

HAMPTON PLANNING BOARD

Minutes

July 2, 2008 – 7:00 p.m.

PRESENT: Tracy Emerick, Chair
Robert Viviano, Vice-Chair
Fran McMahon
Mark Loopley, Clerk
Keith Lessard
Tom Higgins
Richard Bateman, Selectman Member
James Steffen, Town Planner
Candice Sicard, Planning Secretary

ABSENT:

I. CALL TO ORDER

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

III. NEW PUBLIC HEARINGS

08-033 71 Mooring Drive

Map 289 Lot 39

Applicants: Robert & Susan Nelson

Special Permit to Impact Wetlands: Remove two structures (3-season room & open deck) from rear of building to allow access for wall replacing equipment. Remove and replace (in same footprint) 64 square feet of seawall as directed by NHDES permit #2006-02647. Build permanent addition of 288 square feet (in same footprint) replacing removed structures at the rear of the building. Grass groundcover, as previously.

BOARD

Chairman Emerick noted that the application has been withdrawn.

08-037 8 & 10 Haverhill Street

Map 293 Lot 144

Applicants: Joseph & Marcia Siracusa

Condo Conversion: To convert preexisting, nonconforming five rental units to five residential condominium units

Waiver Request: Detail Plan Section V. E

BOARD

Chairman Emerick noted that the applicant requested a continuance to the August 6, 2008 Meeting.

MOVED by Mr. McMahon to continue the referenced application to the August 6, 2008 Planning Board Meeting.

SECOND by Mr. Viviano

VOTE: 7-0-0

MOTION PASSED

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IV. CONTINUED PUBLIC HEARINGS

08-028 105 Towle Farm Road Continued from 06/04/08

Smuttynose Brewery
Map 122 Lot 1
Applicant: Sustainable Ales
Subdivision: Two Lots included
Owner of Record: Gregory & Jennifer Sancioff

08-029 105 Towle Farm Road Continued from 06/04/08

Smuttynose Brewery
Map 122 Lot 1
Applicant: Sustainable Ales
Site Plan Review: Brewery, Tasting Room, Restaurant.
Waiver Request: V F. 2 High Intensity Soil Mapping
Owner of Record: Gregory & Jennifer Sancioff

APPLICANT

Eric Weinrieb of Altus Engineering appeared with the applicant, Mr. Peter Egleston owner of Smuttynose Brewery. Mr. Weinrieb explained the expected site plan changes. Mr. Weinrieb noted that they have received Aquarion's review and recommendations. Steven Pernaw summarized the concerns from the Vanasse and Associates. Mr. Higgins asked if Mr. Pernaw would be submitting his comments to Vanasse. Mr. Higgins acknowledged that since the last count in 1998, the road has had many changes. It was noted that having a new 72-hour count would be beneficial. Mr. Loopley spoke about the landscape plan. Mr. Pernaw explained that the sight distance was to the driveway, not internally. There was more discussion about the 72 hour traffic count, the applicant agreed that this could be completed. Mr. Higgins asked if they had considered a fence or safety along the front edge of the property, Mr. Egleston noted that he would be putting up signs around the ledge area noting its drop-off. Unitil's review was discussed. Mr. Higgins believed that Unitil's review should be more complete. There was discussion about the pad. The applicant noted that once power requirements are determined results would be discussed with Unitil. The Board discussed the pad and its placement and wanted to make sure that the pad was satisfactory. Mr. Egleston mentioned that there was a concern raised about buses. He said that in the last 12 months there were two buses at the Portsmouth location. There are provisions on site for buses, but noted that it is not integral to the business plan. Mr. Egleston clarified that a brewery tours means people coming in off the streets to visit, not organized buses. Mr. Higgins noted that there is a possibility of buses, and his concerns were only for their parking. Mr. Viviano clarified that the restaurant would be open seven days per week for lunch and dinner. Mr. Egleston noted that the hours of operation are not yet set in stone; he noted that the hours more or less would be 11:00 am-11:00 pm. Mr. Viviano wanted to clarify that these number were considered in the traffic study. Mr. Egleston also brought up the issue of intoxicated drivers. He explained his experience as a licensed operator, and he wanted to assure that he will be bringing the same practices of responsible alcohol serving to Hampton. Mr. Egleston explained that there are no odors coming from the brewery, and at his Portsmouth location there have been no complaints. He submitted signed

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affidavits from neighbors saying that odor is not a problem. Mr. Egleston presented reviews, newspaper articles and other accolades to the Board. Mr. Egleston noted that they care about the local community and the community at large, and believed that they would be a positive addition to the Town of Hampton. Mr. Higgins and Mr. Bateman both noted that there is no odor coming from the Portsmouth Brewery that they noticed. Mr. Bateman also applauded the applicant's efforts with responsible alcohol service.

