

HAMPTON PLANNING BOARD – MINUTES

July 7, 2004

PRESENT: Robert Viviano, Chairman
Tracy Emerick, Vice Chairman
Ken Sakurai, Clerk
Tom Gillick
Tom Higgins
Keith Lessard
Jim Workman, Selectman Member
* Bill Bilodeau, Alternate
Fran McMahan, Alternate

ABSENT: Jennifer Kimball, Town Planner

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

I. CONTINUED PUBLIC HEARINGS:

1. Robert O’Keefe
2 Lot Subdivision of property at
16 O Street & 23 N Street
Map 293, Lot 130
Waivers Requested: Subdivision Regulations Sections V.E. (detailed plan) & VII.C (storm water drainage design)
Owner of Record: Same as above
Jurisdiction accepted April 7, 2004, extended by applicant

Mr. Ernie Cote, Surveyor representing the applicant, introduced himself. Mr. Robert O’Keefe, Proprietor, was also introduced. Mr. Viviano proceeded to update the Board by reviewing Mrs. Kimball’s memo dated July 2, 2004. Two outstanding items were: 1) Town Attorney Gearreald’s review regarding the encroachment onto O Street and, 2) Hampton Beach Commission (HBC) review. Mr. Viviano reviewed the measurements of the encroachment on the hand drawn details previously submitted by Mr. Cote. Mr. Viviano asked Mr. Workman to comment on the HBC memo, dated June 22, 2004. Mr. Workman noted the HBC voted the plan was not consistent with the Beach Master Plan, and he clarified, if the Planning Board approves the application, a the HBC recommends a condition of restriction would be “any future construction on either lot be restricted to a Floor Area Ration (FAR) of 1, as recommended in the Visioning Workshops Final Report provided by Fay, Spofford, & Thorndike, and adopted by the Commission”. There was Board discussion regarding maintaining or increasing the lot size and the FAR ratio recommendation.

OPEN PUBLIC HEARING: NO COMMENT
CLOSE PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. Mr. Gillick stated he has walked this site, and cannot see this subdivision being an asset to the future of Hampton Beach. Mr. Gillick **MOTIONED** to deny the Robert O’Keefe 2-Lot Subdivision Application of property at 16 O Street & 23 N Street, after considerable Board review and discussion, due to the inconsistencies with intent and purposes set forth in the ordinances, specifically the Hampton Beach Area Master Plan. Mr. Higgins **SECONDED**. **VOTE: 6 = YES** (includes Mr. Viviano) / **1 = ABSTAIN** (Mr. Emerick). **MOTION PASSES IN THE AFFIRMATIVE.**

2. Ocean Vista, LLC
Site Plan Review for 5 Unit Condominium with onsite parking at
6 Hemlock Street
Map 209, Lot 49-1
Owner of Record: Woodland Estates of Hampton, LLC
Jurisdiction accepted May 19, 2004
3. Ocean Vista, LLC
Special Permit to work within the Wetlands Conservation District to grade and install gas
service associated with 5 Unit Condominium at
6 Hemlock Street
Map 209, Lot 49-1
Owner of Record: Woodland Estates of Hampton, LLC

Mr. Joe Coronati of Jones and Beach Engineers, Inc. introduced himself as representing the applicant. Mr. Viviano proceeded to update the Board by reviewing Mrs. Kimball's memo dated July 2, 2004. Mr. Coronati clarified his response to Ambit Engineering and discussed parking plans either inside or outside the garages. He stated there is more than adequate space and the applicant would comply with either parking plan that the Board will approve. Mr. Coronati stated, while he did not find out where the fill soil came from, he took two test soil samples and the results should be back within the next two weeks. Additionally, Mr. Coronati stated the nature trail does cross filter strips, and those filter strips can be made out of lawn or wood, there is no paving anticipated, just a clearing of brush down to the Meadow Pond. Mr. Gillick asked who would be responsible for maintaining of the trails and, Mr. Coronati stated it would be the homeowners' responsibility that would be stated in the Condominium documents. Mr. Coronati continued stating the density for the project meets the Towns requirements and no variances were required. Mr. Gillick asked for the percent of upland to be distinguished and Mr. Coronati agreed he would provide that on the revised plan. Mr. Workman expressed concern for the parking space requirements of not being enough space with the outside porch and, Mr. Coronati agreed to modify the plans to provide adequate parking on the outside.

