

Town of Hampton



*Department of Resources and
Economic Development*



**Hampton Beach Area Commission
100 Winnacunnet Road
Hampton, New Hampshire 03842
Hampton Police Station – 2nd Floor Training Room
7 PM**

December 16, 2010

MINUTES

In Attendance:

John Nyhan, Chairman, Town of Hampton
Fran McMahon- Rockingham Planning Commission
Bill Watson, Secretary/Treasurer- NH Department of Transportation
Michael Roy, Village District
Michael Housman, Operations Supervisor, DRED (Seacoast Parks/Recreation)
Rick Griffin, Town of Hampton
Geannina Guzman-Scanlan- Hampton Beach Village District (arrived at 8:00 p.m.)

Other:

Jamie Steffen- Hampton Town Planner (Administration)
Laurie Olivier- Secretary

1. Introduction of Commissioners
2. Review & approval of 11/18/10 Minutes

Mr. Nyhan stated that there are not enough members present tonite who were at the November meeting and therefore, there is not a quorum. There will be a delay in approving the Minutes until the January meeting and they will be approved at that time with edits, if necessary. Any recommended changes should be given to the Secretary, Ms. Olivier, between now and the January meeting.

MOTION made by Mr. Nyhan to approve the Minutes at the January, 2011 meeting.

SECOND by Mr. Watson.

VOTE: 5 – 0 – 1 (Mr. McMahon abstained)

MOTION PASSED.

3. Appointments – None
4. Public comment

Mr. Nyhan introduced the new Commissioners. Mike Housman, now representing DRED was welcomed.

Mr. Housman is the Operations Supervisor for NH State Parks. He has worked there for over four years. He is happy to serve on the Commission and will be the important communication link between the Commission and DRED.

Mr. Nyhan introduced Mike Roy. Mike represents the Village District. Mr. Roy thanked everyone for the opportunity to become a member. He noted that his family has been in Hampton for several years. He was a member of this Board from 1996 to 2002. Since 1994, he's been running his business at the Beach.

5. HBAC Commissioner appointments and reappointments

Mr. Nyhan stated that the Commissioner at Large was voted upon, and by unanimous vote, Deputy Richard Sawyer was appointed. Deputy Sawyer called at 5:00 p.m. tonite and said his children were sick and he needs to attend to family business and would not be able to attend the meeting tonite. This will be his second year with the Commission.

6. Old Business

A. Beach Redevelopment Project updates (Nyhan) (1) Temporary Stage Task Group Report

Mr. Nyhan said there are 35 to 45 construction workers working at the Beach daily. Most of the emphasis is on the complex itself – the North and South pavilion. They are ready to put the roof on the north pavilion. He feels that the project is going at a fast pace and as long as there is no snow in site, they will work hard at getting the complex completed. The two bath houses are 99 percent completed. They will not be open throughout the winter. The stage area and the North and South pavilion areas are being worked on now. Bath houses can be done later into the winter and spring.

Mr. Housman said the same subcontractors are doing the pavilions. They want the pavilions weather tight. Bath houses are close to being completed, and the Certificate of Occupancy can happen as early as January. Great progress is being made.

Mr. Nyhan discussed the temporary stage. There was a lot of reactionary discussion in the past on where the stage was going to go. DRED asked the Beach Commission to facilitate a group of organizations and come back and make some recommendations on where the stage should go. Mr. Nyhan organized a task group made up of members of both the Chamber of Commerce and Village District. The members are Jude David from the Chamber, and Bob Preston representing the Commission; also Chuck Rage and June White representing the Village District and Tom Mansfield representing DRED. There were many meetings and each meeting was productive. Mr. Nyhan now has a recommendation and he will send it to DRED with their opinion of the temporary stage. Charlie Preston also gave a lot of input.

Mr. Nyhan stated this has been a joint effort with regard to everybody agreeing with where it would be best to have the stage. The recommendation to DRED is as follows:

The site itself will be between B and C Streets – closer to C Street than B Street. The electrical box that the Chamber has is where the stage will be feeding from.

The stage will be on the Beach facing the business community – facing West, and the stage will be a 36' x 16' x 32' stage. The space will provide casual seating, but there will be handicap and elderly access on the beach and up on the sidewalk between B and C Streets. They

can put seating on the sidewalk without interruption of people walking on the sidewalk and there will be no interruption with meter parking.

The squares that will be needed to be used as walkways on to beach will be used for a dance floor and for a handicap area on the beach, and the stairs will be used for two entranceways onto the Beach. Also, the stairways will be handicap accessible. Elderly and handicap areas are all set.

There will be no impact on meter parking nor will there be any impact with public safety in terms of traffic control.

Behind the stage there will be a tent covering the stage. The tent vendor will be the same vendor that has been used at the Seafood Festival and this vendor will be recommended to DRED. It will be a three-sided tent to cover the stage. The stage will be 4 feet up from the stand. There will also be a second tent that will be right on the beach. There will be covering for them in case of inclement weather.

There will be a construction trailer behind the stage for entertainers to use. Tom Mansfield recommended that there should be a platform behind the stage for equipment to be stored.

Everyone agreed that the setting up of the stage, if approved by DRED, will happen during week of June 13, 2011, and the first show will be on or about June 18, 2011.

Costs were discussed by Mr. Nyhan. The cost estimate on the location of the stage and platform, two tents and electrical costs involved came to between \$30,000 and \$35,000. The vendor is giving us a great price to put stage and tents in from June through the Seafood Festival. He stated we have different funding sources. DRED has allocated \$15,000 toward the effort and has kept the door open in case there are components like walkways that that could be a cost it and could pick up a cost over the \$15,000.

The Hampton beach Village District is putting into their budget \$15,000. The Chamber of Commerce, with the help of the Beach Commission, is looking for sponsorships. Those sponsorships will help support the costs of the \$30,000 to \$35,000. Bob Preston offered to spearhead that and Doc Noel has given 100 percent support with respect to the Chamber. Amongst everyone, Mr. Nyhan feels confident that that the money will be raised and the temporary costs should be covered.

Mr. Nyhan stated this is a good way to get community involvement. He feels this is a feasible recommendation. He feels people will be pleased with this.

Mr. McMahan asked how to incorporate funds into the facility. Mr. Nyhan and Jude David discussed having large banners on the stage to say that a certain business is a key sponsor. He also stated we'd be looking at local businesses sponsoring a week of entertainment and that company may sponsor the entertainment for the week.

Mr. Griffin asked if the sponsors would pay for the entertainment. Mr. Nyhan stated there may be a cost item needed (an example) – electrical cost.....Again, as an example, say that the total electrical cost will be \$26,000 to \$28,000 and \$15,000 is coming from DRED and we need the balance. In talking with the Precinct, we asked them to put in for their recommendation in March, \$15,000, and if the final budget is \$30,000, then the Beach Commission, through Bob Preston and other members, along with the Chamber, would go out and solicit business support and sponsorships which would be larger businesses that service the Seacoast area. We'd get the sponsorship. That would not only pay for any balance, but that sponsorship would go back to the Precinct.

Knowing the Precinct budget, any money from sponsorships would go back to Precinct budget.

Mr. Roy thinks it's a great idea.

B. Beach Project/NH Arts Council updates (Guzman-Scanlan)

Mr. Nyhan noted that Ms. Guzman-Scanlan was not present at the time, but what they are trying to do right now with about \$22,000 or \$23,000 in the arts council budget, is to collect the RFPs for an architectural design that would be in place of the tower, as the tower will not be there. RFPs did go out. Ms. Guzman-Scanlan will share more news in January.

C. May 5th Economic Development Action updates (Nyhan)

Mr. Nyhan will hold on this till the end of the meeting on how to move forward with the recommendations.

D. Any other Old Business

7. New Business

A. New Commissioner Assignments – Special Projects

Mr. Nyhan went back to discuss the Economic Summit. Mr. Nyhan said there was such a momentum with that meeting that he doesn't want it to slow down. Last month, he passed out to the members a list with the top 20 recommendations/topics that people brought up at the Economic Summit. He asked the Commission members to see what they could work on over the next year or so.

Mr. Nyhan thinks this Commission can be proactive in (but it will be a Town decision) the business tax relief. RSA 79-E was discussed and that it would provide business tax relief on not just business at the Beach, but throughout the Town of Hampton. He stated that the Business Tax Relief program should be supported.

Mr. Griffin asked if this is regarding burnt down places as well. Mr. Nyhan stated it's the relief created through the A Street fire, then it became a topic throughout the Town. Mr. Griffin said it will be a warrant article and that's what the Selectmen are working on right now. The TIF plan was discussed.

Mr. McMahon stated it's a difficult process to get across. Mr. Griffin said they need to find out what Kittery did to endorse this program.

Mr. Nyhan stated that Senator Stiles will be making recommendations for an Amendment for the Town to have the ability to go back and look at which businesses were burnt out and give them the same entitlement. Mr. Griffin stated they are meeting with the attorney about it.

Mr. Nyhan said the Commission needs to get more involved in the parking scheme at the Beach. He's asking Mr. Sawyer to work with the Rockingham Planning Commission so that the Commission will get a clear idea of what the Beach parking situation is. The Board dropped the ball with regard to our movement in that area. We need to research during the Beach season the parking situation and see if it is adequate when people are coming into the Beach to know where to park.

Mr. Nyhan discussed public safety and traffic control. Mr. Sawyer will review what is going on at the Beach with regard to public safety and traffic control at the Beach. Closing part of Ocean Boulevard was discussed. Turning two-way traffic on Ashworth Avenue was discussed and needs to be addressed. Public Safety is against two-way traffic there.

Ocean Boulevard was discussed by Mr. Nyhan with regard to new sidewalks and drainage and how Ocean Boulevard can be improved. The local community must be in favor of that type of effort. Business owners should be in full support of this also. The DOT wants to help, but they want to hear from the local community.

Mr. Nyhan, on December 1, 2010, submitted a letter of intent to the Department of Transportation for the scenic byways funds. The 4th component is a visitor station at the park. There was no money left to do a visitors' station at the State Park. DRED has a lot on its plate, but this year, we need to look at funds through scenic byways. The business station at the State Park is the missing component. Mr. Nyhan indicated we are interested in moving forward with talking to the State of New Hampshire to work with us at looking at the funding source to give us a chance to complete the project. It is roughly \$2 Million to do a visitor station. Mr. Nyhan believes this is a topic that we need to take an active role in.

Mr. Watson said from the Department of Transportation's point of view, it can be framed as a re-evaluation of the Master Plan; working along the coastal byway of Route 1A. There are opportunities for funding that should not be difficult now with the budget restraints. Larger projects seem to be what is getting the attention on the byway projects. Hopefully, the letter of intent will act as an application. They will talk about this in the next few weeks. The DOT can offer resources to our region – staff, technical and financial, but someone needs to step up and take the lead. It needs to be cooperative. Planning in action was discussed and it needs to be a group effort.

Mr. Nyhan went to the government to see if it could come up with \$1 Million to complete infrastructure project regarding sewage. Some headway was made with the Senator's office. Over the last month and a half, the funds are now considered part of a “pork project”. We are now at a standstill as the Senator is retiring. Senator Ayotte is the new Senator. We need to come up with \$1 Million for this project. The amount of \$470,000 is sitting in an account right now with the Town. We need to see what we can do. We need \$1 Million of Federal money. The Federal Government is our only resource and Mr. Griffin is in support of this, but we need to work on this.

Extending the season was discussed. Closing the Beach in October or further in the season and opening the season in April or May was addressed. This gave us a beginning point to see what we need to do to stay open if that's the businesses choice.

Mr. Roy stated the 20 items are great ideas and the ideas discussed tonight are a great way to start. He will add more as he becomes more involved.

Ms. Guzman-Scanlan arrived.

Mr. Griffin stated it's an ambitious list. His suggestion is to have the Police Chief come in and discuss public safety.

Mr. McMahan stated the 20 item list is a good starting point. He ranked his top 5 to the Commission. Ocean Boulevard was at the top of the list for him and he believes early spring is a good time to look at it. He also discussed the playground to Haverhill Avenue. The West side problems are drainage, sidewalks, street drains into the buildings, etc.

Mr. McMahan's second item is parking. He mentioned the three or four main players; he stated the Town and Precinct have many parking spaces, DRED then the private sector. What parking is available was discussed. Pricing structure on weekends was discussed.

Mr. McMahan's third item is the transportation center at Routes 101 and 1. CJ's facility in Portsmouth was discussed. We could provide parking service and shuttle service from adjoining cities/State, and this should be kept in mind.

Mr. McMahon's fourth item is the Master Plan and he feels the Commission needs to go back and review the Master Plan and make sure we're implementing what the Town wants to implement.

Lastly, marketing and branding of the Beach should take place. The Town is going to have a new product. We should think about the Precinct, the Chamber, DRED – many players that should pursue the same theme.

