

Town of Hampton



*Department of Resources and
Economic Development*



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

**Hampton Police Station-Training Room
Monthly Meeting –January 23, 2014
7:00 PM**

MINUTES

In Attendance:

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

Excused: 0
Absent: 0

Other: James Steffen, Town Planner
Anne Marchand, Secretary

Call to Order: The meeting was called to order at 7:03 p.m.

PUBLIC COMMENT – Related to Agenda Items

No public comment.

REVIEW AND APPROVAL OF NOVEMBER 21, 2013 MINUTES

MOTION by Mr. Preston to approve the November 21, 2013 Minutes, as edited.

SECOND by Mr. Merrill

VOTE: 9 in favor, 0 opposed

MOTION PASSED.

APPOINTMENTS:

1. Mr. Charlie Preston referred to the HBAC Minutes of 10/25/12 dealing with his concerns with the signals and parking in the Brown and Nashua Avenue area, as well as parking lot accessibility. He commented that Mr. Nyhan, at that time, liked the ideas presented and stated that the Grant will be forthcoming. Mr. Preston also spoke to the HBAC minutes of 2/28/13 which stated that the Ashworth/Brown intersection is a serious issue.

He questioned if anything had been done and would like answers regarding the Federal Grant funds in the amount of \$300,000. Mr. Nyhan stated that an update is being reviewed on all transportation aspects of the Hampton Beach Master Plan, and there may be a possibility that some funds may be used for implementing the above projects. However, it is still being determined how the grant funds will be utilized.

Mr. Nyhan also stated, in response to Mr. Preston's question regarding the intersection and proposal for a driveway or outlet to the Casino parking lot, that he has spoken with the Town and nothing can be done until discussion has been held with the owner of the Casino. Mr. Nyhan stated that until there is interest on the company's part to have discussion with the Town or State, hands are tied and it rests in the hands of the Casino owner.

Mr. Preston stated he respects private property rights and suggested that the HBAC, as an organization, take a look at the proposal. He also suggested that the Fire Chief review. Mr. Preston also noted that in the Town's budget, there is a line item for building a shed for the parking lot. He said the RCP had looked at this before. Mr. McMahon noted that the RCP needs to see this as part of a plan and will look at it as a local issue. Mr. Preston stated the HBAC could have done something. He also questioned the amount of the current balance in the Grant. Mr. Nyhan noted that Ashworth Avenue is a Town Road. Mr. Watson stated that no funds have been spent from the Grant money and this is not a short-term solution given it is a Town road. DOT cannot influence the intersection. Mr. Preston said the ball has been dropped and he is disappointed.

Mr. Preston also questioned Mr. Houseman regarding the State Parks Plate, noting he has asked for three years to have the State Parks parking plates recognized. He asked for support from the HBAC, noting that Senator Stiles said, by the rules, it could be done. Mr. Preston said the HBAC should get back on track and take care of issues for the general public.

Mr. Rage commented that money has to be put into the budget, and further, that discussion on the entrance and exit off Brown Ave is still in process. He noted that signage is an important issue to be reviewed.

CHAIRMAN'S REPORT:

1. Update on TCSP grant/Update from grant project manager.

Mr. Nyhan said he had a teleconference with Mr. Rose and Mr. Watson. Progress is being made with the project and there are now three identified short listed firms to provide consulting services. Next week there will be a special meeting of the HBAC wherein Mr. Rose will share with the Commission the recommendations and ideas of putting a ranking together. In February, it will be possible to rank the three firms. DOT has a committee which is also looking at the rankings and would like the HBAC input in terms of evaluating the consulting firms. It appears there are no additional hurdles. The money is approved and accepted by the State of NH so once the consultants are in place, DOT has been authorized to spend the funds. No money has been spent from the Grant because of the step-by-step process and guidelines set by the State of NH and DOT.

Mr. Watson stated, with regard to the three firms, he is familiar with Parsons/Brinkerhoff, and VHB Consultants worked on the Seashell. Nitsch Engineering, he stated, has dealt with business development along the shore of Massachusetts and has interesting qualifications. The scope, he stated, is in two parts on how to identify one or the others. The selection has to be qualification based. There is a standard criteria in the selection, then agreement on cost. The contract will be in two parts, and an update of components in the Hampton Beach Master Plan. He noted that the Grant money can be used on the intersection, but priorities have to be identified.

The Special Meeting of the HBCA will be held Wednesday, January 29, 2014 at 4:00 p.m. Location will be provided to Commissioners as soon as possible.

2. Update – Meeting with Executive Councilor Sununu – ten year transportation plan– HBAC recommendation – Inclusion of Ocean Blvd reconstruction project.

Mr. Nyhan spoke to the 10 year transportation plan and the November meeting with Councilor Sununu. They discussed the importance of including Ocean Boulevard and looking at the bridge to see if there is a way to incorporate an engineering study for the bridge. From the discussion Councilor Sununu made recommendation for Ocean Boulevard and the bridge to the Executive Council who voted that those items were to be left in the 10 year master plan. The Governor made minor changes; however, none of the changes impacted Ocean Boulevard or the bridge. The plan is now in the hands of the House Public Works Committee for their review. It will then go to the Senate Committee, then the Senate for approval and signage by the Governor. Mr. Nyhan stated that the HBAC will not know what remains in the plan until late May or early June. Further, he is grateful that Councilor Sununu listened and incorporated the request, also, that the Governor kept the request in the plan

Mr. Watson stated that Councilor Sununu worked very hard to make sure the Hampton projects were left in the 10 year plan and people will look at the bridge, whether for rehabilitation or replacement. He did state that, in reality, another bridge project, which drains resources, is not affordable. Information will be prepared that would look at preservation and maintenance projects. Mr. Watson also stated that the Executive Council all voted in favor of the Sununu recommendations. Councilor Sununu was the only Councilor that did not follow the recommendations of the Regional Planning Commission and there had been some trepidation that the Councilor was bucking the Commission.

3. Mr. Warburton's Right to Know Request Update

Mr. Nyhan stated that this item was dealt with during month of December. He reported that the information requested was being compiled; however, an extension of time was requested through the AG's office. At that time, Mr. Warburton stated he was withdrawing his request in December and the file was closed. Mr. Nyhan stated this was a learning experience in the Right to Know Law; and, the Assistant AG, who is responsible for HBAC will attend a non-public meeting to explain the role and items one needs to be concerned about in the Right to Know. See New Business – Item #1.

4. Annual Town Report

Mr. Nyhan was requested to submit an Annual Report to the Town regarding the HBAC. He prepared the report and is sending to Town Hall in time for printing in the master Annual Report. The report is also sent to the Governor's Office. Due to the time frame deadline, Mr. Nyhan requests the Commission's authorization.

MOTION: Mr. Watson moved to authorize Mr. Nyhan to forward the HBAC Annual Report to the Town of Hampton and Governor's Office.

SECOND: Mr. Griffin

VOTE: 9 in favor 0 opposed MOTION PASSED

TREASURER's REPORT: - Mr. Houseman

Mr. Houseman reported that there was one invoice from the Town of Hampton to pay the Secretary stipend in the amount of \$854. The current balance is \$19,765.75.

MOTION: Mr. McMahon moved to approve the Treasurer's Report as presented.

SECOND: Mr. Preston

VOTE: 9 in favor, 0 MOTION PASSED

OLD BUSINESS:

1. DRED Updates (Houseman)

Mr. Houseman reported that the hiring process for the Seacoast Manager was first internal, now external. The application deadline is January 24, 2014. There has been interest from ten applicants. Human Resources is moving along with the hiring process while certifying candidates. The choice should be made by March.

He also spoke to New Year's Eve, stating he heard good comments and many people stopped by at the Open House in the Seashell. A meeting is planned with the staff and new manager in the spring to introduce the manager and go over future plans. He will keep the Commission posted and provide a date for the meeting.

He also said he will look into Mr. Preston's questions, during the Appointments section of this meeting, regarding the license plate.

2. Recent zoning warrant articles update (McMahon)

Mr. Nyhan stated the HBAC has taken a role in helping plan long range in the Master Plan, which references land use and zoning. He stated he spoke at the Public Hearing regarding the Warrant Article that had to do with the zoning amendment at the beach. This Warrant Article has been approved and will go before the voters of Hampton.

Mr. McMahon spoke, at the HBAC November meeting, about the two Public Hearings to be held in December and January regarding the Warrant Article increasing the building height from Ashworth Avenue south to F Street. This includes both sides of Ashworth Avenue. This article allows for 70 feet of occupied space with a provision for an additional 10 feet for mechanicals, architectural features, etc. This proposal was voted by the Planning Board 7 in favor, 0 opposed and will be on the ballot. The Planning Board supported the article in that it felt it is best for the Town at this point. If need be, the Board will re-look at this article; however, they feel this is the area most in need of redevelopment at this time. Further, it is consistent with the Master Plan. It was pointed out that Planning Board and Zoning Amendments shall appear on the ballot.

