

**HAMPTON PLANNING BOARD**

**MINUTES**

**August 3, 2016 – 7:00 p.m.**

**PRESENT:** Brendan McNamara, Chair  
Fran McMahon, Vice Chair  
Ann Carnaby, Clerk  
Tracy Emerick  
Keith Lessard  
Thomas Higgins, Alternate  
Rusty Bridle, Alternate Selectman Member  
Jason Bachand, Town Planner  
Laurie Olivier, Office Manager/Planning

**ABSENT:** Mark Olson  
James Waddell, Selectman Member

**I. CALL TO ORDER**

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

Mr. McNamara stated that 31 Campton Street wishes to be continued until August 17<sup>th</sup>.

**MOVED** by Mr. Emerick to continue 31 Campton to August 17, 2016.

**SECOND** by Mr. Lessard.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

Mr. McNamara stated that 18 McKay Avenue has withdrawn.

Mr. McNamara stated that the applicant for 8 Witch Island Way is asking to be continued to September 7, 2016.

**MOVED** by Mr. Emerick to hear 8 Witch Island Way on September 7, 2016.

**SECOND** by Mr. Lessard.

**MOTION: 7 – 0 – 0**

**MOTION PASSED.**

**II. ATTENDING TO BE HEARD**

- **Temporary Parking Lot: 431 Ocean Boulevard (Riviera Motel)**  
24 spaces.

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Mr. Richard Roy appeared. He represents Pamela Keir. He owns the Atlantic Breeze suites, next door. On nice weekends, there are spaces left and they want to rent them out on a per-day basis.

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It was noted that this temporary parking lot would be good for one year. Mr. McMahon asked if we did one on this in the past. We continued their condominium project years ago per Mr. Lessard.

Ms. Carnaby asked if space #24 is for handicapped persons. It says “HP”. Mr. Roy said he will probably keep it that way since it’s up front. Mr. McNamara said one handicap space is required for every 15 spaces. Mr. Roy is fine with that.

Mr. Bachand noticed the motel is closed. The condition of the building appears to be poor. Mr. Bachand asked if there are any structural concerns because some of the parking spaces are under the building. He noted that he spoke with Mr. Schultz (Building Inspector) about this and there are no concerns with this parking proposal.

Mr. Bachand asked about trash barrels. There will be one at each end of the entrance coming out to the road per Mr. Roy. Mr. Bachand did not think the striping was very visible and the regulations require this; it will be done soon per Mr. Roy. Mr. Bachand said he recommends this parking lot for one year; conditioned upon the hotel being closed.

Mr. McNamara said after one year, come August 3<sup>rd</sup> of 2017, they will no longer have a permit. The Planning Board extended a parking lot last year to go into September. We could let this parking lot be effective until the 17<sup>th</sup> of September.

**MOTION** by Mr. Bridle to grant the temporary parking lot; said permit to expire on September 17, 2017.

**SECOND** by Mr. Emerick.

**VOTE: 6 – 0 – 1 (McNamara).**

**MOTION PASSED.**

**III. NEW PUBLIC HEARINGS**

**16-029 230 Exeter Road**

Map: 68 Lot: 7-2

Applicant: Two Hundred Thirty Exeter Road, LLC

Subdivision and Minor Lot Line Adjustment; Subdivide property into two buildable lots with frontage on Exeter Road; Lot Line Adjustment to grant the Town 11.5 acres of land to be combined with Map 87, Lot 6A.

Wetlands Permit: Relocate existing drainage line to a new location to provide easement to the Town for future maintenance.

