

HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES – Draft
July 18, 2015

Members Present

Bryan Provencal, Chairman
Bill O'Brien, Vice Chairman
Norma Collins, Clerk
Tom McGuirk
Ed St. Pierre

Others Present

Joan Rice, Secretary

Chairman Provencal called the meeting to order at 7:16 p.m.

The Pledge of Allegiance was said.

Chairman Provencal introduced the members of the Board.

PETITION SESSION

Chairman Provencal announced that Petitions 23-15 and 32-15 have been withdrawn and Petitioners for 31-15 have submitted a Request to Continue.

Moved by Mr. St. Pierre, seconded by Ms. Collins, to allow Petition 23-15 to be withdrawn without prejudice.

Vote: 5 yes, 0 no. Motion passed unanimously.

Moved by Mr. O'Brien, seconded by Ms. Collins, to allow Petition 32-15 to be withdrawn without prejudice.

Vote: 5 yes, 0 no. Motion passed unanimously.

Moved by Mr. O'Brien, seconded by Mr. St. Pierre, to allow Petition 31-15 to be continued.

Vote: 5 yes, 0 no. Motion passed unanimously.

Mr. O'Brien noted that there are no elevation drawings for Petition 31-15 and there are no floor plans.

30-15...The petition of The 377 Ocean Blvd., LLC for property located at 377 Ocean Blvd. seeking relief from Article 4.1.1;4.4; 4.5.2; 6.1 and 6.3.1 to construct a 5-story 12-unit and a 5-story 8-unit multi-family building toward the front of the parcel, with six (6) individual 1-1/2 story cottages at the rear of the parcel, for a total of 26 units requiring relief for height,

lot area/dwelling unit, parking and side setback. This property is located on Map 265, Lot 20 and in the BS Zone.

Warren Kelly, Petitioner, and Attorney Peter Saari, Casassa & Ryan, came forward. Attorney Saari said this project is very close to what was seen last October. The same variances are being requested. The two front buildings are in the same footprint. There will be parking in both buildings. The width of the parking spaces has been increased. A storage space will be provided behind the parking spaces. This will allow people to have an independent storage area. The biggest change is that the second building is going from 4 to 5 stories and from 6 to 8 units. The front building is going to stay at 5 stories and 12 units.

Attorney Saari said they are trying to keep this project visually appealing. The property is zoned for multi-family use and this section of Ocean Blvd. has been developed accordingly. The proposed front buildings would be compatible with the rest of the street and the ones behind Fuller Acres at the rear of the property would be compatible with the homes there. Attorney Saari went through the five criteria and said he felt they had been met.

Questions from the Board

Ms. Collins said she was disappointed that the pool is gone because she felt it was unique to this development. Mr. Kelly said he did not want to go for a pool at this time, but it can be added later. He said every cottage will have a front lawn now and also a yard.

Mr. St. Pierre asked what is being proposed for lot area dwelling. Mr. Saari said 16.3 feet.

Mr. O'Brien asked if the setbacks requested are along the rear. Mr. Kelly said it is only the two corners now. Mr. O'Brien said he would ask for some changes from the site plan. He referenced No. 4. He would like to see the actual required parking calculations listed. Total required is 47. Mr. O'Brien said he would also like to delete notes 6 and 7 and use the ones from tonight's meeting so that there is no confusion.

Mr. St. Pierre asked if the Conservation Commission will be on board. Mr. Kelly said the Conservation Commission is okay with everything.

Ms. Collins asked if there would be a noticeable difference in height of the second building from the previous petition. Mr. Kelly said it would be 14 feet higher which is only the peak of the roof.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. O'Brien, seconded by Ms. Collins, to grant Petition 30-15 with the condition that Notes 4, 6 and 7 in the site plan be eliminated or corrected.

Chairman Provencal asked the Board if they felt the five criteria had been met. All members agreed that they had.

Vote: 5 yes, 0 no. Motion passed unanimously.

BUSINESS SESSION

Approval of Minutes

Moved by Mr. St. Pierre, seconded by Mr. McGuirk, to approve the Minutes of June 18, 2015 as amended.

Vote: 5 yes, 0 no. Motion passed unanimously.

Mr. St. Pierre discussed a sub-committee meeting he attended with the people who own the Liberty Lane property. There was a long discussion and some great ideas came out. There are eight parcels in the western part of Town near I-95. There could be a community college campus or a satellite of Exeter or Portsmouth Hospitals. Mr. St. Pierre suggested that what should be looked at is an overlay of what might work on this property. The Liberty Lane representatives will bring back some feedback on this. Mr. St. Pierre said this Board would be willing to listen to proposals.

During the meeting Selectman Mary-Louise Woolsey said she was upset with the Zoning Board because they should have given a variance to Peter Ross because he was going to give the Town 12 acres of land. Mr. St. Pierre said from his position this Board does not have a right to give anyone anything. The Board looks at the criteria to see if it is acceptable or not. Many neighbors said Mr. Ross's petition did not meet the five criteria.

Mr. O'Brien said he would suggest that people who want to understand the implications of the five criteria look at 67.33 , sub-paragraph 1 (A) (B) which lists the five criteria. This can be found on page 547. The Zoning Board will only grant a variance if all conditions are met.

Adjournment

Moved by Mr. St. Pierre, seconded by Mr. McGuirk , to adjourn the meeting at 8:08 p.m.

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Respectfully submitted,

Joan Rice
Secretary