

HAMPTON PLANNING BOARD

MINUTES

November 4, 2015 – 7:00 p.m.

PRESENT: Brendan McNamara, Chair
Fran McMahon, Vice Chair
Ann Carnaby, Clerk
Mark Olson
Tracy Emerick
James Waddell, Selectman Member
Jason Bachand, Town Planner
Laurie Olivier, Office Manager/Planning

ABSENT: Keith Lessard

I. CALL TO ORDER

Chairman McNamara began the meeting at 7:00 by introducing the Board members and leading the Pledge of Allegiance to the flag.

Mr. McNamara stated two public hearings have been withdrawn. 175, 165 and 155 Island Path and Drakeside Road.

II. ATTENDING TO BE HEARD

III. NEW PUBLIC HEARINGS

15-060 299 & 287 Exeter Road

Maps: 52 Lots: 1 & 2

Applicant: Seacoast Crossroads Realty Company

Owners of Record: Same & Charles F. Rolecek Revocable Trust (287 Exeter Road)

Lot Line Adjustment: Transfer of 16,493 S.F. from Map 52, Lot 1 (299 Exeter Road) to Map 52, Lot 2 (287 Exeter Road).

Mr. Corey Colwell appeared (MSC Civil Engineers) with Charles Rolecek, previous owner of Bonta, which is now known as CR's Restaurant. He stated that Map 52, Lot 1, at 299 Exeter Road is a vacant piece of property. There are about 7.94 acres now. Map 52, Lot 2 has about 2 acres (green coloring on parcel - a plan was handed out this evening). The green area is CR's Restaurant. The Orange parcel (on the plan handed out this evening) is owned by Seacoast Crossroads Realty Company. The proposal is to take 16,493 square feet out of the larger tract (orange) and convey it to CR's; both lots would be conforming to the Zoning Regulations. The purpose of the conveyance is to get more property for CR's Restaurant for future parking. There's not enough parking there now. Iron rods would be set at the three new lot corners and there would be a certificate of monumentation.

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Mr. Emerick asked if the other owner knows about this – It was stated “yes”, he has to sign the Deed.

**PUBLIC
BOARD**

Mr. Bachand said he recommends approval subject to the Planner’s Memorandum.

MOVED by Mr. Emerick to approve the lot line adjustment along with the conditions of the Planner’s Memorandum dated November 4, 2015.

SECOND by Mr. McMahon.

VOTE: 6 – 0 – 0

MOTION PASSED.

IV. CONTINUED PUBLIC HEARINGS

15-040 175, 165 & 155 Island Path(continued from 8/5/15 and 10/7/15) ~WITHDRAWN

Map: 280 Lots: 22-1, 22-2 & 22-3

Applicant: Aaron Brown

Owners of Record: Peter Martin (Lot 22-1); Robert Dudley (Lot 22-2) and Aaron Brown (Lot 22-3)

Wetlands Permit: Construction of two townhouses (one duplex)-Post Appeal.

15-042 Drakeside Road (continued from 9/2/15 & 10/7/15) ~ WITHDRAWN

Map: 140 Lot: 3

Applicant: Chinburg Properties

Owner of Record: Asset Title Holding, Inc.

Subdivision: Three-lot subdivision (single-family homes)

Waiver Request: Section V.E. (Detailed Plan), Items 8, 9, 10 and 12.

**15-051 77 & 79 Ocean Blvd, 75 Ocean Blvd &
2 L Street (continued from 9/16/15, 10/7/15, and 10/21/15)**

Maps: 293 Lots: 24-1, 43 and 41

Applicant: Houle Realty Trust, Marylee Twomey

Owner of Record: Same

Site Plan (Amended Application) Renovate two, 5-unit, single-story wings of existing motel; wings to be re-built with 9 motel units and 2 retail units along Ocean Blvd in 2 stories; middle building to remain as-is. Revision to add off-site parking plan; possible use of parking lots at 2 L Street and 75 Ocean Blvd for additional (off-site) parking for the benefit of 77 and 79 Ocean Blvd. Waiver Requests: Section VII.D Stormwater Management and Section III – Procedures, D.1 (fees) of Site Plan Regulations

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Mr. Bachand said an email was submitted to the Board from the applicant stating she is unable to attend this evening and she is asking the application to be postponed to a December meeting. Mr. Bachand said it should be continued to November 18th because of the 65-day clock. Ms. Twomey did not specifically request a waiver of the 65 days. Attorney Gearreald provided a memo as well. Mr. Bachand does not recommend an approval. CMA's drawing being provided to the applicant and Planning Board was discussed and working with that drawing. The Planning Board/Office has not received anything new from the applicant as of this date. The Planning Board is left with the above options per Mr. Bachand.

MOVED by Mr. Emerick to continue the application to the Planning Board's November 18, 2015 meeting.

