

HAMPTON PLANNING BOARD

MINUTES

October 15, 2014 – 7:00 p.m.

PRESENT: Mark Olson, Chair
Tracy Emerick
Brendan McNamara, Vice Chair
Fran McMahan, Clerk
Rick Griffin, Selectmen Member
Keith Lessard
Anthony Ciolfi, Alternate
Jason Bachand, Town Planner
Laurie Olivier, Planning Coordinator

ABSENT:

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. CONTINUED PUBLIC HEARINGS

14-034 376 Winnacunnet Road (continued from 9/3/14 & 9/17/14 & 10/1/14)

Map: 207 Lot: 9

Applicant: Susan Scott

Owner of Record: Same

10-lot subdivision & Special Permit to impact wetlands: Subdivision to tie into existing manhole located in the buffer.

Mr. Henry Boyd of Millenium Engineering appeared along with Attorney Steve Ells. Jenna Green appeared also from Green & Co. The right of way was discussed. It previously touched the abutting property. Valerie Grahn (abutter) wanted the right of way moved further away from her property. The Greens authorized Millenium to move it over and they did. They changed the Subdivision Plan (to be recorded). Mr. Michael Green appeared. They talked to DES and DES assured them that they did not need a site specific permit. Mr. Boyd did respond to DES and they are underway in taking care of that. Mr. Boyd did respond to them. Mr. Boyd said he did get the 10 extra feet. Green & Co will pepper the area with plantings. Mr. Boyd did say an abutter came in who was concerned with the sewer easement (being in the wrong position). Mr. Boyd went to the DPW and there is a plot on the GIS map for the Town. He discussed three manholes. The sewer issue was discussed.

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Mr. Lessard asked about street lights. Mr. Lessard stated that the Planning Board wants to stick to the Site Plan Regulations and require street lights at the end of the cul-de-sac and one at the end of the street according to the Regulations. One street light would be placed where Winnacunnet Road meets the new road. They just want two lights. Mr. McNamara does not mind that being a condition.

Mr. M. Green said at one point people were parking where lights were supposed to go in because people did not want lights in. The light at the cul-de-sac would shine at the houses on the end. Mr. Olson said it's in the Regs and the Planning Board agrees to keep the lights in. There are amenities that get diminished because of reasons that are not acceptable. Mr. Green said they will do what the Planning Board wants. **Mr. Boyd will put the light(s) back in.**

PUBLIC

Ms. Grahn appeared. She thanked everyone on the Board. She is happy the change was made and thanked Mr. Boyd and the Greens. Her concern is the street light. She wants the plants tall enough to minimize the glare from the street lights.

Mr. Bachand read the conditions which were provided to Mr. Boyd, discussed a strategy for landscaping and buffering, and the request for waiver of a planting plan per the Subdivision Regulations.

MOTION by Mr. Emerick to deny the denial of the waiver for the street lights.

SECOND by Mr. Lessard.

VOTE: 6 – 0 – 1 (Griffin)

MOTION PASSED.

MOTION by Mr. Emerick to support the waiver of a planting plan.

SECOND by Mr. Lessard.

VOTE: 7 – 0 – 0

MOTION PASSED.

MOTION by Mr. Emerick to grant the special permit to work in the wetlands along with the conditions contained in the Conservation Commission's letter dated August 29, 2014.

SECOND by Mr. Lessard.

VOTE: 7 – 0 – 0

MOTION PASSED.

MOTION by Mr. Emerick to grant the 10-lot subdivision along with the conditions contained in the Planner's Memo dated October 15, 2015, with the exception of Condition #25. **The condition has to be added to show street lights because of the denial of the waiver. Lights to be placed** at the end of the cul-de-sac and at the end of Winnacunnet.

SECOND by Mr. Lessard. **Mr. Bachand will work with Public Works to get a Bond in place.**

VOTE: 6 – 0 – 1 (Griffin)

MOTION PASSED.

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IV. NEW PUBLIC HEARINGS

14-051 15 Cliff Avenue

Map 267, Lot 15

Applicants: John and Susan Hay

Driveway Permit Appeal

Ms. Hay appeared. The house has been there since 1960. Parking is limited there. There is no parking on the street in the winter time. There is a narrow single driveway there now. She wants to remove the lawn out front and put in paving stones. They have not started this yet.

Mr. Lessard asked what kind of stones. They are just concrete pavers; not permeable pavers. Mr. Lessard wants permeable. It is a big lot. He does not know the percent of the impervious lot. Ms. Hay will take out the lawn. Mr. Lessard said she has only 7' between the steps and the property line. It will meet the grade of the street per the contractor. It will be 46' of parking per Mr. Lessard. Mr. McMahon asked if they talked about material to DPW and the contractor said they did not say anything about concrete. It's supposed to be bituminous in the right of way (asphalt). Ms. Hay said when she has visitors, there is no room to park. Mr. Griffin said it should be permeable rather than plain pavers or pavement. It is not supposed to exceed 24'.

