

HAMPTON PLANNING BOARD

Minutes

March 3, 2010 – 7:00 p.m.

PRESENT: Mark Loopley, Chair
Fran McMahan, Vice Chair
Tracy Emerick
Keith Lessard
Mark Olson, Clerk
Robert Viviano
Richard Bateman, Selectman Member
James Steffen, Town Planner

ABSENT:

I. CALL TO ORDER

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

II. ATTENDING TO BE HEARD

- Hampton Beach Redevelopment Project – Division of Parks and Recreations (DRED) – Ted Austin representing

Ted Austin, Director of Division of Parks and Recreation spoke. He discussed the Hampton Beach re-development project. He acknowledged the \$14.5 Million approval. He noted Tom Mansfield, the staff architect, was not available. Ward D'Elia and Gordon Leedy attended the meeting.

Mr. Austin discussed updates to original plans. It was noted that the State wetland buffer permit was discussed and noted it passed unanimously. He stated the drawings need to be reviewed by the Planning Board. He stated the Governor and council should review and approve by March 10th. Groundbreaking with Harvey Construction will start this spring and end before the July 3rd weekend. Bath houses were discussed. It was noted that construction will cease through the summer months, and after the Seafood Festival they will continue and hope to finish by June of next year.

It was asked if the Planning Board had questions.

Mr. Loopley asked if the bath houses will be open this summer to which Mr. Austin said yes.

Weather will play a role Mr. Austin explained. Allowing the public to continue to enjoy the beach during construction was discussed and it was noted

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that that is the intent. He noted that Brian Warbuton is Seacoast Manager and he's helping to make sure it all runs smoothly.

Fencing was mentioned by Mr. Loopley. It was stated that it is not on drawings yet, but they have preliminary drafts. North and south bath areas were explained by Mr. D'Elia. He stated people will be able to walk around the area. Mr. Loopley asked that it be confirmed that construction be contained to which it was responded that substantial fencing will be in place. It was mentioned that the south bath house is at the end of the construction area, and north bath house is where most work will take place.

Mr. Bateman asked Mr. Warburton how the Seashell held up during the storm to which Mr. Warburton stated the Seashell held up well.

Mr. Leedy stated they may look for a waiver from the Board of Selecttmen on cutting into Haverhill Avenue. They may bring that up at a later date. Mr. Bateman stated this project is a gift to Hampton as well as business for the company.

ATTENDING TO BE HEARD (continued)

- Cassie Lane Drainage Issues

Attorney Peter Saari and Christian Smith from Beals Associates were present. Attorney Saari said Mr. Smith did further work that may resolve final issues.

Mr. Smith stated that he is the design engineer. Bruce Crawford and he looked over notes and reviewed minutes. Water levels were discussed.

Bruce Crawford and Mr. Smith checked existing drainage structures and noted that construction is of high quality and that the road is in good shape. Mr. Hangan's memo was also discussed. The culvert was discussed. Icing problems were discussed due to area of the ponding.

The storm of last week was discussed and photos were shown. Mr. Crawford discussed drainage structures are detaining water. More water is coming to culvert on Hampton Road. Photos were passed around.

Mr. Smith discussed where the road needs to be accepted by municipality. Culvert ends were discussed. DPW comments were discussed.

Mr. Smith wants a meeting with everyone to discuss an immediate fix. Downstream erosion was discussed as being problematic. Mr. Crawford and Mr. Smith discussed three areas with effective resolutions.

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Having a meeting with the Town Attorney, Town Manager, and the Planning Board Chairman was discussed. Mr. Smith would like all to attend.

Mr. Loopley said having a meeting would be no problem. The largest concern is the culvert through Exeter Road per Mr. Loopley. Water flowing off site to somebody else's property is the biggest issue. Water off the Spratt property and Exeter Road was discussed by Mr. Smith. It is not water from the site causing the problem per Mr. Smith.

Mr. Steffen said he doesn't want to come in between the engineers and the Town. He is worried about DPW concerns. He discussed also the catch basins.