SECOND by Mr. McMahon with the caveat that Mr. Bachand contact the applicant and let her know if she wants a further continuance that she would need to waive the 65 day requirement. Otherwise, it will be voted on to approve or deny the application.

VOTE: 6 – 0 – 0

MOTION PASSED.

V. CONSIDERATION OF MINUTES of October 21, 2015.

MOTION by Mr. Emerick to approve the October 21, 2015 Minutes.

SECOND by Mr. McMahon.

VOTE: 6 – 0 – 0

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- Update on Proposed Zoning Warrant Articles

Mr. Bachand discussed Zoning Articles. He has worked with Mr. Schultz (Building) and Attorney Gearreald. The Articles should be ready to go to hearing on December 2nd. The Aquifer Protection Ordinance Amendment was discussed. The Board also discussed this at its last meeting. Mr. Bachand discussed the changes – these changes are provided at the Planning Office.

Site drainage was discussed.

Additions and revisions to prohibited uses were discussed.

Adding residential subdivisions to conditional uses was discussed.

Monitoring wells were discussed.

Notification of Aquarion stays the same as previously proposed.

Mr. Emerick asked about “unless otherwise approved by the Board of Selectmen” with regard to monitoring wells. Mr. Bachand discussed easements on private property for monitoring wells. Private property with easements versus Selectmen for approval was discussed. Mr. Bachand said this offers flexibility. Mr. Emerick asked who can give approval. If the

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Planning Board says to put in monitoring wells, it has to be on private property. If the applicant does not want to put it on private property, then it goes to the Selectmen.

Mr. McMahon said if it is on private property, the easement would be in favor of the water company. Mr. Emerick asked why we (the Planning Board) are making ourselves a problem. If we need to monitor them, why are we putting them on private property. Mr. Olson agrees; he asked what happens when a homeowner doesn't know what it is and takes it out (by plowing, accident, etc). Monitoring wells should be ours (Town) within the public access. Mr. Emerick asked why we are creating another special circumstance and does not agree with this at all. Mr. Emerick noted that the Town does not have authority on Woodland.

Mr. Bachand discussed striking the sentence, **and will take some language out per the Board's feedback.**

We had this same issue with street lights per Mr. McMahon.

This Article will be put on for December 2nd. Mr. Olson asked if Carl McMorran responded; **Mr. Bachand said 'no' regarding this revision, but he will be in touch with Mr. McMorran to follow up on the changes.** Mr. McMahon asked where 400' to 600' came from; this was proposed by Mr. Bachand. Mr. Bachand said he thought 400' was not adequate, so 800' was something he put out for initial discussion with the Board. He feels it may be high and 600' is a better option.

The national average is 400'. Woodland Road was 597'.

Mr. Emerick said we are taking land again.

Ms. Carnaby said she is all for protecting water as much as we possibly can. She does not have enough background to judge on the 400', 600' or 800'.

Mr. Waddell agrees with Mr. Emerick and Mr. McMahon. He asked if that's what they (national average) say is safe (400'); why go to 600'.

Mr. McMahon said a number was picked; he assumes 600' is better. Is 500' better than 600' was asked. Mr. Olson thinks we are protecting about 25 acres.

Mr. Olson said some areas in Massachusetts are 250'. Mr. Olson said to ask Carl McMorran how he can defend 600'.

Ms. Carnaby asked about #7; installation performed by expense of applicant. She asked if that was being deleted up above that. Mr. Bachand said we want to keep that in there. **He will leave this in.**

This will be put on for public hearing on December 2nd.

Mr. Bachand discussed another Zoning Amendment (in the works) regard freeboard. Ms. Dionne and he are working with the RPC to get into the Community Rating System, which would offer discounts on flood insurance premiums. How the freeboard amendment would work into the Zoning Ordinance was discussed. Elevating the lower floor by one to three feet is a key component. Jennifer Gilbert will be getting information to him soon. The Town gets CRS points by having a freeboard regulation. **Mr. Bachand will work on the language.** It may come forward, but won't be ready for December 2nd.

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Mr. McMahon asked if the base flood elevation changed; Mr. Bachand thinks there has been some change. It is location by location. Mr. Olson asked if there are ADA requirements associated with freeboard; **Mr. Bachand will check into that.**

December 2nd will be the first public hearing on most amendments.

The prime wetlands amendment will be for the 2nd meeting in December, as Ms. Dionne needed to send a required notice on this. There will be seven Articles for the 2nd of December.

The RPC Legislative Briefing was brought up by Mr. Emerick. There is a Planning Board meeting on the same night (November 18th). 77 & 79 Ocean Blvd is being heard that date. Ms. Carnaby would like to attend the RPC meeting as well. Mr. McNamara said the Board needs only four people for a quorum. We will play it by ear.

VIII. ADJOURNMENT

MOTION by Mr. Emerick to adjourn.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 0

MOTION PASSED.

MEETING ADJOURNED: 7:44 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