PUBLIC BOARD

Mr. Bachand stated that he drove out to the site. The surrounding properties did have pavers, gravel and asphalt. He asked about grass pavers. He noted that 46' is a long width in that location. Mr. Bachand discussed research regarding the long-term durability of grass pavers. He would think that grass strips along the side of the property should be maintained as shown in the sketch. Pavers are decorative in variety and not in the Town's right of way. The asphalt should be maintained in the right of way. He thinks 46' is a wide section, and that there should be variation in materials to break things up.

Mr. Emerick asked about the depth of the right of way out to the street. They weren't sure, but it would be for one car to head in. It is 19'. The right of way is about 10'.

Mr. Bachand said the Regulations require a maximum of 60 percent impervious. The applicants are okay in that regard.. Mr. Emerick said parking issues have been because of Town property; not rights of way. Mr. Emerick wants to see this as a parking plan.

MOTION by Mr. Lessard to deny the appeal.

SECOND by Mr. McMahon.

VOTE: 4 – 1 (Emerick) 2 (McNamara & Griffin)

MOTION PASSED.

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Mr. Olson said if they widened a certain area it could work. Mr. Emerick said they should come up with a different plan. Mr. Ciolfi said they could replace it with grass pavers or permeable pavers. The builder could do that possibly. They have to get it down from the width.

14-052 78 Park Avenue

Map 19, Lot 34

Applicant: Martin Olesen & Susan Dover

Driveway Permit Appeal-East Side of Wheaton Lane Terrace

Mr. Olesen appeared. The DPW denied his request for a permit because it exceeds the authority of the footage. The driveway has been the size it is now since day #1. The area now is a liability. It is 60' along Wheaton Lane Terrace.

Mr. Ciolfi said the driveway widths fall within design standards. It's been bumped up to 24' now.

Mr. Emerick said he is looking to replace what is there 'in kind'. Mr. McMahon asked about the public way. The hydrant is usually on the property line. Mr. Olesen said if visitors or contractors come, they will need to park right in front of the garage. Mr. Olson said it should be 24'.

PUBLIC

Mr. Robert Marzinzik, 74 Park Avenue appeared. He is one of the original land owners. He stated the person Mr. Olesen bought the house from was the Superintendent. He built the driveway that large to park his trucks there. It was approved at one time. He wants to see the repairs to the driveway. Aesthetically, he wants to fix it up. He just wants to repair damage to the crumbling tar.

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Mr. Bachand stated he drove by the site. The asphalt is in rough shape. It is large, but it is in rough shape and is a tripping hazard. Mr. Bachand said a new walkway was sketched. He asked about the sidewalk. Mr. Bachand asked that he use brick rather than asphalt. Mr. Olesen said he could use crushed stone also. Mr. Bachand said it would have to be under 60 percent. This is an existing driveway. Mr. Bachand stated that if granted, that the pavement be no wider than it is now.

MOTION by Mr. Lessard to deny the appeal.

SECOND by Mr. McMahon.

VOTE: 6 – 0 – 1 (McNamara)

MOTION PASSED.

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14-053 Towle Farm Road

Map 124, Lot 1

Applicant: Lucas Sexton

Owner: Hampton School District

Special Permit: Eagle Scout Project-Design new (pressure-treated) bridge and enhance boardwalk from parking lot to trails. Bridge and boardwalk will allow for wheel chairs.

Mr. Lucas Sexton appeared. Mr. Lessard recused himself. Mr. Sexton discussed his Eagle Scout project at Batchelder Pond. He plans to move the bridge five feet to the right. It will decrease the impact on the stream that is there. He wants to improve the entryway. This would improve the trail from the parking lot to the bridge. He would replace the bridge.

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Mr. Olson appreciates his project and the effort. Mr. Lessard said the School Board is appreciative of the project. It is quite an undertaking. This is Mr. Sexton's third public meeting. He went to the School Board and the Conservation Commission. Mr. Sexton has a copy of the letter. They are looking for a waiver for the fee.

PUBLIC

Ms. Rayann Dionne, Hampton Conservation Coordinator, appeared. The Conservation Commission is in support of this project. She recommends the application fee to be waived as well.

Mr. Doug Ackroyd, 19 Forest Drive, appeared. He talked with another abutter and they both agree this will improve the area behind their area and would provide a safer area.

Mr. Bachand visited the site. He spoke with Lucas this afternoon. He said what Lucas is doing is commendable. The bridge is rotting. Mr. Bachand thinks it's a good project. There are conditions from Mr. Bachand as well. The Planning Office did not collect the application fee.

MOTION by Mr. Emerick to grant the special permit.

Mr. Ciolfi asked when this could start and Mr. Sexton said they will start this fall. It should only take a few weekends. He has a strong support group. Otherwise, it will be done by next spring.

SECOND by Mr. McMahon.

