



*Department of Resources and
Economic Development*



**Hampton Beach Area Commission
100 Winnacunnet Road
Hampton, New Hampshire 03842**

**Monthly Meeting –January 31, 2013
Selectmen’s Meeting Room
7 PM**

MINUTES

In Attendance:

John Nyhan, Chairman, Town of Hampton
Fran McMahon- Rockingham Planning Commission
Bob Preston- Hampton Chamber of Commerce
Chuck Rage, Hampton Beach Village District
Bill Watson, Vice Chairman-NH Department of Transportation
Rick Griffin, Town Selectmen
Michael Housman, Operations Supervisor, DRED (Seacoast Parks/Recreation)
Walter Kivlan - Hampton Beach Village District
Deputy Richard Sawyer, Citizen at Large

ABSENT:

Other: Laurie Olivier- Secretary
James Steffen – Town Planner

Introduction of Commissioners

Mr. Nyhan introduced the HBAC members.

Public Comment Session – related to agenda items

Review & approval of November Minutes

MOTION by Mr. Kivlan to accept the November, 2012 Minutes.

SECOND by Mr. McMahon.

VOTE: 6 – 0 – 1 (Sawyer) (Note: Griffin Absent)

MOTION PASSED.

Appointments

1. None

Chairman's Report

1. HBAC Annual Report – submission

Mr. Nyhan discussed the 2012 Annual Report that by law we need to submit to the Governor and to the Town of Hampton and other State officials. He asked if there were any errors. It is on file and will be included in the annual report of the Town of Hampton. It should be out in the next couple of weeks.

2. Treasurer's report

Mr. Nyhan stated there is nothing to discuss in the Treasurer's report this month. He will set up meeting with Karen Dorsette from DRED who manages the funds within the next month to make sure that starting next month there will be a financial report every month. Mr. Housman will present at the next meeting. There is over \$20,000 in the account. It is money for any major or minor beach improvements. He asked the members if there are any projects that could be supported with regard to the beach area, Mr. Nyhan will entertain proposals from the Commission or others from THE Beach area. Some money will need to go toward matching the grant for the transportation department and Mr. Watson will discuss more on this later in the meeting.

Old Business

1. Discussion – Transportation Grant – (Watson)

Mr. Watson stated that he and Mr. Nyhan have been working together. The first step is to develop an MOU between the Commission and the Department to know what roles are needed. It is different for the DOT. MOAs or local agreements are common, but usually the community is doing work that is overseen by the Department making sure compliance is there. Same language and comfort levels must occur between the two. They are looking at a draft that should be done in the next couple of weeks. Mr. Nyhan said the Memorandum will also state that one of the responsibilities of the Commission will be required to document and identify the 20 percent match which equals \$75,000. It can be cash or soft money, which is in-kind contribution. It also includes people like the Commissioners, Mr. Steffen, Town Planner, or Ms. Olivier, Administrative Assistant; anyone working on the grant once the MOA is established. Time then clicks to establish a labor cost. Mr. Watson will work with Mr. Nyhan on this. It will then be considered as part of the \$75,000.00 grant. Mr. Watson has the template and has done a lot of the work. He thanked Mr. Watson for his efforts.

Mr. Kivlan would like a list of everyone's email. He wants to send a PDF from a sidewalk company to everyone. Mr. Nyhan asked Mr. Kivlan to go to his last email as all the addresses are listed there. He has a PDF from a California company.

2. Discussion - DRED updates (Housman)

Mr. Housman stated that the North Hampton bathhouse is moving along nicely and should be done at the end of April. It is about 65 percent complete. Seawall repair was discussed (North Beach) and there's a contractor on site getting that repaired. It should be done next week. There is new equipment at the beach, i.e. a skid steer (large bobcat) to do sand work clean up. They received help from the Strafford County Jail in the past. There is also a new beach rake.

Mr. Griffin arrived.

Mr. Housman is working with Mr. Welch on a joint operations plan between the Town of Hampton and DRED. They are making a lot of headway. That should be wrapped up in the month of February. They will be scheduling a meeting with the community sometime in late March. They did this last March also. It's a good time to talk with the community and listen to the folks for their input, etc.

Mr. Nyhan asked if an RFP for catering services was out there. Mr. Housman has not seen anything on that, but it did go out. Something should happen soon on that. Mr. Nyhan said the first year the function room was made available they needed to identify a caterer, but the contract was just for one year. Now they can get catering service ideas from the general public. Mr. Housman and Phil put an RFP out that will open it up in terms of catering services. They will select a preferred list of vendors rather than one vendor. It allows for a competitive practice.

3. Status: Lupoli Companies - requested meeting by the HBAC

Mr. Nyhan discussed that he hasn't heard back from Sal Lupoli. Mr. Nyhan called his office Monday and left a message with the executive assistant. He stated the HBAC wants to meet with Sal. Spring and summer is fast approaching and we would like comments from him. He did not receive a phone call back, but he will try again at the beginning of next week.

4. Status: Hampton Town Recreation, HBVD and HBAC meeting regarding Charlie Preston's ideas and recommendations

Mr. Nyhan discussed the need for some ideas regarding signage and possible bus stops around the old fire station. They are going to facilitate a meeting with the Village District, Dyana Martin and Mr. Charlie Preston. They did meet in December. From the meeting many action items came up. Ms. Martin took on a lot of them as "to do's". She sent an update and Mr. Nyhan will provide a copy to Mr. Charlie Preston. Costs of signs for different parking lots and their appearances were discussed. Making the signs consistent was discussed. Ms. Martin received some bids, but she is waiting on one or two more before she comes back with a formal report.

The bus shelter was discussed. Ms. Martin did pricing on that and she found one that is about \$2,900 and it is available immediately. Mr. Nyhan wants more information and wants a picture and then the HBAC can move forward with that. Mr. Nyhan wants to find private money through organizations and donations. He doesn't want the costs incurred by the Town or by the State or by the Commission. Getting sponsors for the sign was discussed and Mr. Nyhan will keep people up to date. Mr. C. Preston, Mr. Rage and Ms. Martin will meet with Mr. Nyhan hopefully before the February meeting to finalize this.

5. Status: Increase tourism ideas--(Kivlan)

Mr. Nyhan discussed tourism and Mr. Kivlan's challenge with the project. Mr. Kivlan spoke to the man at the Pier from the Port Authority. The disrepair was discussed. Senator Stiles will hopefully get a Bill passed for safety and conditions to be handled. The Bill was filed last

week in Concord. Mr. Kivlan said we are looking at February 14th or 15th. He spoke with a girl from Norwegian Cruise lines also. People from the cruise lines check to see what is available in different areas for their guests.

Mr. Kivlan discussed 14 wineries in our area for tours.

Mr. Kivlan sent an email to WBZ-TV and Tracy Aliason (sp) responded asking that they bring their new Accu-Weather van over to the beach on a great beach day so that people can interact with them and explore it. Barry Burbank responded also and is happy to be the meteorologist to bring the report of what is happening at the Beach. The Chamber and Mr. Housman could work out what works for that.

Mr. Kivlan explained to the Commission that he met with these people as an individual, not as part of the HBAC.

Mr. Kivlan also sent out a feeler to Fox 25 to do a zip trip this summer asking them to investigate Friday morning zip trips. Zip trips are people coming out with morning news teams and they go to different zip codes. They do news, weather and interviewing with people familiar with the Town and the program is done live. He has not heard back from them yet. Either uptown at the bandstand or down at the Beach at the seashell was mentioned as two good spots for meeting.

Mr. Kivlan asked them to gear it with the Firehouse Friday. We are in the process of building the new fire station and the new construction at the headquarters will be a good addition to the Zip Trip and Fire House Friday.

Mr. Nyhan asked Mr. Kivlan to keep the HBAC posted on what his progress is on this.

Local restaurants taking out specialties was discussed also and involving the community.

Mr. Griffin stated that at a recent meeting it was brought up to promote Hampton as a place with breweries. That also could be added in – including Smuttynose.

6. Other old business

Mr. Charlie Preston appeared. He discussed the joint operations plan. He thinks the Board should take a look at the plan. He discussed pre-season and post season meetings. Mr. Preston recalls opening day to be around March 18th of last year. It was a Sunday. Thursday, the 22nd we were on the Channel 9 news discussing public drinking arrests. He asked if opening day could be before Saint Patrick's Day. The meeting after the season meeting was October 1st. The meters were going to run for another month. Mr. Charlie Preston thinks that's a mistake. He requested how much was taken in and how many tickets. There was about \$18,000 taken in, but it cost about \$18,000. He wants a meeting put together on this.

Mr. Preston asked the Commission to take non-binding positions on issues. Stabilization and intersections were discussed. Casinos were discussed. The season extension was discussed. He wants DRED to re-think the season. Phil Bryce considering State Park plates was discussed. The amount of \$85 goes to maintenance costs for parks with DRED.

Mr. Rage discussed weapon paraphernalia, water pipes, etc. He had a meeting with some store owners discussing their moving certain items to the back of the store rather than passing Legislation. Making it less obvious in shops was discussed and owners seemed willing to make an effort. Mr. Rage will check these stores out.

Mr. Nyhan asked Mr. McMahan about getting a meeting together soon on the transportation 10-year plan. Mr. McMahan said the Board of Selectmen has a request from the Planning Commission. It's on March 1st. Mr. McMahan spoke with the Town Manager about it. Mr. McMahan discussed reconstruction on Ocean Boulevard and other projects in Town. It could be a lengthy process. The State may be interested in the Ocean Boulevard project. Mr. Welch has the information with him and the Board of Selectmen is next to discuss this. Mr. Griffin said the Commission should keep this rolling with the State. March 1st is the deadline date for

application submittals. Mr. McMahon said there are some project limits, geographic limits, etc. Sidewalks will be an ongoing issue, but the application needs to be submitted to get into the game. This has to get put in on behalf of the BOS. Communication to the Town Manager and the Selectmen should take place stating this is a priority of the HBAC. We (the HBAC) believe it should be a priority of the Town. Mr. Griffin will bring this up on Monday. Mr. Nyhan will prepare a letter and send it out for review.

MOTION by Mr. McMahon to authorize Mr. Nyhan to draft a letter of support regarding the reconstruction of Ocean Boulevard as part of the 10-year application plan and to also send a letter of support to the Board of Selectmen in Hampton.

SECOND by Mr. Kivlan.

VOTE: 9 – 0 – 0

MOTION PASSED.

New Business

1. Discussion: Sea Spray 79E Application

Mr. Nyhan discussed the application. Mr. Griffin may need to abstain from this. The first application under RSA 79-E has been presented to the Board of Selectmen. That application was made by Green & Co. for the project at the Old Salt Restaurant location. Mr. Nyhan read the RSA over and over again and spoke with the developer and the attorney who filed the application. Mr. Nyhan thinks the requirements for the application appear reasonable. The only thing discussed if approved was the Board of Selectmen having the authority to select a time line to grant the request for up to five years for an approved application. The HBAC encourages new businesses. The Beach Commission was involved with the entire project. It is a part of our Master Plan. This is for 30+ condos plus retail. They are high-end retail stores. The developer has in the covenants that businesses cannot have anything to do with drug paraphernalia, etc. He thinks many developers will be looking at how Hampton deals with this project. Being three owners out from the fire was discussed. Mr. Nyhan asked to speak at the Board of Selectmen meeting that he represents the HBAC and that the Commission is in favor of Green & Co.'s application for tax relief and then leave it up to Board of Selectmen for tax relief.

Mr. Nyhan said this will be free tax relief for “x” number of years. Mr. Nyhan met with the assessor also. They will establish a tax rate on the building and land before the fire. Then what taxes were brought in by being a dirt parking lot. Then what taxes will be created if this is approved which is more than is being paid now on the land. Then the taxes will increase to where it is a benefit to the Town. It is not a free, no-tax type of application. Retail owners will be paying taxes and the condo owners as well.

Mr. McMahon said the value of real estate is unchanged. It will continue to be taxed. Taxes will continue to flow in.

