment.

Hearing no further questions, C. Brown closed the Public Hearing portion of the meeting at 8:23 p.m. She explained that the Board would take into consideration the comments made in reference to Marsh Lane and if changes were to be made another hearing would be held at a future date.

D. French, Exeter Road, thanked the Planning Board for the efforts made for the work done on the Re-Vision Route 1 project.

C. Brown noted that other than the issue of Marsh Lane there were no comments regarding the remaining proposed amendments and asked the Board how they wanted to proceed.

D. Smith noted that any changes made to the proposed zoning amendments would require another public hearing and identified the last possible date to hold final public hearing is January 21, 2014.

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After a lengthy discussion regarding the Marsh Lane parcels, the Board decided to remove these parcels from the proposed zoning amendments and move the remaining amendments forward to the Selectmen.

MOTION: To amend Article II, Section 2.1.3 by removing the following map and parcel numbers from the Business District North as follows: Tax Map 8, Lots 52-2, 52-3, 53, 54 and Tax Map 9, Lots 5, 6, 7, 8, and 8A and to hold a Public Hearing on said amendment.

MOTION: A. TONRY

SECOND: M. KASPRZAK

UNANIMOUS

MOTION: To approve and recommend the proposed amendments to the Zoning Ordinance, with the exception of proposed Article II, Section 2 and Section 2.1.3, be forwarded to the Selectmen to be placed on the Warrant.

MOTION: C. BROWN

SECOND: A. TONRY

UNANIMOUS

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES –

MOTION: To accept the minutes of the October 22, 2013 meeting as written.

MOTION: M. KASPRZAK

SECOND: S. VOLPONE

UNANIMOUS

E. OTHER BUSINESS

1. The Ordinance and Regulations Review Committee meeting minutes from October 16, 17 and 30, 2013 were acknowledged by the Board.

F. COMMUNICATIONS TO BOARD MEMBERS

C. Brown acknowledged receipt of an email from a concerned resident about the timing of the Public Hearing and other issues. She noted that she had tried to call the individual and will try to call again.

G. ADJOURNMENT

MOTION: To adjourn the meeting at 9:58 p.m.

MOTION: A. TONRY

SECOND: T. FRANCIOSA

UNANIMOUS