Mr. Smith said it is functioning to detain water. Easterly and westerly water coming from culvert was in good shape during the bad week of weather last week. He feels he and Ambit are in compliance.

The swale into culvert splitting at 90 degrees was discussed. There is a large log that makes the water split to the left. Swale maintenance was discussed. Rip rap with erosion control was discussed. Catch basins were discussed in more detail by Mr. Smith. Channel improvement was discussed. It was discussed that a compacted rip rap to control direction of flow should solve the problem.

Mr. Emerick confirmed that Cassie Lane is not being plowed by the Town. Owners are currently plowing. Mr. Emerick said he felt it was time to set up a meeting. Setting up the meeting was discussed. Per Mr. Loopley, he and Mr. Steffen will set up a meeting.

Mr. Loopley discussed the outlet where the bails of hay are and how far below the bails are for the over run. Mr. Smith discussed the soffit of pipe is 3" below the retrofit with additional 6".

Mr. Emerick reiterated to have a meeting as soon as possible as it's not fair to citizens.

MOVED by Mr. Olson to have a meeting.

SECOND by Mr. Emerick wished them luck with their meeting.

VOTE: 7 – 0 – 0

MOTION PASSED

10-013 650 Lafayette Road (This was brought forward after New Public Hearings-Thornton & Thornton/Campton Street Matters)

Map: 126 Lot: 20

Applicant: Abeda Chauhan

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Owner of Record: Abeda Chauhan
Change of Use.

APPLICANT did not appear.

MOVED by Mr. Lessard to continue to March 17, 2010.

SECOND by Mr. Emerick.

We will send letter that it's continued.

VOTE: 7 – 0 – 0 MOTION PASSED.

III. NEW PUBLIC HEARINGS (this was brought forward before 650 Lafayette Road Matter).

10-007 15 Thornton Street

Map: 303 Lot: 5

Applicant: Florence Loosigian

Owner of Record: Florence Loosigian

Special Permit

10-009 Thornton/Campton Streets

Map: 303-305 Lots: 1-17

Applicant: Sun Valley Association

Owner of Record: See Owners List in File

Special Permit

10-010 19 Thornton Street

Map: 303 Lot: 10

Applicant: Marielle Riendeau

Owner of Record: Marielle Riendeau

Special Permit

Mr. Steffen gave an update on the emergency authorization from the State.

MOVED by Mr. Viviano to continue all matters to the April 7, 2010 meeting.

SECOND by Mr. Emerick.

VOTE: 7 – 0 – 0 Motion Passed

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10-011 109-111 Ocean Blvd.

Map: 290 Lot: 56

Applicant: Puritan of Hampton, LLC

Site Plan & Waiver of Section V.E.

APPLICANT Joe Coronati of Jones & Beach Engineers attended the meeting. Building on curbing (high) was discussed. It was discussed that the first floor and basement have been removed. The project has turned enormous from a job standpoint and from a financial standpoint. Top floors have all been renovated. Northwest corner of building was discussed (jog). There have been break-ins and vandalism in that corner. They want to straighten out back corner of building. No variance is required. It is about 70 square feet. Sealed surface was discussed by Mr. Coronati. No increase in impervious area was discussed.

The addition only on the first floor was discussed by Mr. McMahon and Mr. Coronati.

MOVED by Mr. Viviano to approve waiver.

SECOND by Mr. Emerick and also moved that amended site plan be approved.

SECOND by Mr. Viviano on Mr. Emerick's site plan approval motion.

Further discussion: Mr. Steffen asked about construction during summer season. It was discussed that this is just pertaining to the 70 square feet and waiver. Mr. Coronati stated the project involves the same time frame as last year, i.e. 6/15/10 and 9/2010 will be the dates. Memorial Day through Seafood Festival per Mr. Coronati.

Mr. Bateman discussed property owners would like it done asap.

VOTE: 7 – 0 – 0 MOTION PASSED

IV. CONTINUED PUBLIC HEARINGS

09-055 23 Falcone Circle (Continued from 12/2/09 & 1/6/2010)

Map: 40, Lot:4

Applicant: Asset Title Holding, Inc.

Subdivision

Waiver Request: Section V.E., 7-10, 12 & 14

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APPLICANT. Attorney Peter Saari and Matt McCormack from MSC Engineering appeared. The memo from Mr. Steffen was discussed. It was asked if Board has received all it needs to have. Infiltration was discussed. It's tough on site because of high water table. Undergrading was discussed by Attorney Saari. Untreated water was discussed.

Mr. Steffen discussed rain barrels. Mr. McCormack discussed bio-retention areas, rain barrels, etc., but infiltration is difficult. The buffer was discussed by Mr. McCormack. Rain barrels to catch roof run off was also discussed.

Mr. Viviano discussed water going over neighborhood yards. A 50-foot wooded buffer was discussed.

It was noted that the Conservation Commission knows about this issue.

Volume of water was discussed by Mr. McCormack. Two rain barrels should be adequate. Overflow of water was discussed Mr. Lessard doesn't think the problem is solved with the rain and ice issues. Mr. Emerick discussed underdrains.

Mr. Loopley asked if the recommendation from Mr. Steffen was discussed.

All criteria per Mr. Steffen's memo were discussed by Mr. McCormack. He said all criteria have been met. Rain barrels were further discussed.

How a future homeowner would be made aware of water flow over their property was discussed by Mr. Lessard. Rain barrel issue was discussed again by Mr. Olson. It slows the rate, but it could be thousands of gallons– if someone wants to build there. A \$2,000 tank in the ground that will allow them to build house was discussed. Barrels not functioning in the winter was discussed by Mr. McMahan. Having a tank in the ground is not unrealistic per Mr. Olson.

More storm water management was discussed by Mr. Olson. Mr. Emerick asked where the water will go. Mr. Emerick agrees with permeable driveway. Deed easement were discussed. Soil treatment was discussed. Some sort of mitigation was discussed by Mr. Lessard. Maintaining historical flow provisions were discussed.

WAIVERS were discussed.

MOTION by Mr. Emerick to grant the waivers, i.e. Section V.E.7-10, 12 and 14.

SECOND by no one.

MOTION by Mr. Viviano to deny waivers.

Further Discussion:

The Board has concerns per Mr. Bateman. Mr. Emerick thinks the Board needs a better reason to hold this up. He stated it is a junk lot and that they have a

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right to do the subdivision. Mr. McCormack stated no rights to waiver. This is just to deny waivers, not subdivision.

Mr. Steffen discussed waivers. Mr. Lessard stated Items 14 and 9 are tricky.

MOTION by Mr. Lessard to grant Waivers 8 , 10 and 12

SECOND by Mr. McMahon.

VOTE: 7 – 0 - 0

Further Discussion:

Mr. Emerick discussed this is a single lot and needing waivers. Mr. Lessard stated the subdivision is difficult. Mr. Emerick compared this to Cassie Lane. Mr. Steffen said we did this for Sherburne. Mr. Steffen stated that for each lot we did have to discuss issues.

Mr. Olson discussed again water flow – victim who buys property or if it goes downstream. Mr. Loopley stated water goes downstream, and that it will go into the marsh. Elevations were discussed. Plantings were discussed.

Elevation of proposed building is not known and was discussed. No plans being submitted was discussed. Since lot isn't split yet, Mr. McCormack stated that it can't be discussed.

Post rating was discussed. Mr. Emerick discussed the historical language being added. Water is pouring toward the wetlands, but Board wants to see (per Mr. Lessard) once a dwelling is on property how will water flow.

MOTION by Mr. Emerick to continue matter to March 17th, and then corrected to continue the matter to April 7th. We need reviews from Ambitt.

SECOND by Mr. Bateman

VOTE: 7 – 0 – 0 MOTION PASSED

V. CONSIDERATION OF MINUTES of (February 17, 2010)

MOVED by Mr. Lessard to approve the 02/17/10 Minutes as submitted.

SECOND by Mr. Emerick.

VOTED: 7 – 0 – 0 MOTION PASSED

VII. OTHER BUSINESS:

