

HAMPTON PLANNING BOARD

MINUTES

August 15, 2012 – 7:00 p.m.

PRESENT: Fran McMahon, Chair
Mark Olson, Vice Chair
Anthony Cioffi, Alternate
Rick Griffin, Selectman Member
Brendan McNamara, Clerk
Jamie Steffen, Town Planner

ABSENT: Tracy Emerick
Keith Lessard
Mark Loopley

I. CALL TO ORDER

Chairman McMahon 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

- Change of Use - 7 Scott Road
Stereo amplifier manufacturing company to strength training (fitness center)

The applicant was not in attendance. Tom Moulton, owner of the unit was in the audience on a different matter but appeared. He stated that the applicant would like to utilize a small section of the building for a strength training facility for kids. He noted it is permitted use under the Zoning Ordinance.

MOTION by Mr. Griffin to approve the change of use.

SECOND by Mr. Olson.

VOTE: 4 – 0 – 1 (McNamara absent)

MOTION PASSED.

III. NEW PUBLIC HEARINGS

IV. CONTINUED PUBLIC HEARINGS

12-034 311 Winnacunnet Road
Map: 206, Lot: 44
Applicant: Seacoast United Soccer Club
Owners of Record: Paul Willis & Ian Burgess

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Special Permit: To fill 6,661 square feet of wetlands and impact 58,461 square feet of wetlands buffer.

James Gove of Gove Environmental appeared with Christian Smith of Beals Associates. Mr. Gove stated that they met with Conservation Commission on July 24th to discuss the proposals to alleviate the wetlands impacts. He discussed porous pavement, the weight of the roof, and the removal of phragmites.

Mr. Smith noted the change to the plans for the grass pavers in the rear parking area. He discussed the addition of Mission arborvitae that are recommended by a local nursery. He discussed the stockade fence behind proposed plantings. He discussed an island rain garden area that would be added. He noted that approximately three acres could be given to the Town as a conservation easement. Mr. Smith then discussed the proposed gravel wetland and level spreader as it relates the Welch property. Storm water outlets were shown and he explained the outlet for the gravel wetland is not at the Welch property. There are two off-site catch basins. A 100-year storm event was discussed. He indicated that he has not heard from CMA Engineers on the proposed plan changes as of yet. Mr. Steffen then responded that he heard from them earlier in the afternoon and a copy of their email was provided to the applicant. It was explained that the proposed gravel wetland does take into account a 100-year storm event.

Mr. Gove then discussed the habitat enhancement area and a \$5,000 offer to the Town of Hampton towards that effort. Mr. Gove stated that he feels they have addressed most of the items in the Conservation Commission's letter. Mr. Smith discussed the storm water detention area. He explained that they did not model it for a 500-year storm event as that is not required under the Town or State's regulations. Mr. McMahan noted that the Conservation Commission has asked the Planning Board to postpone action on the special permit application until after they can meet again as a commission.

BOARD

Mr. Olson stated he would like public to speak first.

PUBLIC

Mr. Jay Diener of the Conservation Commission appeared. He asked for it to not be voted on tonight. He explained that there are a number of suggested mitigation options that were discussed at the last Conservation Commission meeting but no agreement was reached on them because more research needs to be done. The Conservation Commission as a whole has not had an opportunity to see what mitigation is proposed. He stated that he would like to get back the Planning board after their next meeting on August 28th.

Mr. Diener discussed concerns about the level spreader and an abutter's property. He explained that the level spreader needs to be re-directed away from the abutter's

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property. That does not appear to have been done. He then discussed the grass pavers for the parking area. He stated it will help with storm water management but two of three grass pavers will not be installed unless the area is paved which he is concerned may never occur. He discussed gravel versus pavement and noted from a stormwater management standpoint there is no difference. He discussed the proposed fence and plantings on the easternmost border. He asked what it would accomplish and whether it could be further extended. He noted that he could not read the planting symbols on sheet C5. He noted that the rain garden detail on sheet B1 shows two plantings; one dogwood and one winterberry. He stated that this rain garden landscaping detail doesn't appear to conform to the typical one outlined in the NH Stormwater Manual. He handed out the document to the Board. He stated they are in favor of rain garden but only one that are properly designed and installed.

He asked who would be responsible for the cost of the transaction fees in transferring land into the conservation easement. He asked if there is upland in the conservation easement area. He stated that they appreciate the financial donation for the wetland habitat but asked where the \$5,000 figure came from. He discussed a reasonable fee for wetlands lost and noted the NHDES calculation figures as part of the aquatic mitigation fund. Mr. Diener read an RSA regarding this. He noted that the Town is losing 6,661 square feet of wetlands not including buffer and according to the State figures to re-create that same footage it would cost \$9,700.00. He detailed more figures on overall loses and compensatory mitigation came up with \$17,000 at a minimum for the impact.

Mr. Diener discussed the letters from the public in opposition to the facility and noted they don't often hear from the public. He explained that he is not opposed to the basketball facility, but is opposed to filling in of Town wetlands. He stated it is not whether the wetlands are manmade or naturally-occurring because they are considered the same under our ordinance.

Tom Welch, an abutter, appeared. He stated that the plan still show a diversion runoff onto his property. He explained he is getting water from the outfall of the landfill already and with the level spreader he will be getting considerably water onto his property. Mr. McMahon responded that the Planning Board engineer has stated that the current design creates no significant drainage impact to the Welch property. Mr. Welch responded by saying gravity is gravity.

Ms. Bonnie Searle of 16 Penniman Lane appeared. She stated that she wants the Planning Board to keep in mind that filling in the wetlands with push the water elsewhere and it has to go someplace. She stated that she doesn't want to endure flooding again like the Mother's Day storm.

Ellen Goethel of the Conservation Commission appeared. She stated that the Conservation Commission has asked the applicant to postpone any State action until the Conservation Commission can look at the proposal at their meeting on August 28th. She stated she feels that they should be looked at it simultaneously. She noted that the Commission has not seen a plan and the Planning Board have told the Conservation Commission many times to not write a recommendation without a plan.

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Robin Day of 10 Hedman appeared. She stated that she thinks this application has gone on far too long. She stated that it appears that the Conservation Commission is dragging its feet. She noted that she has a 15-year old son who is active in sports and it would be beneficial to him. She stated this is an opportunity for the Town to create jobs and an economic benefit to businesses.

Mr. Smith responded to some of the concerns expressed. He explained the water flow relative to the Welch property and where it enters the level spreader and then the wetland. He discussed the proposed grass pavers and runoff. He discussed the rain garden and the plant species and indicated that the State alteration of terrain division will determine whether it is an acceptable rain garden or not.

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Mr. McMahon stated he thinks the applicant needs to sit down with the Conservation Commission and go through the details. Mr. McMahon stated they don't seem insurmountable. He indicated that the mood of the Planning Board is to vote on September 5th and hopefully the Board will have a recommendation from the Conservation Commission that meeting.

Mr. Gove said the financial compensation may be difficult to work through because it a non-profit organization and money is tight. He feels to go from \$5,000 to \$17,000 could be insurmountable but the other elements should be able to be worked out.

Mr. Ciolfi asked about the figure. It was again stated the figure is per the NHDES guidelines. Mr. Gove responded that NHDES requirement doesn't apply until 10,000 square feet of wetlands impact.

Mr. Olson discussed the \$5,000 figure. He stated the applicants chose to go out into the hallway to arrive at a number arbitrarily. He further stated his concerns about the property and the proposal. Mr. Olson wants the applicant to do the right thing. He stated that everyone agrees it's good for kids and the community but if the land is deficient adjustments need to be made.

Mr. McNamara agrees with Mr. Olson. The proposed facility is a great idea and great for the Town but the location has significant issues regarding wetlands, and traffic. He stated he thought the dollar amount was small relative to what the impact may be down the road. He stressed the need to plan for the future and try to protect Town and abutters from future drainage and traffic problems.

Mr. Ciolfi asked about the gravel area beyond the existing parking lot toward Winnacunnet Road – snow storage area and why it hasn't been used for parking – to provide more of a buffer from the wetlands. Mr. Smith responded it is because it falls within a residential zone and they would need to get a variance. Pushing the site away from wetlands was discussed. Mr. Smith said there's not much room to move it.

