



Hampton Beach Area Commission

Meeting Minutes, September 28, 2006 Hampton Police Station Conference Room

In Attendance:

Fred Rice, Chairman – Town of Hampton
Doug DePorter – Vice Chairman, NH Dept. of Transportation
Brian Warburton – Secretary/Treasurer, DRED (Seacoast Parks/Rec)
Todd Loiseau – Town of Hampton
John Kane – Hampton Beach Village District
Tom McGuirk – Hampton Beach Village District
Chuck Rage – Hampton Chamber of Commerce
Fran McMahon – Rockingham Planning Commission
Carol Barleon – Office of Energy and Planning
Jamie Steffen – Hampton Town Planner (Administrative)
Judy Santarelli – Seacoast Parks and Recreation (Administrative)

Chairman Fred Rice opened the meeting at 7:00 pm. New members Todd Loiseau, Tom McGuirk, Chuck Rage, Carol Barleon, and Fran McMahon were introduced. Tom McGuirk also serves on the Hampton Zoning Board of Adjustment, while Fran McMahon serves on the Planning Board.

Approval of minutes: Minutes from the May 25th meeting were reviewed. A change was made on page 3 correcting Martha Fuller Clark's title to "State Senator". The minutes were accepted as amended.

Hampton Beach Area Commission Annual Report: Chairman Rice reported that the draft HBAC Annual Report was presented to the Selectmen the previous Monday evening. Three corrections were made, that were incorporated into the final version. It was moved by Doug DePorter and seconded by Brian Warburton that the final report be accepted with these changes. All of last year's Commission members present voted in favor of the motion. Chairman Rice will send the report to the Governor, Executive Council, Senate President, House Speaker, Hampton Selectmen, and Beach Commissioners, as required by the RSA's.

Election of Officers: Chairman Rice asked for nominations for Officers for the 2006-2007. Brian Warburton nominated Fred Rice to serve again as Chairman. Seconded by John Kane. All members voted in favor. John Kane nominated Doug DePorter for the position of Vice-Chairperson. Seconded by Tom McGuirk. All members voted in favor.

John Kane nominated Brian Warburton as Secretary/ Treasurer. Seconded by Fran McMahon. All members voted in favor.

Committee Assignments:

Chairman Rice announced the proposed subcommittee assignments, explaining the goal of matching new members' strengths and experience to the work of the various subcommittees. The new members agreed with their assignments.

Community Development

Tom McGuirk, Chairman
Fred Rice
Todd Loiseau
John Kane
Chuck Rage
Fran McMahon

Beachscape

John Kane, Chairman
Todd Loiseau
Chuck Rage
Doug DePorter
Brian Warburton

Zoning and Development

Fran McMahon, Chairman
Fred Rice
Tom McGuirk
Carol Barleon

Transportation and Parking

Doug DePorter, Chairman
Fred Rice
Brian Warburton
Carol Barleon

Fran McMahon asked how frequently the committees meet. Chairman Rice said this will vary according to the committee and encouraged each committee chairman to call his group together and decide on a schedule for meetings and work out those details. Everyone was in accord. Chairman Rice said that he would type up a narrative and also try to get the subcommittee information on the town website. Jamie Steffen advised corrections for the initials of the Rockingham Planning Commission (RPC), and Office of Energy and Planning (OEP).

Old Business:

Community Development: Chairman Rice gave Tom McGuirk some of the sketches that had been compiled by Skip Windemiller and architect Shannon Alther during the previous year. Also included were suggestions, alternatives and ideas that had come before the committee. Chairman Rice emphasized the need to continue to look ahead to what the group wants the beach to be like in the future, and to use that marker as their goal.

John Kane spoke about the desire for a year-round community and pointed out the need for guidelines in off-season store fronts and signage, saying that currently some of the businesses that lock up at the end of the summer season are not doing so in an attractive manner and it impacts those businesses that are attempting to stay open year round.

