

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

Chairman Paul Carideo opened the meeting at 7:00 PM. Members present: Paul Carideo, Chairman, Neil Emerson, Vice Chairman, Chris Dane, Robert Waldron, and Priscilla Lindquist, Ex-Officio voting member. Nicholas Cricenti, Town Engineer and Susan Hastings attended.

Members of the public at the meeting included Jim Lavelle, LLS, Pam Lancaster, Scott Lancaster, James Mitchell, Meredith Atwood, Richard Atwood, Craig Bailey, Penny Williams, Media.

### **CHAIRMAN'S REMARKS**

---

The next meeting of the Board will be October 6, 2014. The last date to file a plan for that meeting was today, September 15.

A Public Hearing Notice for a Cell Tower in Nashua NH Public Hearing was posted as required.

### **Attachment # 1**

### **BOND 17 Gigante Drive, 06-006 & 103**

---

The Chairman said a revised bond estimate was received from SFC Engineering. Nick Cricenti explained the applicant had completed the loaming and seeding of the site. The bond was reduced to \$106,835.00 to cover the erosion and sediment control and the cistern for fire protection. Paul Carideo said a separate vote would be needed for the engineering cost estimate of \$2,500.00. **Attachment # 2**

### **MOTION**

**Priscilla Lindquist made the motion to accept the recommendation of SFC Engineering and establish the bond for 17 Gigante Drive (map 6 parcels 6 & 103) to \$106,835.00. Chris Dane seconded the motion and it was approved. VOTE YES-Neil Emerson, Chris Dane, Robert Waldron, and Priscilla Lindquist; ABSTAIN-Paul Carideo.**

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **BOND 17 Gigante Drive, 06-006 & 103**

---

CONTINUED FROM PAGE 1

#### **MOTION**

**Robert Waldron made the motion to set the Engineering Cost Estimate for SFC Engineering at \$2,500.00 for the 17 Gigante Drive project (map 6 parcels 6 & 103). Neil Emerson seconded the motion and it was approved. VOTE YES-Neil Emerson, Chris Dane, Robert Waldron, and Priscilla Lindquist; ABSTAIN-Paul Carideo.**

### **PUBLIC MATTERS-Tropic Star 06-046**

---

Chairman Paul Carideo summarized the letter from Tropic Star requesting a time extension to complete the work to meet the Conditions of Approval, **Attachment # 3**. The Chairman asked Jim Mitchell to bring the Board up to date on the progress on Tropic Star, a refueling station site plan. Mr. Mitchell said they are working with DOT Districts 5 and 6 on the approvals for the intersection. Each District approves each section of the project separately. At this point, District 6 has signed off on the project and they are waiting for approval from District 5. They say they are in agreement with the plans for the proposal. A right-of-way easement is still being worked on and is expected to be submitted to the Department of Transportation this week. Mr. Mitchell requested the Conditional Approval be continued for six months. He added they expect to begin construction in the spring.

P. Carideo asked for comments from the Town Engineer, Board members, and the public. Nick Cricenti said there being a change in the zoning which could affect the project and the Conditional Approval being in place would preclude Tropic Star from having to meet any proposed changes. There were no further comments from the Board or the public. Chairman Carideo called for a motion.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **PUBLIC MATTERS-Tropic Star 06-046**

---

CONTINUED FROM PAGE 2

#### **MOTION**

**Chris Dane made a motion to grant Tropic Star (map 6 parcel 46) a time extension of six months to complete the Conditions of Approval. Neil Emerson seconded the motion and it was approved.**

**VOTE YES-Chris Dane, Neil Emerson, Priscilla Lindquist, and Robert Waldron; ABSTAIN-Paul Carideo.**

**The time extension is to 28 February 2015.**

- Neil Emerson stepped down from the Board, as he is a principal of Emerson's Park.

### **1<sup>ST</sup> PUBLIC HEARING-Emerson's Park, 12-037**

---

Chairman Paul Carideo opened the first Public Hearing for Neil and Sandra Emerson Revocable Trust, Neil and Sandra Emerson Trustees. The Public Notice was properly advertised and posted. Abutters listed on the application were notified by certified mail, return receipt requested.

Craig Bailey, Brian L. Bailey Associates, Inc. presented the plans with Neil Emerson. The proposal is for a subdivision of three mobile home sites located in Emerson's Mobile Home Park. The site plan will show an amendment to the frontage of Unit N3. Two lots are located on Meredith Drive and one site is on Bree Lane. There are no new roads and no road extensions. Nick Cricenti said he had no issues beyond those in the review letter dated 8 August 2014, **Attachment # 4.** Neil Emerson said the subdivision (SA2014010443) and septic permits required have been received. Robert Waldron asked if there was a new septic design. Nick Cricenti explained the lots represent a small area of coverage and the septage use is added to the septic plan. A small garage area is also shown. Craig Bennett said there was no closed drainage on the site. The AOT was closed for the original plan and the site has been stabilized.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **1<sup>ST</sup> PUBLIC HEARING-Emerson's Park, 12-037**

---

CONTINUED FROM PAGE 3

Nick Cricenti said the site specific review for the original site was over five years ago and the site is now outside the period for review. Neil Emerson said there is not a formal landscaping plan for the park. He installs the lawn and driveway. People do their own landscaping plans and consult with him. Paul Carideo asked about the elevations for the mobile homes. Neil Emerson said they will be ranch style and would be similar to the others in the park. The approximate structure size is 28 feet by 56 feet. The Chairman asked if the Board was ready to take jurisdiction of the plan.

#### **MOTION**

**Chris Dane made a motion for the Board to take jurisdiction of the site plan 12-37 for Emerson's Mobile Home Park as presented for three new sites. Robert Waldron seconded the motion and it was approved. VOTE YES-Robert Waldron, Chris Dane, Priscilla Lindquist and Paul Carideo.**

The Chairman invited members of the public present to comment. There was none.

Craig Bailey requested a waiver of the elevation requirements: Item 5 of the SFC review letter. Robert Waldron noted the proposed units are not different from the homes in the park. There were no further questions or comments.

#### **MOTION**

**Robert Waldron made a motion to grant a waiver to the elevation requirements for a site plan for the addition to the Emerson's Mobile Home Park (map 12 parcel 37) plan submitted by Neil and Sandra Emerson. Chris Dane seconded the motion and the waiver of the elevation requirements was approved. VOTE YES-Robert Waldron, Chris Dane, Paul Carideo and Priscilla Lindquist.**

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **1<sup>ST</sup> PUBLIC HEARING-Emerson's Park, 12-037**

---

CONTINUED FROM PAGE 4

Chairman Carideo asked Board members if they were ready to vote on the plan.

#### **MOTION**

**Chris Dane moved to Conditionally Approve the plan for Emerson Mobile Home Park allowing three additional sites (map 12 parcel 37). The plan is subject to the usual Conditions of Approval and requirements as listed on the recording receipt. Robert Waldron seconded the motion and the plan was approved. VOTE YES-Chris Dane, Robert Waldron, Priscilla Lindquist and Paul Carideo.**

- Neil Emerson rejoined the Planning Board.

### **1<sup>st</sup> Public Hearing-Lancaster Subdivision, 11-060 & 060-1**

---

Chairman Carideo opened the Public hearing and said it had been continued from the July meeting. Jim Lavelle and Scott Lancaster addressed the Board. The State has approved the subdivision. The lot meets the size requirements for soil. P. Carideo asked for additional information on the easements requested and reminded J. Lavelle waivers must be in writing. J. Lavelle said there is a 10-foot easement for the road and the maintenance of it. This note has been added to the plan. A note will state the lot will be for a single-family dwelling. J. Lavelle added the road is private but the Court has allowed the development of one house lot subject to the approval of the Planning Board. There are already a number of homes on Estee Road. The Lancaster's have agreed to do some improvements to the road and to meet the special requirements of the Fire Department. Lavelle said a preliminary engineering plan has been done and the Lancaster's have realized the cost was substantial... They spoke with the Fire Department representative, W. Warnock, who indicated the work plan proposed was sufficient. Road Agent Jon Worthen said he was satisfied with the Lancaster's proposal. Jim Lavelle said the Board has letters from each department.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **1<sup>st</sup> Public Hearing-Lancaster Subdivision, 11-060 & 060-1**

---

CONTINUED FROM PAGE 5

P. Carideo said the lot could be built on but it had to meet the requirements of the Planning Board. The Board works with the fire department and the road agent as subdivisions are developed. The Planning Board has already agreed to special conditions for Estee Road. Nick Cricenti said the Lancaster's were disingenuous in their meeting with the Fire Department and the Road Agent without the Planning Board being involved. N. Cricenti added there was no engineering and the regulations are clear on the requirements. The Board already reduced the Town standards for width and paving. There are normal construction procedures such as gravel types and compaction testing to be reviewed by an engineer. The Fire Department has no power to set road standards but is allowed to insure the Town is protected under the requirements of the National Fire Protection Association guidelines for public safety. Jim Lavelle said in his opinion it was not a road since it is a private lane the Lancaster's have agreed to upgrade.

Scott Lancaster addressed the Board saying the Court had allowed him to develop his land. He said he was not going behind the back of the Board by meeting with the Fire Department and the Road Agent. He added the cost of the road was too high. He added the road is narrow and is maintained by the people using it. The road length agreed to be upgraded is 750 feet with a turn-around at the end to accommodate the fire apparatus and other large vehicles. Scott Lancaster asked if the road length could be reduced to the driveway of the lot being developed.

Paul Carideo said the Planning Board Subdivision regulations apply. The Board has some leeway with the road construction. No official waivers have been requested by the applicant. Waivers are to be in writing. P. Carideo asked if the Board wanted to make a motion on the 750-foot length of the road. The road length would have to be specific. A length of 200 feet was suggested as this would encompass the

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **1<sup>st</sup> Public Hearing-Lancaster Subdivision, 11-060 & 060-1**

---

CONTINUED FROM PAGE 6

distance to the end of a turn-around at the end of the proposed driveway. Nick Cricenti added the turn-around in this case would need to accommodate a 40-foot bus with a 7-foot overhang.

#### **MOTION**

**Neil Emerson made a motion to open discussion on the length of the improvement on Estee Road to be 200 feet which would include the turn-around at the end of the proposed driveway. Chris Dane seconded the motion for discussion.**

Jim Lavelle said the Lancaster's intend to sell the lot. The location of the building needed to be shown so there was sufficient area for the turn-around and the driveway. Chris Dane said he saw no problem with the proposal as long as the roadway was brought to the requirements agreed to with the Board. Robert Waldron said the discussion of engineering requirements, road gravel types, compaction testing, the road widening, the length and the Town Engineers inspections would have to be part of the motion. Scott Lancaster agreed to meet the requirements of the Board. Neil Emerson said the 200 feet might be short since we did not know the exact location of the driveway, or the length of the driveway. Chris Dane said the distance to where the road is wider could be about 350 feet, and proper specifications were needed. He was concerned the homeowner might not build the turn-around. C. Dane said the Board may "bend" the regulations but an easement to allow the turn-around large enough to accommodate large trucks on a private lot might be needed. He added the area to turn a 40-foot truck or bus with a 7-foot overhang could be as much as 100 feet in width. Paul Carideo said a fire truck cannot turn around with one swing at the current house at the end of Estee Road and a proper turn area is necessary. He said the proposal is to allow 200 feet of road widening and the turn area, using the template for a 40-foot bus with a 7-foot overhang.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

---

### 1<sup>st</sup> Public Hearing-Lancaster Subdivision, 11-060 & 060-1

---

CONTINUED FROM PAGE 7

The Chairman invited comment from the public.

Richard Atwood, 60 Estee Road, asked it to be clear this road widening would be along the Lancaster's property line a distance of 200 feet and the turn-around would be on the Lancaster's land. P. Carideo said this was the intent of the discussion.

Mary Sullivan, an abutter, and her daughter, Susan Moore, questioned the location of the house. There is a vernal pool to the rear of the property and they wanted to be sure it was not affected. Jim Lavelle said the development would not affect the vernal pool. He showed them the protective radius around the area. The septic location was also pointed out.

The Board was asked the amount of road taper on the road banks. Paul Carideo said it would probably all end on the Lancaster side. Mr. Atwood said the road is very narrow at the beginning. This is noted.

#### MOTION

**Neil Emerson moved to waive the Subdivision Regulations to allow the length of the widening of Estee Road to be 200 feet along the Lancaster property with an area to accommodate a 40 foot bus with a 7 foot overhang (this is a standard road template); the property owner to construct and maintain the turn-around which will be constructed to the Town's Requirements as specified for the road; and an easement will be provided for the Town to use the turn-around. Paul Carideo noted the turn-around is not part of the road easement. It was clarified this vote will set the road length at 200 feet and not 750 feet as previously voted. VOTE YES-Robert Waldron, Neil Emerson, Chris Dane and Priscilla Lindquist. VOTE NO-Paul Carideo. The Chairman said he voted no since it is not in the best interest of the Town and does not address public safety.**

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### 1<sup>st</sup> Public Hearing-Lancaster Subdivision, 11-060 & 060-1

---

CONTINUED FROM PAGE 8

The Chairman announced the Public Hearing on the Lancaster subdivision is continued to the next meeting on October 6, 2014. There are a number of issues still to be resolved including the easements, a hold harmless agreement, maintenance agreement and other required documents being provided.

### OTHER Bonds

---

Paul Carideo said the Town Treasurer, Harold Williams, has asked the outstanding bonds listed in the Town Report be reviewed for release. Attachment # 5

### Jameson Hill Site 06-110

The Chairman asked the status of the project. Nick Cricenti said the roadwork is not complete. The current bond amount is \$4,842.65. The bond should be reviewed to establish the cost to complete the project. The Town may take the bond, complete the project and assess the developer for the balance of the costs. The Chairman asked N. Cricenti to verify the figures. Neil Emerson asked how a bond can be increased after it is posted and N. Cricenti said the 10% increase is built into the regulations. A letter was received requesting time to complete the project. Attachment # 6 The discussion will be continued to the next meeting.

### Hasago LLC Bond Site 10-039

Nick Cricenti said the project is not yet completed. The Code Enforcement Officer issued the Certificate of Occupancy prior to completion limiting what action may be taken. Mr. Busby said he would like the bond returned but did not submit the request in writing. The bond amount is \$1,000.00. Discussion is continued to the next meeting.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **OTHER Bonds**

---

CONTINUED FROM PAGE 9

#### **Applebriar Estates Site 13-215**

The roads have not had a final paving coat making the project incomplete. The bond balance is \$20,055.00. Discussion was continued to the next meeting.

#### **Smith Mt. Water Tank Site 09-063**

P. Carideo asked the status of the project. Nick Cricenti confirmed the project is completed according to the plans submitted.

#### **MOTION**

**Robert Waldron moved to release the bond being held for Smith Mountain Water Tank, 09-063, the amount being \$500.00 plus any accrued interest. Neil Emerson seconded the vote and it was approved.**

**VOTE YES-Robert Waldron, Neil Emerson, Chris Dane, and Priscilla Lindquist;**

**ABSTAIN-Paul Carideo.**

#### **Hampstead Animal Hospital Site 13-116**

Paul Carideo said the bond remaining on the site is \$1,000.00. Nick Cricenti, Town Engineer, told the Board the site is in compliance and complete. He recommended the Board release the remaining bond.

#### **MOTION**

**Neil Emerson made the motion to release the bond of \$1,000.00 plus the interest to Hampstead Animal Hospital, 13-116. Robert Waldron seconded the motion which was approved. VOTE YES-Neil Emerson, Robert Waldron, Chris Dane, and Priscilla Lindquist. ABSTAIN-Paul Carideo.**

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **OTHER Bonds**

---

CONTINUED FROM PAGE 10

#### **Wash 'n Glow Site 13-116**

Paul Carideo said this was an old bond for construction of a small building on the site which was never built. The property has been sold to a new owner, Hampstead Animal Hospital and the site plan they submitted super-cedes the Wash 'n Glow plan. Consequently, the bond will be released to the current owner.