**OPEN PUBLIC HEARING: NO COMMENT
SUSPEND PUBLIC HEARING.**

Mr. Viviano asked for additional Board comments. Mr. Lessard stated there was not enough information to take Board action. Mr. Coronati agreed to extend the jurisdictional period as necessary. Mr. Lessard **MOTIONED** to continue the Ocean Vista Site Plan and Special Permit Applications to the August 4, 2004 meeting subject to:

- 1) *Submittal of Soil Testing results,*
- 2) *Submittal of percent of buildable upland,*
- 3) *Submittal of revised plans to include: monumentation of wetland edge; parking spaces now located outside; nature trail details, and,*
- 4) *Review and comment by Ambit Engineering, Highway Safety and Conservation Commission.*

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

4. Jack Kopka (Maplecroft Building & Development)
Subdivision Application to consolidate 3 existing lots and subdivide into 8-lot subdivision at
431 Winnacunnet Road
Map 221, Lot 5 & 10, & Map 208, Lot 46
Owners of Record: Wm T. Graham & Pamela M. Kopka, and Sean F. Kelley & Cara L.
Grasso
Jurisdiction Accepted May 5, 2004

Mr. Joe Coronati of Jones and Beach Engineers, Inc. introduced himself as representing the applicant. Mr. Jack Kopka, proprietor was introduced as well. Mr. Viviano proceeded to update the Board by reviewing Mrs. Kimball's memo dated July 2, 2004. Mr. Coronati stated there is a detention pond on Lot 46-1, additionally there is an easement on that property and would be the homeowners responsibility with a deed restriction, the drainage is being reviewed by Ambit Engineering; the decorative street lamps will be replaced and maintained by Unitil; regarding the driveway on Lot 5 will be tied in to the new road; moving the Lot 10 driveway onto the new road would create a hazardous situation as well as major renovations to the property and the applicant is proposing to leave that driveway as it exists; sheet C2 shows 2 lots typical layouts with wetlands and easements on them that would meet all the setbacks, driveways, grading, etc...; the plan will be corrected to reflect the actual address as 431 Winnacunnet Road; the applicant has submitted to the Planning Office the Assessors Tax Card back 20 years showing 2-family residence at 427 and 431 Winnacunnet Road. There was Board discussion regarding the RA Zone and 2-family use legalities, as well as the parking spaces necessary for those 2-family driveways. Board consensus was that the applicant must supply additional legal documents as outlined in Atty. Gearreald's June 2, 2004 memo, that supports the 2-family use. Mr. Coronati agreed to revise the plans to show 4 parking spaces for the 2-family lots. Mr. Higgins expressed concerns that Highway Safety must re-review 431 Winnacunnet driveway as it is 70 feet from the intersection, at the time they reviewed it was shown as the driveway going out the back. Mr. Coronati recommended it would be appropriate to put a crosswalk instead of a sidewalk. There was Board discussion and consensus was no sidewalks are necessary, a crosswalk from the end of the street across Winnacunnet would be sufficient. Mr. Coronati stated he did request comment from Aquarion and to date there has been no response; he stated he would attempt another request for comment from them. Regarding Ambit Engineering review of June 16, 2004, Mr. Coronati stated monumentation would be desired in lieu of a waiver.

OPEN PUBLIC HEARING: NO COMMENT
SUSPEND PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. Hearing none, Mr. Gillick **MOTIONED** to continue the Jack Kopka (Maplecroft) *Subdivision Application* to the August 4, 2004 meeting subject to:

- 1) Submittal of revised plans to include: monumentation of wetland edge and buffer delineation; Unitil (generic) street lamps; show 4 parking spaces at 2 family, and,
- 2) Provide legal documentation as outlined in Town Attorney Gearreald's June 2, 2004 memo, with additional review by Attorney Gearreald as necessary.
- 3) Review and comment by Ambit Engineering, Highway Safety (consider driveway 70 feet from intersection), Department of Public Works, and Conservation Commission.

Additionally, it is the Board's understanding that the applicant has agreed to extend the jurisdictional period as necessary. Mr. Workman **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

- * Mr. Higgins steps down at this time.
- * Bill Bilodeau joins the Board at this time.

II. NEW PUBLIC HEARINGS

1. Donald Bibeau
Special Permit to construct duplex, driveway, & associated grading & filling work within the Wetlands Conservation District at
10 Patricia Street
Map 262, Lot 2
Owner of Record: Bruce Montville

Attorney Robert Casassa of Casassa & Ryan introduced himself as representing the applicant. Mr. Donald Bibeau, Applicant, was introduced as well. Attorney Casassa proceeded to explain the application to request a Special Permit to allow construction of a proposed duplex, on vacant land, at Hampton Beach. Mr. Viviano proceeded to update the Board by reviewing Mrs. Kimball's memo dated June 29, 2004; he also read into the record the Conservation Commission memos dated September 25, 2002 and May 31, 2004 stating they do not recommend granting of the Special Permit. Attorney Casassa submitted for the record a copy of the approved Subdivision Plan of 1977 to show the application before the Board is an effort to meet the competing interests as the last remaining un-built parcel of that 1977 plan. Attorney Casassa continued to explain the applicant considers this a reasonable use of the property, proposing a duplex, each having two bedrooms (total of four bedrooms), parking with two entrances and exits to minimize impact of traffic on one particular street. There was considerable Board discussion regarding the parking regulations and the Wetlands Impact because of the parking considerations. Attorney Casassa submitted a parking plan for the record. Mr. Lessard stated concerns that the Conservation Commission had not reviewed the current parking plan and the 15 feet allowance is not complying with regulations.

OPEN PUBLIC HEARING:

Mr. Richard Perkins of 106 Glade Path introduced himself. He stated his concerns being the applicant does not have Wetlands Bureau or Conservation Commission approval; he handed out a signed petition (approximately 11 signatures) for the record; and is objecting to the two driveways (opposed to Francine Street access).

Ms. Phyllis Mackey of 120 Glade Path introduced herself. She stated her concerns being the project is high density; the lot has been taxed as unbuildable for some time; the building encroaches the tidal buffer and Wetlands Conservation District; the project is not consistent with the Master Plan; and she is concerned that Mr. Bibeau would occupy the residence and it has been confirmed that now he will not live there.

Ms. Kelly Burton of 6 Francine Street introduced herself. She submitted pictures of the street in question. She stated her concerns being the double access driveway is unacceptable and the turns would be tight; she is also concerned with pedestrian safety.

Mr. Bruce Montville, Proprietor, introduced himself. He stated there was never any official denial from the Wetlands Conservation District or the Conservation Commission; also the unbuildable lot was distinguished due to the water moratorium, which is now lifted.

SUSPEND PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. Mr. Lessard stated his concerns from the pictures that were submitted: seeing a child playing in the street is a major hazard, "the streets are for vehicles", he also noted the basketball hoop in the pictures and stated that is against regulations as well. Mr. Lessard clarified he is not for or against this proposal, just stating the hazards as they were presented and all public should adhere. Mr. Gillick **MOTIONED** to continue the referenced Special Permit Application to the August 18, 2004 meeting subject to:

- 1) Submittal of New Hampshire Department of Environmental Security (NH DES) Wetland's Bureau Permit and Shoreland Protection District jurisdiction approvals to the Planning office,
- 2) Submittal of revised plans to include: type of pavement to be used; parking plan must fit two cars per regulations; eliminate one driveway access (only one drive on one street), and,
- 3) Review and comment by Department of Public *Works* and Conservation Commission.

