

# Town of Hampton



## **PLAN REVIEW COMMITTEE DRAFT MINUTES**

**May 26, 2021 - 2:00 PM**  
Via Teleconference

Due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic, and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, in order to properly ensure the safety of the public and that of the PRC members, this body is authorized to meet electronically. Please note there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, the PRC are utilizing a teleconference service for this electronic Meeting. The Public may join the teleconference by calling **1-857-444-0744** and using the code **156034**.

**PRESENT** (Telephonically):  
Jason Bachand, Town Planner  
Jodie Strickland, CMA Engineer  
Tobey Spainhower, DPW  
Laurie Olivier, Office Manager, Planning  
Cathy Gilman, Unutil  
James Marchese, Building Inspector  
Kara Campbell, Conservation Coordinator  
Mark Gearreald, Town Attorney

**ABSENT:** Mike Bernier, Aquarion  
Mike Collins, Comcast  
David Hobbs, Police Chief  
Jennifer Hale, DPW  
Bill Paine, Fire Prevention Officer

Mr. Bachand read the above COVID-19 meeting criteria. A roll call attendance was taken, including the locations of attendees and whether anyone was with them.

Mr. Bachand noted that starting in June, the PRC meetings will be held in person in the Selectmen's Meeting Room.

**21-011 465, 467 & 469 Ocean Blvd (2<sup>nd</sup> PRC)**

**Map: 266 Lots: 31, 32 & 33**

**Applicant: RJS Consulting, LLC (Attn: Rick Smith)**

**Owners of Record: Elaine & Frederick Ayotte (465); J. Hunter Properties (467) & The Stephen LaBranche Living Trust (469)**

**Site Plan: To construct residential condominiums with associated parking at 465 & 467 Ocean Boulevard (to be merged) and to re-build parking area on 469 Ocean Blvd.**

**Waiver Request: Section V.C. Application Fees.**

Rick Smith (applicant), Attorney Justin Pasay, and Joe Coronati (Jones & Beach Engineers) are on the phone. Mr. Coronati discussed the numerous comments from the first PRC meeting. They had a meeting with Cathy Gilman (Unitil) and Steve Labranche. They made changes to the site. They will be removing all the asphalt at Mr. LaBranche's property. They will replace with porous (all will be porous) material.

Next to his house (Mr. LaBranche's), on the West side, there was a stone walkway. He wants ecopavers. It's been modified to be an ecopaver walkway. The fence running down the property line was extended. They talked with Cathy (Unitil) about power. There are a lot of lines. The Ayotte property (furthest to the west) used to have pole line. Pole behind Ayotte's lot. They are going to remove the overhead line completely. Run from new pole from east side of Mr. LaBranche's lot; the new pole will go underground to a transformer on the back corner (northwest) corner of property. They can then remove the overhead line. There will not be any behind the lots anymore. It will be much better visually. The power will be underground.

They talked with Kara Campbell (Conservation Coordinator); they need to add an application to this; a Town Wetlands Permit. There is a little bit of asphalt in the buffer; mainly behind Mr. LaBranche's house. They added this to the application. All other items by Jennifer (DPW) and Jodie (CMA) hopefully has been addressed.

Cathy Gilman said Joe Coronati summed everything up. Two street lights on Ocean Boulevard – they will be removed. They are fed from another source. New pole (riser pole); the overhead will continue – taken out and going underground and going to two houses on Ocean Boulevard. The pole will rise overhead.

Jim Marchese (Bldg) – no comments.

Kara - Con Comm. The wetland permit will be heard at their June meeting. They need an updated plan if there are more changes after this meeting. Joe C will have another submission within a couple of weeks.

Fire asked about a note which was added on Sheet 2; last Note - #26 per Joe Coronati.

Tobey S. (DPW) said variances are not on the cover sheet. Joe Coronati said it's on Sheet 2. The light pole on Ocean Blvd – has permission been obtained was asked. Joe asked who do they ask permission to. – Tobey said he thinks from the State. Tobey said the Town does not own them so it must be the State. Cathy said in the past, they have removed them. They've gotten permission from the Town in the past.

C2-Note 16 – there was a typo that got carried over from the plan – “bed” should be “be”. C4-Note 23, intent of the note is the sewer for 469 is not clear to the Town how it is sewered. Investigation should be on the demo part of the sheet. It may be tied in through another building. Investigation should be done prior to demo to make sure you don't cut off other building. Disconnect the sewer to get demo permit. It has to happen at sewer disconnect. Prior to demo permit.

Tobey said C4-electric under the shed. Maintenance will be more challenging. Joe said the shed is small and it sits on cinderblocks.

Tobey said D1-don't need sewer manhole detail. (Comments will be provided by DPW and forwarded to applicant).

Jodie (CMA) discussed the cover sheet and said to add the architectural firm. The legend on the cover sheet has information that does not apply to the project. Sheet 2 she received twice. Wetland permit photos were discussed. Sheet C2 – eco pavers between 467 and 469 – the property line onto State owned property – sidewalk. Do they need permission from the State? It is encroaching on State property. Joe C said they have an application filed with the DOT. They will look at impact and utilities. Make sure the State is okay with this per Jodie.

Jodie asked about the sewer. If it is different than what is proposed. Joe C said they will use existing service that used to go to the Ayotte property. They will tie into that service. Joe said why are there none shown for 469 (Ocean). One may be for 469. A service is shown to Steve LaBranche's house. Joe thinks there is service to his house. Relocating the service was discussed by Mr. Coronati.

Jodie discussed L1-lumens are not zero at property line; they **should ask for a waiver on that.**

B2, Note 1 – asphalt pavement. Reference on roadway does not apply to this project.

Water oozing out of the property at the back was discussed. Joe said on the downhill side of pavement-it is on the detail sheet. Fabric was discussed. No fabric under porous section per Joe. Joe said they are using P-stone. Joe said they also did a lighting waiver.

Stormwater and drainage and analysis. It should be corrected. Update revision on cover letter. Last revision shows February.

O&M-requirements. Vegetation and landscaping should be added under that section.

O&M-item 4 – outlets, catch basin inspection. Does not apply for this project.

Attorney Mark Gearreald discussed variances. Variances that were appealed to the Superior Court – he asked Attorney Pasay and Murphy and Attorney Pasay provided a letter that is going to Jim Marchese (Bldg) and Jason Bachand (Planner). A letter to the ZBA that withdraws the first round of variances was noted. Other variances have become final. There should be a voluntary non-suit filed with the court regarding an appeal to the Superior Court.

**Attorney Gearreald said the original abutter notice was maybe not amended, the LaBranche property should be listed as an owner as part of the project; it should get noticed. The condominium if we don't know who all the officers are we should send them to all the Seabreeze condominium owners. There is going to be an underground line to 467 O.B., there should be Unitil being noticed as an abutter and State of NH DOT – a piece of the sidewalk is involved. That should receive notice of abutter; not just the Division of Cultural Resources.**

Attorney Gearreald asked Joe C with set up of porous pavers continuing into LaBranche property, will those be maintained separately was asked. Joe said “yes” – condo maintains what is on its property and Steve L will maintain his property. A Declaration will attach maintenance manual as an Exhibit. That stormwater maintenance manual discussing vacuuming porous pavement only applies to 465 and 467 rather than including the LaBranche property. Joe C said yes. Attorney Gearreald said making sure porous pavement on LaBranche property is maintained properly, should it be added since it is a continuation was asked. Joe said they can give a separate O&M for his (LaBranche) lot.

Attorney Gearreald said the LaBranche property has a fence that divides two strips of ecopaver walkways. Each of the properties will maintain their side of the fence. Joe said that is correct. There could be something addressed about that too per Attorney Gearreald. Who maintains them was asked. Releases of mutal easements of 4.5 feet on each side was asked by Attorney Gearreald. Joe said “yes” mutual revocation vacating the easement and then there will be a new easement drawn up. Easement lines are on the plan, but there will need to be a new access easement. Attorney Gearreald asked about snow removal. Snow on Steve's side -- will it be removed was asked? How will it be removed was asked. Snow would stay on his property per Joe Coronati. Steve LaBranche said he has parking for 5 cars. His house is a private residence. He parks his car in the garage under the house. The back of the house will be used for relatives and guests. Most people park out front. He hasn't been plowing the back property for years. In the future, he doesn't know what the future will be. Good question. He does not have the answer. Attorney Gearreald said snow storage is shown at the north side of condominium lot.

Mr. LaBranche discussed the fence and gate. He will allow vehicles to pass. He plans to keep the gate closed most of the time. It will be open just to let people in the rear property. They cannot pile snow up in front of the gate. Attorney Gearreald thinks he wants that in his easement agreement. Mr. LaBranche does have a concern about that. He wants it noted no one can block the gate. Easements get generated and reviewed by Attorney Gearreald's office. There can also be a Unitil easement. Mr. LaBranche appreciates that.

Attorney Gearreald noted that two lots are going to be merged; 465 and 467. They have separate owners at this time. The applicant is going work on deeds was asked. Attorney Pasay said 'yes'. That is the idea. Attorney Gearreald said \$22,000 of taxes are owed on the 467 O.B. property.

Attorney Gerreald said metes and bounds aren't listed on C2. Joe C will list them.

Attorney Gearreald discussed site characteristics. There is a tidal buffer zone and woodland buffer. He asked Kara about any other issues. There is Town permit covered and they need a State permit as well within anything within the 100' of wetlands. Plan Sheet C2 shows map 266, lot 34 and carries through NHDES buffer. Attorney Gearreald asked what is the significance of that. Joe C said the State has setbacks and lines they have to show. The DES has a wetland permit that we have to file to work within 100' of the tidal marsh. Upland tidal buffer zone. 250' shoreland rules were discussed. Woodland buffer. Part of the shoreland portion of this. They need a shoreland permit from the DES and wetland permit from DES. 250' line. Attorney Gearreald asked if they have been applied for yet. They have not been applied for yet. They will submit soon. They take about 90 days to get them.

Mr. LaBranche's porous pavement was discussed. It goes to the back stairs. Yes, per Joe. That is the edge of a landscape lot. Everything to the north of that will be porous pavement. Landscape area will stay the same. Shells or stones. Attorney Gearreald asked about porous pavement extending right up to ecopaver walkway. Yes, per Joe C. Attorney Gearreald asked if double line encroaches onto the Roy property. Joe said a little bit. Existing and proposed. It extends a little over per Joe. Michael Roy is aware of all of this. Mr. LaBranche said he has a garden – it can be moved around.

Attorney Gearreald asked about a pole – on the Roy side. Is that going to stay where it is was asked. It was noted "yes". The line goes underground from there. Sheet C4 shows underground line that runs on Mr. LaBranche's property. New pole will be installed. Attorney Gearreald said the Unitil easement will affect several properties.

**Jason Bachand may need to make this part of the review also.**

Jason Bachand discussed his comments. Many were either previously addressed or noted by others today. This application was forwarded to the HBAC. They sometimes comment on architectural and elevation. The Planning Board will want to look at the elevation and may comment on the architecture.

Mr. Bachand does not believe we need a third PRC but asked others. Jodie agrees. Resubmittal deadline is June 9<sup>th</sup>; if everything looks good; it will be heard on July 7<sup>th</sup>.

Jennifer and Jodie will provide comments in writing; he asked Attorney Gearreald to provide his comments also.

**21-029 449 Ocean Boulevard**

**Map: 266 Lot: 29**

**Applicant: Chuck Bellemore, MAM Realty Investments I, LLC**

**Owner of Record: Sea Spiral Inc., c/o Norman Bolyea**

**Site Plan: Renovate existing Sea Spiral Suites hotel into thirty-seven (37) one-bedroom condominiums. Waiver Request: Sections V.E. Detailed Plans and Section VII.E - Stormwater Management**

Mr. Chuck Bellemore is on the line. Michael Keane, Architect is on the line. This is the Sea Spiral – existing hotel. Attorney Pasay is on the line. This was going to be submitted as a condo conversion, but they were told it is a site plan. Mr. Coronati said Mr. Bellemore wants to keep the building, renovate the building and change the interior floor plan. There are 49 hotel rooms currently. There are a couple of different buildings. In the 80's, the larger section that links the two buildings was built. New addition in the back is 3 stories of units above parking. Four stories total. They are reducing the unit count down to 37, one-bedroom units. 21 units in the new wing in the back. North and south wings will be renovated internally.

Joe C said changes on the site are minor. They thought it would be a condo conversion since they are not proposing to do any work on the property (site work). Using the same utilities that come from the street was noted. Gravel parking will stay. Minor adjustments are being made on the property. They want to get all parking on site. As a hotel, they rented spaces across the street. The spaces will be freed up for the general public. They have 39 parking spaces. Extra two are for handicap spaces. There is handicap parking on site. They have to provide a small handicap ramp to get to a unit that will be added onto the north side of the building. The other part of the modification is a wooden deck that was added at some point. They will cut the deck back. They went to the ZBA and got a smaller parking space – just a handful of them are smaller than the 9' x 18'. A couple of spaces under the existing building that are shy of the width. North side of existing new addition. There are existing walls; 26' apart instead of 27'. They also got variances for lot area per dwelling unit and other minor items affected by these types of conversions. Joe said they have architectural and Mr. Keane is on the phone as well. Joe said there are minor tweaks to the building inside and out.

Cathy Gilman (Unitil) – there are two separate services to this building; they want to combine it to one. They think they are all set with that. They'll get the pole closer to the building.

Kara Campbell – Chair and Vice Chair of the Conservation Commission want to know the status of the gravel of the parking lot (rear of site). Is it pervious or compacted over the years was asked. Make it more pervious if it is really compacted. Also, add a curb at the end of the gravel parking lot so nothing can drop off into the marsh. Materials during construction, be careful about materials. Joe C said the back of the building – it's crushed stone; it is fairly porous. There is a healthy row of Rosa Ragusa. He doesn't think they need any more cover along there. There are boulders along that.

Tobey S (DPW) read comments from Jennifer Hale. This technically has no changes. They received variances for parking which makes no sense as there are no visitor spaces. How does that work? Do they park at State or Municipal lot. What about parking at night was asked about.

Joe C said visitors do have to park in the parking lot across the street. Overnight parking - Joe C does not know status of. Kitchens will be included in each unit. Weekly or long term leases. What is being required was asked.

All units will have a kitchen. All except 4 have sleeping units. A condition of the variance was to allow weekly rentals.

Parking spaces are now headed on both sides of the building. There are concrete bumpers; there should be bumpers. Are walkways new? Concrete, asphalt, curb, no curb. Joe C said the existing are wooden. They sit on asphalt. Chuck B said he will keep them wooden.

Per the Selectmen- no trash and recycling collection. How will dumpster area be reached was asked. They are under the stairwell between the north wing and 3-story wing. Right now they are a fire hazard. They will roll out into the parking lot and get picked up there. Under the 3-story building is where they will be stored. Trash will have to be rolled out.

Tobey S asked about efforts for stormwater improvements.

Tobey said as far as sewer goes, there are four laterals from main to this lot. It's unclear if they are all in use. If one is capped at the property line. What condition, size and location on private property are they. They should be video inspected. Show it on the plans.

Jodie (CMA) discussed existing water service. The handicap accessible ramp was discussed. Jodie will forward her comments to the applicant.

Landscaping and lighting was asked about. Joe C said they would stripe the front of the site to define the entrance. Front unit with "X" through it is first floor office. Currently it bumps out. They were going to convert that to a deck.

Jodie asked about gas meters. Chuck B said for hot water and dryer there are gas meters.

Attorney Gearreald said there was a prior condominium site plan recorded back in 1987, but the plan expired 2 years from date of approval. He thinks something should be recorded at the Registry that the older plan is moot. Joe thinks the title was wrong; it was for the construction of the building in the rear. Attorney Gearreald said stating condominiums were not established per that plan would be advised.

Attorney Gearreald said in the Deed there is an exception and reservation – 4' in width for State sidewalk. It's a triangular piece. Are any parts of existing building in the triangle was asked. Attorney Gearreald wants that shown. So there is no problem with the title. Joe said 'yes'. Slope right release was discussed.

Attorney Gearreald asked about underground electric. No underground electric is proposed. Unutil does not need to be an abutter. NHDOT – should it be an abutter was asked by Attorney Gearreald. Parks and Rec was noticed. DOT may need to be an abutter by virtue of the triangle. Seabreeze Condominiums – other property and suit not being filed for not notifying all officers, whoever they may be; he thinks they are better off notifying all unit owners. He did that with 445 Ocean Boulevard.

Jason Bachand discussed the variances. One of the granted variance was for 6.3.10 - condo conversions of pre-existing non conforming uses. It seems that one was not applicable to this application.

Whether the work would be a substantial improvement under the Floodplain Management Ordinance was discussed. Equal to or exceeding 50 percent of market value of the structure. Jason previously discussed this with Chuck Bellemore. That is something that Chuck needs to be aware of. Joe said they are staying under that threshold for sure.

The second story balconies were discussed. Are they new or existing balconies was asked. Joe C said they are all existing. Existing conditions plan is not very clear. Jason asked about utilities. He asked if there should be a more detailed utility plan. Maybe a more detailed utility plan should be offered for this project. Joe said it's tough to get records on the site.

Jason Bachand discussed the parking area and re-striping. Stormwater management was discussed. He is wrestling with this waiver request. It is 98 percent sealed surface. He thinks in the center parking area (between north and south buildings) the applicant should install porous pavement to help with stormwater.

Jason asked about the waiver of the full detailed plan requirement. Jason wants the applicant to define specifically what is being requested in the waiver.

Jason thinks this application can move forward, depending on a satisfactory resubmission. Jodie agrees this can move forward. Resubmittal deadline is June 9<sup>th</sup>. July 7<sup>th</sup> will be the Planning Board. Another PRC is not needed.

Next month, we will be back to meeting in person - on June 23<sup>rd</sup>.

Adjourned: 3:24 p.m.

Laurie Olivier  
Office Manager, Planning