PUBLIC

Beth Severns, Drakes Landing, spoke about her concerns and was not in favor of the application.

Robert Bushel, Drakes Landing spoke about his concerns and was not in favor of the application.

Ellworth Cummings, Hampton Town Estates, addressed his concerns and was not in favor of the application.

Phil Bean- Richard Street, explained his background in the community and as a resident and spoke in favor of the application.

Andrea Kelleher, Hampton Town Estates, addressed her concerns and was not in favor of the application.

Joe Hogan, Exeter Road, addressed his concerns and was not in favor of the application.

Matt Parker, Academy Ave, noted that he works at QA Technologies and was in favor of the application. He presented a petition in favor of Smuttynose.

Simon Schlitz explained that he also works at QA Technologies and spoke in favor of the application.

Barbara Renquish, River Walk addressed her concerns and was not in favor of the application.

Denise Wheeler, Seaview Ave spoke in favor of the application.

Russ Bridle Towle Farm Road, spoke in favor of the application

Joyce Williamson, Towle Farm Road addressed her concerns and was not in favor of the application.

Jim McGlaughin, Drakes Landing, addressed his concerns and was not in favor of the application.

Steve Gray, Elaine Street spoke in favor of the application.

Fred Rice, Heather Lane spoke in favor of the application.

BOARD

Chairman Emerick noted that this is a land use board that is not concerned with taxes. Mr. Bateman explained the Board does not have control over private businesses such as Aquarion. Mr. Egleston noted that with the head brewer they coordinated the rundown of trucks coming in and out of Smuttynose in Portsmouth. He explained the number of trucks for each day of the week. Mr. Egleston also explained his previous applications to other towns and the reasons he chose to come to Hampton. Mr. Bateman said that one of the provisions of the charrette noted that Hampton needs more restaurants. Mr. Weinrieb explained that there are still technical issues to address and requested to close public hearing. Mr. Lessard noted that the public has the right to comment on the new 72-hour traffic study. Mr. Lessard also said that the public needs to understand that Drakes Landing, Hampton Town Estates and other developments are

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developed on General Zoned land. He also talked about off site improvements. Mr. Lessard noted that many people speed on the road, and that the EPA regulates the odors and emissions. **MOVED** by Mr. Loopley to continue the referenced application to the August 6, 2008 Meeting.

SECOND by Mr. Lessard

VOTE: 7-0-0 **MOTION PASSED**

08-024 Lot 1 Haven Lane Continued from 05/07/08

Map 138 Lot 1

Applicants: Richard A. Bley & Ruth E. Bley Trustees

Special Permit to Impact Wetlands: Construction of access road and installation of utilities for new community well.

Owner of Record: Richard A. Bley Revocable Trust & Ruth E. Bley Revocable Trust

BOARD

Chairman Emerick noted that the applicant requested a continuance to the September 3, 2008 Meeting.

MOVED: Mr. Viviano to continue the referenced application to the September 3, 2008 meeting.

SECOND: Mr. Lessard

VOTE: 7-0-0 **MOTION PASSED**

V. CONSIDERATION OF MINUTES of June 18, 2008

Page 2: business changed to businesses

Page 5: Moved: by Mr. Higgins, changed to Moved: by Mr. Lessard

MOVED by Mr. Lessard

SECOND by Mr. Viviano

VOTE: 6-0-1 **Mr. McMahon abstained** **MOTION PASSED**

VI. CORRESPONDENCE

It was noted that on Monday July 7th there is an Energy Committee Presentation with Clay Mitchell to talk about Epping's experience with energy efficiency and reduction.. It was also noted that the NH Department of Agriculture will have a meeting about invasive plants, July 29 at 6:30 pm. Mr. Steffen noted that recording fees increased by \$25 to help fund LCHIP. Mr. Higgins spoke about changes to the State Shoreland Protection Act. Mr. Bateman noted that the Royal Shores property does have fencing around it.

VII. OTHER BUSINESS

1. Driveway Regulations

There was discussion about the driveway regulations, and that they are currently being refined by the Town Planner.

2. Temporary Parking Lot Requirements

The Board discussed the current wording of the Site Plan Regulations Appendix and suggested further changes to it.

3. Bond Adjustment- Sherburne Place

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Mr. Steffen noted that there is a request to reduce the bond. He noted that Alan Marshall of Ambit Engineering did not have any issues on the bond being reduced but has not yet heard from DPW. Mr. Lessard noted that he would like to see something in writing. The Bond Adjustment shall be revisited once something in writing is presented at the July 16, 2008 meeting.

VIII. ADJOURNMENT

MOVED by Mr. Higgins to adjourn.

SECOND by Mr. Loopley

VOTE: 7-0-0

Meeting adjourned at 9:15pm

Respectfully Submitted,

Candice Sicard
Planning Secretary