

**HAMPTON PLANNING BOARD**

**MINUTES**

**February 4, 2015 – 7:00 p.m.**

**PRESENT:** Mark Olson, Chair  
Brendan McNamara, Vice Chair  
Tracy Emerick  
Fran McMahan, Clerk  
Rick Griffin, Selectman Member  
Keith Lessard  
Ann Carnaby  
Jason Bachand, Town Planner  
Laurie Olivier, Office Manager/Planning

**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.

Mr. McMahan said Craig Salomon, the Esker Road “Attending to Be Heard” matter, requested to be moved until some date after the Town Meeting. Mr. Lessard asked which Article Mr. Salomon wanted to wait to hear on/ referring to. It was the Conservation Commission changes to the Wetlands Protection District Ordinance. Mr. McNamara asked if this can be postponed now. Mr. Bachand stated that it is the attendees’ choice if they want to continue. This is not an application, but simply an attending to be heard at which the Board would determine whether a Special Permit is needed.

The second postponement is 1030 Ocean Boulevard. The applicant is seeking to be heard on March 4<sup>th</sup>.

**MOTION** by Mr. Emerick to hear 1030 Ocean Boulevard at the Planning Board’s March 4<sup>th</sup> meeting.

**SECOND** by Mr. McNamara.

**VOTE: 6 – 0 – 0 (Mr. Griffin not present)**

**MOTION PASSED.**

**II. ATTENDING TO BE HEARD**

- Craig Salomon, Esquire-Ron & Marie Remick. Determination of Special Permit requirement. Esker Road (See continuance noted above)
- **Change of Use: Jon Gozzo – 169 Ocean Blvd (Unit #1) - Retail Sales to Smoothie Take-Out**

Mr. Jon Gozzo appeared. He is looking at a location in the Casino building. It was the Whales Tale in the past. It used to be a sports memorabilia store. He would like to put a smoothie shop there; all take out/no cooking. It will be fruits and blenders. Plumbing needs

## HAMPTON PLANNING BOARD

### MINUTES

February 4, 2015 – 7:00 p.m.

to be done. It's an extension of the Secret Spot, located on High Street. He has to put a 3-bay sink in and plumbing will be extended. A hand sink will also be installed.

**MOTION** by Mr. Emerick to grant the Change of Use.

**SECOND** by Mr. McMahon.

**VOTE: 6 – 0 - 0 (Rick Griffin not present)**

**MOTION PASSED.**

- Chinburg Builders, Inc. - Preliminary Consultation for 10-Lot Residential Subdivision. 263 Drakeside Road & Towle Farm Road

Mr. Joseph Coronati appeared. There are two lots of record. There used to be an insurance company on the land. The long shaped lot has frontage on Towle Farm and Drakeside. Joe Valle/Asset Title owns both. Eric Chinburg has the two parcels under agreement. Mostly condos are on Drakeside currently. These lots will be frontage lots.

The lay-out was discussed. There will be driveways for six lots. A steep slope off of Towle Farm Road was discussed. Wetlands are at the bottom of the hill. The last four lots would have a common drive to access the four houses. They would still have frontage on the roads.

Mr. Griffin arrived.

The PRC will discuss the sewer on Drakeside Road. It ends at Don Walker's house; then there is no more sewer availability. A force main was discussed. They are out of cover on the sewer manhole. There would be individual pumps into one force main. If a pump fails, one could pull out the whole system. There would be grinder pumps. No Association. **Mr. Emerick said they would have to have an Association for the driveway.** They would remove asphalt and re-vegetate.

Smuttynose water is across from QA Technology. Smuttynose got a grant to include sewer services. Natural gas may be used. **They have to work with Selectmen to work in the right of way.**

Mr. Coronati said they will need to work with the DOT on driveway. They will be staying out of the wetland buffer.

Mr. McNamara asked about grassy area and home locations.

Mr. Olson said Mr. Valle was in two months ago looking to explore this area at a broader scale. He thinks it would be good if the properties were looked at in a more contiguous manner. Mr. Olson asked how this project transpired. This does not add to character to the Town. Eric Chinburg has this under agreement. Mr. Valle is selling the two pieces off. They are not contiguous with the other properties. Eric was thinking to do something simpler for himself. Mr. Coronati asked if industrial use would be better; if the Town would prefer that.

Mr. McNamara asked about Lot 10. He asked if something could be done there. He asked if maybe the driveway could maybe go through 3 lots rather than 4. Mr. McMahon asked if he could go to the back end of the project. The applicants said maybe they could combine Lots 6 and 7's driveway. Pushing houses away from the road was discussed. Scott Gove and Matt Assia – Chinberg Builders appeared to the table. They are looking at 1,800 to 2,000 square feet

## HAMPTON PLANNING BOARD

### MINUTES

February 4, 2015 – 7:00 p.m.

homes. Lot 10 is double or triple the size of the other lot. Mr. McNamara asked if something could be done with that. Duplex construction was discussed.

Mr. Bachand said Mr. Valle came in to the Planning Office in November to discuss various parcels. The result of that meeting was that the Board would like to form a Committee. These parcels are to the south of what was discussed with Mr. Valle previously. A committee will form soon, starting with a presentation with the Planning Board and maps for public review and comment. Mr. Bachand discussed the shared driveway. Residential driveway permits for more than 150' of length may be issued only following recommendation of the Fire Department and approval of the Planning Board. It was noted that an 18' driveway would likely not suffice. A hammerhead or other form of turnaround was discussed. Mr. Bachand asked the applicants to check with Chris Jacobs on force mains, etc. These issues would also be taken up at PRC. Mr. Bachand also noted the proposed zoning amendment requiring a 12 foot dwelling structure setback from the Wetlands Conservation District, which will be voted on in March. It would at least affect Lot 10 as shown. Porches and decks and the like can be put in that setback per Mr. Emerick. Wetland areas are not shown behind Lot 7. Issues associated with the proximity of Route 95 and State land needs to be considered. Site remediation was discussed. **Chinburg is the contractor/owner, but DeNiro is on the plans.**

Covenants will be on the deeds, i.e. daycares can't be put there, etc. It is a General Zone. Mr. Gove will discuss issues with the Board. Mr. Lessard discussed this becoming a rural road in a residential area, but thinks this is a good start.

Width and turnaround are issues that will need to be dealt with regarding the driveway (shared). Common drives are not the Board's preference. The hammerhead would be good for snow storage.

Mr. McMahan asked about Town trash for the common driveway homes. They would have to be dragged to the street. The road is about 400' of common drive. They are about 1200 feet from a hydrant. **Another hydrant would need to be added.**

Mr. Coronati noted that condos may also be an option.

### III. NEW PUBLIC HEARINGS

**15-001            1030 Ocean Boulevard    (continued to March 4, 2015)**  
Map: 116 Lot: 31  
Applicants: Norino and Joanne Mirra  
Owner of Record: Same  
Special Permit: Re-development of site including removal and replacement of existing structure; repair/replace existing revetment and associated landscaping.

### IV. CONTINUED PUBLIC HEARINGS

### V. CONSIDERATION OF MINUTES of January 21, 2015.

**MOTION** by Mr. Emerick to accept the January 21, 2015 Minutes.

HAMPTON PLANNING BOARD

MINUTES

February 4, 2015 – 7:00 p.m.

SECOND by Mr. Lessard.

VOTE: 7 – 0 – 1

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

Mr. Jason Bachand stated he is meeting Attorney Peter Loughlin at 3:00 p.m. on Thursday regarding the Board's legal opinion. Mr. Lessard asked if Jason wants someone else to attend with him. Mr. Emerick would like to change the Site Plan Regulations on cul-de-sacs to have a light at the intersection, but not at the ends. Mr. McNamara said some neighborhoods may want lights; some may not. Mr. McNamara worries about dark streets. **Mr. Bachand will take an opportunity to look at this and will fill the Board in later.** Neighbors many times do not like street lights.

Mr. Lessard asked about the 6' high fence language on leased properties and having possibly broader language. He wants to investigate how ornamental fence language can be removed. The warrant article to put new mapping of districts was discussed by Mr. McNamara. Mr. Bachand noted that many deeds state no fence higher than 3', but not all of them do. **Mr. Lessard asked Mr. Bachand to find out how this can be addressed. Mr. Bachand will look into it.**

Mr. Olson discussed the Change of Use that did not come before the Planning Board for firearms and ammunition sales. A hardship was discussed. He noted tonight's change of use changing one retail business for a smoothie shop. He said people in the mall with the firearms and ammunition sales shop are now having trouble insuring their properties due to the situation. It was noted that people have concerns.

Mr. Bachand said the Amendment being proposed now dealing with firearms and ammunition sales, as requested by the Board, would change future situations/locations on these types of businesses. Hampton had no separate classification prior to now. This is now an Amendment to be voted on at Town Meeting. Mr. McNamara said Changes of Use should be easy to take care of. A minimal fee with minimal amount of time being expended was discussed. Ann Carnaby agrees. She asked if there's anything you can do retroactively. Mr. Olson thinks it is a little too late on this one. One full unit and 7 empty units in a location would not be good – if other businesses cannot stay in business due to insurance costs.

Change of Use applications do not require abutter notification. Mr. Bachand believes the firearms and ammunition sales applicant filed a building permit application before the Amendment was first noticed. Mr. Olson said the basement in the building is not secured from unit to unit.

VIII. ADJOURNMENT

MOTION by Mr. McNamara to adjourn.

SECOND by Ms. Carnaby.

VOTE: 7 – 0 – 0

MOTION PASSED.

**HAMPTON PLANNING BOARD**

**MINUTES**

**February 4, 2015 – 7:00 p.m.**

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**