

**TOWN OF NEW HAMPTON  
PLANNING BOARD  
MEETING MINUTES**

7:00 PM On-line Zoom Meeting ID: 84471403495  
NEW HAMPTON, NH 03256

August 18, 2020

**MEMBERS PRESENT:**

Regular Members: Mr. Kettenring, Mr. Mertz, Mr. Broadhurst, Mr. MacDonald, Mr. Hays, Mr. Katz. Mrs. Hiltz  
Alternate Members: Mr. Shea, Ms. Peterson

**OTHERS PRESENT:**

Planning Assistant Bob Pollock, Town Administrator Neil Irvine.

**CALL TO ORDER:**

Mr. Kettenring called the meeting at Zoom Meeting to order at 7:00 p.m.

**MINUTES**

Mr. Katz made a motion, seconded by Mr. Broadhurst to accept the July 21, 2020 minutes as submitted, *Vote was unanimous.*

**NH STATE OF EMERGENCY  
STATEMENT**

As Chair of the Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom for this electronic meeting.[1] All members of the [Board, Council, or Commission] have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #1-253-215-8782, or by using the previously posted website address.

b) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem, please call 603-707-6045 or email at: [selectmen@new-hampton.nh.us](mailto:selectmen@new-hampton.nh.us)

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law".

**CORRESPONDENCE**

- ZBA- Denial of request for re-hearing- Traynor Belknap Realty Trust

(Planning Board, August 18, 2020)

**INFORMATIONAL/CONCEPTUAL-426 NH Route 104, Tax Map R-4, Lot 8; Hawkers/Peddler permit for outside vending for food/retail services, Site Plan Review.**

Mr. MacDonald made a motion, seconded by Mr. Katz to move to item #7 on the agenda.

Mr. & Mrs. Doug and Doreen Tehan introduced themselves and presented their plans showing proposed seating and pop-up tents to accommodate their customers. Ms. Peterson inquired if seating overlapped with abutter's property. Mrs. Tehan stated that they did not. Mr. Tehan also advised the current amount they have been approved for is 24. Current configurations would allow for 16.

Mr. Mertz indicated that this item was not on the agenda. Mr. Irvine explained that applicant is currently operating under a 30-day Hawkers and Peddler license. Supporting documentation was not received in time to notify abutters. To continue operations applicant would need to have a site plan approved by the Board. Abutters will be notified in time for September meeting. Mr. & Mrs. Tehan will meet with Mr. Irvine this week.

**INFORMATIONAL: Transportation Project Proposal form for Lakes Region Planning Commission Review**

Mr. Pollock presented Transportation Project Proposal Form for the Ten-Year Transportation plan. Mr. Pollock explained that he was looking for support from the Planning Board to submit the Proposal to Lakes Region Planning Commission (LRPC) for consideration as part of the regional transportation plan. Mr. Shea pointed out that Abe's Apartments should be Abe's Armaments. There was discussion of how the speed limit on the proposal should be changed to 55 mph not 50 mph. Also, recommendation to move the speed limit sign that is east of Sinclair Hill Road to west of Town House Road to 35mph. The Board recommended that the speed limit be set to 45mph from Sinclair Hill Road to the Town Line or at least to the end of the BC-2 District. Mr. Shea observed that the accident count numbers were a bit confusing. Mr. Pollock stated that LRPC has also made some amendments today and those comments will be added to the application. Ten-year Transportation project Proposal Form explained by Bob Pollock needs Planning Board and Selectman's support.

*Mr. Katz made a motion, seconded by Mr. Broadhurst to recommend the application be submitted with amendments. Vote was unanimous*

**REPORT FROM MASTER PLAN SUB-COMMITTEE: Updates to the Master Plan.**

Mr. Broadhurst explained that the committee is still collating the information. Mr. Irvine will assist the committee in setting up with graphic information to give graphics representing the survey answers.

- *Next committee meeting August 31, 2020 Town hall Second floor conference room.*

**DISCUSSION: Possible addition of "wholesale/retail with low traffic volumes" as a Permitted Use by Special Exception in the Business Commercial (BC2) District.**

Mr. Katz stated that upon re-reading the Zoning Ordinance within the context of the Town survey data presented by the Master Plan Subcommittee; he would like to offer the following suggestion for discussion at the PB August meeting. He recommends replacing the BC-2 District by extending the Mixed-Use District to the current eastern border of the existing BC-2 District. The Chairman challenged the membership to define possible special exceptions to BC-2 (and BC-3) at the July meeting to provide guidance to the ZBA. Mr. Pollock started a hypothetical list of "Would we allow...." businesses and found that it was a practical impossibility to address an infinite list that would address both current and possible future business/ commercial opportunities we could

not even conceive today.

Failing that, he re-read the Mixed-Use Table of Uses section addressed the challenge by permitting commercial services and repair facilities and commercial retail, wholesale and rental trades excluding drive through facilities and including the same *with drive through facilities* as a Special Exception These conditions may adequately address the Board's concerns about traffic volume without deterring that one business or commercial enterprise that was not included in the Table of Uses.

Frontage roads are addressed in the Mixed-Use section 4.ii.b:

"Otherwise, the setback in the district shall be 35 feet from any other public or private road right-of-way. *Provisions shall be made for frontage or shared service roads to maximize access management.*"

After some discussion, the Board concluded the following as a way to resolve this amendment to the BC-2 District.

- a. Make every non-residential use as a Special Exception in the BC-2 Table of Uses.
- b. Add Commercial services and repair facilities excluding drive through facilities and Commercial Retail Wholesale and Rental Trades to the BC-2 District as a Special Exception.
- c. Rewrite the special exception criteria so that it is clearly understood or clearly interpreted by the Zoning Board of Adjustment.
- d. Each use will have to demonstrate a safe and adequate access onto NH 104.

**DISCUSSION: CIP COMMITTEE UPDATE.**

Dave Katz explained that he is still working on tabulating CIP information hoping that it will be completed this week.

- *The next committee meeting will be held on September 2, 2020 second floor conference room in Town Hall.*

**OTHER BUSINESS/DISCUSSION:**

There was none.

**ADJOURNMENT:**

*Mr. Katz made a motion to adjourn at 8:27 p.m., seconded by Mrs. Hiltz. Vote was unanimous*

*Respectfully submitted, Shana M. Martinez*