There followed discussion over ordinances that relate to rooflines. Chairman Rice spoke of the goal of creating more varied and pleasing rooflines. John Kane used K St. as an example where one sees attractive rooflines. Chairman Rice pointed to the difficulties created by working under outdated zoning regulations that contain loopholes. He directed the members to an article written by Mike Spinelli, a property owner at Hampton Beach, who resides in Windham. The article focused on the need for Hampton Beach to “spruce itself up”. Chairman Rice said that there was some truth to the article but that it did not acknowledge the many groups and individuals who are working hard to that end.

Chairman Rice reported that he had spoken with the Building Inspector on several occasions about how to ensure that applications for new construction and remodeling at the beach came to the HBAC Community Development Committee for suggestions so that items requiring variances could be incorporated before going to the Planning or Zoning Boards. The Inspector had suggested that a revision or clarification of the entire permit process might be required to do this. In response, Chairman Rice had prepared a draft flow chart of a revised process which incorporated all boards, commissions and departments. He distributed copies of the draft to the members for information and comment.

Fran McMahon pointed out the confusion that exists around determination of the “wetlands buffer” and the need to clarify how the wetlands buffer is brought into the process and the need to coordinate the efforts of both the Conservation Commission and Planning Board on these matters. Jamie Steffen suggested that another title for the draft permit procedure might be “Planning Board Process.” Jamie sees the schematic as being more about process.

Chairman Rice said that the intent of this draft is to help streamline the overall process for obtaining building/remodeling permits, and that the beach would benefit from this.

Fran McMahon suggested that out buildings be listed under existing building demolitions.

Brian Warburton asked the group if part of the purpose of this Commission isn't to review projects.

Chairman Rice acknowledged that the goal of the Commission is to get this process more in the hands of the Zoning and Planning boards, with suggestions from the Commission.

Beachscape: John Kane summarized the work of last season. He expressed appreciation to those involved with the beautification committee. He reported that they had an open house in June where they constructed flower boxes that were later filled to make planters. This was so successful that they plan to do the same next year on June 2nd. He described the efforts of those volunteers who dug and planted the island at the southern entrance to the beach area. He said that new soils were brought in and that water was routed to the area as well. He mentioned some other areas, including the boardwalk, are under consideration for future beautification, and they will try to obtain permission from the state to place planters along that stretch. He hopes that the businesses will contribute to the cost of the planters so that a professional can take care of them. Mr. Kane acknowledged several people who have been very involved with beautification project and given much time and energy, including John and Linda Gebhart, Gianina and Michael Scanlan and Rollie and Mary Durant.

Mr. Kane reported that his committee hopes to get banners and better street signage in the future. For the moment, the southern entrance to Hampton Beach has a new sign which is plastic and will require no maintenance. During the next 2-3 weeks, the sign across from The Galley Hatch Restaurant on Lafayette Road will come down for refurbishing.

Chairman Rice asked about the double telephone poles that he has seen at various locations all along Ashworth Avenue. Mr. Kane replied that the new poles carry the Unitil lines, while Comcast and Verizon are still on the older, shorter poles. They are in the process of completing the transfer, and the old poles will be removed.

Chairman Rice distributed copies of a letter from Gayle Sweeney containing seven different proposals for ways to beautify the beach area. These include the planting of lilac shrubs, the removal of trailers and picnic tables from the edge of the harbor, an open air café, outdoor shops, signage for piping plovers, adjustment to the ceiling of Hampton Beach Pavilion to discourage birds from nesting and the creation of bluebird boxes. The letter was referred too Mr. Kane for implementation through the Precinct, as appropriate, by his Beachscape committee.

Mr. Kane pointed out that lilac plantings are already in place in the port area and that lilacs are salt tolerant but take time to catch on.

Mr. Warburton thanked Mrs. Sweeney for her letter, and acknowledged how much she cares about the environment. He explained that Hampton Beach State Park is open from May to the end of October and that the RV section of the park is a strong source of revenue for the state. He said that the Dept. of Fish and Game posts the signs for the

piping plover and that the law which must be followed in regards to the endangered species act for piping plovers is a state law and cannot be modified locally.

He thanked the residents who abut the park and emphasized his desire to make it a more beautiful setting. He stated that his first priority must be to grade the parking area and address the infrastructure, but agreed that there are issues that could be looked into for the pavilion. He thanked Linda and John Gephardt for their lovely work.

Mr. Warburton explained that at DRED and DOT there is a need to go through several processes before changes can be implemented. The budget crunch is a challenge and the State Park currently brings in strong revenues to the state with day use parking, the RV trailer fees, and retail sales in the store. Brian stated that signage is very important to the state. He assured the group that unclear and unsightly state signs will be replaced with clear and colorful signs. He has observed that the business owners on the beach support what the Commission is trying to do and they give the Commission input on what needs to be done. He feels that we need to be talking about year round operations -- too many people think of the summer only. He concluded by mentioning that some of the changes Mrs. Sweeney is envisioning would come with the proposed Earth, Sea and Space Center project.

Chairman Rice used Mrs. Sweeney's letter as a perfect example of a way for someone to get the full attention of the Commission. He repeated that a letter is an excellent tool, that written communication can then be shared with the full body and as a result broad discussion can take place.

Zoning and Redevelopment: Jamie Steffen said that he has spoken with Glenn Greenwood at the Rockingham Planning Commission along with Kevin Schultz concerning the development of zoning amendments. Fran McMahon said that the Planning Board has just recently been shown some of this material. They plan to meet again next week and hold some work sessions so that as a group they can come to some closure on their thinking. Fran said that they would then plan to hold a public hearing where they put out a set of guidelines which they recommend implementing.

Chairman Rice asked if there would be a chance for the Commission to look at the RPC input. Mr. McMahon stated that the focus is not just the beach. He explained that ordinances are being enforced that were originally adopted in 1949 and although there have been "little tweaks", he sees this as the first time someone has tried to take such a broad view. Fran emphasized the importance of anticipating all possible consequences of the suggested changes.

Mr. Steffen added that he will be looking for input from the Commission and the Planning Board in order to put together something that will be good for the voters. Last year there was not enough time to put it into an understandable format.

Chairman Rice asked if Mr. Greenwood is still planning to do a three dimensional computer model of FAR ratios that would help the public to understand them.

Mr. Kane said that some people had expressed concern about the heights of buildings in a FAR 4 area, and that if there are loopholes, it might result in shadows on neighboring houses or the beach. Chairman Rice explained that building height is, and always will be, controlled by the zoning ordinances, and that FAR ratios are only an overlay on the zoning map which designate maximum density. He explained that the concern over shadows has been raised for years by one particular member of the Planning Board, but that it is not a valid concern. The distance from the west side of Ocean Blvd to the sand in the area that would be designated as FAR 4 is so great that it would not be possible to build a building high enough to create shadows on the beach under the zoning height limitations. Mr. Kane stated that he is opposed to the FAR4 category.

Chairman Rice made reference to the objections that were raised about the project on P St., saying that if FAR ratios had been in place, it would not have been possible to build this project. He emphasize that FAR ratios are intended to protect low density residential areas as well as to attract and restrict higher density commercial development to specific areas.

Chairman Rice suggested creating the 3-D presentation in a Power Point format which can be aired several times on Channel 22. In that way he feels the public has a chance to be informed. Jamie Steffen agreed that education is key.

Mr. Steffen spoke of the challenges provided by condominium hotels, noting that they actually create year round dwelling units rather than hotel space, which can result in more children in local schools. He feels that better definition is needed here.

Chairman Rice emphasized the need to balance the “economic engine” so that the community is not filled with housing for retirees which will not generate business and growth in the region, but also not to be so heavily on the side of family dwellings that there is a large increase in support needs. He emphasized that Hampton is not a one size fits all place.

The Commission members discussed that the outside deadline for the preparation of these materials is March and that for all intents and purposes they need to be ready by December so there is time to educate the voters. Members expressed concern about the voters being possibly overwhelmed by the length of the zoning ordinance and agreed that the public process is very important.

Transportation and Parking.

Chairman Rice explained the options that are currently being considered in regard to the Hampton Bridge. The Commission needs to recommend to the Board of Selectmen either the option for minimum bridge rehabilitation or the maximum rehab. He went to the white board and did a time-line showing that with the 1st scenario, work would be done in 2008 during three building seasons such as spring-fall-spring, etc. to secure the structure. In 2016, the remainder of the complete rehab would be done, and that would last for

another 25 years. The 2nd scenario calls for a complete rehab being done over a single two year period from 2008-2010. This would then sustain the bridge for 30 years.

Doug DePorter said that there is not the money to consider building a non-lift bridge at this time.

John Kane asked what would stop the state in 2016 from saying that they don't have the money to complete the more extensive set of repairs.

Chairman Rice told the group that if they choose the 2nd option, they will never get a replacement bridge, since the state would never replace a bridge that had just been given a complete rehab at a very high cost. Only the minimum rehab option will allow for an eight year window, when planning, design and funding for a replacement bridge can be arranged.

Chairman Rice invited State Representative Dan Hughes to speak to the Commission about the bridge, since it was an area of high interest for him. Rep. Hughes said that the cost to the state is not as great as it appears, since the work would be done on an 80/20 ratio, with the 80% portion paid by the Federal government.

Chairman Rice read from a letter written by State Representative Nancy Stiles, who said she has filed legislation asking for 8 million dollars and requesting matching funds. She is requesting engineering and design money. In her letter she indicated that she has spoken with people in Concord on the process and has met with Commissioner Murray of DOT. She has spoken with Congressman Bradley who supports the bridge. Chairman Rice added that he himself has spoken with Representative Bradley, Senator Sununu, and others. He said Representative Nancy Stiles supports moving forward with the minimal repair option. He added that Ben Moore, Representative from Seabrook plans to file another bill for a new bridge bonded by the payment of tolls.

Representative Hughes commended the Commission for keeping the bridge in everyone's view. He said, in his experience, oftentimes a 10 year plan ends up becoming a 15 year plan. He said sometimes when a minimum repair is done, it doesn't last as long due to weather etc. He concluded that sometimes it is cheaper to build the new bridge right from the get go. It's important to send people up to testify so that everyone will realize the problem. Representative Hughes finished by saying that Rockingham and Hillsborough County provide highest funds for the state.

Chairman Rice asked the Commission members to decide whether they want to support a long term rehabilitation or do the minimal at this time, while trying to get other things underway.

Fran McMahon responded by saying that he would be willing to support the minimal repairs at this time with the idea that we work towards getting funding for the new bridge. Several members agreed with these thoughts.

Carol Barleon did not feel she had sufficient background to vote on the matter. Doug DePorter refrained from voting because he felt it inappropriate due to his position.

Seven members voted in favor of Option 1 for minimal repair during 2008 and more extensive work being done in 2016, if a new bridge is not ready for construction by then. No one voted in favor of option 2 which provided for more extensive repairs from 2008-2010. Two members abstained from the vote.

There followed a brief discussion among the members over how the repairs would occur under option 1, when would the bridge be shut down and how many months would the work take, etc. Chairman Rice feels that these details can be negotiated, and will include a recommendation to that effect in his letter to the selectmen.

Chairman Rice presented some charts showing the increase in bridge raisings over the past two years. He said he would speak again with the Harbormaster, Joe Hurley, to gain a better understanding of boat schedules. Chairman Rice and John Kane spoke of how boats might be coordinated so as to minimize the number of times the bridge would need to be raised. John pointed out that some vessels could merely lower their antennas, but they do not.

New Business:

Chairman Rice proposed a schedule for Commission meetings during the coming year, Tom McGuirk said that he may occasionally have a conflict with his meetings on the Zoning Board. It was concluded that on the weeks that Tom has this conflict, the Commission meeting would take place on the 4th Wednesday of the month instead of the fourth Thursday.

Brian Warburton expressed concern around the December 28th meeting date saying that many families are apt to be away or occupied during that week. Chairman Rice advised looking at that date later in the fall.

Chairman Rice then read parts of a letter from Crystal Kent of the Earth, Sea and Space Center project who asked for the Commission's support on a fundraising event designed to raise money for a detailed study and plans for the project. The Commission members agreed to extend their support.

Chairman Rice said that the proposal for the Earth, Sea and Space Center is being well received by DRED. He also said that the Land and Water Conservation Fund will not allow development on State Park property unless there were an amount of land comparable that could be swapped and he said that is just not the case.

Chairman Rice then asked the members to think about the locations being proposed for the new Fire Station. He explained that this is a major land use issue for the beach and

that, although the Commission had not been asked to comment, it was appropriate that it does, under its RSA duties.

Concern was expressed by some members as to the impact on parking. Sites mentioned were Ashworth Ave. in front of the police station, a two bay station in front of the current fire station location, beside the police station, or behind the police station where a 2 car garage exists. Another possible location suggested was the Island Path parking lot.

John Kane reminded the group that wherever the station is located it must be four feet above the flood plain in order to meet FEMA regulations. He said this would involve a certain pitch for ramps that would take up a lot of space. Chuck Rage expressed his feeling that the Island Path location would be perfect. Chairman Rice added that he felt Island Path was as wide as any of the lettered streets on the beach, and should not present a traffic problem for fire apparatus. Carol Barleon expressed that we should work to obtain a grant to look into this matter more carefully.

Chairman Rice expressed the importance of parking revenues to the town and said that when those are taken away, there's nothing to replace them.

Brian Warburton encouraged thinking out of the box. He foresaw a lot of discussion about the site and wants people to have an understanding of what they are getting and why. He said the need for a new fire station is clear and people need to try to be more pro active.

Carol Barleon asked when the Commission's recommendation needs to be submitted.

Chairman Rice replied that it is important to make recommendations on major land use deals in the town. He feels there should be an opinion rendered to the Selectmen since the master plan calls for additional beach parking, and some of the proposed locations would further reduce parking. John Kane injected that this issue is on the agenda for Monday night's meeting.

Tom McGuirk offered a suggestion that the Fire Station not be located in the most desirable economic location on Hampton Beach. He continued by saying that the area being considered on Ashworth Ave. is a very desirable spot and that the Commission recommends that the town look further for a spot that does not have the impact.

Brian Warburton agreed with Tom that the Commission should emphasize the revenue production that is currently happening.

Members concurred that the Commission should state there would be a loss of revenue if the station were located on Ashworth Ave. and that this interferes with the potential development for other property.

Chairman Rice said he will draft a statement from the Commission on this matter and e-mail it to all of the members for input and then deliver it to the Board of Selectmen by Monday morning.

Brian Warburton gave an update for Parks and Recreation in the Seacoast Region. He recently interviewed three Winnacunnet High School students who are doing special projects and are interested in the economic engine of the state and Senate Bill 5. Mr. Warburton reported that the hearing for SB5 held recently at the Ashworth Hotel had the highest attendance of any of the other hearings around the state, and the largest amount of discussion centered on replacing the Seashell Complex. The issue of historic properties was also a consideration along with the possibility of creating a historic bureau within DRED. Brian said that funding for this would be crucial. Brian praised Patrick Cronin's coverage of Park activities and SB5 in the local paper. Brian reiterated the need to make Hampton a year round operation.

Mr. Warburton spoke about beach revenues and expenses. He stated that Hampton Beach is the greatest revenue producer for the Seacoast Region. The meters have been in effect at Hampton Beach for years as a means of funding the \$100,000 a year required to rake the beach every day in summer. He restated that the Division of Parks is part of a self-funded agency and that when it needs to increase fees it must stand in front of the public and explain their projects. He spoke about the progress along the waterfront regarding handrails and the Seawall. He said that in the case of the Seawall, the money is almost gone and yet North Beach has only been partially done so far. Work has started at Rocky Bend with some grinding on the front and backside of the wall. Efforts are now underway to put more money into the Hampton Beach State Park. There are many projects that are being done behind the scenes, and it is necessary to maintain the structures that are there, such as the maintenance buildings, until there is a suitable replacement. He encouraged anyone wanting to share ideas to contact his office.

Chairman Rice asked for final comments.

Doug DePorter gave an update that DOT is working on a resurfacing plan for Ocean Blvd for one year from now.

The meeting was adjourned at 9:30 pm.