

HAMPTON PLANNING BOARD

MINUTES

October 16, 2013 – 7:00 p.m.

PRESENT: Mark Olson, Chairman
Brendan McNamara, Vice Chairman
Tracy Emerick
Fran McMahan, Clerk
Mary-Louise Woolsey, Selectman Member
Mark Loopley
Ann Carnaby, Alternate
Jamie Steffen, Town Planner

ABSENT: Keith Lessard

I. CALL TO ORDER

Chairman Olson 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: 64 Winnacunnet Road – Residence & cat breeder business to residence & architect's office.

Wendy Welton appeared. She is an architect and the owner of the business. She is in Portsmouth now and has a contract to purchase this property. She noted that she had a home inspection done and the results of that have affected her plans for using the chapel in back for her office. It was determined that the chapel has a leaky roof. She needs to make the buildings ADA accessible. She would like to have her business in the future office while she works on the house. She gave the Board members drawings of what she is proposing for the property. She discussed rehabilitating the chapel and adding a workroom.

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Mr. McNamara asked about parking spaces. Ms. Welton responded it is for five spaces now but she may expand her parking in the future; it would be gravel though not pavement. She stated that for the first year she hopes to have five spaces and noted that some of her staff works off-site.

Mr. McMahan noted that the area zoned is for professional office which is consistent with her application. He asked about its future use. The Board will need to see a revised or new site plan later on if things change. Ms. Welton noted that she plans to have the property surveyed in the future.

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

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SECOND by Mr. McNamara.

VOTE: 7 - 0 – 0

MOTION PASSED.

- Jay Diener and Rayann Dionne - Sealed Surface Warrant Article

Mr. Diener and Ms. Dionne, Conservation Coordinator, appeared. They have worked with Julie LaBranche at the Rockingham Planning Commission on its presentation. One of the proposed warrant articles is to provide a definition of impervious surface. The other warrant article would be to set new standards for impervious surface coverage in Hampton.

There is a print-out available at the Planning Office about impervious surfaces. Chemicals and insecticides were discussed in our waters. Impervious surfaces contribute to local flooding as well.

Ms. Dionne discussed her research on impervious coverage and the relationship with watershed and the effects on water quality. She noted that once you reach 10 percent impervious coverage there are water quality impacts. The negative impacts were discussed. The power point slides will be available for the Deliberative Session. Ms. Dionne discussed what happens after 10 percent of a watershed is covered by impervious surfaces. Shellfish disease and decrease in fish population will occur. Keeping our beaches safe for the public is a high priority.

Ms. Woolsey noted that well water could be affected as well. It was noted that impervious coverage is on the rise and the Conservation Commission would like it to come down. The slides only included upland areas, not the marsh areas.

Ms. Dionne stated that a common definition needs to be added into our Zoning Ordinance as it is often discussed Planning Board meetings.

Mr. Emerick stated there could be problems in the future as not every driveway is impervious. Mr. Emerick commented about gravel surfaces and how this is always an issue before the Planning Board.

Mr. Diener stated they would go with the State's definition which says that gravel is impervious. Mr. Olson noted that the Shoreland Protection Act first said it was not acceptable. Mr. Olson commented it is a matter of interpretation. The State says “unless designed to be pervious”. Mr. Diener stated that the Conservation Commission will work on language regarding gravel. He commented that they are trying to keep this as simple as possible.

Ms. Dionne discussed the handout in further detail. Ms. Dionne will send out the State's definition on gravel to the Planning Board – they may reference the RSA.

Ms. Dionne and Mr. Diener next discussed impervious surface coverage.

Mr. Diener explained the outline and where Hampton stands in relation to other towns. He noted that we allow a greater coverage than most communities. It was noted that if the towns compared are covered by public sewer systems it is different than Hampton.

They discussed establishing the 85 percent coverage in Hampton. The Conservation Commission could not find out how this number was established but it chosen in the mid-1990. From what they gathered the number wasn't based on any research or anything viable.

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Ms. Dionne discussed an earlier concern about changing the requirement and causing an undue hardship on property owners. Ms. Dionne explained that she did a worst case scenario of impervious surfaces. The Conservation Commission would like to see the number less than 85 percent. Percentage changes were discussed. The averages of the worst-case scenarios were referenced on the snap-shot impervious coverage chart in the Conservation Commission's presentation. The Conservation Commission chose 60 percent as their benchmark. The 60 percent benchmark would be applied to all zoning districts except the Business and Business-Seasonal zoning districts. The warrant article includes language to include not only the current zones but future zones as additional ones may be added at a later date.

A reduction in impervious coverage in the business zones was also discussed. "Grandfathered" lots were discussed.

Mr. McNamara commented that he is worried about development in Town being hindered with this change. Mr. Diener responded that they wish to strike a balance with these amendments. He discussed the use of low impact design techniques such as porous pavers. He stated that we need to change the numbers to make a significant difference in the Town.

Ms. Dionne discussed that owners/developers can maintain what they have.

Mr. Emerick asked if there is enough developable land to lower the percentage. It was discussed that owners/developers could seek variances where necessary.

Mr. Olson asked if the Conservation Commission could make the revisions to the proposal in a timely manner. It replied "yes" they could. Ms. Dionne will update the language in the next week. This will be discussed again at the first meeting in November. This will be a Planning Board warrant article. It was noted that the proposed wording of the article has to be available at least 10 days prior to public hearing.

MOTION by Mr. Emerick by to put forth the two proposed warrant articles as amended as Planning Board sponsored articles to be posted for the first public hearing to take place on November 20, 2013.

SECOND by Ms. Woolsey.

VOTE: 6 – 0 – 1 (McNamara)

MOTION PASSED.

III. CONTINUED PUBLIC HEARINGS

IV. NEW PUBLIC HEARINGS

V. CONSIDERATION OF MINUTES of October 2, 2013

MOTION by Ms. Woolsey to approve the October 2, 2013 Minutes.

SECOND by Mr. Emerick.

VOTE: 5 – 0 – 2 (Olson and Carnaby)

MOTION PASSED.

VI. CORRESPONDENCE

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Ms. Woolsey stated that she would like to see the height warrant article and to address the facades and the mechanicals as well as the actual high point of the dwelling area in a building.

VII. OTHER BUSINESS

- Impact Fees

Mr. Steffen stated that back in January of this year the Board agreed to revisit this in October. He discussed the letter from Bruce Mayberry on the cost of doing a comprehensive study for additional impact fees that he handed out to the Planning Board members.

Ms. Woolsey commented that \$40-50,000 was a lot of money to spend for this. She further commented about the warrant article that was put in 2002 authorizing the implementation of impact fees and stated it would be a shame with all the building going on not to capitalize on the opportunity for additional fees.

Mr. Olson commented based on two criteria from Mr. Mayberry we cannot move forward with impact fees.

Ms. Woolsey discussed RSA 149-I and the acceptance of Rye's wastewater at our treatment plant. There will be an article to re-adopt RSA 149-I.

Mr. Olson asked why that can't be a revenue stream. That is our impact fee. He asked if Rye is paying for the cost and if there is a profit for Hampton.

- Zoning Proposals

Building heights were discussed. Mr. Steffen distributed renderings from the Rockingham Planning Commission (RPC) GIS person showing three-dimensional views of building heights at the Beach. The Board discussed these and felt they were over-dramatized. They requested zoning maps for the public input session for next week.

There was discussion about re-zoning the area from A block to F block. That discussion should be continued next week. The zoning article will be developed next week based upon the public input received and then further refined by the Board at the following meeting. Public hearings on the proposal would occur thereafter.

Mr. Steffen noted that the proposed personal wireless services ordinance needed to be discussed by the Board. Ms. Woolsey noted they can have the attorney discuss this again. Mr. McNamara thinks it is a waste of time. Ms. Woolsey asked for a Planning Board member to attend a Selectmen's meeting on this. Ms. Woolsey will bring this up at the next Selectmen's meeting.

The Town Center zoning proposal was discussed. Mr. Steffen noted that they are making good progress with the proposal. There will be another meeting of the advisory committee on

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October 29th to continue working on it. The Committee met the day before and got through most of the proposal but did not have time to discuss proposed building design standards.

VIII. ADJOURNMENT

MOTION by Mr. Emerick to adjourn.

SECOND by Mr. Loopley.

VOTE: 7 – 0 – 0

MOTION PASSED.

MEETING ADJOURNED: 8:30 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