Mike Housman would like to see the list and he will help in any way.

Mr. Watson agrees with checking into the Master Plan. He stated that it is getting dated and are we doing what we said we will be doing. He asked if the priorities are still the same. It should be looked at soon and see where we're at and review it. He also discussed trolley service.

Mr. Watson discussed the Ocean Boulevard issue. The Board should be aware about the maintenance on the West side that it could be contentious between the State and the Town. He stated that the Town and the DOT are not on the same page.

Ms. Guzman-Scanlan discussed the business to be completed. She discussed two areas. She believes signage and lighting is critical to make the beach more appealing and there should be adequate signage related to parking. She emphasized creating a good look for the Beach.

She also stated that Ocean Boulevard road improvement is critical. Businesses on Ocean Boulevard (drainage problems), including water overflow, could hurt businesses.

Ms. Guzman-Scanlan also believes the parking study should be finalized in order to have a clear view of where it is at.

Ms. Guzman-Scanlan discussed attraction of new businesses to the Beach being respectful to the community. She discussed business incentives and marketing businesses as appealing to the area.

Mr. Griffin stated his top priority were businesses heading south and how the sidewalks down the Beach are disgusting. Some businesses have done fixing up at their own expense. Jimmy Trainer has spruced his business up himself. The State does have issues with the Town and it should be discussed. The problem of the Town will be the public not being proactive to vote on something like that. He doesn't have answers for this, maybe have a mini master plan of sorts. What he hears is that it's up to the businesses individually to take care of a lot of the work themselves. Maybe it's time to bring this up with the Town.

Mr. Nyhan discussed a middle point – if the DOT is saying we're willing to invest State/Federal money to redo sidewalks, then it becomes an issue of maintenance of sidewalk, and that is where the Town can come in.

Mr. Watson stated it has been recommended and all the Town needs to do is to sit down and discuss this together. If the Town wants to focus on sidewalks, i.e. if the West side is in terrible condition, who within the Town and who else should sit down and talk about what reasonable action should be done. All may walk away, but it's worth it to get everyone together. Then get cost estimates. The DOT is willing if everything is provided and meetings and communication take place. Maintenance of sidewalks is a tough issue. Accident claims from trips and falls were discussed and in that case who owns the sidewalk and who pays the bills. The AG's office gets involved, etc. The Town then gets into it and states it's not their responsibility, etc.

Mr. Griffin stated possibly the Town could maintain the sidewalks and make sure they are passable. A good time to bring it up to Town is before the Town works on the budgets. Right now, there is an issue on High Street where sidewalks are being replaced. It's around \$40,000 and it's an emergency.

Mr. Nyhan stated there is a lot of work to be done for the next 6 to 7 months. He gave assignments as follows:

- Business Tax Relief-RSA 79-E is given to Mr. Griffin to handle. Mr. McMahon is to also participate in supporting that project.
- Marketing and branding – that responsibility Mr. Nyhan stated is for everybody. He would like to bring in the Precinct and he is asking Ms. Guzman-Scanlan to bring in someone from the Precinct and to discuss how we strategize on the marketing of Hampton Beach.
- Mr. Nyhan wants to see someone dedicated from the Economic Development project in to finding funding. He will do this himself. He wants to hire someone from the Town or somebody to handle Economic Development.
- Signage and Lighting has been assigned to Ms. Guzman-Scanlan.
- Architectural designs and zoning –Mr. Nyhan stated that is for everyone, but Bob Preston will be the lead to that.
- Parking – Rich Sawyer will continue to head up that effort. Parking on and off the Beach will be addressed.
- Community balance between condos and retail-should be kept in mind with all future new proposals. The Old Salt parking area down the Beach was discussed and that is for everyone to deal with.
- Seasonal extension. Andy Herrick indicated he would be willing to support the Commission with their efforts. He assigned Mike Roy to take on that project and to coordinate with Andy on the next steps to take.
- Overall Master Plan. Mr. Nyhan put Ms. Guzman-Scanlan on the spot for this job. In February, Mr. Nyhan thinks this should be revisited to see exactly what the Master Plan says and what has been done thus far. He wants her to put together a presentation on where we are at and where we need to go.
- The bridge has been given to Rich Sawyer. He needs to review where the bridge sits and the long-term strategy. It should be reviewed to see if the transportation is adequate enough. Rich will also take care of public safety and traffic control. Having Chief Sullivan come and discuss his thoughts will be a good idea.
- Business cosmetic improvements. Mr. Nyhan discussed the Sea Catch and the Boardwalk Care as examples of the look we want down there along with Mike Roy's establishments. It's everyone's responsibilities. Mr. Nyhan discussed dressing up the facades and businesses so we will be proud of the way it looks.
- Ocean Boulevard. Mr. Nyhan stated it is a top priority. Mr. Roy was will be in charge of working with Mr. Watson on this and will have Mr. Griffin participate on this also.
- Scenic Byways. Mr. Watson is assigned along with Ms. Guzman-Scanlan.
- **Rick and Mr. Nyhan will work on that effort. (Laurie missed it—NO VIDEO YET)**

B. 2011 Scenic Byways Letter of Intent

C. HBAC Annual Report – due 12/31/10

Mr. Nyhan discussed we are required to submit an annual report. Mr. Nyhan will submit it to the Governor and to the Town. He stated that December 31st is the deadline and it should go out within the next week for edit and review.

D. Any other New Business

Mr. McMahon discussed the Planning Board meeting and that it is sponsoring a zoning article. Charitable gaming operations were discussed. Our existing ordinance is silent on the issue of charitable gaming because it didn't exist in the past. What is going forward on January 5, 2011 is a proposal that would make charitable zoning a permitting use in the Business Seasonal Zone, which is the zone at the Beach. It has a couple of conditions. It would require a special exception (gotten from Zoning Board) first. If an applicant gets the special exemption, then it comes to the Planning Board for site plan review. The public hearing will be on January 5, 2011, and the Board will vote to see if it gets put on the ballot and then the public will have an opportunity to vote in March.

Two other petitioned zoning articles will be heard on January 5, 2011. Petitioned articles cannot be changed. The Board can recommend or not recommend two articles. One of the petitioned articles deals with imposing restrictions on martial arts. He read the article. It is a petitioned article that cannot be changed. The Planning Board can endorse it or not.

The second one is to change the current zoning height limit in the BS zone on Ocean Boulevard from N Street south to the bridge from the current 50 foot height to 35 foot height limit. The last two petitioned articles cannot be changed. Again, the meeting is January 5th, 2011 at the Town Hall.

Mr. Nyhan discussed gaming and the warrant article. Mr. McMahon explained it to him. Mr. Nyhan has spoken to many people and has heard pros and cons about charitable gaming. We want Hampton Beach to be a family-friendly beach. His concern is with empty lots at the Beach and businesses looking to change the scope of business. He stated there eventually could be four or five different gaming places on Ocean Boulevard. Mr. Nyhan would have a hard time explaining how that could happen. He asked if there is anything prohibiting numerous gaming businesses opening up down the Beach. Mr. McMahon stated it is allowed under State Law. The race track, Hampton Falls gaming facility and new business down the beach was discussed.

Ms. Guzman-Scanlan asked about approving one now on K Street and if the warrant does not pass, there's nothing to limit going through the special exception process. She asked about a site plan. The applicant received a variance on K Street. Special gaming regulations may need to be changed by Nancy Stiles. It was allowed under state law. The Planning Department pulled back on the B zone.

Mr. Nyhan discussed Mr. Charlie Preston's parking issues, with anticipated parking for motorcycles and with bathrooms being open for winter events. Mr. Nyhan had a conversation with Doug Deporter and he is meeting with him next week to discuss DRED and DOT to work together regarding snowplowing.

Mr. Nyhan asked Mr. Sawyer about winter events and if bath houses would be opened for that, i.e. for the Penguin Plunge, New Years Eve, etc.

The motorcycle parking was discussed. He is not sure where motorcycle parking is. It may be over at the bathroom area, but he should get the information shortly.

Ms. Guzman-Scanlan brought up the request for proposals for the art sculpture at the Beach. They will evaluate all submissions on February 17, 2011. Mr. Nyhan reiterated where the art sculpture would go. It's \$12,500 per Ms. Scanlan. It is an accessory to the area, but will not be the size of the tower and it won't replace the tower.

8. Adjourn

MOVED by Mr. McMahon to adjourn.

SECOND by Mr. Griffin.

VOTE: 7 – 0 – 0

MOTION PASSED.

Meeting adjourned at 8:50 p.m.

Laurie Olivier
Secretary