

HAMPTON PLANNING BOARD

MINUTES

February 20, 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: None

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

IV. NEW PUBLIC HEARINGS

IV. CONTINUED PUBLIC HEARINGS

13-002 20 Keefe Avenue (continued from 1/2/13 & 2/6/13)

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.

Mr. Coronati and Attorney Saari appeared. Mr. McMahon addressed two issues that came up at a recent Board of Selectmen's meeting. It was stated at the meeting the Planning Board gave a waiver regarding the cul-de-sac requirement. This Board did not grant such a waiver. He also noted that the selectmen stated that the Planning Board acted in order to maximize the number of units on this site and that is incorrect. He explained that usually the Planning Board tries to scale projects back. He wanted to make the public and applicants aware of this.

Attorney Saari stated that the applicants never asked for relief on the cul-de-sac. He stated they came in with the 8 unit proposal and that is what the Board is reviewing.

Mr. Coronati discussed snow storage and removal and trash pickup. He believes the abutters and Keefe Avenue owners were notified of the proposed changes. He stated that nothing has been changed since the last plan. He recapped the prior changes on widening and lengthening the hammerhead by a couple of feet and reducing the footprint of the houses.

HAMPTON PLANNING BOARD

MINUTES

February 20, 2013 – 7:00 p.m.

They agreed to do snow plowing for all of Keefe Avenue. They also agreed to handle trash for all of the proposed eight units with the Town picking up the trash for other residents on Keefe Avenue. Mr. Coronati asked what the next step would be.

Mr. McMahon discussed trash removal and plowing. The Town Manager raised an issue on notification of Keefe Avenue abutters. He believes it needs to be done via certified mail. We as a Board now need to that to ensure that everyone is aware of the issues.

Mr. Lessard asked about snow plowing. It's a private road now. If this gets approved and they later go to the Town Meeting and it becomes fire lane like many streets have been done in the past how is it different with the Town taking care of the road now. How can a developer be responsible for the whole street?

Mr. Steffen stated Keefe Avenue currently has a fire lane; the Town has 15' of space for emergency access so it would not have to go to Town Meeting on that. Mr. McMahon stated the second part of Mr. Lessard's question concerns trash. He isn't sure what the policy is. The Planning Board needs to find out what the policy will be. Mr. Griffin responded that it's an evolving situation. Mr. Griffin would like people who are there for the summer to be able to provide input on this. Mr. Loopley stated that it was offered up for the applicants to plow the snow. We now have a snow, trash removal agreement. It's been presented to the Town Attorney. Mr. McNamara discussed past dumpster issues. Mr. Loopley stated the Town does not want to go onto private property to provide services for these new developments.

Mr. McMahon stated a policy needs to be adopted so that the Planning Board can be consistent. He also noted that problems occur after a property flips a couple of times.

Mr. Olson asked what the difference would be with collecting the trash for eight more homes.

Mr. Loopley asked about the proposed agreement. He noted that if it is stated in the deeds and in the plans we should be all set.

Mr. Olson asked Mr. Coronati about the density of making the development individual lots. Mr. Coronati responded almost all the lots would be substandard. They are all Residence B (RB) lots. They don't have sufficient frontage, etc. Mr. McNamara asked if the Town is opposed to hammerheads. Mr. Griffin stated he believes so. Mr. Steffen stated that he has only has input from DPW on the hammerhead. He noted that he spoke with Scott Steele, Fire Prevention Officer on Friday and the Fire Department will be reviewing the proposed agreement for their input. It was asked how we are doing on our 65 day clock. Mr. Steffen stated it will be close to running out at the March 6th meeting. Mr. Lessard asked if we can continue this beyond that date. Attorney Saari responded that they don't want to, but they will. They are frustrated as this matter has gone to two PRC meetings already and a preliminary consultation with the Planning Board, as well as working with the Town.

Mr. Emerick asked about approving the application at this time. Mr. Steffen stated that he has been told by the Town Manager that the proposed agreement has to be approved by the Town Manager, Town Attorney and Board of Selectmen before the Planning Board can approve the project. Mr. Steffen further stated that just the Keefe Avenue landowners need to be noticed via certified mail. Mr. Emerick doesn't agree with this situation, especially where the applicants are proposing to take care of the snow and trash. Proper notice was discussed. If everyone on Keefe Avenue wasn't noticed properly, we should re-notice. We

HAMPTON PLANNING BOARD

MINUTES

February 20, 2013 – 7:00 p.m.

will by that time also hear from the Fire Department and DPW. Mr. McNamara asked that the Town Manager to put some pressure on DPW and the Fire Department to get their responses. We will get certified letters out and we can then act on it in two weeks. Mr. Steffen responded that he didn't believe that the Board of Selectmen would be taking up any new business until after the March election so that may not get to this until the end of March. The Board discussed the Fire Department concerns and turn-around issues in the hammerhead. Mr. Steffen explained that the Fire Department's concern is the snow storage impeding access to the rear of the units.

PUBLIC

Mr. Brett Bufalino property manager for the Beverly Hotel condominiums appeared. He stated that the president of the association emailed him that afternoon with some questions for the Board. He asked what the proposed start date was for the project. Mr. Coronati responded that the summer would be ideal, but he doesn't know at this time. Mr. Bufalino asked about street access and if Beverly's access will be blocked by construction. Mr. Bufalino discussed drainage and noted that the road is many inches lower than Ashworth Avenue. It freezes in the winter and there is no place for the water to go. Plowing after it is frozen is impossible - it is a skating rink.

Mr. Loopeley responded that the developer has proposed to fix the drainage manhole in the street. Mr. Coronati responded that the manholes were removed. Ashworth Avenue is higher now than Keefe Avenue. A new catch basin will be added to stop the puddling effect, but it will not solve the drainage issues. Mr. McMahon stated the road is in horrible condition right now. There is water sitting on the road which causes the road to deteriorate. Mr. Coronati stated that they will repave from Ashworth Avenue all the way to the site it will have a new top coat of asphalt only. Attorney Saari stated that he wants the consent of the people on Keefe Avenue.

Mr. Bufalino put money into patching the hole. He asked about maintaining the road in the future. It's a private road; it gets maintained by people by using the road. Each abutter owns interest in the road.

Mr. Bufalino asked if there are any plans to fix the power lines. Mr. Coronati responded not for the whole road. There will be new lines going over the houses. Unutil will be replacing the trunk line and re-running lines. These are above-ground wires / lines.

Mr. Bufalino discussed trash collection policy. He would like it defined - who gets trash collection and who does not.

BOARD

MOTION by Mr. Lessard to continue the application to the March 20, 2013 meeting.

SECOND by Mr. Emerick.

VOTE: 7 – 0 – 0

MOTION PASSED.

HAMPTON PLANNING BOARD

MINUTES

February 20, 2013 – 7:00 p.m.

V. CONSIDERATION OF MINUTES of January 16, 2011 & February 6, 2013

MOTION by Mr. Emerick to approve the January 16, 2013 Minutes.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 1 (Mr. Lessard)

MOTION PASSED.

MOTION by Mr. Emerick to approve the February 6, 2013 Minutes (noting the correction on Mr. Loopley not being the “Vice Chair”).

SECOND by Mr. Loopley.

VOTE 3 – 0 – 4 (McNamara, Griffin, Lessard & Olson)

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

72 Island Path (REQUEST FOR EXTENSION FOR BELOW PERMIT)

Map: 281 Lot: 30

Applicant: Bob Holder

Owner of Record: Holder Family Revocable Trust

Special Permit to Impact Wetlands: Removal of one-story dwelling and construction of new building addition with deck. Construction of new pervious walk and driveway

Mr. Steffen stated the applicant did not need to appear. The special permit is to expire on March 2, 2013. The work has not been started. The extension would be for two-years. It's not a violation situation.

MOVED by Mr. Lessard to approve the two-year extension.

SECOND by Mr. Olson.

VOTE: 7 – 0 – 0

MOTION PASSED.

Mr. Steffen updated the Board on the Downtown Village Corridor study and plan. Our consultants held a meeting with Experience Hampton and other town officials recently. They are also meeting with some seniors and the schools for more input. The advisory committee will be meeting soon probably March 5th to begin planning the Design Workshop scheduled for April 13th which is the big public event. The location is yet to be determined. It will be probably be televised. It will be a daylong event and maybe a two-day event. Mr. Loopley commented that Route One Corridor Study participants should be there as well. Mr. Olson commented that the public should be informed so they will be able to see that this has been in the works for quite a while.

Mr. Steffen stated he is putting together a transportation improvement project submittal for the MPO and the State's Ten Year Plan. He's been discussing this with the DPW director and Town Manager. March 1st is the deadline. It was asked how Mr. Steffen obtains proposed

HAMPTON PLANNING BOARD

MINUTES

February 20, 2013 – 7:00 p.m.

project and he responded from previous plans. Mr. Lessard was concerned that it is out of the public's eye. Mr. Steffen said he's getting input on what is already in the transportation plans. The Route One Corridor Study is one source per Mr. McMahon, as well as the Hampton Beach Master Plan.

Mr. Steffen noted that there is a pre-construction meeting scheduled for tomorrow on the Seacoast basketball facility at the Seacoast United site. DeNiro Construction is the lead contractor on that project. Mr. McNamara would like Mr. Steffen to pay special attention to parking - its design and attendance--even after project gets going. He wants to make sure that what is approved is what is adhered to.

Mr. Steffen noted that the Stormwater O&M Plan Annual Report was submitted for 434 High Street condominium project. Site conditions were in very good condition per Mr. Steffen and he read the report aloud. Mr. Olson asked why it's the first one we have received. Mr. Steffen responded that he has notified others such as Witch Island condominiums. Mr. McMahon stated the O&M agreements need to be complied with. Mr. Steffen further responded that he has notified Jones & Beach Engineers who is the engineer for all of the projects. It was noted that they may not be associated with the condominium associations anymore. All applicants should know to follow up with the O&M agreements. A second follow up should occur and if there are no results from that then it should be turned over to the Board of Selectmen for possible enforcement. There was more comment from the Board members about needing to have compliance on this and possibly involving the Legal Department if that doesn't occur. Mr. Steffen noted that he has given them a deadline of March 1, 2013 to comply. Mr. Steffen stated this is all new as far as how we are handling it. Mr. Olson responded that we are setting a precedence to let applicants do whatever they want. If we do not received the reports by March 1st Mr. Steffen stated we will take it to the next step for enforcement.

Mr. Loopley asked about the drainage problem at 437 Winnacunnet Road, and how we missed the follow up on drainage situation. The abutter Ms. LeBlanc is now complaining. She's appealed the approval of the special permit to Superior Court.

VIII. ADJOURNMENT

MOTION by Mr. McNamara to adjourn.

SECOND by Mr. Olson.

VOTE: 7 – 0 – 0

MOTION PASSED.

MEETING ADJOURNED: 8:00 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