#### **MOTION**

**Neil Emerson made the motion to release the bond of \$500.00 plus the interest being held for Wash 'n Glow to Hampstead Animal Hospital, 13-116. Robert Waldron seconded the motion which was approved. VOTE YES-Neil Emerson, Robert Waldron, Chris Dane, and Priscilla Lindquist. ABSTAIN-Paul Carideo.**

#### **416 Emerson Avenue Site 17-089**

Paul Carideo said the project went into bankruptcy and fees of \$4,485.00 are owed the Town. The balance of the bond remaining is \$1,485.00. The Chairman recommended the balance of the bond be paid to the Town of Hampstead.

#### **MOTION**

**Robert Waldron made a motion to pay the Town of Hampstead the balance of the bond remaining for 416 Emerson Avenue Site, being \$1,045.50 be paid to the Town of Hampstead for outstanding fees. Priscilla Lindquist seconded the motion and it was approved. VOTE YES- Robert Waldron, Priscilla Lindquist, Chris Dane and Neil Emerson. ABSTAIN-Paul Carideo.**

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### **BOARD BUSINESS Member Comments**

---

- **Website**-Paul Carideo said he is working on the website updates.
- **Cell Towers**-Robert Waldron asked if plans had been submitted for new cell towers. Priscilla Lindquist said a vendor had approached the Board of Selectmen asking for permission to construct cell towers on Town Land. Their opinion was it should go on the warrant for a Town vote. The sites under consideration are the Hampstead Fire Station and the Kent Farm Landfill. At this point, the issue is nothing more than a discussion.
- **School Emergency Access Road**-The Secretary said the plans were submitted and Public Hearing is scheduled for the next meeting on 6 October 2014.
- **Zoning Ordinances Garages**-Neil Emerson reported he has been in contact with the Code Enforcement Officer on the issue. There is no other town which has a regulation regarding freestanding garages. They are allowed on the lot as long as they meet the setback requirements. He asked the Board if they wanted to proceed on the project. Currently the allowance is for two buildings each being 750 square feet.
- **Zoning Ordinance Cannabis** -Paul Carideo said he was somewhat confused by the law the state has passed. He asked the Board if they wanted to consider an ordinance which is illegal under federal law. The state legislature approved a cannabis law for the state which is quite detailed.
- **Petition Articles**-The Chairman said zoning petition articles may be submitted to the Selectmen between November 10, 2014 and December 10, 2014.

### **Board Business Minutes**

---

The draft minutes for 7 July 2014 were edited: Page 1, Paragraph 2 add list of names; Paragraph 7, Line 1, date to read "2 June 2014"; Page 2, Paragraph 1, Line 9 change to read "Deputy Warnock said if the", Line 10 capitalize "Road Agent", Paragraph 3, Line 2 capitalize "Road Agent"; Page 6, Paragraph 2, change to read "Chris Dane".

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Approved Minutes 15 September 2014

### Board Business Minutes

---

CONTINUED FROM PAGE 12

#### MOTION

**Paul Carideo made a motion to approve the 7/7/2014 minutes as edited. Robert Waldron seconded the motion. VOTE YES-Paul Carideo, Robert Waldron, Chris Dane, and Priscilla Lindquist; ABSTAIN-Neil Emerson.**

There was not a quorum for the 4 August 2014 meeting and minutes were not done. Notes containing the persons in attendance and the announcements were prepared. It was suggested the full list of the persons attending appear in the notes in addition to attaching the attendance list.

#### MOTION

**Neil Emerson made a motion to adjourn at 9:45 PM. Chris Dane seconded and approval followed. VOTE YES-Neil Emerson, Chris Dane, Robert Waldron, and Priscilla Lindquist. ABSTAIN-Paul Carideo.**

Respectfully submitted,

---

Susan J. Hastings, Secretary