

HAMPTON PLANNING BOARD

Minutes

December 2, 2009 – 7:00 p.m.

PRESENT: Fran McMahon, Vice Chair
Tracy Emerick
Keith Lessard
Mark Olson, Clerk
Richard Nichols, Selectman Member Alternate
Robert Viviano
Ann Carnaby, Alternate
James Steffen, Town Planner

ABSENT: Mark Loopley, Chair
Richard Bateman, Selectman Member

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

09-055 23 Falcone Circle
Map: 40 Lot: 4
Applicant: Asset Title Holding, Inc.
Subdivision
Waiver Request: Section V.E., 7-10, 12 & 14

APPLICANT

Corey Colwell from MSC Engineers appeared representing Asset Title Holding and the applicants. He detailed the two lot subdivision. It was noted that the property sits on a zone line between residential and industrial. Mr. Colwell said that the purpose of the subdivision is to create one buildable lot. There was discussion about the lot frontage once the subdivision was created. The Conservation Commission has asked the Board to send the plan out for review as they were concerned about the waiver request regarding storm drainage control. Each of the waiver requests was discussed. Showing the buffer zone on site and on the plan was mentioned.

PUBLIC

Steve Nadeau – 19 Falcone Circle appeared and detailed his concerns with the proposed subdivision including drainage and granting the waiver requests.

BOARD

Mr. Emerick said that although Mr. Nadeau's concerns may be valid, he is not sure what a drainage study will show other than water runs downhill & he is not in favor of denying the waivers. Mr. Lessard believed that this should be sent out for Conservation Commission review. There was further discussion about the waiver requests.

MOVED by Mr. Lessard to accept the above referenced subdivision plan and to send it out for departmental review to include the Conservation Commission, the Police Department, Fire Department and Public Works and to continue the application to the January 6, 2010.

SECOND by Mr. Viviano

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VOTE: 6-1-0 Mr. Emerick Opposed MOTION PASSED

09-057 373 & 375 Ocean Blvd
Map: 275 Lots: 8, 17 & 25
Applicant: Warren Kelly & Ocean Blvd Hampton Beach Realty
Site Plan Review: To construct nine condominium units.

APPLICANT

Attorney Peter Saari with Casassa and Ryan and Joseph Coronati, Engineer with Jones and Beach appeared and detailed the application, the current lot lines and the layout of the proposed project. Mr. McMahon noted that this application is currently being appealed due to the granted variances by the ZBA, and the Board would not make any final actions while the appeal is in process. Each of the unit's locations, parking and lighting were discussed. Mr. Emerick confirmed there was trash and recycling available for curbside pickup from the Town. Mr. Coronati discussed the storm water runoff and the foundations. Attorney Saari said that a height variance was not needed. Mr. Lessard discussed eco-pavers and wanted more drainage information the plan; Mr. Coronati said sheet C-3 shows all drainage information. Water and sewer was discussed. Ms. Carnaby confirmed the visitor parking on the plan. Mr. Nichols spoke about previous deed restrictions.

PUBLIC

Mary Shaw – 19 Fuller Acres appeared and noted she was the one who is appealing the ZBA decision. She detailed her concerns regarding drainage.

Tim Huttburn – Representing TPS Inc, owners of 369 Ocean Blvd appeared and detailed his concerns regarding the project drainage and trash pickup.

Bruce Caid – 19 Fuller Acres appeared and noted he shares the concerns of Mr. Huttburn and Ms. Shaw. He also asked if there were fireplaces in the units and wanted to know which type of fuel they would be using. Mr. Coronati said he couldn't confirm but believes its gas.

Linda Bowman- 19 Fuller Acres appeared and shares the concerns noted by Ms. Shaw.

BOARD

There was further discussion about the lighting and air-conditioning units. Mr. Coronati said that as far as the drainage goes there is a catch basin on the low portion of the property and the rooflines are pitched so that water is not going onto Fuller Acres. Mr. Coronati said that all snow storage will be on-site. Mr. McMahon asked about electrical service and if there would be a transformer, Mr. Coronati confirmed this and said that the site of the transformer is unknown, but showed the probable location on the plan.

MOVED by Mr. Emerick to send the plan out for departmental review to include DPW, Fire, Police, Highway Safety, Ambit Engineering, Until and Aquarion Water Company and to continue the application to the January 20, 2010 meeting.

SECOND by Mr. Viviano

VOTE: 7-0-0 MOTION PASSED

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09-058 1 Liberty Lane

Map: 104 Lot: 1

Applicant: RMMC Liberty Lane LLC

Site Plan Review: Construct an additional 100 parking spaces for the existing office building.

APPLICANT

Joseph Coronati, Engineer with Jones and Beach appeared with Bob Marchewka, Project Manager and detailed the site plan application. Mr. Marchewka said his company purchased the building which was a former corporate headquarters and will be converting it into a multi-tenant office building. Mr. Coronati discussed the existing and proposed conditions for the site. He noted that there would be some electricity for lighting of the parking lot. Currently there are 192 parking spots existing and they are hoping to add 100 extra spaces to accommodate for modern use. The conference center was discussed. Mr. Steffen discussed his Planner's memo and sending the plan out for engineering review.

PUBLIC

No Comment

BOARD

No Comment

MOVED by Mr. Emerick to accept the plan, send the plan out for review by Ambit Engineering and continue the referenced site plan to the January 20, 2010 meeting.

SECOND by Mr. Viviano

VOTE: 7-0-0 MOTION PASSED

IV. CONTINUED PUBLIC HEARINGS

09-038 15 Church St Continued from 09/02/09, 10/21/09

Map: 275 Lots: 45 & 49

Applicant: Gabriello Gabrielli

Special Permit to Impact Wetlands: Relocate a garden, enlarge the wetlands and replace existing garden with gravel.

APPLICANT

Matt McCormick with MSC Engineers and Jim Gove with Gove Environmental and the applicant Mr. Gabrielli appeared and detailed the progress of the proposal since the first public hearing on 09/02/09. Storm water flow /drainage and the proposed retaining wall were mentioned. Mr. McCormick also spoke about the snow storage area and detention area maintenance plan. The Board was concerned with the changes to plan that the Conservation Commission has not seen. Landscaping was discussed.

PUBLIC

No Comment.

BOARD

No Comment.

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MOVED by Mr. Emerick to approve the above referenced special permit application with the conditions listed in the Conservation Commission Memo dated 10/28/09.

SECOND by Mr. Viviano

VOTE: 7-0-0 MOTION PASSED

09-050 44 Smith Ave Continued from 10/07/09, 11/04/09

Map: 134 Lot: 100

Applicant: Glenn Robbins

Special Permit to Impact Wetlands: Demolition of existing cottage. Rebuild new cottage.

APPLICANT

Paul Powell appeared on behalf of the applicants and detailed the changes since the last public hearing. Mr. Powell discussed the stairs and the other issues that the Conservation Commission mentioned.

PUBLIC

No Comment.

BOARD

No Comment.

MOVED by Mr. Lessard to approve the above listed special permit with the conditions mentioned in the Conservation Commission Memo dated 12/02/09.

SECOND by Mr. Olson

VOTE: 7-0-0 MOTION PASSED

V. CONSIDERATION OF MINUTES of November 18, 2009

MOVED by Mr. Emerick to approve the minutes as submitted.

SECOND by Mr. Olson

VOTE: 5-0-2 MOTION PASSED Mr. Nichols and Ms. Carnaby abstained

VI. CORRESPONDENCE

Mr. Steffen noted that Mr. Friedman is the only request to become an alternate to the Planning Board.

MOVED by Mr. Emerick to nominate Mr. Friedman as an alternate to the Planning Board for a three year term. His term shall begin in January 2010 and expire in January 2013.

SECOND by Mr. Lessard

VOTE: 7-0-0 MOTION PASSED

VII. OTHER BUSINESS

- Mr. McMahon mentioned the proposed first floor retail requirement zoning amendment; he noted that after speaking with members of the public about it, he said their main

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concerns were regarding the depth. After speaking with Mr. Steffen about it a twenty five foot depth was suggested. There was further discussion about zoning amendment proposals.

- Mr. Steffen also mentioned two other amendments that were brought up today. He also mentioned that the Town Attorney suggested the Board consider the proposed zoning amendments on the 12/23/09 meeting to give him and the Building Inspector more time to review and comment on them. The Board was not in favor of a meeting so close to the holidays. Regulating property use on Ashworth Ave was discussed.
- The Conservation Commission proposed zoning ordinance amendments regarding cutting trees in the wetlands buffer. It was noted that the State regulations cover this and the Board did not want to go forward with the amendment.
- Mr. Steffen brought to the Board's attention a landscaping in the Wetlands Conservation District zoning amendment submitted from Attorney Peter Loughlin. Mr. Steffen read the proposed wording of the amendment. There was discussion about site plan application. Mr. Steffen shared with the Board a list of projects and their expiration dates.
- Ms. Carnaby said that tomorrow night there will be an Energy Committee Meeting tomorrow night and Smuttynose Brewery was the planned topic of conversation.

VIII. ADJOURNMENT

MOVED by Mr. Emerick to adjourn

SECOND by Mr. Olson

VOTE: 7-0-0

MOTION PASSED

Meeting adjourned at 9:44 pm

Respectfully Submitted, Candice Sicard, Administrative Assistant