Mr. Steffen discussed the gravel parking area relative to grass pavers. He noted that CMA has said it's advantageous to do grass pavers whether paving requirement is

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waived or not. He was again noted that gravel becomes impervious after it's repeatedly driven upon.

Mr. Paul Willis, Seacoast United soccer facility co-owner appeared. He corrected that the organization is now "for-profit". He stated that the August 28th and September 5th dates are fine with him. He stated that the \$5,000 amount may sound like an arbitrary figure, but they are doing it without reaching the 10,000 SF thresholds. He stated he just wants the Conservation Commission and Planning Board to be reasonable and they will be also.

Mr. McMahon asked Mr. Diener to appear again. Mr. Diener stated he would be happy to work with applicant to try to resolve issues that it has by the September 5th meeting.

Mr. Griffin stated the Board of Selectmen has always been reasonable when it comes to money. Mr. Diener stated that the Conservation Commission discussed reasonable compensation for what is being done to wetlands.

Ms. Goethel noted that the Conservation Commission usually does not accept money for mitigation and is not something they are comfortable with. She stated that they instead ask for mitigation to be done on site to make sure there is no negative impact.

MOTION by Mr. McNamara to continue the application to the September 5, 2012 meeting.

SECOND by Mr. Griffin.

VOTE 5 – 0 - 0

MOTION PASSED.

12-027 311 Winnacunnet Road

Map: 206, Lot: 44-2

Applicant: Seacoast United Soccer Club (through)

Owners of Record: Paul Willis & Ian Burgess

Site Plan Review: 36,000 SF basketball facility with parking and fitness center conversion within existing soccer facility building.

Mr. McMahon stated the Board should not vote on site plan until it gets resolution on the special permit because it could affect the outcome of the site plan. He further stated that he would to discuss the issues that are still outstanding with the site plan and to have them addressed hopefully before they come back on September 5th.

Mr. Christian Smith of Beals Associates appeared. He discussed the plan changes. He stated that he feels the Board's engineer is comfortable with all of the changes. He addressed the parking modifications that have taken place.

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Mr. McNamara discussed parking for the fitness center. He explained that there is a requirement for the office based upon square footage but he would also like them to determine

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actual numbers based upon occupancy. He explained that there will more people in the building with the fitness center. He would like to know what the capacity is for the soccer facility.

Mr. Steffen said we need a site plan like what was on the easel for recording purposes eventually. The display plan will eventually become a recordable plan. Mr. Steffen asked for landscaping to be added to C5. He asked for symbols to be clarified. Mr. McNamara asked for parking requirements – he doesn't know what the capacity is/was when it was granted. Mr. Smith will review the CO. Mr. Steffen said it's been signed off. Mr. McNamara wants to see what the numbers are.

Mr. Ciolfi asked about pedestrian and bicycle access to the driveway. He stated he is favor of the project but stated it is dangerous to walk or bike there. He thinks modifications to the access road need to be done such as delineating the lanes at the entrance. He noted that CMA Engineers had comments in a previous memorandum that he would like to see addressed. Off-site mitigation for traffic is not being discussed. He would like to see pavement added to repair the existing drive. Mr. Smith discussed a pedestrian aisle – like a crosswalk. Mr. Smith stated they would take a look at that. Mr. Ciolfi noted it would be safer and better. Mr. Smith asked about a Winnacunnet Road crosswalk - should it be blue and white like other places in Town. Mr. Steffen responded that the Town is trying to get away from the Hampton Blue type due to slippery conditions.

Mr. McMahan asked how a crosswalk would be established. Mr. Steffen responded that he talked to Police Chief Sullivan and he indicated that he was not opposed to a crosswalk but he would have to approve the location and design first. Mr. McMahan also noted that the Town has a Highway Safety Committee. Mr. Griffin responded that he is not sure about the Town rules on crosswalks. Mr. Smith responded that he will check into it. There was discussion about the users of the facility and that it will not be just for kids.

Mr. Olson discussed the grass pavers and noted that the detail shows a plastic product. He asked if that is vulnerable to snowplow damage and how long the applicants believe it will last as it appears to just be a rolled-up plastic product. Mr. Smith said they withstand plowing – it is a very rigid material. They will handle an H-20 loading—a fire truck, etc. Mr. Olson stated he was just concerned about it holding up with 3 point turns and a lot of traffic. Mr. Olson then discussed the site plan scale and whether there is room to add a sidewalk. He noted that the slopes are steep but he thinks a sidewalk from Winnacunnet Road to the facility could be possible within the area that exists. He feels that is a reasonable amount of level area on the west side to do some type of sidewalk or walkway with a curb. Mr. Smith responded that based upon the traffic study most people approaching from the west will go to the east side across the driveway to access the site because it is less hazardous with the turning movements.

Mr. McNamara stated he agrees with Mr. Olson. There was discussion about the grades and whether a sidewalk could be installed. Mr. Olson stated he doesn't not want the "bar to be set so low" and accept the bare minimum requirements. He noted that the Planning Board has not yet seen a plan of the building.

Mr. McNamara stated that it is a difficult site because of wetlands and traffic and other issues. He wants to see more effort at a better design of the site improvements. Mr. Smith responded that he is willing to work with the Planning Board.

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Mr. Ciolfi asked about police details. Mr. Steffen stated he has addressed that in his proposed conditions of approval. The applicant will need to provide a traffic control plan to the Police Department.

PUBLIC

Mr. Willis appeared. He stated that the project will not be a “bare bones” type facility. He spoke about his Epping and Hampton soccer facilities. He believes they are first class facilities and he believes the basketball facility will be the same. He discussed the indoor fitness facility. He stated that they are giving up E field for it. He noted that they may have less traffic with the indoor fitness facility. He discussed the aesthetics of the facilities. He noted there is no foot traffic currently to the facility but he stated he likes the suggestion of getting kids and adults to do more walking.

Mr. McNamara asked about the hours of operation for the fitness center. Mr. Willis responded that he will get those to the Planning Board. It will not be a 24-hour facility.

Mr. Ciolfi asked for changes to the site plans, such as rounding the corners at the entrance, accessing the sidewalk on the east side and improving conditions at the site entrance. Mr. Willis agreed.

MOTION by Mr. McNamara to continue to the application to the September 5, 2012 meeting.

SECOND by Mr. Olson.

VOTE: 5 – 0 - 0

MOTION PASSED.

V. CONSIDERATION OF MINUTES of August 1, 2012.

MOTION by Mr. McNamara to accept the August 1, 2012 Minutes.

SECOND by Mr. Olson.

VOTE: 4 – 0 – 1 (Mr. Ciolfi abstained)

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

Mr. Steffen noted that the Smuttynose Brewery groundbreaking ceremony will be on August 16, 2012 from 5:00 to 7:00 p.m. at the new site on Towle Farm Road. Mr. Peter Egelston is slated to give a brief presentation. Mr. Steffen further noted that all their financing is in place and a pre-construction meeting was held a week ago. They have begun the site work and they are looking at a completion in September of 2013.

Mr. Steffen also noted that the community planning grant agreement has been signed. He's putting together an advisory committee to guide the process and act as a sounding board for the Planning Board. He stated he would like to have a Planning Board representative of two and a representative from the Board of Selectmen the committee. The Request for Qualifications has

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been posted on the NH Housing website with a deadline of August 31st for submittal of proposals. Mr. Steffen indicated he doesn't know how long selection process will take yet but he hopes to have the consultant selected by the middle or end of September. He also indicated that there will be representatives from various boards and commissions, a downtown business representative and a representative from Rockingham Planning Commission on the advisory committee – he would like to keep it around seven or eight members.

Mr. Steffen has already spoken to the Chairman of the ZBA who informed him that Tom McGuirk will be ZBA's representative. Mr. McNamara responded that he would like to be on the committee, but hasn't seen anything in writing yet to the Board. Mr. Steffen will be in touch with Experience Hampton as well on having them represented on the committee.

VIII. ADJOURNMENT

MOTION by Mr. Olson to adjourn.

SECOND by Mr. McNamara.

VOTE: 5 – 0 – 0

MOTION PASSED

MEETING ADJOURNED: 8:40 p.m.

Respectfully submitted,
Laurie Olivier
Administrative Assistant