

HAMPTON PLANNING BOARD – MINUTES

June 18, 2003

PRESENT: Thomas Gillick, Chairman
Tracy Emerick, Clerk
Jack Lessard
Tom Higgins
Skip Sullivan, Selectman Member
Robert Bilodeau, Alternate
Fran McMahan, Alternate
Jennifer Kimball, Town Planner

ABSENT: Robert Viviano, Vice Chairman
Keith Lessard

Mr. Gillick called the meeting to order at 7:00 p.m. by introducing the Board members. Mr. Gillick then asked Mr. Sullivan to lead the Pledge of Allegiance.

I. CONTINUED PUBLIC HEARINGS:

- 7) 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

Mr. Gillick read a memo dated June 20, 2003 into the record, from Ms. Boudreau, requesting to postpone this application until October 2003. Mr. Peter Saari, Attorney representing the applicant, agreed with the Hampton Planning Board's suggestion to withdraw the referenced Site Plan Review Application and resubmit after the issues have been resolved.

- 1) Richard A. & Ruth E. Bley
8-Lot Subdivision at
Timber Swamp Road
Map 137, Lot 1
Waivers Requested: Subdivision Regulations Sections VII.A 2&3 (Pavement Width & Curbing) and VII.C.2 (Stormwater Runoff)
Owners of Record: Same as Above
Jurisdiction Accepted May 7, 2003
- 2) Richard A. & Ruth E. Bley
Special Permit Application for construction of culverts, wells and water lines
within the Wetlands Conservation District associated with 8-Lot Subdivision at
Timber Swamp Road
Map 137, Lot 1
Owners of Record: Same as Above

Mr. Peter Saari, Attorney representing the applicant, Mr. Richard Bley, applicant, and Mr. Tobin Farwell, Altus Engineering introduced themselves. Mr. Peter Saari addresses that he is concerned with the DPW comments. Mr. Gillick refers to the memo from DPW Director, John Hangen dated June 6, 2003 regarding the standard cross-section with curbing, CB's and 28' of roadway should be followed. Mr. Saari & Mr. Farwell listed reasons such as the rural setting & flatness of the grade as reasons to grant the waiver.

OPEN PUBLIC HEARING: NO COMMENT – CONTINUE PUBLIC HEARING.

Mrs. Kimball asked if additional topography on the adjacent lot and the site distance information has been completed as requested at the May 7 meeting. Mr. Farwell answered these items have been reviewed in the field and to make that measurement is difficult because there appears to be some obstacles in the right of way that need to be removed. They are working on a proposal to perhaps make a 3' shoulder and drainage swale that would be on the subdivision property.

Mr. J. Lessard **MOTIONED** to deny the Waiver Request from Subdivision Regulation Section VII.A 2&3 (Pavement Width & Curbing). Mr. Sullivan **SECONDED**. **VOTE: 5 = YES. 1 = OPPOSED** (Mr. Higgins). **MOTION PASSES IN THE AFFIRMATIVE.** Additionally, Mr. J. Lessard **MOTIONED** to continue the referenced the referenced 8 Lot Subdivision, Special Permit Application to the July 30, 2003 Planning Board meeting subject to:

- 1) Submittal of revised plans and information requested by the Board at its May 7, 2003 meeting to the Planning Office by June 27, 2003 (for departmental reviews), and,
- 2) Submittal of any additional revisions (of #1) to the Planning Office by July 25, 2003.

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

Mr. Saari agreed to extend the jurisdictional clock. Mr. R. Bilodeau, Alternate, joins the Board at this time.

- 1) 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. Gillick discussed the original intention was to have Mr. Cecil, of the Cecil Group here this evening to present his testimony and information to the Board with respect to this application. Mr. Cecil was not able to be available for this evening. Mr. Gillick continued to suggest there be no discussion of the Master Plan until Mr. Cecil can be present. Mr. Saari agreed with Mr. Gillick that was his understanding as well.

Mr. Peter Saari, Attorney for the applicant, and Mr. Stephen Yas, Architect introduced themselves. Mr. Yas addressed what was changed; lowering the density of the building from 49 to 42 condo units; parking requirements down from 105 to 90 parking places; increased the retail space on the ground floor from 3800 sq. ft. to 4450 sq. ft.; height was changed to taking a floor off showing now 48' from the sidewalk; J & K streets has the building set back 2' from the property line increases the sidewalk to 5'; additionally, added windows to the retail along J & K Street. The lower height of the building affects the shading and solar angles in a very positive way.

Mr. Yas proceeded to present the sun angle studies for July and September in depth. He also brought with him studies for March and December for review and intends to provide copies for the Planning Board file.

Mr. Gillick asks is the applicant going to give the Town an easement for the additional 2' of sidewalk on J & K Street – who is going to own and be responsible for the sidewalk? Mr. Saari suggests asking this to the Town Attorney. Mrs. Kimball asks if the applicant is suggesting an easement or deeding it to the town?

Mr. Stephen Pernaw of Pernaw & Co. joins the discussion at this time. Mr. Gillick asks to address the three specific questions: is there an impact; what is the impact; how will it be handled? Mr. Pernaw adds his comments on the trip generation analysis completed; yes there is an impact, it is very small, nothing is needed for mitigation.

Mrs. Kimball clarifies none of the renderings show garage doors, will there still be a garage entrance? Mr. Yas identified it is on the elevation plans not on the renderings.

Mr. Bilodeau asked would the trash pick up area still be from the street. Mr. Yas clarified there will be trash rooms where the truck will pull up to the respective area, the door to the trash room would then be open and dumped at that time; no trash will be on the sidewalk or street; there would be a slight amount of traffic blockage for this trash pick up.

Mr. Gillick asks to verify the rubbish storage rooms would be fire resistant. Mr. Yas explains they are a separate fire enclosure by code and the whole building has a sprinkler system.

Mr. McMahon asks to clarify the height of the elevator shaft. Mr. Yas explains the revised renderings show from the sidewalk to the top front elevation is 48'; sets back 8' then to the roof of 59'; the elevator shaft in the back is another 10'. Additionally, they haven't designed the elevator shaft yet and hope to find a unit that may offer less height. Mr. McMahon would also like to know about the street trees – who's responsibility would that be (combined with the sidewalk issue)? Mr. Yas offered his opinion that after construction it usually is given back to the Town to maintain, unless the Association wants to take ownership.

Mr. Sullivan is concerned that the height is too much for a hydraulic elevator? Mr. Yas offered concerns for hydraulic would be a scent of oil and slow travel – it is still underdevelopment.

OPEN PUBLIC HEARING:

Mr. Mike Scanlon of 4 J Street introduces himself as speaking for Mr. Mark Cobb of 8 K Street. Mr. Cobb's concern is primarily the retention wall as it pertains directly to affect his property. These are some of the points mentioned: concern of no set-back on the West side and no contact with abutters regarding this; zone ordinance, section 2.4.4; (flood plain requirements); retention pond larger than the plan; any road blockage down to one lane creates 1 ½ mile bumper to bumper traffic. Mr. Gillick mentioned that any zoning issues are the responsibility of the Zoning Board, and the appeal will not be addressed with the Planning Board.

Mr. Mark Cobb of 8 J Street introduces himself to input additional concerns: smell from a possible hydraulic elevator; the setback in the rear is too close to his property.

CONTINUE PUBLIC HEARING.

Mrs. Kimball refers to a letter from Jones & Beach Engineering that addresses some of the comments by Ambit & DPW; Mr. Pernaw addressed the Fire Dept. review; Conservation Comm. and Police Dept. did not have any concerns; Aquarion Water reports that based on the proposal they have enough credits for water, however Aquarion reserves the right to review before they approve service.

Mr. Higgins expressed his disappointment that after two or three requests to specifically meet with the direct abutters, his suggestion was not considered; the abutters grievances of tonight could have been avoided by calling a private meeting.

Mr. J. Lessard **MOTIONED** to continue "The Majestic" application to the July 16, 2003 meeting having Mr. Stephen Cecil, of the Cecil group, present to discuss his memo (reference to the Master Plan). It is the Board's understanding that Mr. Yas will supply a response letter to Mr. Cecil's review a week prior to the July 16 meeting. Additionally, the Hampton Planning Board voted to continue "The Majestic" application to the July 30, 2003 meeting subject to:

- 1) Review by Ambit Engineering, Department of Public Works, and the Fire Department.

Any revised plans and/or responses to the reviews (of item #1) shall be submitted to the Planning Office by July 25, 2003.

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

- 4) 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;

- 5) Golden Corridor LLC; Hampton Harbor Condominiums LLC
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

- 6) 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, Attorney representing the applicant and Mr. Joseph Coronati, of Jones & Beach Engineering introduce themselves. Mr. Coronati refers to his memo dated June 11, 2003 regarding revised plan responses from the Town's Department Heads and points out a few key outstanding issues having been addressed as follows: overflow culvert extended from Phase I into Phase II drainage system; sewer manhole extended to the end of Duston Ave.; letter of authorization from Mrs. Gallagher has been submitted; offsite traffic information; improvements to Harbor Road will have proposed grade similar to existing – improved slightly; roadway widened to 22' for the full width of the entire Harbor Road (currently 16'); privately owned brick sidewalk being proposed; two, small, 14' decorative lights are proposed. Mr. Coronati continues by now referring to his memo dated June 13, 2003 and the Conservation Commission concerns about a pool within the buffer. Mr. Coronati noted the State Wetlands Bureau & Shoreland Agency are okay with the pool location based on the proposed mitigation. Mr. Gillick asked for the Board's consensus – the members agreed the proposed location is okay.

Mr. McMahon asks about the retaining wall. Mr. Coronati offers they intend to possibly duplicate or keep close to a design similar to the Gebhart's (abutter) and plan on contacting them to discuss further.

Mr. Pernaw presents at this time, referring to his memo dated May 16, 2003 responding to traffic comments made by Vanasse & Associates. He provided a sketch and pointed out the existing lighting; the proposed traffic line markings needed at the Ashworth Avenue corner of A1A; concluding with a detailed discussion of a 'painted' island versus a 'raised' island within the road *should be shortened to allow for Southbound traffic (boats w/trailers) turning onto Harbor Road*. The Board reviewed the proposed plan for a raised island with Rte. 1A to discourage improper turns.. The Board would like to see the island modified to allow for merging marina traffic going North on Rte 1A. Mr. Pernaw agrees to review the input and send a revised proposal to Vanasse, *who he hopes will submit a revised plan*.

OPEN PUBLIC HEARING:

Mr. Jack Kavanagh of 14 Duston Avenue introduces himself and expresses his concerns: he is requesting no access from Duston Avenue to this project. Other items that have not been addressed as yet: trash removal, location of dumpster; dust control during construction.

Mr. John Kane of 115 Ocean Boulevard introduces himself. He is not a direct abutter, however, he does have input regarding the boat/trailer traffic: usually under 20' trailers use the State Park and the ones on Harbor Road are in 30-45' range; suggest to consider the island size as the trailers would create traffic problems trying to make the turn around the island.

Ms. Linda Gebhart of 4 Bailey Avenue introduces herself. She presents her input as follows: discusses the "improper" parking issues North of the metered spaces (west of the "grassy area") within the Old Bridge Access/State Marina parking area; would be interested in communicating further with the Conservation Commission regarding the septic tie in; suspects impact of tides; continue dialogue with abutters.

Mr. Coronati addressed Ms. Gebhart regarding the impact of tides and the intent to install silt fence with stones in front to decrease the tide pressure impact; additionally, Mr. Coronati intends to further discuss the contractor that installed the Gebhart's retaining wall with intent to install a duplicate (or comparison) to keep uniformity.

CONTINUE PUBLIC HEARING.

Mr. J. Lessard **MOTIONED** to continue all three Golden Corridor Phase II applications to July 30, 2003 subject to:

- 1) Review by Ambit Engineering, Department of Pubic Works, & the Town Attorney,
- 2) Mr. Steve Pernaw to coordinate with Vanasse & Associates regarding the Board's comments on the traffic improvements at the intersections of Harbor Road, the Old Bridge Access Road and Ocean Boulevard.

Additionally, any revised plans and/or responses to the reviews (of the referenced items) shall be submitted to the Planning Office by July 25, 2003.

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

II. ATTENDING TO BE HEARD:

- 1) John M. Kane
Use Change Application to convert a portion of a single family residence to a palm reading business at
115 Ocean Boulevard
Map 290, 31-1 Lot
Owner of Record: Same as Above

Mr. John Kane introduced himself and explained his application to have a palm reading business in a portion of the existing single family home. Additionally, he added, it is a permitted use and would be a seasonal business.

Mr. Sullivan **MOTIONED** approve the referenced Use Change Application to convert a portion of single family residence to a palm reading business at 115 Ocean Boulevard, Map 290, 31-1 Lot. Mr. J. Lessard **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

- 2) Shirin Shaikh
Use Change Application to convert vacant space in motel to
an ice cream & coffee shop (restaurant) at
12 Ashworth Avenue
Map 282, Lot 103
Owner of Record: Raffaele & Teresina Larocca

Planning Board agreed that the referenced Use Change Application is not needed based on the fact that the Board recently approved a Use Change for this property, which is still valid. A vote was not; necessary.

IV. CONSIDERATION OF MINUTES – June 4, 2003

Mr. Sullivan **MOTIONED** to approve the minutes as written. Mr. R. Bilodeau **SECONDED. VOTE: 5=YES. 1=ABSTAIN** (Mr. J. Lessard). **MOTION PASSES IN THE AFFIRMATIVE.**

V. CORRESPONDENCE:

Mrs. Kimball reads into the record the following:

- 1) Memo dated June 6, 2003 from John Hangen, Public Works Director to Aquarion Water regarding the infrastructure improvements and utilities upgrades at the beach. Memo on file at the Planning Office should anyone want to review.
- 2) Memo dated June 5, 2003 from Mr. Marco Rotondo regarding Langley & Ring Subdivision off Mohawk Street, requesting the release of the remaining surety.
Mr. Sullivan **MOTIONED** to approve the release of the remaining surety on the Langley & Ring Subdivision with approval from DPW. Mr. J. Lessard **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

VI. OTHER BUSINESS:

Mr. Sullivan announced the ground breaking for the new Police Station in June 26, 2003 at 6:00p.m. at the site on Brown Avenue.

Mr. Emerick is interested in the procedure for amending the Beach Master Plan. Mrs. Kimball explained that the procedures to amend or adopt sections of the entire Town Master Plan are through the Planning Board, following a public hearing.

Mr. Sullivan **MOTIONED** to adjourn. Mr. Emerick **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 9:35 p.m.

Respectfully Submitted,
Janine L. Fortini
Planning Board Secretary

Minutes as amended July 2, 2003