

HAMPTON PLANNING BOARD

MINUTES

June 4, 2014 – 7:00 p.m.

PRESENT: Mark Olson, Chair
Tracy Emerick
Brendan McNamara, Vice Chair
Rick Griffin, Selectmen Member
Ann Carnaby, Alternate

ABSENT: Fran McMahon, Clerk
Keith Lessard
Mark Loopley

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

III. NEW PUBLIC HEARINGS

- Repeal: Amendment-Site Plan Regulations, Appendix C – Stormwater Drainage Easement

Mr. Welch stated that the Subdivision Regulations were edited in this same capacity. All Regulations should and will be uniform throughout the Town. This repealing will prevent the Town from doing storm water repairs at the Town's expense. The Town does not have the manpower or equipment to take care of these systems.

PUBLIC

Barry Curtis from Fieldstone Circle appeared. The Stowecroft/Dalton Woods project is in process. He asked if this pertains to all site plans in Town. Mr. Welch stated it is effective going forward. New drainage systems are more sophisticated per Mr. McNamara. Mr. Welch said prior systems were catch basins that were tied into brooks and ponds. Plantings need to be maintained, etc.

Mary Louise-Woolsey asked if this applies to berms as well. She asked about maintenance and erosion. Mr. Welch said they are usually not contained within easements. Drainage berms are dams. They are required to be maintained. He discussed piping systems.

MOTION by Mr. Emerick to amend the Site Plan Regulations, by repealing Appendix C – Stormwater Drainage Easement by extracting it from the Site Plan Regulations.

SECOND by Mr. McNamara.

VOTE: 5 – 0 – 0

MOTION PASSED.

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- 431-435 Ocean Boulevard – Riviera - Rescinding of Vote of Planning Board (May 21, 2014) re: lapse of the site plan approval.

Dave Keir appeared. He asked to rescind the vote of the Planning Board from its May 21st meeting regarding the extension of the site plan. Mr. Olson stated that there was a new found letter that extends the approval to December of this year. Mr. Welch recommends that the Planning Board rescind its vote of May 21, 2014. The Site Plan and Special Permit were extended to December of this year. Mr. Welch said the approval should go to said approved December date of this year.

MOTION by Mr. McNamara to rescind the prior motion with reference to the lapse of the site plan approval.

SECOND by Mr. Emerick.

VOTE: 6 – 0 – 0

MOTION PASSED.

IV. CONTINUED PUBLIC HEARINGS

14-004 Stowcroft Drive (Dalton Woods)-Continued from May 7, 2014

Map: 41, Lot: 1.

Applicant: Richard Green, Green & Company

Owner of Record: Lloyd T. Graves Revocable Trust.

Subdivision & Special Permit: Subdivide parcel into 13 single family residential lots.

Wetlands impact for proposed roadway, gravel wetlands, pond and tree planting

Attorney Steve Ells appeared along with Mr. Michael Green and Joe Coronati of Jones and Beach. Mr. Coronati said the wetlands have been under review by RCCD. There is a meeting with Frank Richardson soon. Jim Gove, Lenny Lord and Frank Richardson have a meeting scheduled next week to discuss the findings. They are on the Conservation Commission's agenda at the end of this month.

Mr. Coronati discussed jurisdiction. The 65-day clock starts. He wants to turn the application into a design review at this point so the Board is not on a time standard. The access issue will be addressed. They need to resolve the access issue. They brought a revised application. The recommendations drafted by Fred Welch need to be worked out – as far as notifying abutters. All abutters on Stowcroft need to be notified as well. That would be at the next public hearing. Mr. Green said they are trying to shift to a design review. They want to change the publication. Mr. Emerick said we do not need to continue this from a Planning Board perspective. Design review is explained in C.1.b - we normally check "public hearing". Attorney Ells said they know the Board will not accept jurisdiction. It requires public notice. It is more of a supplement or conversion to the prior application. There should be resolution on the access issue next week. This will keep the project moving.

Mr. Welch read the provision in the Ordinance. Mr. Olson said it appears they are in that phase from how it sounds. Attorney Ells said additional notices will be provided. Mr. Emerick asked if we need another public hearing. Yes, this requires another hearing. There

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will be a new notice to abutters. It is vacating the current application; it's going to Design Review; notices start all over again. If there is a subdivision filing again, it starts all over again. Two applications can't be pending at the same time. Attorney Ells wants it converted to Design Review and to supplement with Notices. Mr. Green said they are still mid-process. Mr. Welch told the applicants that they are withdrawing and re-submitting. Attorney Ells wants to convert to Design Review. They will move to Design Review from Subdivision.

Tax records may not be accurate per Attorney Ells. Applicants do not want to pay another filing fee. Attorney Gearreald said they can waive the filing fee in the Subdivision Regulations. When they go back to a Subdivision application, they will pay the cost then.

PUBLIC

Ms. Mary Louise-Woolsey appeared. The last meeting was inadequate because an abutter wasn't notified. She asked who the Parcel B owner is. Mr. Welch said he does not know who the owner is. Ms. Woolsey asked how the Board can we have legitimate notification. The research has to be done. Ms. Woolsey said if notification of abutters is defective, the application will not be accepted.

Barry Curtis, Fieldstone Circle, appeared. He asked if the public could be involved in the Design Review process and it was stated that "yes they can".

Judy Clarkin appeared. She recommended that the Planning Board discontinue discussing the matter since the Town Manager pointed out that the application is incomplete. The Town does not know who the owner of Lot B is and the Conservation Commission report is not given.

Mr. Frank Chiaramitaro of 320 Locke Road, Rye appeared. He owns 5 Stowcroft Drive. His wife owns lots 25 and 26 West Ridge Drive. He is speaking on Parcel B. He asked if the application is being withdrawn. Attorney Gearreald said the subdivision approval is not going forward as such; it's going to be a Design Review as of now. He asked again if this application is withdrawn. Attorney Gearreald said they are proposing a conversion rather than a withdrawal.

Attorney Ells said Mr. Chiaramitaro may have some information that may be helpful to Parcel B. Mr. C. thinks it's premature to disclose his opinion.

BOARD

MOTION by Mr. Emerick to allow conversion of the application to design review and waive the fee. The Board will apply the previously paid fee to this fee. The applicants will pay another fee when they apply for the subdivision again. In both cases, the abutters need to be notified. Then the application fee gets paid again when it goes subdivision.

It was asked if Lot B will be resolved. Mr. Welch asked for them to do research and we can put them in for next meeting. They will have proper research.

SECOND by Mr. Griffin.

VOTE: 6 – 0 – 0

MOTION PASSED.

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V. CONSIDERATION OF MINUTES of May 21, 2014 (Public and Non Public Sessions).

MOTION by Mr. Emerick to accept the May 21, 2014 Non-Public Minutes.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 0 (Quorum of members present/Griffin, Carnaby, McNamara were absent)

MOTION PASSED.

MOTION by Mr. Emerick to accept the Public Minutes of May 21,2014.

SECOND by Mr. Griffin.

VOTE: 6 – 0 – 0 (Griffin, Carnaby and McNamara were absent/quorum of members present).

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- Right to Know Law

Mr. Olson said there was a meeting regarding Right to Know laws. Attorney Gearreald asked to adjourn to a non meeting with counsel at 7:41 p.m.

VIII. ADJOURNMENT

MOVED by Mr. Emerick to adjourn to a non-meeting with counsel.

SECOND by Rick Griffin.

VOTE: 6 – 0 – 0

MOTION PASSED.

ADJOURNED: 8:15 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