Waiver Request: Section VII.C.5 – Stormwater Management of Subdivision Regulations

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Mr. Joseph Coronati appeared (Jones & Beach) with Peter Ross, the applicant. They've been before this Board on this parcel in the past. They are here for a two-lot subdivision and to provide the Town with 12 acres of land in the rear of the parcel. This went to the ZBA and has been approved. They want the lot shape changed (ZBA approved). The land donated is 12 acres. The property has frontage on Exeter Road. It goes behind the Langdale Drive area. It abuts Route 101. Mr. Coronati said there will be one entrance (shared) off of Exeter Road. The two houses will look like the Grist Mill condos (built 5 or 6 years ago). They will have walk-out basements. The old drain line across the property currently has no easement to the Town. They are proposing to put in a drain manhole near Exeter Road and install a new drain line so they can build on one of the parcels. There will be an easement dedicated to the Town. Mr. Ross extended all utilities to his side of the road; he has a water line already tapped off of the main line. This development can happen without disturbing the pavement on Exeter Road.

The waiver is for stormwater. There will be two small homes. Stormwater goes into the wetland area, over 500' either way and then enters the Route 101 drainage system. No stormwater will go onto abutters' lots. The applicant is providing erosion control; silt fence; plunge pools. The waiver is for the stormwater analysis.

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Mr. Lessard thinks it's a good use of the property; it is a generous donation for Conservation and the Town. Mr. Lessard asked for wetlands line behind houses. Neither of the house lots are in the buffer or extended buffer. The lot goes into the buffer and into the wetlands; there will be markers. There is a Town wetland permit applied for as well per Mr. Coronati.

Mr. McMahon asked about the sizes of the two lots. Mr. Coronati said Lot 1 is 35,000 square feet and #2 is 37,000 square feet. This is in the RA Zone; the back of the parcel is in the G Zone. Mr. McMahon asked about agreeing to accept the property – 12 acres; this will go through the Board of Selectmen. Mr. Coronati said details aren't worked out yet. Mr. Bachand said there is a recommended condition in his memo that refers to that.

Mr. Bridle said access to the backland will be off Langdale; there's a 50' ROW.

Mr. Higgins asked what the variances were for; they were for frontage and lot width. Mr. Higgins asked why the Shoreland Protection Act is referred to in the Conservation Commission memo. Ms. Dionne, Conservation Coordinator, said they refer to the DES. She said they rely on DES Regulations for guidance. It refers to lawn care. When you're in the wetland buffer, you refer to the DES for Best Management Practices.

Mr. Emerick asked about the one driveway. It's nice to have one curb cut, but why did the applicant just propose one driveway was asked. Mr. Ross said the ZBA strongly supported a one driveway solution.

### PUBLIC

Mr. Seth McNally, 226 Exeter Road appeared. He asked if there will be putting a curb in. The water that lands on the road now, he noted, there is no drainage. It runs passed his house

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and it could be forced back onto his lot. He asked about the 8" main; he asked if he could get a fire hydrant there. He asked for landscaping plans and asked if a buffer could be built.

John McLaughlin, 242 Exeter Road appeared. He asked about the drainage easement. He asked how it will affect the trees on the properties. There are a dozen or so, 100' pine trees in this area.

Mr. Coronati said the easement doesn't run directly down the property line. Mr. Coronati will save as many trees as possible. Many trees will remain. Mr. McNamara asked if the Conservation Commission will monitor the removal of trees. Ms. Dionne said they do an inspection at the end. The applicant can tag the trees they are going to remove.

Mr. Ross said he wants to leave as many trees as possible, but will need to remove some trees. That parcel was logged many years ago.

Mr. McLaughlin said one tree on the applicant's property snapped 20' in one direction. If it had snapped the other way, it would have been in his bedroom. Disturbing the roots was discussed. Mr. McLaughlin is worried about his house.

Mr. Coronati said they can flag the trees. Ms. Dionne said the Conservation Commission won't be affected. Ms. Dionne discussed keeping some stumps intact.

Mr. McNally said the road is designed to have drainage go off the side. There are no drains on that side. There are drains on the north side; none on the south side of the road.

Mr. Coronati said they are proposing a curb on Exeter Road. They are providing drainage ways to go between the houses. Mr. Coronati said they are not changing grades of the area. They are lower than the road. Mr. Coronati showed Mr. McNally how it will run.

Hydrants were discussed. That is all set. There are landscaping plans. Mr. Coronati said the whole front of the parcel is vegetated. Along the property lines they will keep as much existing vegetation as possible. They will add plantings around the house as well. Mr. Coronati built houses going west (next 3); he wants to keep it nice. Mr. McNally wants trees between his house and property. Mr. McNally would like trees.

Mr. Coronati said nothing has been cut on the property. He said the property slopes downward; a fence may not be good. Mr. Coronati said they can't plant 20' trees.

Mr. Lessard said Mr. Ross has been respectable with his buildings in Town. It will look nice. Mr. Ross' mother is an immediate abutter.

Mr. Bachand said the ZBA conditioned that it would be donated as permanent conservation land (open space). Mr. Bachand did not take up the land acquisition, but it is in the works. Mr. Ross said he is donating it to the Town. It is consistent with the ZBA approval. It's up to the Town how they want to handle it. One is with Conservation Commission; the other way is through the Selectmen. It is permanent conservation land per Mr. Bachand. It will be worked out with the Town and the Town appreciates the donation. Condition #4 is worded loosely to handle this.

Mr. Bachand discussed the shared driveway and drainage. The Town Attorney will have to do a review of easements; escrow will need to be established and a HOA will also. Mr. Bachand reviewed his recommended conditions. The drainage easement will have to go through the 41:14-a process.

Mr. Coronati asked about the stormwater O&M manual. He said he doesn't think it's needed in this location. The drain line is maintained by the Town. Mr. Lessard asked about the

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plunge pool. Mr. Lessard asked about drainage being filled in. He worries about future owners. Mr. Lessard said without the O&M, how would the Town know this will be taken care of. Mr. Coronati said the plunge pool is for construction. Mr. Lessard worries about it being filled in. He asked about the swale along the east side. If it gets filled in, water could be pushed onto the neighbors' property. Mr. Bachand said we should be consistent and require the O&M, but it's up to the Board. Mr. Emerick thinks it is an undue burden on this development. Mr. McNamara said if it's two lots and they are minor, it's fine. Mr. Lessard asked how do we make it known that it has to stay a swale. Can this be written into the deed was asked. Mr. Bachand said it could be placed in the deed, but believes requiring the O&M is much better.

Ms. Dionne said things can be written into the deeds, but we've had situations where people state it's in the deed, but no one is really aware of it. The O&M is nice because you see it every year. You just don't see it if there's a problem. On most O&M's we require a professional engineer. Where this is a swale, as long as the homeowner can photo document the swale is there and being maintained, that could be simplified. No engineer would be needed. She would stick to the O&M. She noted the Town has MS4 requirements that require the Town doing the O&M. The Conservation Commission would be happy with documentation. Mr. Coronati said that is fine.

Mr. Coronati asked about #11 for the Board of Selectmen approval for surety for off-site improvements. Mr. Bachand said "if required"; it is a standard condition. Mr. Coronati asked if it is the same for the trench permit stipulation and Mr. Bachand said 'yes'.

Mr. McNamara asked about Condition #14 – the variances with the ZBA. Mr. Ross will give Mr. Schultz the final print. They were just waiting for this meeting to happen.

Mr. Bachand asked the Board to clarify its position on the O&M. It will be modified. Ms. Dionne said a simple sentence change would be fine. We want the O&M, but we can remove that an engineer be required. It can be done by the homeowner once a year, with photos showing the swale is maintained. Mr. McNamara thinks it's a good compromise.

It was agreed that the O&M can be completed by the homeowner – not an engineer, and to submit photographs. Mr. McNamara asked for the Board's opinion.

Mr. Lessard: change it with no engineer. Mr. Emerick: Eliminate it altogether. Ms Carnaby: change it with no engineer. Mr. McMahan agrees with a simple statement that says the swale will be good/photograph/modify it. Mr. Bridle: change it. Mr. Higgins agrees with Mr. Emerick to eliminate it. Mr. McNamara state it is agreed to go ahead and change it.

We will change the language in #8 to allow the homeowners to submit the O&M without having to hire a professional. It only has the one swale. It's just the one house. There is an HOA attached because of the shared driveway, the private force main connected to public sewer, and other easements.

There will be a naturally-vegetated buffer per Mr. Coronati. Mr. Higgins said the neighbor could plant his own buffer.

Mr. Bachand reminded the Board that the waiver request, wetlands permit, and subdivision/lot line adjustment all need to be voted upon.

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**MOVED** by McMahon to grant the Waiver Request of Section VII.C.5 – Stormwater Management of Subdivision Regulations.

**SECOND** by Mr. Emerick with the understanding that we are voting to waive stormwater management but are requiring stormwater management (it was clarified that the owner is taking care of O&M reporting/study; not the same as waiving stormwater management).

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**MOVED** by Mr. McMahon to grant the Wetlands Permit.

**SECOND** by Mr. Emerick.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**MOTION** by Mr. McMahon to grant the Subdivision and Minor Lot Line Adjustment along with the Town Planner’s Memorandum dated August 3, 2016, as amended, and the stipulations contained in the Conservation Commission’s letter dated July 29, 2016.

**SECOND** by Mr. Emerick.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

Senate Bill 146 was brought up. Mr. McMahon noted that this applicant could have come in with two duplexes if SB146 becomes law. It was clarified that it is law. This is about Accessory Dwelling Units (ADU’s) per Mr. McMahon. It is for the understanding of the impact of that law. Mr. McMahon thinks this is an interesting case. Mr. McNamara stated for the public that there is a House Bill, extra dwelling units can be attached to their homes next year. This Board is working on trying to minimize the impacts. It is a law by the State. It will be in effect June 1, 2017. There will be a September RPC meeting addressing this as well per Ms. Carnaby.

**16-032 8 Campton Street**

Map: 303 Lot: 21

Applicant: Mary Ann Elchook

Owner of Record: Same

Driveway Permit Appeal

Ms. Elchook appeared. She had a lot of water and flooding damage. She contacted a mason to put pavers in the driveway. The work was done; she didn’t realize she needed appropriate papers and permit. She also took pictures of what she was doing to her house.

Ms. Elchook said neighbors already have pavers that look similar per Mr. Swift of the DPW. The Town does not want damage to Town property. Mr. Bachand believes the pavers are in the public right-of-way and said he spoke with Mr. Swift about the pavers, after the applicant did. Mr. Swift said he didn’t have trouble with the Board granting this appeal provided there is no liability to the Town for damage to the pavers by the plows. However, it is totally up to the Board how it wishes to handle this. Our regulations require a paved apron per Mr. Bachand.

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DPW wants asphalt in the right of way. Mr. Higgins asked why the guy who installed it is not to blame. Mr. Higgins said contractor should have known better. Ms. Elhook said her contractor thought it was in Seabrook and she would not need a permit. Mr. Bachand said there are a number of driveways in that same area that have pavers in the right-of-way. He noted that two letters were received in support of this project.

**PUBLIC BOARD**

Mr. Bachand reminder the Board that the Driveway Regulations do mention paved aprons in the right-of-way. This decision is up to the Board. Mr. McNamara said there was a lengthy discussion before about bituminous, asphalt, pavers, etc. Mr. McNamara said the Town requires some asphalt. The Town worries about when they plow and her (and others) property. Ms. Elhook said she would not hold the Town liable for damage; it would be her responsibility to have any damage fixed.

Mr. Bachand said the Board could require a document noting that the Town would not be liable for any potential damage. Ms. Carnaby asked what would happen if the Town's plow is damaged. She asked who would pay for repair to the Town. Mr. Lessard asked about the leads coming down the building from the gutters and underneath the lawn – the drain pipes heading down into the driveway area.

**MOTION** by Mr. Higgins to grant the appeal.

**SECOND** by Mr. Emerick.

**VOTE: 2 - 5 - 0**

**MOTION FAILED.**

Mr. McNamara said the Town should be held harmless if it accidentally digs up her pavers. Mr. Bachand said a hold harmless agreement could be prepared and reviewed by the Town Attorney. Ms. Elhook asked if she would be liable for someone else's property. It was confirmed she would only be liable for her property (8 Campton Street).

Mr. Lessard said there are improvements in the right of way. This is an after-the-fact and the Town requires an asphalt apron per Mr. McNamara.

**MOTION** by Mr. Emerick to grant the appeal with a hold harmless letter from the owner to go into the file.

**SECOND** by Mr. McMahan. He does not want the Town Attorney to run the meter on this. Whatever hold harmless there is, he can review it but not charge for time. There shall be no bill to the applicant.

**VOTE: 6 – 1 (Lessard) – 0**

**MOTION PASSED.**

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Mr. Bachand said we can work out an Agreement with the applicant. Mr. McNamara said she can simply write it on a piece of paper. She can write a letter and we can go from there.

#### **16-036 11 Merrill Industrial Drive**

Map: 160 Lot: 22

Applicant: Foss Manufacturing Co., LLC

Owner of Record: Foss (NH) QRS 16-3 Inc.

Wetlands Permit: Installation of up to 18 utility poles, from the end of Merrill Industrial Drive to the east end of Foss Manufacturing in order to provide Foss with supplemental and back-up power to operate the facility. Approximately half of the poles will be in the wetland buffer. Possible tree removal within the wetland buffer to accommodate the installation.

Mr. Alan Plue from Foss Manufacturing appeared. Mr. Lessard asked why they are going above ground; Mr. Plue said there are water mains for the fire suppression system. There are a lot of underground utilities. Unitil proposed overhead. Unitil is installing poles and lines.

#### **PUBLIC**

Ms. Dionne appeared. She said the Conservation Commission did view the entire line and portions in the 50' buffer. The Commission did not have any major concerns with the installation.

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Mr. McMahon was on the site walk. He discussed the pole line. He noted it is along the edge of the buffer, it runs along the roadway.

Ms. Carnaby wondered about burying the cable, but Unitil doesn't seem to be inclined. It's expensive to run underground for that long of a distance per Mr. Plue. They generate all their own power; they are running short because they are so busy. They can't run diesel generators as much as they did in the past. There are emergency lights. They are not adding to taller poles on eastern end.

Ms. Dionne said the new lines will be matched up to existing light poles.

Mr. Bachand said he does not have comments or concerns with this application. He recommends approval subject to the Conservation Commission's letter dated July 29, 2016.

**MOVED** by Mr. Emerick.

**SECOND** by Mr. Lessard.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

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#### **16-037 180 Drakeside Road**

Map: 172 Lot: 12

Applicant: Drakeside Rockingham, LLC

Owner of Record: Same

Condominium Conversion: Convert ten (10) existing multi-family units back to condominium form of ownership. Project was originally approved as a 10-unit condominium, but removed from condo form of ownership through a change of use approval. No structural or external changes are planned.

Waiver Request: Section V.E.-Details Plans (Site Plan Regs).

Mr. Bob Murphy, Attorney for the Applicant appeared and Gary Chicoine, Applicant appeared. In 2005 it was approved as a condominium project, but the applicant went bankrupt. The present owner bought it from the bank. It's being leased out now. Market conditions have improved and they want to sell off units. They are occupied. There are no changes to the site plan.

This does not have to go to the AG; it is exempt per Mr. Murphy. Once it's approved and the condominium documents are approved, then that's the final step. Garages are all existing. There are two parking spaces per unit. It is just change in the form of ownership.

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Mr. McNamara said there's been a change of policy with condominium documents and trash pick-up. It's private and will remain that way. Condo docs will be reviewed.

Mr. McMahon asked if parking is tied to the units. Mr. Chicoine said the garage holds 2 cars and there is overflow parking below. Mr. Lessard said there may have been a variance for stacked parking.

Mr. Bachand discussed the LCA—parking spaces in the back; one parking space in the back should be dedicated to each unit and called out on the plan. Mr. Chicoine will do that. There will be two dedicated parking spaces per the deed.

Mr. Emerick discussed common area and a maintenance plan. It goes into the buffer; he asked if it requires a maintenance plan. Mr. Lessard likes that Mr. Emerick brought this up. It was not a condition of prior approval. This is a change of ownership. Does the recreation area need to be mowed was asked. Mr. Chicoine said it is all mosquitoes in the back. Mr. Lessard said we need to look at the original approval. Mr. Bachand noted that we did. Mr. Emerick said it's much different to have different owners. Once there is an Association per Mr. Emerick, it needs to be checked out. Mr. Chicoine said it needs to be mowed once/year.

Mr. Bachand said the as-built plan was just received yesterday and needs to be more thoroughly reviewed. It will need review and sign off. There needs to be recreation area shown. Mr. Chicoine said it is all set. It is in the marsh area and he does not want to send people down there.

The designated recreational area was discussed. He has 1,200 square feet in the front. Mr. Chicoine will designate the recreational area and mow it.

#### **PUBLIC**

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Mr. Emerick wants to know about the maintenance plan.

Mr. Lessard asked if there are as-built drawings. We have a signed and recorded plan, but Mr. Bachand does not know if we got an as-built before. The new plan is supposed to show the as-built conditions. It is an as-built that was received from Jones & Beach. Mr. Bachand said it needs to be reviewed and modified, that was a suggested condition of approval. He agrees with Mr. Emerick in that it (the information from the original plan) needs to be shown to satisfy the original approval. Mr. McNamara sees no snow removal area.

Mr. Murphy said in 2007 it was previously approved. It was before the foreclosure. He said they did not need a plan when they returned in 2011 (to change the use to multi-family apartments). There was no snow removal area requested back then.

Mr. Lessard asked to push this out for two weeks. Too many things are not very clear; no dumpster; no snow storage.

The wetlands and swamp area was discussed. Mr. Lessard said once units are sold, people will have issues.

Mr. Lessard thought it would be simple conversion at first.

Ms. Carnaby said we have too many confusing plans in conflict with each other. We need to postpone until such time as the Planning Office is comfortable that we are going to have information that is most pertinent to current project, i.e., the current state of the property.

Mr. Bridle thinks we need more data before making a decision.

Mr. Emerick said whatever we vote on, it's what the HOA will need to work with. If it doesn't reflect what was approved as a condominium it's a problem for the association.

Mr. McMahan said we need one set of plans. Mr. Higgins said we need plans that were approved. Whatever was approved in 2005 should be the plan in front of the Board, unless they want to go new.

Mr. McNamara said the plan is substandard for what the Planning Board asks for.

Mr. Chicoine said the wetlands are way back. He wouldn't put a recreational area there. Regarding the drainage pond; there may be a maintenance plan. He met with the Planner. The Town has the original plan per Mr. Chicoine. There is a dumpster pad there; they use garbage cans. Picard does the pick up per Mr. Chicoine. Mr. Higgins said he doesn't care that the Town has the 2005 plan, the applicant didn't submit it. The alternative is to vote "no".

Mr. Murphy said original plan and the current shows the buffer. Snow storage is outside the area. This will be taken under consideration.

Mr. Bachand said of the two plans in the Board's binders - one plan is the one originally submitted a month ago; that's the 2007 plan and the plan that reflects what was approved by the Board. What was submitted does not have the Chair's signature. He told Mr. Cleary (Applicant's attorney) that the plan was inadequate for this submittal. Mr. Bachand asked Mr. Cleary for an as-built plan that showed the site. Yesterday, the Planning Office received an as-built plan. Mr. Bachand said he has not had a chance to review it but noticed right away it was lacking in areas, such as parking at the back—not designating spaces as limited common area. It needs significant updating and to be brought in line with the original approval. His

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recommended conditions reflected the fact that we had not yet received the as-built plan. The one we just received did not reflect the things we look for.

**MOTION** by Mr. Lessard to continue this application to August 17<sup>th</sup>.

Mr. McMahon asked if that is adequate time.

Mr. Bachand asked if the Board wants to see an updated plan. Mr. Lessard wants to see what's going to happen. Mr. Emerick wants to see what we are voting on. Mr. Lessard wants to see the dumpster pad. Mr. Bachand said he can also pull the signed plan; it will be like what the Board currently has in their books.

