

HAMPTON PLANNING BOARD

DRAFT MINUTES

August 3, 2022 – 7:00 p.m.

PRESENT: Tracy Emerick, Chair
Ann Carnaby, Vice Chair
Sharon Mullen, Clerk
Keith Lessard
Alex Loiseau
Richard Sawyer, Selectman Member
Jason Bachand, Town Planner
Laurie Olivier, Office Manager/Planning

ABSENT: **Brendan McNamara**

I. CALL TO ORDER

Mr. Emerick commenced the meeting by leading the Pledge of Allegiance and introducing the Planning Board members. One continuance was requested. The applicant for 88 Glade Path wishes to be continued to October 5, 2022.

MOVED by Mr. Lessard.

SECOND by Ms. Carnaby.

VOTE: 6 – 0 – 0

MOTION PASSED.

II. ATTENDING TO BE HEARD

III. NEW PUBLIC HEARINGS

22-031 1062 Ocean Blvd.

Map: 98 Lot: 34

Applicant: Andrea R. Checovich, Trustee

Owner of Record: Andrea R. Checovich Revocable Trust

Wetlands Permit: Raze 2 existing, single-family seasonal dwelling units and construct 2, year-round single-family dwelling units with associated site improvements.

Mr. Henry Boyd, Millennium Engineering, appeared with Mr. and Mrs. Checovich. Attorney Bob Casassa was in the audience. This project received variances from the Zoning Board. There are two existing houses on the lot. They want to raze those and build two new houses. It meets setbacks and buffers, with the variances. They meet all other setbacks. There is a reduction in sealed surface. They received the wetland permit (Conservation Commission) letter and received a NH DES standard wetland permit.

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Mr. Bachand said this was heard last month by the Planning Board with regard to a 41:14-a request, and that the Board gave a positive recommendation. Mr. Bachand recommends approval of the Wetlands Permit with the stipulations contained in the Conservation Commission letter dated July 28, 2022.

MOVED by Mr. Lessard.

SECOND by Mr. Loiseau.

VOTE: 6 – 0 – 0

MOTION PASSED.

IV. CONTINUED PUBLIC HEARINGS

22-016 88 Glade Path (*continued from May 4, 2022 and July 6, 2022*) **CONTINUED TO OCTOBER 5, 2022**

Map: 272 Lot: 1

Applicant: Nicholas Kafejelis

Owner of Record: Same & Lisa Kazakis

Wetlands Permit: Construction of 16' x 8' deck (4' off the ground - *Note: 6' per Conservation Commission*) utilizing permeable decking.

22-013 67 Mooring Drive (*continued from June 1, 2022 and July 6, 2022*)

Map: 289 Lot: 40

Applicant: Edward Miville & Deborah Davis

Owners of Record: Same

Wetlands Permit & Driveway Permit Appeal: Construction to raise the existing residential dwelling structure above flood elevation & reconstruct the foundation with a lower-level garage to support the structure. Additional improvements include a deck addition and the construction of a new seawall. Remove impermeable driveway and replace with pervious paver driveway (appeal).

Note: Re-noticed because Wetlands Permit application did not initially indicate that a new seawall was to be constructed as part of the overall proposal.

Mr. Corey Colwell, TFMoran appeared. Mr. Edward Miville was present. This was heard last month. They needed to re-notice because the seawall portion of the project was not noticed. They went back to Conservation Commission to make sure the seawall was part of the discussion. They received two Conservation Commission letters; one from DES and a second letter to this Board recommending approval with conditions. All elements have been reviewed. They are razing the building to comply with FEMA. Converting two driveways to one and reducing impervious coverage was discussed. They are seeking final approval.

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Mr. Bachand said there is a Wetlands Permit and a Driveway Permit Appeal to vote on. On the Wetlands Permit, Mr. Bachand recommends approval with the stipulations in the Conservation Commission letter dated July 28, 2022. On the Driveway Permit Appeal, Mr. Bachand notes that there is a 24' driveway flare, but the internal paved width is wider than 24'. Landscaping may be needed on each side of the flare to avoid using it as a larger driveway. Mr. Lessard asked if we should include something to discourage people from driving over it. He then noted it is in the public right-of-way. Mr. Bachand agreed with Mr. Lessard. Putting in boulders or something similar would not work.

Mr. Sawyer asked if the flare-out is in right of way. Mr. Bachand said it is. Mr. Sawyer could see it if the flare-out was inside the property boundary. He doesn't have a problem with it. The applicant is maintaining a lawn there, i.e. landscape area, lawn, or plants.

MOTION by Mr. Lessard to grant the appeal for the driveway.

SECOND by Mr. Loiseau.

VOTE: 6 – 0 – 0

MOTION PASSED.

MOTION by Mr. Lessard to approve the Wetlands Permit along with the stipulations contained in the Conservation Commission letter dated July 28, 2022.

SECOND by Ms. Mullen.

VOTE: 6 – 0 – 0

MOTION PASSED.

IV. CONSIDERATION OF MINUTES of July 20, 2022.

MOVED by Mr. Loiseau.

SECOND by Ms. Mullen.

VOTE: 6 – 0 – 0

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

• **HB 1661**

Mr. Bachand discussed how HB 1661 impacts local land use boards. This Bill has become law. This deals with how business is conducted with land use boards. Mr. Bachand noted that he and Ms. Olivier had a discussion with Town Counsel. Ms. Olivier noted that she provided the Zoning Board and Building Department information about the law and the webinar material.

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Section 71 - Publication of Fees was discussed. Fees should be published in a location accessible to the public. This criteria goes into effect on August 23rd. It was noted that Planning fees are attached to the application. Maybe there will need to be a separate document. Ms. Olivier is attending a webinar on August 10th. Mr. Lessard asked if we can post fees in the lobby.

Section 73 is Written Findings. This expands language requiring local land use boards to give findings of fact. Consultation with Town Counsel may be needed for more complex or controversial applications. This is more important for non-approval of an application. Referencing meeting minutes was discussed.

Ms. Carnaby asked if when we hear an application –need to provide findings of fact.

Section 75 - Planning Board Timelines was discussed. It is 65 days. An applicant can still consent to an extension. For a Development of Regional Impact, the Board has 95 days.

Section 77 is Fee Shifting and Bond. Mr. Bachand wanted to note this per Town Counsel.

Mr. Bachand noted a draft version of the budget was sent to the Planning Board members. He would like to submit the budget by this Friday. Mr. Bachand said to let him know if there are any questions or comments. If we wish to wait for now (to submit), it's not a problem. Mr. Lessard asked what the Board of Selectmen will do for cost of living and COLAs, and he hopes our budget could increase or be matched to the Town's cost of living and COLAs. Mr. Lessard noted inflation has been high; we have good staff. The Planning staff should move in concert with other non-union positions in Town. It was noted that the Planning Office is managed by the Planning Board.

VIII. ADJOURNMENT

MOTION by Mr. Lessard to adjourn.

SECOND by Ms. Carnaby.

VOTE: 6 – 0 – 0

MOTION PASSED.

MEETING ADJOURNED: 7:30 p.m.

Respectfully submitted,

Laurie Olivier, Office Manager/Administrative Assistant

****PLEASE NOTE****

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

MAY BE CONTINUED TO THE NEXT SCHEDULED MEETI