

HAMPTON PLANNING BOARD

Agenda

January 4, 2023 – 7:00 p.m.

Selectmen’s Meeting Room

I. CALL TO ORDER

II. ATTENDING TO BE HEARD

III. NEW PUBLIC HEARINGS

23-001 66 & 68 Island Path

Map: 282 Lot: 1

Applicant: Alison & Catherine Glavin

Owner of Record: Same

Wetlands Permit: Construction of a toe stone protection with biostabilization system to prevent erosion and to re-vegetate lawn area previously eroded by rising tides.

23-002 449 Ocean Boulevard

Map: 266 Lot: 29

Applicant: MAM Realty Investments 1, LLC

Owner of Record: Same

Impact Fee (School) Partial Waiver Request: Section 5.5e of the Impact Fee Ordinance. Request applies to 37 one-bedroom units seeking to provide impact fee of \$200 per unit as opposed to \$1898 per unit as required.

PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS

1. Amend the Zoning Ordinance to add new Article XIX-B, the “Liberty Lane Overlay District”, which includes the following sections: 19-B.1 stating the purpose of facilitating development of real property primarily accessed from Liberty Lane. 19-B.2 citing the boundary as consisting of any and all real property bounded between the New Hampshire Turnpike (Interstate 95) to the West, New Hampshire Route 101 to the East and North, and Towle Farm Road to the South. 19-B.3 stating that the dimensional requirements for the Liberty Lane Overlay District shall be the same as those provided for the underlying Industrial Zoning District but with respect to any residential use, the maximum number of units per structure shall not exceed 120. 19-B.4 citing the permitted uses to include Residential Dwelling Units: Single Family, Two-Family, and/or Multi-Family; Condominium; Outdoor recreation areas for picnicking and pet exercise; Retail Sales and Services; Restaurants; Business and Professional Offices; Personal Services Establishments; Hotels; Health Care Facilities; Health/Athletic Clubs; Private Schools; Light Manufacturing, including Research and Development; Electric Vehicle Charging Stations; and Accessory Uses. 19-B.5 requiring Site Plan Review. 19-B.6 requiring all uses to comply with the parking standards provided in Article VI of the Zoning Ordinance, requiring a minimum of one electric vehicle charging station for every 100 residential units, and requiring a minimum of one electric vehicle charging station for every 50,000 square feet of non-residential floor area. 19-B.7 requiring any development or redevelopment to be consistent with the purposes set forth in Section 19-B.1 and to be subject to the Architectural and Site Design Guidelines and other related requirements in the Town of Hampton Site Plan Review Regulations. 19-B.8 stating that signs shall be governed by the provisions of Article V of the Zoning Ordinance, shall adhere to the requirements for the Industrial District in Tables 1 and II of said Article V, and shall be subject to the Architectural and Site Design Guidelines and other related requirements in the Town of Hampton Site Plan Review Regulations.

Also, Amend Article III – Use Regulations to add a note cross referencing Section 19-B.4 for the Permitted Uses and Facilities in the Liberty Lane Overlay District.

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2. Amend Article II - Districts, Section 2.5 – Aquifer Protection District Ordinance. This amendment involves a comprehensive update of the existing Aquifer Protection District Ordinance for the following purposes: **To clarify the goal of the District:** The Aquifer Protection District Ordinance would be renamed the Groundwater Protection District Ordinance and the purpose section of the ordinance would also be expanded to convey the goal of the ordinance more clearly. **To improve definitions:** Terms used within the ordinance would be clarified by incorporating new definitions or modifications to existing definitions. **To expand the District to better protect drinking water sources:** The Aquifer Protection District would expand to include 1) the full extent of the stratified drift aquifer in Hampton as mapped by the U.S. Geological Survey, and 2) the wellhead protection areas (WHPA) of all public water supply wells that have WHPA's under state and federal rules. Currently, Hampton's Aquifer Protection District only includes part of the WHPA for the Aquarion Water Company wells located in Hampton. **To improve design requirements:** The maximum amount of impervious surface – roads, rooftops, and parking lots – that commercial lots could have within the Aquifer Protection District would be reduced from 60% to 40% to reduce stormwater pollution and improve infiltration. However, the maximum amount may exceed 40% impervious coverage (but in no case can be greater than 75%) if the site meets design standards that help to protect groundwater resources. Similarly, for residential lots less than ½ acre in size, the maximum amount of 25% impervious coverage may be exceeded (but in no case can be greater than 40%) if specified site drainage standards are met, providing a layer of protection that does not currently exist in areas with legally pre-existing residential lots of record. **To clarify allowed uses:** Permitted uses in the District would be clarified so that uses and activities that pose little to no risk to groundwater are clearly allowed. **To reduce risk from some uses and prohibit others:** The list of uses that are allowed and not allowed within the Aquifer Protection District would be modified. Uses that pose a greater potential risk to groundwater would have to meet certain requirements to be allowed. Those uses which pose the greatest potential risk to groundwater are prohibited; additions include petroleum storage facilities, automotive service and repair shops, gasoline stations, and outdoor storage of hazardous chemicals in flood prone areas. All uses that are currently legally existing would be allowed to continue. If the current use seeks to expand, components of the operation may be subject to the new requirements depending on the proposal.

This Article also includes necessary consistency adjustments and cross references between Article II, Section 2.5 and Article II, Section 2.7 (Professional Office/Residential District), Section 2.8 (Town Center District), and Article IV (Dimensional Requirements).

3. Amend Article I – General, Section 1.6 Definitions to add a new definition of “Pervious Surface”. In addition to defining pervious surface, also known as porous surface or permeable surface, the new definition will provide criteria for the proper installation of pervious hardscapes such as asphalt or paver systems. A pervious hardscape system may also be inspected at any time and deemed impervious should it be determined that the system has not been maintained or has been compromised in some way so as to no longer infiltrate water effectively.

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4. Amend Article V - Signs. Modify Section 5.1 to further clarify the purpose of the Sign Ordinance. Amend Section 5.2 to remove all references to specific flag types from the current definition of “Banner”. Amend 5.3 to reference location and add new subsection 5.3.3c prohibiting the location of signs where an obstructed view or other pedestrian or vehicular traffic hazard would result. Amend 5.4.2.e to address safety issues and residential character, as these relate to residential banners, by requiring the specific location of banners on any lot in the residential zones to be approved by the Building Inspector and requiring annual renewals of the same. Also, amend Table II to change the maximum banner size requirement from 50 square feet to 32 square feet in the RAA, RA, RB, and RCS zoning districts.

IV. CONTINUED PUBLIC HEARINGS

V. CONSIDERATION OF MINUTES of December 21, 2022

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- **144 Ashworth Avenue; 6, 8 & 10 Riverview Terrace & 6 Johnson Avenue** – Request for one-year extension of the January 19, 2022 conditional site plan approval.

VIII. ADJOURNMENT

****PLEASE NOTE****

ITEMS NOT CALLED OR IN PROGRESS BY 10:00 P.M.

MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING