

**HAMPTON PLANNING BOARD**

**MINUTES**

**March 5, 2014 – 7:00 p.m.**

**PRESENT:** Mark Olson, Chair  
Brendan McNamara, Vice Chair  
Ann Carnaby, Alternate  
Fran McMahan, Clerk  
Mary-Louise Woolsey, Selectman Member  
Keith Lessard  
Mark Loopley

**ABSENT:** Tracy Emerick  
James Steffen, Town Planner

**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.

Mr. Olson noted that 1042 Ocean Boulevard made a request to be continued to March 19, 2014.

**MOVED** by Mr. Lessard.

**SECOND** by Mr. McMahan.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**II. ATTENDING TO BE HEARD**

**III. NEW PUBLIC HEARINGS**

**13-048 295 Ocean Blvd.**

Map: 282 Lot: 53

Applicant: John Stebbins

Site Plan Review: Parking area rehabilitation to include addition of parking spaces (24), reconstruction of existing parking spaces and access, a new compactor with screening and a subsurface infiltration system.

Mr. John Stebbins and Mr. Brian Jones (Allen & Major) appeared. A building on the property had been unused for many years so they demolished it last spring (small building). They want to maximize parking. They are trucking trash during the summer. They want to put in a compactor and recycling bins. Current drainage/infiltration is inadequate. He showed where valets bring the cars down to (Church Street). They thought this would be good to minimize the travel for parking.

Brian Jones of Allen Major Associates appeared. He showed where the demolished house was. There is a single leaching catch basin. They would rehabilitate the parking lot.

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They would repave the entire lot, install curbing around the perimeter. A PVC fence would be installed. He showed where the compactor would go. Tandem stalls would increase the site by 13 additional parking spaces (where old building used to be). Fire truck travel access was discussed. They can accommodate fire truck movement.

Mr. Jones also discussed increased stormwater management. They would remove the leaching catch basin and install an underground infiltration system. They received comments from DPW and CMA and they have responded to the comments. One small change to the O&M Plan occurred. Permeability of soil was discussed. They will determine seasonal water tables. DPW wants more than laboratory test. It wants a more scientific test. **Mr. Jones is stating they will verify permeability upon conditions of approval.**

Ms. Woolsey asked about CMA's comments about the fire truck turnaround from January. She asked if a ladder truck can maneuver and Mr. Jones stated that Scott Steele is comfortable with the plans now.

Ms. Woolsey asked about the soil and core samples. Mr. Jones said there is about 2' of fill. She asked about the slope of the parking lot.

Mr. McMahan asked about impervious surface. It is being reduced. It is 97 percent in existing and 97 percent in proposed. They are making it more conforming.

Mr. Loopeley asked if this is valet controlled and it was stated "yes". There would be cones so there cannot be parking two rows deep. There are 38 surface spaces; 22 within the garage and they are not proposing handicap spaces. Mr. McNamara asked about handicapped spaces. There is a handicap space in front of the hotel. This is valet parking only. Mr. Jones stated this is a valet facility. A passenger loading zone is provided. He asked if a handicapped person has to pay and **Mr. Stebbins stated they do not need to pay.** Mr. McNamara stated that the Board will talk to the Town Manager about that. **Mr. Stebbins stated they will provide the letter.**

Mr. Lessard asked about the compactor. He asked where **recycling carts will be. They need to be drawn in the plan per Mr. Lessard.** He wants that added in to show storage. Mr. Stebbins said it is on casters and the carts will be on casters also. They will provide them in the document before it is recorded.

Parking spaces being striped was asked by Mr. Lessard. They won't be numbered. They are asking for 38. There should be only 38 cars parking. Will the Fire Lane be depicted on the plan was asked. Stacking cars was addressed. Mr. Stebbins stated they are intending to park 38 cars. **Mr. Lessard wants the spaces numbered and Mr. Stebbins agreed.**

The Fire Lane isn't marked as a fire lane. Mr. Lessard stated valet parking can be tight sometimes. He wants to make sure that emergency vehicles will have access. There will be no parking in that lane.

Mr. McMahan asked about trash and recycling. There is a trash vendor service; not provided by the Town.

Mr. Olson asked about the test pit and report. He asked why everything was challenged. Mr. Jones said they did not do a PERC test. The PRC meeting brought on the permeability test. CMA and PRC agreed, but the DPW Director wanted to take it to the next level.

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**MOTION** by Mr. Lessard to approve the site plan, Project 1362-11, dated 12-09-13, with with last revision to Site Plan dated **February 24, 2014, noting** that a new plan be provided to depict the location of recycling containers. Also, the fire lane will be marked so no vehicles park there and the parking spaces will be striped and numbered. Applicable permits and permeability test needs to be included on the plan as well as a note stating that per the ADA, applicant will not charge for valeting vehicles of handicapped persons vehicles (as a motel policy) with motel policy and along with the Planners Memorandum dated January 31, 2014.

**SECOND** by Ms. Woolsey.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**13-050 2 Nor'East Lane**

Map: 99 Lot: 11A

Applicant: Wendy Geier

Owner of Record: Same

Special Permit (after the fact): Repair of seawall (emergency) and addition of rip rap.

Ms. Geier along with her son appeared. When the wall was rebuilt, the wall was built larger than it was before.

It was asked how much larger it is now. Mr. Geier stated the wall got hammered and so an emergency permit was applied for. The applicants weren't aware that they needed to come in to get permit from the Conservation Commission. They had to get the wall built asap. No survey was performed. The contractor built it the way he felt it should be built.

**BOARD**

**PUBLIC**

Mr. Jay Diener, Conservation Commission, appeared. This was an emergency authorization. A letter from the DES specified that all Town permits had to be applied for, but they were not. This was an after-the fact application. The Conservation Commission is requesting rather than having them rebuild the wall that if any further work in the future is done on the wall, that it would revert back to the 2011 plans and existing conditions.

Ms. Woolsey asked about concrete and there is no concrete.

**MOTION** by Mr. Lessard to accept the after-the-fact permit and grant the special permit along with Recommendation for this meeting (3/5/14) and along with the stipulations contained in the Conservation Commission's letter dated October 9, 2013 and January 30, 2014.

**SECOND** Ms. Woolsey.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

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Mr. Ron Craven appeared. He asked about the stones on his property. Mr. Lessard stated they will not add more to that wall. Mr. Craven wants to keep his seawall the same height. He just does not want anything on his property.

#### **14-001 43 Nudd Avenue**

Map: 274 Lot: 155

Applicant: Ursula Dohn

Owner of Record: Same

Special Permit: Re-development of lot including construction of proposed home, construction of attached garage and pervious patio and driveway.

Ms. Dohn, her husband, Scott, and Steve Riker of Sandpiper Environmental appeared. The Conservation Commission recommended approval. This is for reconstruction of the home. There is a storage shed that will be removed. Setbacks were discussed. A storm drip edge is proposed. Square footage within 50' buffer is 507 square feet.

### **BOARD**

Ms. Woolsey asked about the application and the impact. She asked about the footage. Mr. Riker discussed the pervious patio – it is considered impact. Ms. Woolsey asked why we are putting things in the buffer.

Mr. Diener appeared. Porous material is not a permanent impact to the buffer. There are temporary impacts where water filters through. Mr. Diener said it should have been noted as temporary impact. Mr. Riker listed it as permanent. **That will need to be amended on the plan/application.**

**MOTION** by Mr. Lessard to grant the special permit on plan dated November 18, 2013, along with the conditions contained in the Conservation Commission letter dated Janaury 30, 2014 and Town Recommendation dated 3/5/14, and that Mr. Riker will correct the application to show the corrected numbers stated for temporary and permanent impact and provide the Planning Office with the corrected document.

**SECOND** by Mr. McNamara.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

#### **14-007 1034 Ocean Blvd.**

Map: 116 Lot: 23

Applicant: John and Jerri Cerullo

Owner of Record: John & Jeri Cerullo

Special Permit: Reconstruction of existing sea wall (revetment) to be built in same location. Existing revetment will be torn down.

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John Chagnon, Ambit Engineering, appeared. This application is to repair the existing revetment. We have letters from abutters. It received approvals from the wetland board. The Conservation Commission voted on January 28, 2014 to recommend approval to the Board for the project.

### BOARD

Mr. Olson asked about the area in question and the impact area total. They have five years to do the whole project. The Special Permit from the Conservation Commission is for two years. Mr. Chagnon said the permit is for the entire replacement of the wall. They are permitting the whole revetment so they don't have to come back again. The revetment is on Town property.

Mr. Chagnon said there is a note that the stairs remain in place. Mr. Chagnon said the last permit was 1994-1996. The home was constructed in 1996 and that's when the wall was built.

Mr. McMahon asked if there was an analysis on why it was damaged; if there is an underlying condition that caused the disrepair. Mr. Chagnon said he thinks the wall failed because the stones before were not big enough.

Mr. Loopley asked about Details on the plan and why vegetative practice and fertilizing grass seed, etc. is on the plan. Mr. Chagnon stated that it is standard practice because the DES requires notes on those things. Mr. Loopley said it could have been shortened up.

### PUBLIC

Mr. Jay Diener, Conservation Commission, appeared. The plan is dated 1/27/14. The special permit can be extended twice; two years long. Good for 6 years total. That's why the Conservation Commission **wants an as-built** so the Town can see what was built is what was to be built.

**MOTION** by Mr. Lessard to grant the special permit along with the stipulations contained in the Conservation Commission letter dated 1/30/14. The applicants need to go to the Board of Selectmen and get all permits before commencing any work.

**SECOND** by Ms. Woolsey.

**VOTE: 6 – 1 (McNamara) – 0**

**MOTION PASSED.**

**14-003 275 Ocean Blvd.**

Map: 282 Lot: 85, 87-1 & 87-2

Applicant: Green & Company

Owner of Record: JCM Management, LLC

Site Plan: Construction of 36 residential condominium units and 6 commercial condominium units.

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Attorney Peter Saari appeared along with Joe Coronati of Jones & Beach and Mike and Richard Green of Green & Co. Mike Whitcher appeared also of Whitcher Builders. This project is like the Sea Spray. It has approvals from ZBA. They went through the PRC as well.

Mr. Coronati discussed that this is portion of A Block; 50' on Ashworth Avenue and 150' frontage on Ocean Blvd. It is a gravel parking lot now. Stormwater flows off of site onto the Blondeau property into drainage system on Ashworth Ave. It is five stories. Parking is at the rear of the site. No driveways through the building.

Access is from Ashworth Ave so a sign is added near the entrance to show people they may go past the entrance since the address is Ocean Boulevard. There is an 80' wide curb cut. An 18' wide sidewalk will be added. The sidewalk on Ocean Blvd will be removed and a new sidewalk will be added after construction. New granite curbing and an asphalt sidewalk will be added.

Two old street lights are there currently. They have permission to remove those and they will light the sidewalk from the building itself. They can go up to eight stores; they are showing five now.

The stormwater system is Stormtech under the parking lot that handles roof water. Eco paver parking pavers were discussed.

Site is being brought down to 82 percent impervious.

Utilities are going to come off of Ashworth Ave. They are working out grease traps with DPW.

There is an existing overhead pole for power. It will have underground utilities.

Dumpsters were discussed. Commercial trash will be picked up by the Town unless that changes. They received State permits for tying into the sewer and received a letter from DPW as well.

Fire truck turning was discussed. A fire truck can turn but it is tight. The truck would only have to back out 100'. Turnaround is provided.

Landscaping. It will be more of a riverstone—no grass. A couple of trees near the dumpster are being proposed.

Mr. Whitcher appeared. It is a duplicate of Sea Spray. Height requirements are met per zoning.

### BOARD

Ms. Woolsey asked about fake windows. There will not be any views from the southern exposure per Mr. Whitcher. They are firewalls. The windows on the side by Mitchells are also fake for firewalls. Ms. Woolsey thinks the project does not look like it has New England flair.

Mr. Lessard asked about color schemes. Ms. Woolsey asked how many spaces per unit are proposed. There are 40 parking spaces on site; one space per unit. These are one-bedroom units.

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Ms. Woolsey asked where loading zones are for commercial. Street loading off the Boulevard is common.

Ms. Woolsey said there is a problem with snow storage areas. Snow will be on top of parking spaces. Mr. Coronati said there are few residents (3 residents) off season at the Sea Spray. These units are 600 s.f. 28 are 600 s.f. They don't expect year round residency. The Condo Association will offer flexibility over the winter. Mr. Lessard said we usually assign parking spaces. The Association handles it by snow management. They will pay to remove it if it becomes a problem. If parking for tenants becomes a problem, the management removes the snow.

M. Green said parking gates are removed in the winter.

Ms. Woolsey discussed Fire (S. Steele) and water pressure issues discussed at the PRC. There will be a pump (huge) provided, inside the building. It is a diesel pump.

Mr. McMahon asked about the sidewalk on Ocean Boulevard. He thinks it should go to A Street – another 45' or so. Mr. Coronati said if Blondeau builds in the future, they will have to remove the sidewalk. Mr. McMahon asked them to do that in the interim and Mr. R. Green said it's not a problem. The Board of Selectmen want a concrete sidewalk. The sidewalk now is asphalt. The Town and State are fighting over who maintains the sidewalk. No one wants to maintain sidewalk (concrete). Mr. McNamara doesn't think they should extend it. Mr. Lessard said paving it will make it nice.

Mr. McMahon asked about access on Ashworth Avenue. He asked about how people will be directed. Mr. Coronati discussed the signage again. **They have not received anything from the Police and Police were not at the PRC.**

Ms. Carnaby said she does not see New England architecture here at all. Parking for retail being the same problem as other projects she feels is not a helpful comment.

Mr. Olson asked about parking spaces. It was asked if it is a painted line and it was stated “yes”. He thinks it could get sloppy there. It could then cause a problem for fire trucks and snow plowing, etc.

Ms. Woolsey asked about the dumpster and she asked where recycling is going. Commercial trash is picked up. There are internal trash rooms. Trash Rooms A and B are for storing carts in building. **Cart location will be worked out with the DPW.**

Mr. McMahon asked about additional variances from ZBA. Attorney Saari read the variances for the public. Sheet C2—height, setbacks, parking, 40' setbacks. Variances were received for proposed impervious surface and shadows. Proposed zoning is in effect till next Tuesday (voting day).

Mr. Loopley discussed fire turnaround. The Fire Dept has not responded yet. **Applicants have not received response back from Fire and Police.**

**MOTION** by Mr. Lessard to accept jurisdiction and continue this until April 2, 2014.  
**SECOND** by Mr. Loopley.

Mr. R. Green asked this to not be continued yet. He asked why the plan isn't complete enough to vote with a couple of contingencies. He asked what we are missing. Mr. Lessard said we are waiting for Fire and Police.

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Mr. McNamara asked how long Fire needs to get back to the Board, and Police also. It's a big project per Mr. Olson. Mr. McNamara wants to **amend the motion** to continue to our next meeting, March 29<sup>th</sup> versus April 2<sup>nd</sup>.

Mr. M. Green said this isn't the first go around. They are looking at having a month plus to review. Mr. R. Green said they can't get the buildings built over the winter. They want a conditional approval on police and fire they so they can get an early start on groundwork.

**No second** on the amendment.

**VOTE: 4 (Lessard, Loopley, Carnaby & McMahan)- 3 (Woolsey, Olson & McNamara)  
- 0** **MOTION PASSED.**

**14-008 571 Winnacunnet Road**

Map: 235 Lot: 11

Applicant: Peter Ross

Owner of Record: Sandpiper Bay Condominium Association, Janet Spinale, President

Special Permit: Temporary disturbance of 105.sq. ft of tidal wetlands and 500. sq feet of upland tidal buffer to replace drainage outfall pipe along Winnacunnet Road into Eel Ditch.

Mr. Peter Ross appeared with Mr. Joe Coronati of Jones and Beach. This is an offshoot of the 570 Winnacunnet project (Ocean Motel). They discovered there is a drain line from Winnacunnet Road and Ocean Boulevard. One of the drain lines was a 12" and one was a 15". Drain line situation was discussed. They needed to fix site to install manhole where the pipe is angled and make the angle with the manhole and to increase the pipe to a 15" pipe. It reduces the capacity of line in half. They need a State Wetland Permit.

