

HAMPTON PLANNING BOARD

Minutes

October 21, 2009 – 7:00 p.m.

PRESENT: Fran McMahon, Vice-Chair
Mark Olson, Clerk
Robert Bilodeau, Alternate
Richard Bateman, Selectman Member
Robert Viviano
Keith Lessard
James Steffen, Town Planner

ABSENT: Mark Loopley, Chair

I. CALL TO ORDER

Vice Chairman McMahon 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

IV. CONTINUED PUBLIC HEARINGS

09-038 15 Church St Continued from 09/02/09
Map: 275 Lot: 45 & 49
Applicant: Gabriello Gabrielli
Special Permit to Impact Wetlands: Relocate a garden, enlarge the wetlands and replace existing garden with gravel.

BOARD

It was noted that the applicant requested a continuance to the 12/02/09 meeting.

MOVED by Mr. Lessard to continue the above referenced application to the 12/02/09 meeting.

SECOND by Mr. Viviano

VOTE 6-0-0 MOTION PASSED

09-035 Witch Island Way Continued from 08/05/09, 09/16/09
Map: 183 Lot: 1
Applicant: Witch Island Condominium Association.
Site Plan Review: to construct six condominium units within the previously approved Witch Island Condominium project.
Owners of Record: Jesse Anderson, Wendy Heslin, Mark & Jill Bauer, Linda & Holly Richard, Robert & Amy Agnew, Polly Goldcamp & Amy Agnew, George Wygant, Laurie Felter, Robert & Virginia A Felter, Charlotte Bauer

09-037 Witch Island Way Continued from 08/05/09, 09/16/09
Map: 183 Lot: 1
Applicant: Witch Island Condominium Association.
Special Permit to Impact Wetlands: to construct six condominium units within the previously approved Witch Island Condominium project.

HAMPTON PLANNING BOARD

Minutes

October 21, 2009 – 7:00 p.m.

Owners of Record: Jesse Anderson, Wendy Heslin, Mark & Jill Bauer, Linda & Holly Richard, Robert & Amy Agnew, Polly Goldcamp & Amy Agnew, George Wygant, Laurie Felter, Robert & Virginia A Felter, Charlotte Bauer

APPLICANT

Joseph Coronati Engineer with Jones and Beach appeared with Attorney Peter Saari with Casassa and Ryan discussed the changes to the plan since the previous meeting. The department reviews were detailed including the Fire Departments comments to widen the road. It was noted that Ambit Engineering signed off on the drainage. Mr. Coronati noted that this will be a private street. The parking spaces and turning radius were discussed. Mr. Steffen discussed the DPW's concerns with the project and their recommendations and that any approval should be conditioned on their comments. The operation and maintenance plan was discussed. The condominium documents and the drainage plan were discussed in detail. Mr. Coronati said he met with Aquarion and they he will be getting a letter from them soon.

PUBLIC

No Comment.

BOARD

Mr. Steffen said that the Board needs to decide on the amount for the inspection fees. There was discussion about the escrow amounts. Mr. Steffen discussed the active and substantial requirement.

MOVED by Mr. Viviano to approve the above referenced special permit with the conditions of items number one through three (1-3) listed on the Conservation Commission letter dated 07/31/09, item 4 of the Conservation Commission Memo shall be removed as this recommendation will be covered by the conditions of approval outlined in the Planner's Memo dated 10/20/09, and that the applicant obtains all necessary state and federal permits.

SECOND by Mr. Bilodeau

VOTE 5-1-0 MOTION PASSED Mr. Bateman Opposed

There was discussion about the new regulations and the operations and maintenance plan. Mr. Lessard was concerned that DPW has not signed off on the operations and maintenance plan. There was discussion about establishing a boiler plate operations and maintenance plan so applicants can understand what is required of their submittal. There was further discussion about the operations and maintenance plan. Mr. Coronati spoke about vacuuming porous pavement, and noting that this does not need to be sanded as much in the winter, they call for salting, not sanding. It was noted that the O&M plan could be brought back in two weeks which also allows time for DPW to finalize their comments.

MOVED by Mr. Viviano to continue the above listed site plan application to the 11/04/09 meeting to allow the applicant to provide the Board with the Operation and Maintenance Plan and to have this reviewed by the DPW and Town Engineer.

SECOND by Mr. Bilodeau

VOTE 6-0-0 MOTION PASSED

HAMPTON PLANNING BOARD

Minutes

October 21, 2009 – 7:00 p.m.

09-048 50 Nudd Ave Continued from 10/07/09

Map: 274 Lot: 138

Applicant: Paul D & Debra A Barrett

Special Permit to Impact Wetlands: to construct a rain garden and grading within the 50' buffer.

APPLICANT

Engineer Henry Boyd with Millennium Engineering and the applicant Paul Parrett appeared and detailed the application, including the comments from the Conservation Commission.

Plantings and their placement were discussed.

PUBLIC

No Comment

MOVED by Mr. Lessard to approve the above referenced special permit with the conditions listed in the 09/25/09 letter from the Conservation Commission and that the applicant obtains all necessary state and federal permits.

SECOND by Mr. Viviano

VOTE 6-0-0 MOTION PASSED

V. CONSIDERATION OF MINUTES of October 7, 2009

MOVED by Mr. Lessard to approve the minutes as submitted

SECOND by Mr. Olson

VOTE: 6-0-0 MOTION PASSED

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- John Simmons – 886 Lafayette Road – “Active and Substantial” Extension

Mr. Steffen said that the regulations do not mention active and substantial extensions. He said that Londonderry has a two year limit from the approval to the time the applicant gets a building permit. Mr. Steffen said that the original approval was in 2007, with one year to the active and substantial which made it 2008, and this is the second extension of the active and substantial requirement. The Board discussed previous cases where extensions have been granted.

MOVED by Mr. Lessard to grant an extension to the 11/04/09 meeting in order to receive the Town Attorneys legal opinion on extensions.

SECOND by Mr. Bilodeau

VOTE: 6-0-0 MOTION PASSED

- Drainage Issues- Nathaniel Court Subdivision

Don McMurphy the project manager appeared with Ted Sanderson. Mr. Steffen explained that there were reports of issues with drainage structures and easement areas. Mr. Coronati appeared and helped describe the plans in relation to drainage and previous approvals. The surrounding properties and their drainage were discussed. Mr. Coronai noted that the property owners in Nathaniel Court are getting impatient with the street acceptance. There was

HAMPTON PLANNING BOARD

Minutes

October 21, 2009 – 7:00 p.m.

discussion about the responsibility of road acceptance. It was noted that Mr. Steffen will coordinate with DPW and Ambit Engineering regarding further action on outstanding drainage issues between the two developments.

- Mr. McMahon noted that he would like the Board members to start thinking about zoning amendments for the upcoming year, noting one of his goals was to change zoning at the beach as the Board had previously proposed, from Ashworth – N Street to require retail on the first floor. There was discussion about zoning suggestions for the 2010.

VIII. ADJOURNMENT

MOVED by Mr. Emerick

SECOND by Mr. McMahon

VOTE **6-0-0**

MOTION PASSED

Meeting adjourned at 9:07 pm

Respectfully Submitted

Candice Sicard, Administrative Assistant