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

- * Mr. Bilodeau steps down at this time.
- * Mr. Higgins returns to the Board at this time.

2. Kenneth J. Stevens & Anna L. Makos
Condominium Conversion at
24 Purington Lane
Map 120, Lot 15-1, 15-2
Waiver requested: Subdivision Regulations V.E (detailed plan)
Owner of Record: Same as above

Attorney Stephen Ells introduced himself as representing the applicant. Attorney Ells submitted an authorization letter for the file and proceeded to explain the application of a piece of land developed since 1988. The plans were prepared 15 years ago and Attorney Ells agrees that the Engineers will add the conditions stated in Mrs. Kimball's memo dated June 29, 2004, items under #2. He continued to address item #3 concerns: certificate of monumentation will be provided as a condition of approval; Note #4 regarding shaded areas is an error and will be deleted from the final plan; Note #5 refers to easements and restrictions, Attorney Ells clarified these are utility easements of the property and are covered in the deed restrictions which he submitted a copy for the file at this time.

**OPEN PUBLIC HEARING REGARDING WAIVER: NO COMMENT
CLOSE PUBLIC HEARING.**

Mr. Viviano asked for additional Board comments. Hearing none, Mr. Lessard **MOTIONED** to grant the Waiver Requested: Subdivision Regulations V.E (detailed plan). Mr. Emerick **SECONDED. VOTE: ALL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

**OPEN PUBLIC HEARING REGARDING CONDOMINIUM CONVERSION: NO COMMENT
CLOSE PUBLIC HEARING.**

Mr. Viviano asked for additional Board comments. Mr. Gillick **MOTIONED** to approve the Kenneth J. Stevens & Anna L. Makos Condominium Conversion Application at 24 Purington Lane, Map 120, Lot 15-1, 15-2, of plan #3118, revision dated 5/12/04, subject to:

- 1) Conditions outlined in Town Planner, Jennifer Kimball's memo dated June 29, 2004,
- 2) Submittal of revised plans to include: detail driveway width and parking plan, and,
- 3) Submittal of Condominium Documents to the Planning office.

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

Mr. Viviano stated at 9:25 PM, due to time constraints the following "attending to be heard" applications are being postponed to the July 21, 2004 Planning Board meeting.

III. ATTENDING TO BE HEARD:

1. Curves – Carol Hatch
Use Change from retail Auto Parts store to fitness and weight loss center at
38 Depot Square
Map 143, Lot 21
Owner of Record: Florian Kozinaczak
2. Mr. Scott Heavisides, PE
Meridian Land Services, Inc.
Proposed Site Improvements – Winnacunnet High School
3. John Privitera
Use Change adding a restaurant, hair salon, and entry/exit door to existing motel structure at
86 Ashworth Avenue
Map 287, Lot 43
Owner of Record: Same as above
4. Nancy & Joe Higgins
Parking Lot Application for 24 spaces at
83 Ocean Boulevard
Map 293, Lot 8
Owner of Record: Nancy Higgins
5. Norman F. Bolyea
Parking Lot Application for 22 spaces at
89 Ocean Boulevard
Map 290, Lot 146
Owner of Record: Captain Morgan Inn, Inc.

Mr. Gillick **MOTIONED** to postpone all "attending to be heard" applications to the July 21, 2004 Planning Board meeting. Mr. Lessard **SECONDED. VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

IV. NEW PUBLIC HEARINGS CONTINUED:

3. Christopher & Cheryl Silver
Lot Line Adjustment at
8 Reddington Lane & 294 Mill Road
Map 57, Lot 12A & 19
Waiver requested: Subdivision Regulations V.E (detailed plan)
Owners of Record: Christopher & Cheryl Silver & Esther Moulton

Mr. Chris Silver introduced himself. He provided a letter of authorization from Ms. Esther Moulton allowing Mr. Silver to represent her regarding this application. Mr. Silver proceeded to explain the background of the property where the Moulton's originally purchased the single family residence at 294 Mill Road in 1941, two years later the back lot was registered as a separate deeded lot. Recently, Ms. Moulton has the property up for sale and the Silver's approached her to purchase. Mrs. Kimball clarified to Mr. Silver this property was in an Aquifer Protection District and minimum lot size requirements would have to be adhered to. The adjustment in the lot line would leave the 20,000-sq. ft. required. At this time, Mr. Silver requests the lot line adjustment be granted for the transfer of the property only, thus the reason for the Waiver Request from detailed plan. Mr. Viviano recapped Mrs. Kimball memo dated June 29, 2004.

OPEN PUBLIC HEARING REGARDING WAIVER: NO COMMENT CLOSE PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. Mr. Gillick **MOTIONED** to grant the Waiver Requested: Subdivision Regulations V.E. (detailed plan). Mr. Lessard **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

OPEN PUBLIC HEARING LOT LINE ADJUSTMENT: NO COMMENT CLOSE PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. Mr. Lessard **MOTIONED** to approve the Christopher & Cheryl Silver Lot Line Adjustment Application at 8 Reddington Lane & 294 Mill Road, Map 57, Lot 12A & 19 of plan #3-70-3538, dated 6/18/04, subject to:

- 1) Conditions outlined in Town Planner, Jennifer Kimball's memo dated June 29, 2004.

Mr. Gillick **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

4. Jillian R.E. Development, LLC (Paul Lepere)
Site Plan Review for an existing two bedroom, 2 level apartment at
94 Kings Highway
Waiver requested: Site Plan Regulations V.E (detailed plan) & V.I.A (traffic analysis-if needed)
Owner of record: Same as above

Mr. Workman steps down at this time.

Attorney Craig Salomon introduced himself as representing the applicant and submitted revised plans at this time. Mr. Paul LePere, Principal of the development was also introduced. Attorney Salomon proceeded to give a history of the property where Mr. LePere approached the Building Inspector and obtained a building permit to construct the 4th Unit to this building in March of 2001; there after the sewer moratorium was implemented, variances and an updated site plan were needed and litigation ensued; variances were received; a tentative settlement has been reached with the Town; the next step is Planning Board approval. Attorney Salomon stated he reviewed Mrs. Kimball's memo dated July 1, 2004 and suggests the revised plans just submitted reflect some of the changes she requested; the Wetlands Conservation District is not shown on the applicant's revised plan the applicant will continue to request the Waiver: Site Plan Regulations V.E (detailed plan) because when you reference previously approved plan #C2518 of Charlotte Bauer in October 1997 this plan indicates the wetlands delineation and this was the plan shown to the Building Inspector for those previous approvals (copy viewed by the Board at this time). Attorney Salomon stated a Voluntary Lot Merger will be filed. Mr. Gillick stated concerns of parking designation and proximity to wetlands from when he walked the site versus what he was looking at on the plan. There was considerable Board discussion regarding the parking plan on file that was submitted to the ZBA/DPW when the permits were obtained versus the revised plans just submitted. Mr. Higgins stated concerns for the wetlands buffer to be delineated, the parking should be designated back 36 feet, and the paved area removed. Mr. Viviano continued to review Mrs. Kimball's memo dated July 1, 2004. Attorney Salomon clarified item #9 on Mrs. Kimball's memo stating Unit 4 is being proposed.

OPEN PUBLIC HEARING:

Mr. Viviano read a memo into the record from abutter Ms. Maryann Morrison of 101 Kings Highway, dated May 6, 2004 stating concerns for the parking (she also included pictures of the site).

SUSPEND PUBLIC HEARING.

Mr. Viviano asked for additional Board comments. There was additional Board and applicant discussion regarding the parking, recreation area, and removal of paved area. Mr. Gillick **MOTIONED** to continue the Jillian R.E. Development, LLC (Paul LePere) Site Plan Application and Waiver Requests to the August 18, 2004 meeting subject to:

- 1) Submittal of revised plans to include: monumentation of wetland boundary and buffer edge; parking of 36 feet; paved area removed (allows most of recreation area located in one area); trash storage and pick up; snow storage (and removal if needed), and,
- 2) Compliance with any outstanding conditions as outlined in Town Planner, Jennifer Kimball's memo dated July 1, 2004.

Mr. Lessard **SECONDED. VOTE: 5 = YES / 1 = OPPOSED** (Mr. Higgins). **MOTION PASSES IN THE AFFIRMATIVE.**

Mr. Workman returns to the Board at this time.

5. 750 Exeter Road, LLC (Marigold Realty Trust)
2-Lot Subdivision Application & resurface existing parking lot at
750 Exeter Road
Map 6, Lot 14
Waivers requested: Subdivision Regulations: Section IV.D.3-(review standards –
departmental reviews), & Section V.D Submittal Requirements for Subdivision Plan: 6-
(list of owners & abutters); 9-(tax map & lot number); 15-(monuments); 16-(title & deed
references); 18-(variances granted), & Section V.E.-(detailed plan), & Section V.F.-(special
submittal requirements), & Section VI –(special requirements), & Section VII.A.1-(double
frontage lots)
Owner of Record: Same as above

Attorney Craig Salomon introduced himself as representing the applicants. He proceeded to clarify the reason for the numerous Waiver Requests as attempt of caution. Attorney Salomon stated he reviewed Mrs. Kimball's memo dated July 1, 2004 and he concurs to withdraw all the Waivers Requested with the exception of Subdivision Regulations: Section V.E.-(detailed plan). Attorney Salomon proceeded to explain the application as an existing lot which is non-conforming, with two buildings on the lot now (unit #1 is the office building, unit #2 is a three bay garage). The proposal is to subdivide the lot along what is currently the common area line and convey each parcel separately. Mr. Viviano referred to Mrs. Kimball's memo item #3 regarding the stairs: Attorney Salomon stated he would relocate the stairs as a final condition. Attorney Salomon stated there is currently a well that services both buildings, there will be a new well drilled so the buildings will have each its own; additionally, there will not be a condominium association (RSA 356 B. 34 VI covers that); access location for proposed lot 2 is from Donna's Lane. There was Board discussion regarding access to/from Exeter Road and double frontage.

**OPEN PUBLIC HEARING REGARDING WAIVER: NO COMMENT
CLOSE PUBLIC HEARING.**

Mr. Viviano asked for additional Board comments. Mr. Workman **MOTIONED** to grant the Waiver Requested: Subdivision Regulations: Section V.E.-(detailed plan). Mr. Sakurai **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

**OPEN PUBLIC HEARING REGARDING 2-LOT SUBDIVISION: NO COMMENT
CLOSE PUBLIC HEARING.**

Mr. Viviano asked for additional Board comments. Mr. Sakurai **MOTIONED** to approve the 750 Exeter Road, LLC (Marigold Realty Trust) 2-Lot Subdivision Application & resurface existing parking lot at 750 Exeter Road, Map 6, Lot 14 of plan #3-62-3438, dated 4/22/04, subject to:

- 1) Conditions outlined in Town Planner, Jennifer Kimball's memo dated July 1, 2004, and specifically conditions #3, 4, 5, 6, and 9.

Mr. Gillick **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

III. CONSIDERATION OF MINUTES – April 16, 2003:

Mr. Gillick **MOTIONED** to accept the minutes as written. Mr. Emerick **SECONDED. VOTE: AIL. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

IV. CORRESPONDENCE:

None.

V. OTHER BUSINESS:

Mr. Viviano stated the All-Hazard Mitigation Plan binders have been distributed to Planning Board Members for their review. Additionally, there will be a Public Hearing for adoption of this plan at the July 21, 2004 Planning Board meeting.

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

Meeting adjourned at 10:23 p.m.

Respectfully Submitted,
Janine L. Fortini
Planning Board Secretary

Minutes as amended July 21, 2004