Mr. McMahon also noted there is one other Warrant Article, submitted by the Conservation Commission, which has had little discussion. This article reduces lot coverage from 85% to 60%; however, allows for 75% coverage at the beach.

Mr. Rage pointed out this could affect buildings on Ocean Boulevard. Mr. McMahon stated that properties would have to be reviewed and may necessitate making pervious surfaces impervious. Mr. Preston noted that businesses will not waste important frontage, and this is not good planning for buildings on Ocean Boulevard. Mr. McMahon pointed out that the issue is with flooding in the town.

Mr. Rage stated his concern with the height issue and people, who were confused in the past, should be educated as to this issue.

Mr. Stevens spoke to the article which amends multifamily dwellings exempting new developments' lot frontage at 100 feet which is greater than the current 50 foot requirements, with 40 foot building set back and 20 foot buffer in the back.

Mr. McMahon stated there were problems with requirements that could never be met, and the Board is dealing with them one at a time. With regard to the vote of the Planning Board, there was disagreement as to the specifics. The vote on the lot coverage article was 4-3.

Mr. McMahon stated that the Zoning Board looks at project-to-project and evaluates each as presented.

Mr. Stevens stated that with regard to the Warrant article submitted by the Conservation Commission for 60% lot coverage, the applicant would be allowed to go greater than the 60% measure if storm water is to be treated on the site.

Mr. Stevens will provide the Commissioners with pamphlets containing the full wording of all the proposed ballot articles.

3. HBAC Minutes – Town Website Update (Taken out of order)

Mr. Nyhan reported that the 2012 – 2013 Minutes are now in the process of being corrected and brought up to date on the Town’s Website.

4. Business/Fire Inspection process update (Preston)

Mr. Nyhan stated he will request the Fire Chief attend either the February or March meeting to give a detailed presentation on the business fire inspection process as requested by Mr. Preston.

5. Master Plan Review by Commissioners

Mr. Nyhan reported that there are five sections of the Master Plan which have been assigned to the Commissioners for review. He requested that, after review, the Commissioners report back to the HBAC as he would like all Commissioners to have a good understanding of the issues and recommendations contained in the Master Plan. A report will be requested within the next months. Assigned to topics are as follow:

- Land Use: Mr McMahan and Mr. Nyhan
- Economic: Mr. Watson and Mr. Preston
- Infrastructure: Mr. Houseman
- Environment: Mr. Merrill and Mr. Griffin
- Reevaluation Recommendations: Mr. Reniere and Mr. Rage

6. Other Old Business

NEW BUSINESS:

1. “Right to Know” Training Seminar

Mr. Nyhan reported that there will be a non-public meeting held, prior to the regular HBAC meeting, on April 24, 2014. The non-public meeting will begin at 6:00 p.m. See Chairman’s Report #3.

2. DRED’s interview panel request

Mr. Nyhan appointed Mr. Merrill to represent the HBAC on the DRED interview panel. He requested Mr. Merrill keep the HBAC updated on the progress.

MOTION: Moved by Mr. Nyhan to appoint Dean Merrill to represent the HBAC on the DRED interview panel.

SECOND: Mr. Preston

VOTE: 9 in favor, 0 opposed

MOTION PASSED

3. Other new business

a. Mr. Rage commented on the Warrant Article regarding trash pick-up. He stated he will keep the HABC informed as time moves on. He reviewed the article that would eliminate all trash pick-up for commercial, retail and condominium properties. This would affect many more people than just those in the beach area. He noted there are 5600 condominiums that would be impacted. Mr. Preston stated that small businesses pay a lot of taxes and this is poor business for the whole community. Mr. Griffin stated that there are people with small businesses in their homes; that condominiums are paying more money; and, there are many options on how to pick up trash. Mr. Rage noted that the transfer station would need to be enlarged which would require funding and not be money-saving.

b. Mr. Nyhan stated that there will be an election of officers on the February agenda, as per the RSA regulations.

c. Mr. Nyhan, reaching out to the Commission, stated that if any Commissioner feels that, if at any time, there are commission issues that should involve the HBAC, to speak up as a Commissioner. He noted that if he does not get feedback, he will not know issues of particular interest. When looking at the Charter, he stated the role of the HBAC is to provide advice and counsel. Mr. Preston commented that the Commissioners all wear different hats which may appear as political; however, this is not the case given that the Commission is for the people.

ADJOURN:

MOTION by Mr. Griffin to Adjourn the Meeting.

SECOND by Mr. Watson

VOTE: 9 in favor, 0 opposed.

MOTION PASSED.

Meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Anne Marchand, Secretary