**BOARD**

Mr. Olson asked what is being discharged from the pipe. Mr. Coronati replied it is stormwater from the street.

**PUBLIC**

**MOTION** by Ms. Woolsey to grant the special permit along with the stipulations contained in the Conservation Commission letter dated February 2, 2014.

**SECOND** by Mr. Lessard.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**14-010 630 Lafayette Road**

Map: 126 Lots: 12 & 24

Applicant: Hannaford Brothers Co., Attn: John Ivers

Owner of Record: Hannaford Brothers Co.

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Special Permit: Removal of accumulated sediment from existing stormwater detention basin to restore and maintain sediment settling capacity, nutrient/toxin removal capabilities, flood flow attenuation & groundwater recharge function.

Mr. Lessard recused himself.

Cynthia M. Balcius of Stoney Ridge Environmental, appeared. This project is to dredge the existing detention basin. They received a special permit at that time. They are here to do another maintenance dredge. The total dredge amount will be 10,000 square feet.

Mr. Olson saw the site with the Conservation Commission. He asked when it gets dredged and if it is seeded and it was stated “yes”. There will be a variety of different plants.

**BOARD**

Mr. McMahon asked about an O&M plan for this. The original approval had generic maintenance required for it, but nothing that is official to her knowledge. Mr. Olson asked about that.

**It should get an annual cleaning and report.** It gets submitted to the Town.

Mr. Diener said they are in favor of this. There are no issues. Mr. Diener said since they have to maintain the retention pond, that the Town does not need to ask them to file for a special permit every time maintenance is required. As long as conditions are met, the Town does not need to require a special permit for ongoing maintenance.

**MOTION** by Ms. Woolsey to grant the special permit along with the Conservation Commission’s recommendations in letter dated February 26, 2014 and with the stipulations Mr. Diener noted above.

**SECOND** by Mr. Loopley.

**VOTE: 6 – 0 – 1 (Lessard)**

**MOTION PASSED.**

**IV. CONTINUED PUBLIC HEARINGS**

**V. CONSIDERATION OF MINUTES of February 19 , 2014**

**MOTION** by Mr. McMahon to accept the February 19, 2014 Minutes.

**SECOND** by Ms. Woolsey.

**VOTE: 6 – 0 – 1 (Carnaby)**

**MOTION PASSED.**

**VI. CORRESPONDENCE**

**VII. OTHER BUSINESS**

Mr. Fred Welch, Town Manager, appeared with Attorney Gearreald. Mr. Welch discussed the deadline dates and lack of time Ms. Olivier has to Notice the meetings and send out

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abutter notices. He stated there is no checklist to check applications and no time to review the project. He is suggesting since projects go to the PRC that we use PRC deadline dates; if they could submit applications a week earlier, the applications can at least be reviewed/checked. He feels like something will be missed on this current schedule. He wants to give the Board a schedule that will speed up the process to get what it needs.

Mr. Welch also discussed that he wants at the base of agendas all continued items so when an agenda notice is posted, continued items are there. There would be no need to vote to continue items that way. That is public knowledge and public information. Mr. Olson said sometimes continued applications are spotty, but he likes the idea.

Mr. Welch discussed submitting a week earlier than the current filing deadline where projects do not go to the PRC. That would give a week to check the applications. The PRC schedule is different. Mr. Welch wants everything so meetings don't need to be continued.

Mr. Welch will develop a schedule, and the Board will critique it and/or amend it and then go from there. This will not start until it is approved.

Attorney Gearreald suggested to adjourn into a Non-Public Session in accordance with RSA 91-A:3, II (a) and (c). Mr. Olson so moved, seconded by Ms. Woolsey. A roll call vote was taken and all Board members voted "Yes".

**VOTE: 7 – 0 - 0**

**ROLL CALL VOTE/MOTION PASSED**

10:00 p.m. ADJOURNED TO NON PUBLIC SESSION.

Respectfully submitted,  
Laurie Olivier, Administrative Assistant

The Non-Public session **ADJOURNED** at approximately 10:30 p.m. and the Minutes were sealed in accordance with RSA 91-A:3, III.

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

**ITEMS NOT CALLED OR IN PROGRESS BY 10:00 P.M.  
MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING**