

HAMPTON PLANNING BOARD

Minutes

JUNE 16, 2010 – 7:00 p.m.

PRESENT: Mark Loopley, Chair
Fran McMahon, Vice Chair
Keith Lessard
Mark Olson, Clerk
Rick Griffin, Selectman Member
Robert “Bill” Bilodeau, Alternate
Ann Carnaby, Alternate
James Steffen, Town Planner

ABSENT: Tracy Emerick
Robert Viviano

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.

I. ATTENDING TO BE HEARD

373-375 Ocean Boulevard

Map: 275 Lot: 25

Applicant: Warren Kelly & Ocean Blvd Hampton Beach Realty, LLC

Owner of Record: Same

Parking Lot (46 Parking Spaces)

Applicant Warren Kelly and Fred Zolla (sp) appeared. They are also the applicants for a nine-unit condominium project in that location that is being litigated by a neighbor. They are seeking approval for temporary parking lots while the matter is in Court to provide some income. There is an existing hut which was used for the previous parking lot. They want to use the entrance off of Ocean Boulevard. They will grade the lot to make it look neat.

Mr. Lessard asked if there is a copy of the previous parking lot plan. Mr. Steffen showed a plan for one that was approved for seasonal parking back in 2003 and indicated that there was one also approved with basically the same layout as a permanent lot. He stated the entrance and exit is off of Fuller Acres.

Mr. Loopley showed the applicants the prior plan. Mr. Lessard noted all the abutting properties were happy with the prior plan.

Mr. Kelly discussed the logistics of the prior plan to the current plan. Mr. Kelly discussed this with his attorney and he was told the entrance off of Ocean Boulevard is valid. Mr. Kelly wants to preserve the entrance.

Mr. Loopley stated he wants to see a State permit for that entrance. He remembers the property being an ice cream shop and mini golf course, but never with a driveway off of Ocean Boulevard.

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Mr. McMahon discussed the prior parking lots and that the entrances & exits were off of Fuller Acres.

Mr. Kelly said if he has to use the access the Planning Board wants, he will. He could go through the State, but he wants to do this now.

Mr. Steffen talked to the Police Chief and Director of Public Works and they want the access to be from Fuller Acres. Mr. Lessard stated he would like a letter to that effect.

Mr. Loopley stated the problem with the access coming off of Ocean Boulevard is that traffic could be stacked up.

Mr. Kelly asked for approval with using Fuller Acres for entrance and exits and he will get a permit from the State.

Lot lines were discussed. Mr. Kelly stated it will be cleaned up. Mr. Griffin said it will look nice and the Board should let it happen as it looks terrible right now.

Mr. Loopley asked for the hours of operation. Mr. Kelly stated 9-7:00 p.m. Mr. Lessard suggested 7:00 a.m. would be best. No late night parking was discussed, except maybe for the Seafood Fest.

Mr. Lessard asked about fencing and gating. Mr. Kelly would like it closed at 7:00 p.m. People retrieving their vehicles was discussed. Mr. Kelly stated he will tell people 7:00 p.m., and if they aren't out, they stay. Mr. Steffen said hours must be posted. Wednesdays being profitable nights was discussed along with the Fourth of July being on a Sunday this year.

MOTION by Mr. Bilodeau to approve the temporary parking lot with the posted signs and the access off of Fuller Acres, subject to written approval by the Police Chief and Director of Public Works. (Copies of the previous plan approvals are to be made available for the Applicant)

SECOND by Mr. Griffin who reiterated that signs will be posted.

VOTE: 7 – 0 – 0

MOTION PASSED.

II. CONTINUED PUBLIC HEARINGS

124 Landing Road (continued from April 7, 2010 & May 19, 2010 meetings)

Map: 239 Lot: 2

Applicant: Tuck Realty Corp.

Owner of Record: Tuck Realty Corp.

Subdivision: Three-Lot Subdivision

Applicant Joe Coronati and Attorney Peter Saari appeared. They stated that there is a new plan for what is now a 2-lot subdivision. There was a zoning requirement that was overlooked so they have dropped the 3-lot plan. Drainage was discussed. It is a much simpler plan than it was before.

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Mr. Coronati discussed the easement lot being dropped. The long driveway is eliminated. He stated the elimination of one lot does not affect drainage. He stated the sewer system extension is the same. They have now eliminated the water main extension. There will be one well radius easement. The rest of the plan is the same. The sewer design is the same. Eco pavers are the same. Ambit's comments have been answered and addressed.

Withdrawing the original application and reapplying was discussed by Mr. Coronati. He stated it can go back out to departments for review. He noted that typically when projects are smaller, they are not re-noticed. He didn't think they would need to re-apply.

Mr. Loopley discussed the memorandum from the Department of Public Works. The drainage analysis was discussed and he stated that the Board has not seen it yet. Mr. Coronati stated final grades are on the two-lot plan and were also on the three-lot plan. The house being built on a mound was discussed.