Mr. McNamara discussed the recreational area, dumpsters, snow area, drainage pond, designated and assigned parking spaces. The Planning Board does not see it. Mr. Bachand said if the Board is not ready, the application should be continued to a later date.

There was discussion among the Board about which date the application should be continued to.

Mr. Lessard changed it to September 7<sup>th</sup>.

**MOTION** by Mr. Lessard to continue this application to September 7, 2016.

**SECOND** by Ms. Carnaby.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**IV. CONTINUED PUBLIC HEARINGS**

**V. CONSIDERATION OF MINUTES of July 20, 2016** (public session and non-public session)

Mr. Higgins left the meeting.

On Page 9, by Mr. McNamara did not stipulate the address on the motion.

**MOTION** by Mr. Lessard to approve the Minutes, as amended.

**SECOND** by Ms. Carnaby.

**VOTE 5– 0 – 1 (Bridle)**

**MOTION PASSED.**

**MOTION** by Mr. McMahon to approve and seal the non-public Minutes.

**SECOND** by Mr. Lessard.

**VOTE: 5 – 0 – 1 (Bridle)**

**MOTION PASSED.**

**VI. CORRESPONDENCE**

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**VII. OTHER BUSINESS**

Request for Release of Surety – Dalton Lane

Mr. Bachand stated the Town has been holding the surety since 2008. The bank has been in touch asking for the status of the letter of credit. The Selectmen have accepted the roadway, but will not be accepting the drainage. DPW has inspected it. No additional work is required. The Town Manager concurred and DPW concurs as well. No reason to hold the letter of credit any longer.

**MOVED** by Mr. Lessard to release the surety.

**SECOND** by Mr. Emerick.

**VOTE: 6 – 0 – 0**

**MOTION PASSED.**

Cash bond currently held for 663 Lafayette Road (McDonald's)

Mr. Bachand said in reviewing the accounts, we found a \$1,500 cash bond is being held for McDonald's on Lafayette Road. We have been holding this since 1999. This bond was related to a sidewalk project; Mr. Bachand researched the history and discussed his findings with the Board. The Board approved the plan back in 1997.

**MOVED** by Mr. Lessard to release the \$1,500.

**SECOND** by Mr. Emerick.

**VOTE: 6 – 0 – 0**

**MOTION PASSED.**

Mr. Bachand discussed a work session about the after-the-fact driveway permits. The fee for after-the-fact driveway permits is going to be amended to note it will cost \$250. This public hearing will take place at the Planning Board's August 17<sup>th</sup> meeting.

DPW offered other suggestions. Sealcoating does not require a permit. There is another minor change; this will all come before the Board on August 17<sup>th</sup>. If one widens where the driveway meets the street, one needs a permit.

Mr. Bachand noted that he will put ADU's on the agenda for August 17<sup>th</sup> also. The Planning Board can put thoughts together for that meeting. Mr. Lessard noted that Portsmouth and Dover had interesting comments on ADUs. The minimum is 750 s.f.; they can be smaller but we can't require them to be smaller. Mr. Bachand said we can say nothing larger than 750 s.f. Hampton can be sure less size (than 750 s.f.) meets a standard also. What will happen to the sewer system was asked.

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**MINUTES**

**August 3, 2016 – 7:00 p.m.**

Mr. McNamara mentioned the Finance Department asking about condominium conversion applicants that owe back taxes. They wanted the Board to have them pay before it was approved; the Board asked that she come in and speak with them because they did not want to be tax collectors for the Town. Mr. Bachand confirmed he spoke with the Tax Collector about this. She will be talking with Mr. Welch and Attorney Gearreald about it first.

**VIII. ADJOURNMENT**

**MOTION** by Mr. Emerick to adjourn.

**SECOND** by Mr. Lessard.

**VOTE: 6 – 0 – 0**

**MOTION PASSED.**

MEETING ADJOURNED: 9:06 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**