Mr. Preston said this was not in mind for 79-E. The lot has been there for a long time. We now have something that looks good and is part of the plan and we should do everything we can to get it going.

Mr. Preston discussed store fronts. Getting the businesses off the ground was discussed and new stores. He discussed the Beach looking nice. He thinks this will make a large improvement down the Beach and the Board should support it.

Mr. Rage said this RSA is to get properties like this project. He feels we should all be pushing this forward.

The empty block that was there prior did impact businesses and he is happy with the Town standing behind the 79-E.

Mr. Griffin said it's a good idea to bring this up front, but noted that there are many people who are against it.

Mr. Sawyer heard negative comments also. While it meets the requirement, it doesn't meet the intent. He discussed the A-block. This statute was to help people who suffered losses. This doesn't meet the intent that the statute was supposed to help. He feels more information may need to come forward. Setting a precedence was discussed.

Mr. Kivlan discussed the old shed and garbage at the empty lot. Many people are happy that the project is a part of the Master Plan of our Town. He is pleased that Mr. Nyhan will put this before as everyone as the HBAC being in favor of this. He also discussed foot traffic increasing because of Yesteryear's Ice Cream location and other businesses, and that is a good thing.

RSA 79-E was to revitalize the Beach and Town per Mr. Rage. RSA 79-E was discussed in more detail. Disaster situations and improvements were discussed as pertains in RSA 79-E.

MOTION by Mr. Preston that the Commission wishes for Mr. Nyhan to speak next Monday night at the Board of Selectmen meeting indicating that it is the vision of the Commission that it promotes 79-E as it is a part of the vision the Commission.

SECOND by Mr. Rage.

VOTE: 7 – 1 (Sawyer) – 1 (Griffin) MOTION PASSED.

2. NH House Bill – re: WIFI at Hampton Beach State Park

Mr. Nyhan stated that State Representative Cushing, along with Senator Stiles sponsored a Bill to provide WIFI down at the beach. It would give DRED the opportunity to enter into a contract with a private firm to provide WIFI down the beach. House Bill 0273 was discussed. The first public hearing was Tuesday. Representative Rice brought Mr. Nyhan up to date. DRED coordinating with the HBAC was discussed. The WIFI service is a cost. The State cannot pay for the cost; the cost has to come from the private sector. It was asked where the hot spots will be. Some hot spots can be put on DRED property. The Haverhill bathhouse was discussed, the stage and the North Beach House. Mr. Nyhan said it should be tabled or taken off due to confusion. Mr. Nyhan thinks there should be WIFI at the beach. Technology and hot spot requirements are needed to be found. Mr. Nyhan wants to explore this further. Vendors to do this and maintenance costs should be determined. He wants this Bill to be taken up between now and the summer months.

Mr. Rage said the Precinct has been looking at this and they contacted CSI, a company in Manchester. One owner is from Exeter; a man by the name of Shawn was the contact. It was informative. Service is not the best at the beach. Maybe AT&T or Verizon could get the properties to bounce off of so that they could give the beach WIFI capabilities. They maybe would do this at no cost. It could be \$20,000 to \$30,000 for set up. Hitting bathhouses may be a good idea.

Mr. Nyhan discussed hot spot areas that face the beach. Many technology questions need to be answered. He thinks it would be an added plus to the beach.

Mr. Preston said businesses will be impacted also as the menus can be brought up on people's phones, etc.

Mr. Kivlan discussed 19 hot spots on the beach already and 30 hot spots are uptown already as well. He thinks we should talk to the Town Manager, and also find a head person at Comcast to discuss this. He asked if our IT would be helpful with this. Mr. Griffin said there's a meeting Monday night with Comcast. The Town is ready to sign a contract with Comcast.

Mr. Watson asked which users will benefit from this. He asked what the benefit is to the individual.

Mr. Nyhan will check into this further.