VOTE 6 – 0 – 0 (Mr. Lessard recused)

MOTION PASSED.

IV. CONSIDERATION OF MINUTES of October 1, 2014.

MOTION by Mr. Emerick to accept the October 1, 2014 Minutes.

SECOND by Mr. Lessard.

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VOTE: 5 – 0 - 1 (Ciolfi)

MOTION PASSED.

VI. CORRESPONDENCE

- **Merrill Industrial Drive.**

Mr. Bachand stated that he and Ms. Dionne visited this on September 29, 2014. The as-built conditions did not match the site plan approved by the Planning Board. Changes were dictated by Unutil. Mr. Bachand said it will require site plan approval per the Regulations. They are on the Agenda for November 5th. The tenants' occupancy was delayed and Mr. Bachand proposed a Memo in lieu of a certificate of Occupancy sign off at this time allowing the tenant to move in, but the applicant will be responsible for any conditions imposed at the November 5th meeting. Mr. Emerick said the pole was put in the incorrect location. Mr. Bachand said there were minor changes, but nothing substantial. Mr. Olsen said the dumpster location was sited. There were wires in the way. There was also an additional parking space.

- **Ann Carnaby – Planning Board Position**

Mr. Olsen discussed losing Mr. Loopley due to an untimely death. The Planning Board needs to put someone in that place until March. One person (alternate), Ann Carnaby, wishes to join us and Tom Higgins also expressed interest in providing his service. It will be for 8 or 9 meetings or so. Ann is willing to commit. She may run in March also. Mr. Olson said Ms. Carnaby is active on the Board now. We could appoint Tom Higgins as a new alternate. Time is of the essence. Tony Ciolfi said there is an interest there also. Mr. Ciolfi would get back to us in a couple of days. We can put this on the agenda for the next meeting.

MOVED by Mr. McMahon to appoint Ann Carnaby as the Board member until March of 2015.

SECOND by Mr. Griffin.

VOTE: 6 – 0 – 1 (McNamara)

MOTION PASSED.

The Planning Office will contact Tom Higgins and ask if he wants to be an alternate for Ann's Carnaby's position. **An Email or letter will be sent to Mr. Higgins.**

- **Street Lights – Memorandum from Fred Welch**

Mr. Olsen discussed street lights with regard to Regulations. Mr. Olson read the letter aloud. Mr. Emerick asked about plowing the roads. He firmly disagrees with the letter. Trash pick up is a Town expense he noted, and asked if that was going to go soon as well. He thinks this is nuts. Mr. Olson agrees. It was noted the Town is quibbling over a street light. Mr. Emerick said it is a power grab. Mr. Lessard said these are our Regulations and they based on safety. Fire hydrants are in our Ordinances for safety as well. Mr. Griffin said this began because of a situation regarding Baron Estates. Underground utilities caused this.

Mr. Emerick agrees with drainage and the Town's non-responsibility, but as far as utilities, we encourage developers to put the utilities underground. Mr. Emerick said this is a regressive strategy. Mr. Emerick discussed when the Town did not have curbs and sidewalks. Mr. Emerick does not go along with this. Street lights are part of infrastructure. Mr. Lessard

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said this is a safety issue. Mr. Griffin said the State has been taking street lights. Mr. Emerick said if the Town wants the Regulations changed, so be it. The Planning Board **should send a letter to the Board of Selectmen.**

MOTION by Mr. Griffin to have the Planning Board send a letter to the Board of Selectmen. Mr. Lessard discussed pedestrian safety, public safety, fire suppression for homeowners, etc. These safety measures have been in our Regulations for more than 25 years. Fire hydrants are specified by the Fire Department. We will draft the letter. Mr. Griffin stated the Town is looking forward to working with Mr. Bachand to have a better atmosphere working with the Planning Office and the Planning Board.

SECOND by Mr. Emerick.

VOTE: 7 – 0 – 0

MOTION PASSED.

VII. OTHER BUSINESS

- Conservation Commission: Proposed Warrant Articles.

Rayann Dionne appeared along with Mr. Jay Diener of the Conservation Commission. They went over proposed Revisions to the Zoning Ordinance. There are handouts at the Planning Office of the PowerPoint presentation/notes on the proposed changes. They are proposing two Warrant Articles. Paperwork is available at the Town Hall, Planning Department.

Before adjournment, Mr. Emerick apologized for his prior comments regarding his anger toward street lights and the lack of responsibility for same.

Mr. Bachand mentioned that warrant articles will be coming up, like the flood ordinance. It has to be done by second meeting in December/first meeting in January.

VIII. ADJOURNMENT

MOTION by Mr. Emerick to adjourn.

SECOND by Mr. Griffin.

VOTE: 7 – 0 – 0

MOTION PASSED.

MEETING ADJOURNED: 9:26 p.m.

Respectfully submitted,

Laurie Olivier, Planning Coordinator

****PLEASE NOTE****

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

MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING