

# HAMPTON PLANNING BOARD – MINUTES

January 21, 2004

**PRESENT:** Thomas Gillick, Chairman  
Robert Viviano, Vice Chairman  
Jack Lessard  
Tom Higgins  
Keith Lessard  
Skip Sullivan, Selectman Member  
Fran McMahon, Alternate  
Jennifer Kimball, Town Planner

**ABSENT:** Tracy Emerick, Clerk

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

## **I. NEW PUBLIC HEARINGS:**

1. Lincolnshire Realty, LTD  
Special Permit to construct a 12' wide access driveway at  
343 Exeter Road  
Map 51, Lot 3  
Owner of Record: Lincolnshire Realty, LTD (Nassau Bahamas)

## **II. CONTINUED PUBLIC HEARINGS:**

5. Lincolnshire Realty, LTD (Palm Beach, FL)  
Site Plan Review to erect 2 Warehouse Buildings with utilities, access road,  
& 23 parking spaces at  
343 Exeter Road  
Map 51, Lot 3  
Owner of Record: Lincolnshire Realty, LTD (Nassau Bahamas)

Mr. Gillick read a letter dated January 21, 2004 from Jessica Winston of Millette, Sprague, & Colwell, Inc. requesting the Lincolnshire Realty, LTD applications be postponed to the February 18, 2004 Planning Board meeting. Mr. Viviano **MOTIONED** to postpone the Lincolnshire Realty, LTD Special Permit & Site Plan Review applications, at the applicant's request, to the February 18, 2004 Planning Board meeting. Mr. J. Lessard **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

## **II. CONTINUED PUBLIC HEARINGS:**

2. 389 High Street Realty Trust  
Site Plan Review – 7 Unit Building at  
389 High Street  
Map 180, Lot 3A-6 & 7  
Owner of Record: Four B Realty Trust, Denise M. Fournier, Trustee  
*Jurisdiction Accepted December 3, 2003*
3. 389 High Street Realty Trust  
Special Permit Application associated with 7 Unit Building at  
389 High Street  
Map 180, Lot 3A-6 & 7  
Waiver Requested: Subdivision Regulations Section V.E. 8 (storm water drainage control plan)  
Owner of Record: Four B Realty Trust, Denise M. Fournier, Trustee  
*Jurisdiction Accepted December 3, 2003*

4. 389 High Street Realty Trust  
Conditional Use Request associated with 7 Unit Building at  
389 High Street  
Map 180, Lot 3A-6 & 7  
Owner of Record: Four B Realty Trust, Denise M. Fournier, Trustee  
*Jurisdiction Accepted December 3, 2003*

Mr. Gillick read a letter dated January 15, 2004 from Attorney Peter Saari of Casassa & Ryan requesting these applications be postponed to the March 3, 2004 Planning Board meeting. Mr. Viviano **MOTIONED** to postpone the 389 High Street Realty Site Plan Review, Special Permit, & Conditional Use Request applications, at the applicant's request, to the March 3, 2004 Planning Board meeting. Additionally, the Board is of the understanding that the applicant has agreed to extend the jurisdictional period as necessary. Mr. Higgins **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

#### **I. NEW PUBLIC HEARINGS:**

2. Steve Cotran  
Waiver requested: Subdivision Regulations V.E (detailed plan) at  
8-14 Keefe Avenue  
Map 290, Lot 71  
Owner of Record: Steve Cotran

#### **II. CONTINUED PUBLIC HEARINGS:**

6. Steve Cotran  
Condominium Conversion at  
8-14 Keefe Avenue  
Map 290, Lot 71  
Owner of Record: Steve Cotran

Mr. Henry Boyd, Jr. of Parker Survey & Engineering introduced himself as representing the applicant. He proceeded to explain the parking concerns the Board had were addressed on the revised plans. Mr. Gillick asked why the parking spaces were angled. Mr. Boyd stated the goal was to achieve the maximum space for each condominium using the existing paved area. There was Board discussion and consensus was satisfaction with the changes made.

#### **OPEN PUBLIC HEARING:**

Mr. Gillick noted a letter on record dated January 13, 2004 from Margaret Hoyl of Keefe Avenue.

#### **CLOSE PUBLIC HEARING.**

Mr. Gillick asked for additional Board comments. Hearing none, Mr. Higgins **MOTIONED** to grant the Waiver requested: Subdivision Regulations V.E (detailed plan). Mr. Sullivan **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.** Mr. J. Lessard **MOTIONED** to accept jurisdiction of and approve the Steve Cotran Condominium Conversion Application at 8-14 Keefe Avenue, Map 290, Lot 71, of plan #P03462, revision #1, dated 1/09/04, subject to:

- 1) Submittal of revised plans noting the units are seasonal and cannot be occupied on a year round basis,
- 2) Submittal of revised plans noting one parking space per unit, marked with signage designation,

- 3) Restrictions #1 & #2 (above) to be noted in the property's condominium documents,
- 4) Submittal of condominium documents, to be reviewed by Town Planner, and
- 5) Submittal of final plans, mylar, and recording fees will be required.

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

## **II. CONTINUED PUBLIC HEARINGS:**

1. North Beach Investments, Inc.  
Site Plan Review – 28 Unit Hotel at  
703 Ocean Boulevard  
Map 235, Lot 9  
Waiver Requested: Section V.E. 8 (storm water drainage control plan)  
and Subdivision Regulations Section VII.B.3 (parking lot design)  
Owner of Record: North Beach Investments, Inc.  
*Jurisdiction Accepted November 19, 2003*

Attorney Steven Ells introduced himself as representing the applicant. Mr. Randy Radkay, Principal, and Mr. Henry Boyd, Jr. of Parker Survey & Engineering were introduced as well. Mr. Gillick asked for clarification of the jurisdiction period end. Mrs. Kimball estimated it would end this Friday. Mr. Gillick asked if the applicant was aware. Attorney Ells stated the applicant would be extending jurisdiction. Attorney Ells provided an overview of some changes that have been made as in moving the building. Mrs. Kimball asked if there were revised elevations. Mr. Radkay stated those plans were not available and still being worked on. Mrs. Kimball suggested the Board address the waivers. Mrs. Kimball suggested, that the parking lot design waiver may not be needed based on how one would define "aisle". Attorney Ells stated after further study, the parking lot is not a commercial "not for pay" lot and the applicant would like to withdraw the parking lot design waiver. Mrs. Kimball stated that the Board interprets that these rules still apply to private parking lots. Mr. Radkay presented a traffic study and showed a draft drawing of a 'backing out' plan and the Board briefly reviewed the one page. Mr. K. Lessard suggested no action be taken on the parking lot design waiver until the revised plans are reviewed. He is concerned about the three parking spaces on the Northeast side of the building and proximity to the sidewalk and curb. Mrs. Kimball requested a copy of the parking/backing out plan showing these spaces and applicant agreed to provide one. Mr. Higgins is concerned with the line of site measurements for the spots on Kings Highway. The rear of the cars will be in the right of way before the driver can see. Mr. Sullivan suggested the proposed moving of the building would affect the Ambit Engineering review. Mr. Gillick asked for additional Board comments. Mr. Viviano questioned moving the building 8' to the South would affect the proper parking. Mrs. Kimball assured this would be addressed after the revised plans have been reviewed. Mr. K. Lessard asked why the building was moved. Mr. Radkay stated it is proposed to create a larger 2<sup>nd</sup> egress/stairway on the North side.

## **OPEN PUBLIC HEARING:**

Mr. Gillick noted a letter on record dated November 13, 2003 from Judi & Ray Phillips of 2 Kings Highway (no unit # written), and a letter on record dated December 4, 2003 from Bill Faraday of 2 Kings Highway-Unit 7.

Mrs. Kimball noted a letter on record dated today, January 21, 2004, from Tobin Farwell of Altus Engineering, representing abutters concerns.

## **CONTINUE PUBLIC HEARING.**

Mr. Gillick returned to the Board for comments. Hearing none, Mr. Sullivan **MOTIONED** to grant the Waiver Request: Section V.E.8 (storm water drainage control plan). Mr. J. Lessard **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.** Mr. Viviano **MOTIONED** to continue the North Beach Investments, Inc. Site Plan Review application and remaining Waiver Request: Subdivision Regulations Section VII.B.3 (parking lot design) to the February 18, 2004 Planning Board meeting, subject to reviews by Ambit Engineering, DPW, Highway Safety, and the Fire Department. Additionally, the Board is of the understanding that the applicant has agreed to extend the jurisdictional period until the February 18 meeting. The applicant will submit a letter of documentation from Attorney Ells regarding the Department of Transportation comments, a copy of the “backing out” plan page viewed and discussed, three additional copies of the Traffic Report, and revised plans shall be submitted to the Planning Office. Mr. J. Lessard **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mrs. Kimball stated in order to meet the deadlines of the February 18 meeting, she will submit the revised information to the reviewing departments and request response no later than February 6, 2004. This will give the applicant one week (until February 13, 2004) to submit any revisions to the plans (based on review feedback) prior to the February 18 meeting. If the information requested by the Board is not submitted by January 27, then due to the tight review schedule, a delay may occur thus postponing the February 18 meeting date.

Mr. K. Lessard steps down at this time.

### **III. CONSIDERATION OF MINUTES – January 7, 2004:**

Mr. Higgins stated changes to page 5, first paragraph (at the motion) to add: to continue *and send out for departmental review*. Mr. Viviano **MOTIONED** to approve the minutes as amended. Mr. J. Lessard **SECONDED. VOTE: 4 = YES / 2 = Abstain** (Mr. Sullivan & Mr. K. Lessard) **MOTION PASSES IN THE AFFIRMATIVE.**

### **IV. CORRESPONDENCE:**

#### 1) Conservation Commission:

Mr. Gillick read a memo dated January 16, 2004, from Ellen Goethel, Conservation Commission Chair regarding a Planning Board member be assigned to attend the Conservation Commission monthly meeting and site walk. Board consensus agreed upon the following volunteer schedule:

January 2004 = Jack Lessard  
February 2004 = Fran McMahon  
March 2004 = Bob Viviano  
April 2004 = Tom Higgins  
May 2004 = Tracy Emerick

It was also agreed that Ms. Goethel will be advised to contact the respective Board member directly to relay additional information such as meeting dates and times. Additionally, the Board agreed to make the volunteer assignments on a quarterly basis.

#### 2) State of New Hampshire Department of Environmental Services:

Mrs. Kimball read a memo dated January 6, 2004 from Rene Pelletier, Manager, Land Resources, to Operations Manager Brian Goetz of Aquarion Water Company, regarding lifting the water connection moratorium (in effect since 1995). Mr. Gillick suggested all applications that have been approved with a condition requiring hookup to “public” water that would have been affected by this moratorium be sent a copy of this letter.

**V. OTHER BUSINESS:**

Mr. Sullivan mentioned the walk through at the Hurd farm is scheduled for 12 noon on Saturday, January 24, 2004 starting at Timber Swamp Road.

Mr. Sullivan mentioned the Town deliberative session is scheduled for Sunday, January 31, 2004 at the Winnacunnet High School starting at 8:30 a.m.

Mr. Sullivan mentioned the Presidential primary election is scheduled for Tuesday, January 27, 2004 at Marston School.

Mr. Viviano **MOTIONED** to adjourn. Mr. Bilodeau **SECONDED**. **VOTE: AII. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 8:22 p.m.

Respectfully Submitted,  
Janine L. Fortini  
Planning Board Secretary