

HAMPTON PLANNING BOARD – MINUTES
May 21, 2003

PRESENT: Thomas Gillick, Chairman
Robert Viviano, Vice Chairman
Tracy Emerick, Clerk
Jack Lessard
Tom Higgins
Keith Lessard
Skip Sullivan, Selectman Member
Sandy Buck, Alternate
Jennifer Kimball, Town Planner

Mr. Gillick called the meeting to order at 7:00 p.m. by introducing the Board members.

Mr. Gillick then asked Mr. K. Lessard to lead the Pledge of Allegiance.

Mr. K. Lessard asked Mr. Gillick to introduce and explain Mr. Buck's seat at the forum. Mr. Gillick introduced Mr. Sandy Buck, a former chairman of this Board, and now one of the Board's Alternates. Additionally, the Board will now institute a practice to have an alternate sit at the forum to offer continuity, greater input, participation in discussions, however, will not be a voting position Board unless one of the full Board member is absent or steps down.

Mr. Sullivan discussed the Town's Memorial Day Events taking place – Sunday fireworks at 9:00 p.m. at the beach; Monday's parade starts at 11:15 am at the Fire Station on Winnacunnet. It has been expanded in length (from previous parades) including tributes at the High Street Cemetery and a dedication to the victims of "911". A memorial was donated to the Town by an anonymous family and will be unveiled at the Fire Station at 1:00 p.m. – hoping everyone can attend.

I. CONTINUED PUBLIC HEARINGS:

1. Jean Boudreau
Site Plan application to construct a 4-unit residential condominium at
35 Ashworth Avenue
Map 282, Lot 206
Waivers Requested: Site Plan Regulations Section V.E.8 & VII.D (Stormwater Plan and Controls)
Owner of Record: Janet Reynolds

Per the applicant's request, this application was postponed by the Board at the May 7, 2003 meeting..

2. Vertical Building & Development Company, LLC
Site Plan Review for 49 Unit Condominium with 2 retail stores at
Ocean Boulevard, J & K Streets
Map 293, Lot 008; Map 290, Lots 144, 145, & 146
Owners of Record: Nancy J. Higgins Revocable Trust; Five Jay Street, LLC;
Jerelyn A. Gray & Peter B. Dineen; Captain Morgan Inn, Inc.

Mr. Peter Saari and Mr. Stephen Yas introduced themselves as representing the applicant. Because of incomplete documentation, the parties requested this application to be continued. Mr. J. Lessard **MOTIONED** to continue the Site Plan Review for the 49 Unit Condominium with 2 retail stores at

Ocean Boulevard, J & K Streets, Map 293, Lot 008; Map 290, Lots 144, 145, & 146 to the June 18, 2003 Planning Board Meeting subject to:

- 1). the submittal of revised plans no later than 5:00 p.m. on June 11, 2003 to the Town Planning office.

In addition, it is the Board's understanding that Mr. Yas will supply a letter outlining his comments about the Master Plan approximately one week prior to the meeting, and the Board will be inviting Mr. Cecil to attend the June 18 meeting for his input and overview of his project review memo.

Mr. Emerick **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

3. Golden Corridor & Hampton Harbor Condominiums, LLC
Lot Line Adjustments at
3 Ocean Blvd.; 31 Harbor Road; and Duston Avenue/Harbor Road
Map 298, Lot 6; Map 295, Lot 62; Map 295, Lots 59 & 63;
Map 295, Lot 64, & Map 298, Lot 3
Owners of Record: Helen C. Gilmore & Catherine F. Silver; James E. Gallagher;
Golden Corridor LLC; Hampton Harbor Condominiums LLC
4. Golden Corridor & Hampton Harbor Condominiums, LLC
Site Plan Review for 21-unit Townhouse Condominium Development at
Duston Avenue/Harbor Road
Map 295, Lots 59 & 63; Map 295, Lot 64, & Map 298, Lot 3
Owners of Record: Golden Corridor LLC; Hampton Harbor Condominiums LLC
5. Golden Corridor & Hampton Harbor Condominiums, LLC
Special Permit Application for work within the Wetland Conservation District
associated with the multifamily Site Plan application at
Duston Avenue/Harbor Road
Map 295, Lots 59 & 63; Map 295, Lot 64, & Map 298, Lot 3
Owners of Record: Golden Corridor LLC; Hampton Harbor Condominiums LLC

Mr. Peter Saari and Mr. Joseph Coronati were present to represent the applicant. Because the applicant was unable to meet the Board's previously set deadline for resubmittal of information. Mr. K. Lessard **MOTIONED** voted to continue the three Golden Corridor & Hampton Harbor Condominiums, LLC (Lot Line Adjustments, Site Plan Review, Special Permit) Applications to the June 18, 2003 Planning Board Meeting. Additionally, the revised plans and comment letter are to be provided by 5:00 p.m. on June 11, 2003 to the Town Planning office. Mr. Viviano **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

II. OLD BUSINESS:

1. John D. Lovetere
Lot Line Adjustment at
382 Exeter Road
Map 51, Lots 7 & 8
Waivers Requested: Subdivision Regulations Sections V.E.1, 5, 7, 8 & 9
(Detailed plan information: topography, utility locations, storm drainage plan,
location of fire hydrants & lights, landscaping plans)
Owner of Record: Same as Above

Mr. Peter Saari was present to represent the applicant. He proceeded to explain the revised plan submitted shows the existing house lot with 200 feet of frontage and lot width. Mrs. Kimball adds,

the lot with the house on it now conforms to our RAA zoning, the other vacant lot does conform to industrial zoning which is all that is required if to be used for industrial purposes.

Should it be used for a house, variances would be required. It is now conforming and the plans were revised to also show a 50 foot buffer, set-backs and FEMA zone information is now included. The waivers requested are fairly common for a Lot Line Adjustment Application. Mr. Gillick asks the Board if they have any further questions.

REOPEN PUBLIC HEARING: NO COMMENT – CLOSE PUBLIC HEARING.

Mr. K. Lessard **MOTIONED** to grant the Waivers Requested at 382 Exeter Road, Map 51, Lots 7 & 8: Subdivision Regulations Sections V.E.1, 5, 7, 8 & 9. Mr. Viviano **SECONDED. VOTE: AII. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.** Mr. Sullivan **MOTIONED** to accept jurisdiction of and approve the Lot Line Adjustment plan # 4-45-3240, Rev.#1, 5-15-03 subject to:

- 1) Monumentation of wetland to be done in a reasonable manner with a consensus of location by E. Cote, P. Saari, & J. Kimball,
- 2) Receipt of subdivision permit (or letter stating permit not required) from DES Water Division, Subsurface Systems Bureau, and
- 3) A certificate of monumentation, mylar, final plans and recording fees submitted to the Town Planning office.

Mr. Higgins **SECONDED. VOTE: AII. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

II. ATTENDING TO BE HEARD:

1. John Watkins
Use Change Application to convert a portion of newspaper business and associated residential apartment to retail sales and candy making business at 893 Lafayette Road
Map 56, Lot 7
Owner of Record: HL & VL McGee Revocable Trust

Mr. Watkins introduced himself as the applicant. Mr. Gillick took the opportunity to add that Mr. Watkins is a contract purchaser of what we know as Howie McGee's newspaper business at the corner of Lamson Lane and Lafayette Road. Mr. Watkins continued to explain his application request. The newspaper business is currently for sale and the owners utilize the apartment there intermittently. He is proposing to buy the building and the newspaper will remain there for a year or so depending of the sale. Mr. Watkins proposes to take a couple of rooms on the first floor of that building to make space for a candy store.

Mr. K. Lessard concerned for adequate parking – plans show 14 parking spaces so this is not an issue. He believes it a good use for the space. Mr. Watkins explains there would not be any alteration to change the structure, it would have just facial improvements to the garage door and the bulkhead entrance, and nothing is to be built out.

Mr. K. Lessard was concerned that the building may, in fact, be 5 condos. No one recalled this property coming in front the Board before. Mr. Higgins stated there would be one deed or five deeds – just a paper matter. Mrs. Kimball stated possible it was converted before condo limits were instituted - the plans are dated November 1987. Mr. Watkins noted that there was only one deed and the condos never went through. Mr. Higgins asks about the signage changes. Mr. Watkins assures the current sign will have a logo put up.

Mr. K. Lessard **MOTIONED** to approve the referenced Use Change Application to convert a portion of newspaper business and associated residential apartment to retail sales and candy making business at 893 Lafayette Road, Map 56, Lot 7. Mr. Sullivan **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

IV. CONSIDERATION OF MINUTES – April 16, 2003:

Mr. Higgins request to have page three amended from “the” to “that”. Mr. Sullivan wants to correct Mrs. Anne Bialobrzski name corrected (her maiden name is Stockton). Mr. Higgins **MOTIONED** to approve the minutes as amended. Mr. Sullivan **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

V. CORRESPONDENCE:

1). Hampton Meadows Phase III:

Mrs. Kimball read a memo dated May 19, 2003 from John Hangen, Public Works Director in reference to releasing the \$50,000 surety. Mr. Gillick explains there can be no further action until there is a letter of certification that the improvements were completed per the approved plans & Town requirements. Upon receipt of the certification statement the Board will consider this matter again.

2). Golden Corridor LLC/Duston Avenue, Phase I, 6 Lot Subdivision:

Mrs. Kimball read a memo dated May 19, 2003 from John Hangen, Public Works Director reference to setting a surety. Mr. K. Lessard was concerned that they were going to keep all the sureties together in case Phase II didn't happen. Mrs. Kimball stated that this was not the fact and that one of the requirements for Phase I is to post a surety prior to subdividing. They do not have the intention of waiting to subdivide the property until Phase II and this surety would not cover anything under Phase II. Mr. Sullivan **MOTIONED** to set the surety for the referenced subdivision at \$60,000.00 per John Hangen's recommendation (memo of 5/19/03). Mr. K. Lessard **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

3). Harbor Point at Plaice Cove Condominium:

Mrs. Kimball read a memo dated May 20, 2003 from Brian Marshall, The Commons Property Management, Inc. reference to relocating the existing dumpster on the property. There were no obstacles that would hinder this project as in Mr. K. Lessard concern for losing parking spaces. The relocated dumpster would allow the truck to pull in, maintain, and drive right out without disturbances.

Mr. Sullivan **MOTIONED** to approve that the proposal was acceptable and granted permission to move forward with this project. In addition, the Board will be attaching a copy of the proposed dumpster move to the original, approved plans already on file at the Town Offices. This will confirm the update and no revised plans will be necessary. Mr. K. Lessard **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mr. Gillick recognized two alternates Mr. McMahon and Mr. Bilodeau having been patient and sitting through the entire meeting. He commended them for their efforts and happy to have them as part of the Board.

VI. OTHER BUSINESS:

Mr. Viviano **MOTIONED** to receive any information (ie revised plans, reports, letters) on a Friday at noon, prior to the Wednesday Board meeting. Point being, for the interest of the Board members, and the general public, that a particular application is on the agenda to be heard, a decision will be made if that application is complete and ready for presentation at that meeting. This will alleviate any efforts made to be present when, in fact, that application may be continued. Mr. Sullivan **SECONDED**. The Board discussed balancing the needs of an applicant to have sufficient time to respond to departmental requests and the Board's need to have plans in a timely manner. Mrs. Kimball voiced concerns about delaying projects if departmental reviews are not returned in a timely manner. Mrs. Kimball also suggested that if the Board were to set a deadline, which includes all information for the Board's review (ie abutter letters, etc...).

VOTE: WITHDRAWN. MOTION DENIED UNTIL FURTHER EVALUATION WITH DEPARTMENT HEADS AND CALENDAR.

Mrs. Kimball announces the Master Plan Subcommittee on Future Land Use has 5 citizen at large letters of interest. It was discussed that there should be at least 6 members on this board. Mr. Gillick and Mrs. Kimball to solicit members from Zoning Board, Board of Selectman, School Board, Planning Board, and two at large members. Mrs. Kimball suggests to have a decision made regarding the committee members and the first meetings date and time at the next Board meeting of June 4, 2003.

Mr. J. Lessard **MOTIONED** to adjourn. Mr. Viviano **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,
Janine L. Fortini
Planning Board Secretary