The sewer issue was discussed and having 10 homes tied into the sewer lines. It was designed for 6, but there are 10 on it. Mr. Price wants conditional approval before Mr. Coronati submits it to the State. The Shoreland Permit has been obtained as well. Mr. Olson asked about the radius of the well. Mr. Lessard asked about the existing house—Mr. Coronati stated it is to be converted to a single-family home.

Mr. Steffen stated he discussed the process with the Planning Board Chairman and the Town Attorney and it was decided that a new Application should be resubmitted. He stated it is a new plan and he felt it should be re-noticed to the abutters.

Mr. Coronati asked if they need to withdraw---or just reapply. Mr. Steffen stated they have to withdraw and submit a new application with at least the notice fees. Mr. Lessard stated the Board should waive the application fee and just have the Applicant pay the notification cost. Attorney Saari asked for abutters comments.

Mr. McMahan asked if the abutters know about the change. Mr. Coronati said the abutters probably don't know of the change. Mr. Griffin asked for the abutters to speak.

PUBLIC

Mr. Noyes of 175 Landing Road discussed that the sewer system was designed for 5 houses. He stated there are 12 houses on it, not 10 and that it is a 2 ½ inch main with 12 houses on it. He is concerned about future problems.

Peter Tilton, Jr. of 125 Landing Road discussed extending the current system creates risk for the current homeowners. He stated the applicant should pay for a full sewer, otherwise, it should not be allowed. He stated that errors and omissions in first plans were overlooked or forgotten about.

Mr. Bilodeau disapproves of the three-lot plan as it is too much for too little of an area. Mr. Olson stated that the area is not ready for three lots. Mr. Olson asked how the other seven houses were added on. Mr. Lessard stated self-contained septic systems would not have come before the Town. Mr. Noyes had to tie into the sewer system. Five new houses had to tie into the system as a leach field was not allowed to be put in.

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Mr. Steffen explained that the Board is acting on the three-lot subdivision plan. Mr. Steffen advised that the applicant is to withdraw the application and resubmit for the two-lot subdivision. Otherwise, the Board would have to deny the three-lot application. Attorney Saari stated they will withdraw the application.

MOTION by Mr. McMahon to accept withdrawal of the application for the three-lot subdivision. It is understood that the new applicant will submit a new application seeking a two-lot subdivision for the July 7th meeting. The applicant will be responsible for the notice fees, but the Planning Board will waive the application fee.

SECOND by Mr. Bilodeau.

VOTE: 7 – 0 – 0

MOTION PASSED.

III. NEW PUBLIC HEARINGS

None.

IV. CONSIDERATION OF MINUTES

MOTION by Mr. McMahon to approve the June 2, 2010 Minutes.

SECOND by Mr. Olson.

VOTE: 4 – 0 – 3

MOTION PASSED.

(Mr. Bilodeau, Mr. Griffin and Mr. Lessard abstained).

V. CORRESPONDENCE

VI. OTHER BUSINESS

Mr. Steffen noted that Cliff Sinnott contacted him recently about performing housing audit for workforce housing compliance. The findings will be presented and on the Board's second meeting in July.

Mr. McMahon discussed the architectural standards at the beach and asked where we are on that. Mr. Steffen has not done anything as of yet. Mr. McMahon said we use the Hampton Beach Area Commission as a surrogate right now. We need to think about something to possibly put in our regulations. Guidelines were discussed and the legalities of same.

Mr. Steffen stated we have to do some groundwork. We need to do a survey. The beach master plan was discussed by Mr. Lessard. Mr. Loopley discussed the appearance of the new buildings at the Puritan Hotel out front and it being garage doors again. He stated the Board needs to address the appearance. Mr. Loopley stated we will see what other Towns do. Mr. Griffin discussed parking in York, Maine is not going well.

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Mr. McMahon discussed building heights above 50'. Mr. Olson discussed incentives to make people do what we want. Mr. Bilodeau discussed the Zoning Board granting variances all the time. Mr. Steffen stated he would get basic drawings and wording of what fits in with the Master Plan. Mr. Bilodeau discussed New England style buildings.

Mr. Steffen is working on site plan and subdivision regulation changes relative to road acceptance and drainage issues. The Technical Review Committee change is also being drafted for the Board's approval.

Mr. Loopley mentioned that there is a meeting on the 21st of June to discuss Taylor River dam removal at the Town Offices. Doors open at 6:30. DOT – DES start at 7:00 and it is open to the public.

VII. ADJOURNMENT

MOTION by Mr. Lessard to adjourn.

SECOND by Mr. Bilodeau.

VOTE: 7 – 0 - 0

MOTION PASSED

MEETING ADJOURNED: 7:50 p.m.

Respectfully submitted,

Laurie Olivier

Administrative Assistant