3. Hampton/Seabrook Bridge – Town Manager's request to discuss future

Mr. Nyhan discussed the bridge. There are not many options left on this bridge. He wants to include with the transportation upgrade a study looking at any options to be proposed under the Master Plan that could address other options other than what we have today. Building a new bridge was discussed. He wants to add this to the transportation study and Mr. Watson said he thinks it would be good to add to this. Adding a professional consultant to the grant was discussed. One option is to not heighten the bridge, but to widen it to add a third lane. Incoming and outbound traffic with a third lane being used could be addressed. Mr. Watson doesn't know how far the HBAC will get with this. The last 10-year plan update was discussed. Getting this onto a 10-year plan was discussed. Mr. McMahon said the transportation plan heading toward the bridge could be a problem since the bridge is a big undertaking in itself. We need to keep focus on where we are at now. Mr. Nyhan discussed a recommendation as a stand-alone project. We should reach out to Councilor Sununu depending on what level we are at on this request. Mr. Nyhan will speak with Town Manager to get the ball rolling.

4. Intermodal Project – Rte 1 & Rte 101

Mr. Nyhan discussed that he and Mr. Watson worked on this project. McFarland Johnson attended as well. In April they will come for a public meeting for additional comments and ideas of what will be done with the above project, including the Intermodel Center. Nothing is definitive yet. Rockingham Planning Commission is a key Commission with this project. the HBAC is here to make comments if it impacts transportation to and from the beach.

5. Nature Center – Hampton Beach – Revisit location options

Mr. Nyhan discussed correspondence from Kathy Silver of Winnacunnet High School. She wants the HBAC active in supporting a science and nature center down at the beach. She wrote to the Governor. She wants Blue Ocean to find a facility at the Beach. He spoke with Ms. Silver and he will help facilitate a meeting with the State, and Mr. Housman and Phil also to see if there is space available with their properties. Mr. Rage will also see if there is any space on the business side of Ocean Blvd. Mr. Nyhan thinks this is a great family thing to have. Mr. Rage loves the idea. Mr. Rage wants numbers on what the store does down there (Chamber) and the expense of running the store. They could work out of that space. He asked if the store is making much money. Mr. Housman will check that out and he will discuss this more with Mr. Nyhan. Mr. Nyhan will set up meeting with DRED, Ms. Silver and Mr. Rage to find a location for the nature and science center. The HBAC likes the idea.

3. Other new business

Mr. Nyhan discussed warrant articles. There are no real warrant articles that have a direct impact on the beach. Warrant Article 30 is the closest for Bingo. Mr. McMahon said there are more housekeeping issues on signs. It's for the Town, not just the beach.

At the State level there is a Governor's recommendation on capital budget improvements. There is one that is part of a bigger request from DRED – to do the entire seawall at North Beach. Phil has it included in DRED's capital budget package. We'll see if the Governor includes it in his package. This could require HBAC's report.

Mr. McMahon discussed reconstruction at the Harbor. It is separate from the State-wide piece per Mr. Nyhan. The PDA does not have the authority to do this he believes. The Stiles Bill is to expedite this out of the State of New Hampshire's budget, not part of the capital budget. Mr. Nyhan said the HBAC may need to discuss supporting the seawall. There was a Bill passed last year by Ms. Stiles regarding parking meter revenue staying in Hampton. For any capital

improvements, 50 percent of the cost from the seawall would come from revenue from meters. It is about \$5 Million to finish the seawall. They want \$2.5 Million from the capital budget and other \$2.5 Million would come from meters over a period of time. It would be bonded. Mr. Nyhan will keep us all posted.

Mr. Charlie Preston discussed Brown Avenue and Ashworth Avenue. This should go to police, fire and DOT to discuss the intersection. He wants this addressed in one or two years. The Town and Seacoast could use this.

Mr. Nyhan will add this to list of things to do and Mr. Sawyer will help.

Mr. Kivlin discussed that Unitil is replacing poles from Dover to Haverhill Streets; all new poles. He wants Fairpoint and Comcast to transfer their stuff immediately to get rid of double poles.

Adjourn

MOTION by Mr. Preston to adjourn.

SECOND by Mr. Rage.

VOTE: 9 – 0 – 0

MOTION PASSED.

The 28th of February is next meeting.

Meeting adjourned at 8:36 p.m.

Laurie Olivier
Secretary