

**HAMPTON PLANNING BOARD**

**MINUTES**

**January 2, 2013 – 7:00 p.m.**

**PRESENT:** Fran McMahon, Chair  
Mark Olson, Vice Chair  
Tracy Emerick  
Rick Griffin, Selectman Member  
Keith Lessard  
Mark Loopley  
Brendan McNamara, Clerk  
Jamie Steffen, Town Planner

**ABSENT:**

**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**

**III. 2013 PROPOSED ZONING ORDINANCE AMENDMENT - PUBLIC HEARING**

1. Amend Article V – Signs in the following manner:
  - Sections 5.2 Definitions to change Changeable Copy Sign to Changeable Copy and Electronic Signage and to add clarifying wording;
  - Section 5.4.2 to revise the requirements for freestanding and projecting signs and to set forth restrictions on changeable copy and electronic signage;
  - Table I Permitted Signs Per Zone and Table II Size Chart to change Changeable Copy Sign to Changeable Copy and Electronic Signage.

Mr. McMahon stated that this is the second public hearing on the article. At this point the Planning Board can only make administrative or editorial changes to the proposed regulations. The Board will vote whether to proceed with minor amendments or to not proceed at all after the public hearing.

Mr. Arthur Moody appeared. He stated that he did not know about this major ordinance that is being proposed. He asked if this will be a “yes” or “no” vote. It was answered that he was correct. Mr. Moody noted that if any member is against any one of the changes they should vote “no” on the whole proposal. He discussed those messages on some signs in town change more than once a minute. He wants to know what exactly an animated sign is. Changing

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messages and moving lights were discussed. Mr. Steffen explained that these types of signs would be allowed if they do not change more than once a minute. Mr. Moody discussed eight electronic signs that exist already on Route 1. Mr. McNamara stated a complaint should be filed on those signs. Mr. Steffen discussed the proposed regulations. He believes the flashing “Open” signs could not flash like they do under these regulations. “Open” would stay constant, but lights around border would continue to move. Window and free-standing signs were discussed. Window signs are permitted.

Mr. Moody feels this ordinance change will increase the use of signs overall. Mr. Steffen stated the proposed amendments were reviewed Town staff after they were drafted and this proposal is the result.

Mr. Moody noted that for i) 2), it should read “message changes” rather than “messages changes”.

**MOVED** by Mr. Emerick to place the proposed amendment the 2013 ballot.

**SECOND** by Mr. Looopley.

**VOTED: 7 – 0 – 0**

**MOTION PASSED.**

2. Delete Article XVI Telecommunications Facility Ordinance in its entirety, and replace with a new ordinance titled Article XVI Personal Wireless Services Ordinance. Amend the following the following sections to conform to the proposed Personal Wireless Services Ordinance:

- Article I, Section 1.6 Definitions to delete certain definitions to refer to the Telecommunications Facility Ordinance;
- Amend Article II, Section 2.1 Zoning Map to delete the Telecommunications District Overlay Zone in its entirety, and
- Amend Article III Use Regulations to add a new use 3.47 Personal Wireless Service Facility.

Mr. McMahon stated that the Planning Board had not seen this article prior to its last meeting. It has come from the Board of Selectmen. Mr. McMahon asked Attorney Kate Miller to explain the proposed ordinance to the Board and to the public. The Board will then vote on whether to recommend or not recommend the proposed ordinance.

Attorney Miller is with the law firm of Donahue, Tucker and Ciandella. She has done a law lecture series dealing with local Planning Board and ZBA approvals of cellular towers. With this proposal she is encouraging the placement of wireless facilities in areas that are going to be more preferable to the Town. Federal law requires there be opportunities to provide cellular phone service in Towns.

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Mr. Lessard stated the Planning Board has just received this ordinance and said it is lengthy. He stated the public will not have the time to understand this. He asked why we have to do anything now - we have an ordinance in place now. Our current ordinance allows for a lot of feedback of location choices. Placing towers on publicly-owned property was discussed.

Attorney Miller said a similar ordinance was developed in Salem, NH and her office mostly represents municipalities. She discussed different providers offering coverage. She discussed gaps in coverage and placing antennas on towers. She stated that if there is a cellular tower currently on a building, per federal law, other providers can co-locate.

She noted that Alton, NH had a law suit that went on for years. The new ordinance will set up a way to encourage locations of these facilities where the Town would like to see them.

Mr. McMahan stated that similar boards in other towns in New Hampshire are opposed to sighting these towers, but Hampton is good about dealing with them on a case-by-case basis. Attorney Miller stated that the challenge is that more mobile devices are coming on board, and the band width and requirements are redundant. There was discussion about portions of the Town being sparsely served.

Attorney Miller summarized the goals. Mr. Lessard asked about people's personal interests. Mr. Loopley asked about siting on Town-owned property. Attorney Miller answered all that would be needed for Town-owned properties would be a building permit. There was discussion about them not going through the standard zoning and planning process. Attorney Miller stated that there is sometimes a revenue component for the municipality. Mr. McNamara asked why it would by-pass two Town boards. Ms. Miller called the new process a "heirarchy of preference". Mr. McNarama asked about abutters to Town-owned land being taken into consideration. Mr. Lessard asked if this proposal would have to go on 2013 ballot. Attorney Gearreald discussed the RSA 41:14-A process where Selectmen can convey rights and land with regard to leased land. The leases would be probably be for 20 years. If 50 voters petition for it to go to Town meeting, it would not go through on a Selectmen's vote only.

Attorney Gearreald discussed utilizing Town property. It was noted that this Ordinance pertains to for-profit companies.

Mr. McMahan stated equipment housing has been an issue in the past with these proposals.

Attorney Miller explained the document in general. She noted that it was available for viewing at the Hampton Town Offices.

Mr. McMahan discussed codes changes.

Mr. McMahan discussed the Town utilizing outside consultants for guidance on these applications. He would like wording put in the document requiring applicants to pay for this.

Mr. Steffen stated it is already in our site plan review regulations.

Attorney Miller discussed the process for applicants and the burden of proof.

Mr. Emerick discussed capacity and location issues.

Attorney Miller stated there are not many engineers that do this type of work.

Mr. McMahan discussed the "hierarchy of sighting". He asked why towers would not be prohibited in the RAA and RA Zones. Attorney Miller explained filling significant gaps in coverage. The Town would have trouble denying an application for location in a residential zone if that was the only good place to supply coverage.

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Attorney Miller discussed obtaining permits. She noted that explaining to the public where poles could be placed can be a difficult task. She discussed applications needing to go before the ZBA and Planning Board.

Mr. Emerick stated that this is not reasonable to expect the public to digest this all in one meeting. Mr. McMahan agreed. Mr. Lessard stated that the Planning Board needs to its due diligence on this first. He feels it is too much to consider at one meeting and he stated he is not in favor of voting on it tonight. The Board agreed that it was a lot to digest in one public hearing. The Board felt it was not fair to the public.

Mr. McMahan stated he would vote to not endorse it due to the size of it. If it is placed on the ballot it will be with the recommendation from the Planning Board that it is not in favor of it.

Mr. McNamara asked who would pay for the RF engineer. If it goes through the Planning Board process it would be paid for by the applicant. Attorney Miller answered if it is the Town usually there is no RF engineer required to do research.

Mr. Olson asked why this proposal is coming forward now. Attorney Gearreald answered that the Town Manager's assistant had this experience in Newburyport, MA. He decided to do homework and make revisions from there. Mr. Lessard asked why this isn't tabled for a year.

Mr. McMahan asked how it would appear on the ballot. Attorney Gearreald answered it would be posted separately and it would refer to the article number.

Mr. McMahan stated he thinks the Planning Board has heard enough and went to the public.

### **PUBLIC**

Mr. Arthur Moody appeared. He noted the Town adopted the one-page telecommunications ordinance in 1999. He further noted that the State adopted a four page Deployment of Personal Wire Service Act, RSA 12-k. He explained our current zoning district where towers may be located in a third of a mile wide corridor in various zoning districts - Industrial and so forth. Collecting fees for experts was discussed. RSA 12-k states it has to be done in accordance with RSA 676:4,(i)(g). There is no section in the RSAs. Article XVI of the Zoning Ordinance was discussed. He discussed deleting existing definitions; location preferences and the seven pages of requirements. He stated that he hopes Board of Selectmen decides to withdraw this. He discussed waivers allowed for in the document. He noted that siting of the towers along right-of- ways can be waived. He discussed the leasing of Town land. Variances were discussed and lack of waivers.

Mr. Joe Pierzynski, of 554 High Street, appeared. He stated that he is in favor of enhanced ordinance. He explained that we have made mistakes in the past with applications for new towers and lack of coverage. He mentioned the new antennas on the condominium building on High Street. He stated that the carrier was told that no other carriers could go on the roof, but now they can.

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**BOARD**

The Board discussed what to do next with the proposed ordinance. It was answered that we are holding a public hearing only. Whatever goes on the ballot says either “Recommended by the Planning Board or “Not recommended by the Planning Board”. It was asked if the vote would be added. Mr. McMahon stated that he doesn't mind updating the ordinance, but the Planning Board is not ready to do it now. He feels that next year would be better.

**MOTION** by Mr. McNamara that the Planning Board not recommend passage of the ordinance at this time.

**SECOND** by Mr. Emerick. It was noted that the Planning Board has not had enough time to digest the proposed ordinance and so it is not fully understood. He feels that the vote should be postponed. A letter should be sent to the Board of Selectmen noting that the Planning Board has tabled it. All agreed to table the proposed ordinance until next year.

**MOVED** by Mr. McNamara to table.

**SECOND** by Mr. Emerick.

**VOTE: 6 – 1 (Loopley) – 1 (Griffin). MOTION PASSED.**

A letter is to be drafted by Mr. Steffen to the Board of Selectmen with the concerns of the Planning Board.

3. Amend Article I to add a new section titled Section 1.7 Authorization to re-number Articles and Article references.

Attorney Gearreald discussed that the amendment would allow for corrections to be made to references and cross-references such as one that was recently discovered in the Wetlands Conservation District without having to go to Town Meeting. Mr. McMahon noted that this is a housekeeping matter.

Mr. Moody appeared. He opposed the Article for historic archival reasons in using the Index of 60 years of ZBA variances. He also asked if anyone is required to keep a copy of each year's amended Zoning Ordinance.

**MOVED** by Mr. Emerick to recommend the proposed Article.

**SECOND** by Mr. Loopley.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**IV. NEW PUBLIC HEARINGS**

**13-001 35 Huckleberry Lane**

**Map: 115 Lot: 20**

**Applicant: Francis & Charlotte Prevost**

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**Owners of Record: Same**

**Subdivision and Special Permit to Impact Wetlands: 3-Lot Residential Subdivision on Existing Road.**

Mr. Prevost appeared with Henry Boyd of Millenium Engineering. This proposal is for land that fronts on the last section of Huckleberry Lane to be built. Frontage was discussed. The property is approximately 1.5 acres in size. This has gone before the PRC. It was originally proposed as four (4) lots. Ms. Dionne Conservation Coordinator had asked if it met the standards for newly-created lots in the Wetlands Conservation District. Mr. Boyd stated he found that the project did not comply so he re-configured the lots to create three (3) lots.

Mr. Boyd discussed storm water and DPW requesting a drainage easement for existing flow. He explained that Mr. Prevost had made a wooden troth that is now proposed to be below grade. Water control was discussed. Most of the property is mowed as lawn. The special permit was applied for so that future owners would not need to come before the Planning Board for work to their property. Minor grading and removal of the drainage panel were discussed. He explained that moving the pipe back further as per the request of the Conservation Commission. He indicated that Mr. Prevost is willing to do it. There would be a grass swale and pipe and there will be no more than 20' from the edge of the buffer. From the end of the pipe there will be 70' from the wetland. Mr. Prevost said he is selling lots, not building houses. The Conservation Commission wants water to have time to drain through a natural cover before it gets to the buffer. It will be 20' back, plus 6' of stone, leaving 14 feet. This will be changed on the plan.

Mr. Boyd discussed the granite bounds. Bounds would be shown on the plan, but they would be set on the property line. Mr. Boyd discussed the water main along Huckleberry Lane and getting water to Lots 2 and 3 for domestic water service and fire protection service. Aquarion Water will allow them to put in a smaller pipe. Hydrant location and placing one on North Shore Road (near Robin Lane) was discussed. They will meet with the Fire Department to see exactly where the hydrant should be located. Sewer location was discussed. The new homes will have a private force main. The Town will not have responsibility except where it comes into the road right-of-way.

Mr. Boyd discussed future projects close to flood plain and sea level areas relative to mapping.

Mr. Loopley asked about the height of the wires per Chief Silver. Mr. Boyd can measure the clearance.

Mr. McMahan asked if the sewer will be in the Town right-of-way. It will not be.

Mr. Emerick stated the Town is discharging water onto private property but making the property owner jump through hoops it. Mr. Prevost discussed issues that occurred in the late 70's with regard to flooding. Mr. Emerick stated that he is upset that the Conservation Commission comes down on landowners due to a Town issue.

The stone location was discussed by Mr. Boyd. Mr. Emerick stated that he feel he's not getting a fair shake - this is Town not Mr. Prevost's storm water.

Mr. Boyd discussed the Stormwater O&M Manual. He stated that it is just a pipe, and there is no need for a manual. It was discussed where the Town has an easement the pipe

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would need to be cleaned and inspected annually. Roof run-off was discussed and that would need to be addressed in the manual. Chris Jacobs of Hampton DPW has addressed the elevation of the lot and he wants the ability to maintain the pipe. Mr. Prevost asked if he could put this in the deed. Mr. Boyd noted that he will add wording to the plan they will state that “the Town has the right, but not the duty....” regarding maintenance.

**PUBLIC**

Ms. Dionne, Hampton Conservation Coordinator appeared. She noted that at the PRC meeting her recommendation was that the pipe did not help the situation. What was there before the drainage panel was discussed. Mr. Prevost changed it. She feels that having a shorter pipe is a benefit. Mr. Prevost has agreed to not have pipe closer than 20' to the buffer. She explained that the buildings being proposed are extremely close to the buffer. She noted that the Conservation Commission's recommendations still stand. Ms. Dionne stated that on Sheet 2 there is a buffer planting notation that she wants wording added to regarding the conservation markers being placed on a steel rod.

Mr. Olson asked about treatment on the other side of the pipe. Some runoff goes into a ditch and then it runs through lawn and a swale that is not maintained by anybody. It's a wooded area.

It was stated that this is not a Town-accepted road so any development would have to go before the Board of Selectmen. It is a public right of way, but has it has never been accepted as a Town road. Mr. Boyd believes there will be a warrant article put forward on the road this year.

**MOTION** by Mr. McNamara to approve the special permit in accordance with the Conservation Commission's letter dated December 27, 2012.

**SECOND** by Mr. Olson.

**VOTE 7 – 0 – 0**

**MOTION PASSED.**

**MOTION** by Mr. Lessard to approve the three-lot subdivision with the conditions contained in the Town Planner's memorandum dated January 2, 2013.

**SECOND** by Mr. Emerick.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

It was noted that one new (additional) hydrant is to be added to the plan.

**VOTE: 6 – 0 – 1 (Griffin)**

**MOTION PASSED.**

**13-002 20 Keefe Avenue**

**Map: 290 Lot: 68**

**Applicant: Donik Corp.**

**Owners of Record: Twenty Keefe Ave Realty Trust**

**Site Plan & Special Permit: Construction of 8-unit residential condominium complex on .67 acre parcel with associated driveway & parking areas.**

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Attorney Peter Saari appeared along with Joe Coronati of Jones & Beach Engineers. Attorney Saari explained that development of this site came before the Planning Board many years ago as a 10-unit project. The approvals have expired with the Town and State. This is for the same owner, Mr. Sanderson, but he wishes to sell the property now. These will be year-round homes. He discussed extending Keefe Avenue. It would be an asphalt road. The turnaround at the end of the road was discussed. There would be for parking for two vehicles. The site is currently gravel, but impervious due to wear and tear. Town sewer is currently to the property and it will be extended. The water main needs to be extended onto site. The current puddling problems and catch basins were discussed. There is an existing catch basin that has backed up but once it is cleaned out it should help the draining situation.

Lighting and landscaping were discussed. The Conservation Commission would like the applicants to move the homes closer to the proposed hammerhead turnaround in order to build a retaining wall along the back of homes to remove the fill that was added into the marsh many years ago. Wetland mitigation and restoration was discussed. The new retaining wall has not been added to the plan will be shortly per Mr. Coronati.

Mr. Steffen asked about the power line. It has not been resolved yet. They met with Unitil and overhead lines were discussed but an easement would be needed from the Town of Hampton. Mr. Coronati emailed Mr. Welch for the Town's viewpoint. Mr. Welch responded that the applicant should seek out another option. Mr. Coronati stated that there is power on Keefe Avenue. Mr. Coronati is asking Unitil to re-review how power can be brought to the property location.

Mr. Loopley asked about the permits needed per Mr. Welch's email. It's a private street so the Town will not plow. Trash collection was discussed. Other permitting was discussed. A State wetlands and shoreland protection permits are needed. A sewer extension permit from the State is also needed.

Mr. McMahon asked about repaving a private road. Attorney Saari responded that permission will need to be obtained from residents on the street but he doesn't feel that will be an issue.

Ms. Dionne appeared. The shoreland permit approval is different from what the Conservation Commission would like to see. Revised plans would need to go to the Conservation Commission. Ms. Dionne stated that Mr. Diener was out in that area after a recent storm and observed that all of Keefe Avenue was flooded. He wanted Ms. Dionne to reiterate tonight the need to make sure that the buildings are built at an elevation that is above what is recommended.

Site elevations were discussed. Mr. Coronati discussed a full-moon, high tide visit he recently had. He went to the retaining wall and he measured the high tide and noted that there was no wind and no storm. The high tide of the new moon was up to 6'7" and one half of Manchester Avenue was under water.

Ms. Dionne discussed water going through the condenser and questioned if the a/c units would be permeable. If they are within the 50' buffer, the applicant would need special permit approval.

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Mr. McMahon asked Mr. Coronati to discuss the placement of transformers and to be sensitive to that. Power may need to go down Keefe Avenue. He will try to resolve this before the next meeting.

The Board discussed that the matter should be continued. It can accept jurisdiction at this time. The PRC can continue to complete its work. The next meeting of the PRC will be the 23<sup>rd</sup> of January, so the Planning Board could meet on this again at the February 6, 2013 meeting.

**MOTION** by Mr. Lessard to continue the applications to the Planning Board's February 6, 2013 meeting.

**SECOND** by Mr. Emerick.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**13-003 4 North Shore Road (WITHDRAWN)**

**Map: 130 Lot: 4-1**

**Applicant: Kevin & Joan Kelly**

**Owners of Record: Joan Kelly Revocable Trust**

**IMPACT FEE WAIVER REQUEST**

**13-004 140 Kings Highway, Unit 6**

**Map: 183 Lot: 18-6**

**Applicant: Jay E. Taylor**

**Owner of Record: Jay & Barbara Irrevocable Trust**

**Special Permit: Installation of 24" x 24" elevated air conditioning condenser unit to be added to unit's heating system.**

This applicant requested that this matter be continued to February 6, 2013.

**MOVED** by Mr. Emerick to continue the application to the Board's February 6, 2013 meeting.

**SECOND** by Mr. Lessard.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**13-005 175, 165 & 155 Island Path**

**Map: 280, Lots: 22-1, 22-2 & 22-3**

**Applicant: Ezra Real Estate, LLC & Attn: Aaron Brown**

**Owners of Record: John & Ann Hangen (22-1) & Aaron Brown (22-2 & 22-3)**

**Special Permit: Construction of two townhouses (one duplex).**

Mr. Joe Coronati of Jones & Beach Engineers appeared with Aaron Brown, the owner of the property. This was before the Board in 2008. Mr. Hangen had owned the land the house and a secondary house. He came at the time for subdivision and special permit approvals. The

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house and vacant lot were sold to Aaron Brown. In 2008, they did not realize the special permit expired in two years. The State wetlands permit is valid until March of 2013. They wish to renew it with no changes to the plans.

Mr. Coronati discussed the land and the prior application. It did not require zoning at that time. A lot of stone and plastic lining was removed. Stone wall removal was discussed. Replanting and re-grading were discussed. Mr. Brown explained that in 2008 he believed he was going to fix it, but it has not been touched. There is membrane under the stone. Mr. Brown stated that part of his approvals were to remove it. A driveway also needs to be re-located. Mr. Coronati stated there is a lot of work to be done. Mr. McNamara stated he would have liked to have seen some minor work completed on the project. None of the special permits stipulations were completed.

Mr. Lessard discussed making this a condition of the new permit. It was tied to construction of the duplex per Mr. Steffen, but the Board can do this now. This is a new permit as the old one expired. Mr. Loopley stated that we limits on renewals of other permits. He feels that something should be put into our regulations to prevent this from occurring again. The Board discussed the Conservation Commission pursuing the portions not restored as a violation. A letter would need go to the Board of Selectmen. The Board discussed the stipulations not being met and the need for possible enforcement.

### PUBLIC

Mr. Brian Belanger appeared. He stated he lives at 145 Island Path, an abutter to the property. He discussed the unresolved issues. He discussed adding two more units to the land. He read the multi-family regulations aloud. He discussed his concern with water freezing in the driveway. He discussed his parking concerns.

Mr. McMahon stated the Board will address some of the special permit concerns.

Ms. Dionne appeared. She discussed the expiration of the special permit. She tried via certified and regular mail to contact the owner about the special permit expiration and outstanding violations and got no response. She stated that the Conservation Commission is happy to have plan come forward but she would like a deadline set for the violations to be corrected. It should be a year or six months to correct violations.

Mr. Steffen discussed the proposal being for a special permit and for a separate lot which will have a duplex built on it. It's not a multi-family residential use. It involves wetland restoration work on two other properties.

Mr. Olson asked who is responsible for the neglect - Mr. Brown or Mr. Hangan. It goes back to Mr. Hangan who should have fulfilled these issues. John Hangan was a partner in the request for the subdivision. He noted there was remediation involved that the neighbor is now getting hurt on.

Mr. Steffen stated that the remediation was tied to the subdivision and duplex construction. The duplex does not require site plan approval, but the work under the special permit involves three properties. Mr. McMahon stated if the Board chooses to approve the special permit it should be done differently than last time. The work should be done sooner rather than later. Mr. Olson asked if work is going to be done with this project and the

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applicant stated “yes”. Mr. Brown stated he would like to address all issues at the same time. Mr. Brown's intent is to correct the problem. It is not a problem that he neither created nor was aware of it. He did not realize the special permit expired. NHDES is aware of the site. NHDES expires this coming spring. He may need to extend that. His intent is to not put this off for another two years. He would agree to a special permit that states that the work needs to be done within a certain timeframe.

Mr. McMahon stated he is reluctant to vote on it tonight. He stated that the Board needs to agree to something in writing that states what our expectations are of the applicant. He doesn't want to make things up as we move along.

**MOTION** by Mr. McMahon to continue the application to the January 16, 2013 meeting. In the meantime, the parties should get together so we will know what we are voting on. He noted that it is a two-year permit normally but the Board could make it one year. He stated he would like direction on where we are going on this.

Mr. Lessard stated maybe it should be a two-step process. The duplex could be not built for a long time. Mr. McMahon agreed. So maybe there needs to be an action taken on Lot 3 (new subdivided lot), so abutter is not harmed by no action being taken.

Ms. Dionne stated it could be split into two special permits. One could be for the restoration and remediation and other one for building the duplex. There's nothing in the deed that should cause that action to be a problem per the applicant. Mr. Brown stated that they can't fix it if they wanted to right now without a permit. Mr. Brown said the State should be sensitive to this because of the nature of the area. He understands concerns with beach and the marsh. He stated if it is one permit maybe a time constraint could be put on it.

**MOTION** by Mr. Emerick to continue the application to the January 16, 2013 meeting. The applicant will submit a plan / schedule at that time of what will occur if the special permit is approved. Mr. Lessard asked about requiring a temporary remediation on lot 3 which was discussed. Mr. Emerick offered the option of bringing a new plan back as part of the application process.

**SECOND** by Mr. Loopley.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**13-006 7 Susan Lane**

**Map: 287, Lot: 14**

**Applicant: Mary Ann Longchamps, Trustee of Mary Stephens Living Trust**

**Owners of Record: Same**

**Special Permit: Removal of existing asphalt, replanting lawn & renovating existing retaining wall.**

Mr. Joseph Coronati appeared with Bob Longchamps, Trustee. This is a small lot, 5,000 SF, off of Brown Avenue. The proposal is to make improvements to the site. He would like to remove the existing gravel driveway and replace it with 3/4” stone. The retaining wall

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was discussed. A 15” or 18” retaining wall will be built. The fence along the sides and front will be replaced. The chain link fence will be removed. They have made changes to the plans and the new items are on the plans. A State wetlands permit has been applied for.

**MOTION** by Mr. Emerick to approve the special permit with the stipulations contained in the Conservation Commission letter dated December 18, 2012.

**SECOND** by Mr. McNamara.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**IV. CONTINUED PUBLIC HEARINGS**

**V. CONSIDERATION OF MINUTES of December 21, 2011**

**MOTION** by Mr. McNamara to table the minutes until the January 16, 2013 meeting.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**VI. CORRESPONDENCE**

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**

**MOTION** by Mr. Emerick to adjourn.

**SECOND** by Mr. McNamara.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

MEETING ADJOURNED: 10:30 p.m.

Respectfully submitted,

Laurie Olivier, Administrative Assistant

**\*\*PLEASE NOTE\*\***

**ITEMS NOT CALLED OR IN PROGRESS BY 10:00 P.M.**

**MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING**