

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Meeting Minutes November 7, 2022

Pledge of Allegiance

A meeting of the Planning Board was held on Monday, November 7, 2022 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Robert Weimar (Chairman), Sean Murphy (Ex-Officio), Randy Clark, Mike Hanides, Ryan Gray, Kim Colbert, Bob Villella, Susan Hastings (alternate) DJ Howard (alternate), Lewis Eaton (alternate) and Steve Keach, Town Engineer.

Chairman's Remarks

Next Public Hearing Date December 5, 2022

Filing Deadline for the December 5, 2022 meeting is November 7, 2022

Reminder that voting is tomorrow from 8AM to 8PM at the HMS.

Conditional Use Permit

1. Map 14 Lot 090 – 115 Laura Lane- Accessory Dwelling Unit (ADU)

Al Cipriano was present with authorization of the home owner, his son, Jason Cipriano. The proposal is to add an ADU to the property located at 115 Laura Lane. Chairman Weimar commented that upon reviewing the application the ADU will be attached to the current garage.

T. Lavelle was present to assist the homeowner and indicated there will be an ADU added on one side of the existing house and an addition being added on the other. T. Lavelle stated the new ADU will include two garage spaces as well as plenty of off-street parking.

Chairman Weimar asked the board if they had any questions. M. Hanides asked for confirmation that the ADU is connected by a heated space, T. Lavelle stated it is. S. Murphy asked about the ADU entrance being clearly marked and DJ Howard commented that K. Emerson will take care of that matter during the building/occupancy process.

MOTION: R. Clark made a motion to accept jurisdiction of the application for an ADU located at Map 14 Lot 090 aka 115 Laura Lane.

SECOND: R. Gray

VOTE: 7-0

Chairman Weimar asked the board if they had additional questions and there were none. Chairman Weimar asked for public comment and there was none.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

MOTION: B. Vilella made a motion to grant the conditional use permit for an ADU located at Map 14 Lot 090 aka 115 Laura Lane.

SECOND: R. Gray

VOTE: 7-0

Old Business

1. Map 13 Lot 117 – 24 Hazel Drive – Status of conditions of approval

Chairman Weimar reminded the board of the recent approval for boat storage at 24 Hazel Drive. R. Weimar stated that during the review of the application the board was made aware that the vegetated buffer needed to be restored. R. Weimar informed the board that he, along with Debbie Soucy, met this past Friday, 11/4 with the property owner and the abutting neighbor. Chairman Weimar wanted to the property owner to share the improvements made to date with the board and feels the board should be in agreement with the action taken.

Mark Donohue was present to represent the property owner Nick Dunkavitch. M. Donohue stated lots of improvements have been made on the site, two berms have been created, trees have been planted, and overall, the place has been cleaned up. M. Donohue stated the previous owners/tenants at Evergreen Drive dumped trash over the stone wall, Nick cleaned up the trash and began work on the rest of his property. M. Donohue reiterated that 24 Hazel Drive is in the Commercial C2 Zone.

Chairman Weimar stated that the PB received a letter from Code Enforcement outlining their evaluation of the site. Chairman Weimar read the 10/4/2022 email into the record, the two berms have raised the ground level, will also provide noise barrier. Chairman Weimar also stated that Nick is adding wood chips to the ground as compost material. M. Donohue commented that the wood chips will help stabilize the berms and prevent run off at the site.

K. Colbert commented that the property owner cut trees that weren't supposed to be cut down and wanted to know if the replanting was satisfactory to the abutting homeowner. Chairman Weimar stated that the 11/4 meeting was to ensure that both parties understood the restoration plan. Chairman Weimar commented that the neighbor stated he could still see light. K. Colbert stated the size of the trees is not correct. Chairman Weimar stated the number of trees is more than was required.

Mark Connelly – 10 Evergreen Drive – stated that since all the leaves have fallen the lights come in his windows. Mark commented that overall, the site does look better. He feels that the row of trees is more than 50 feet away than the buffer requirement.

T. Lavelle stated the original condition of approval was to satisfy Code Enforcement that the buffer was restored to their requirements. Chairman Weimar commented that the original plan showed more area of restoration. The only area that required restoration was the northeasterly side and revised/as built plans were provided to this effect.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Chairman Weimar stated the berms improve the matter. T. Lavelle stated the original plan had 6-8 foot trees and it was difficult to purchase trees of this size. T. Lavelle stated that with the berms the trees are higher than what was required. T. Lavelle commented that it will take a while for the trees to fill-in.

Chairman Weimar stated the original approval required Code Enforcement approval. S. Keach commented that this matter came about because of the application for an amended site plan for boat storage, Code Enforcement was concurrently reviewing the matter of the buffer restoration. Code Enforcement asked for a landscape restoration plan for review and approval. S. Keach commented that the Notice of Decision issued clearly stated the buffer restoration was to be done to the approval of Code Enforcement.

Chairman Weimar commented that Code Enforcement would be the department responsible for any future complaints. M. Hanides asked if a fence could be installed, yes either party could install a fence if desired. Chairman Weimar asked D. Soucy to share outstanding concerns with Code Enforcement.

2. Map 12 Lot 015-4 Route 111 Auto Sales – 415 Emerson Ave -Amended Site Plan

Chris York from Millennium Engineering Inc was present to represent the property owner, Joe Gerraughty, who was in attendance. C. York reminded the board that the property owner received approval last month for Map 12 Lot 015, he is before the board this evening for improvements on Map 12 Lot 015-004. The plan is to pave both parcels to show/use as one contiguous lot. C. York noted that he added catch basins in the parking lot.

C. York indicated he would add the existing water line to the plan. C. York stated he is also working on identifying the proper edge of septic and will add that information to the plan as well. C. York stated the proposed landscaping is being moved from the old property line to the side property line, the same number of trees, etc. will be planted in the new location.

Chairman Weimar asked C. York to review the Storm Water Management for the site. C. York explained the SWM and indicated that no additional run off is expected, all drainage will be contained within the site.

S. Keach read from his 11/4 review letter and stated the SWM requirements have satisfied State Aot requirements as well as Hampstead's SWM regulations. S. Keach continued his review and noted the change of use approved two years ago was inaccurate as far as septic location. S. Keach commented that an easement is needed for the drainage system. C. York stated he would show the easement(s) on the plan.

Chairman Weimar asked the board if they had questions. K. Colbert asked about the landscaping and C. York explained the relocation of the proposed landscaping. DJ

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Howard urged the board to help out the owner as the paving season is quickly coming to a close.

Chairman Weimar asked for public comment and there was none.

MOTION: R. Gray made a motion to granted 90-day conditional approval for property located at Map 12 Lot 015-4 Route 111 Auto Sales – 415 Emerson Ave - Amended Site Plan subject to all comments in the KNA letter dated 11/4/2022 being satisfactorily addressed; notes regarding easements to be added to plan.

SECOND: B. Villella

VOTE: 7-0

3. Map 11 Lots 150 & 291 and Map 9 Lot 62 – Hampstead Heights - Off Stony Ridge Road – Elderly Housing Development

Chairman Weimar announced that the PB office received a request for continuance late this afternoon from the applicant's attorney. The Chairman read the letter into the record.

K. Colbert asked for explanation of the late review letter from S. Keach. Chairman Weimar explained that Keach review was received on 11/4/2022, further explained that there were matters that town counsel were reviewing and needed additional information to comment regarding access. Chairman Weimar stated the applicant needs time to address both letters.

MOTION: R. Clark made a motion to continue the public hearing for property located at Map 11 Lots 150 & 291 and Map 9 Lot 62 – Hampstead Heights - Off Stony Ridge Road – Elderly Housing Development to the 12/5/2022 public hearing.

SECOND: M. Hanides

VOTE: 6-0-1 (B. Villella abstained from vote).

Planning Board Matters

1. Town Engineer Comments- Zoning Discussion

The board asked S. Keach to provide an overview of HB 1661 Section 72: Incentives which goes into effect 7/2023. The bill gives municipalities that offered increased density, reduced lot size, expedited approval, or other dimensional or procedural incentives to housing for older persons a one-year period (until July 2023) to make any adjustments to those incentives before they automatically apply to developments of workforce housing.

Hampstead Zoning Ordinance IV-10 Elderly Housing Section N. Density versus IV-1 Multiple Unit Dwelling Structures, both provide opportunities for density bonus'. S. Keach asked the board how many workforce housing applications the board has received to date, the answer would be zero. S. Keach stated he feels there is no feasible economic way to develop workforce housing in Hampstead.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

S. Keach commented if the board finds this troubling maybe the board eliminates the wording. S. Keach stated that he does not see the economic condition changing much by 7/2023, again he does not feel workforce housing is feasible in Hampstead.

S. Keach gave an overview of the genesis of workforce housing and elderly housing in Merrimack, NH. S. Keach reiterated the fact that Hampstead does not have municipal water or sewer which is typically a main factor with regard to workforce housing.

Chairman Weimar commented that the Town of Hampstead has a minimum square foot requirement of 750 sq ft and that you could see a development of tiny houses.

Chairman Weimar commented that the State is investing money in houses. B. Villella commented that you are not going to see a parcel large enough to make the project feasible. S. Keach referred to the multi-unit dwelling structures in Johnson Meadows as well as Villella's apartments, these were the last multi-unit projects done in town.

K. Colbert asked what could be changed in general as it relates to the Town's Zoning Ordinance. See then referenced Section IV-10-4-O limits on units as an example. S. Keach stated that nothing jumps out at him as far as Hampstead's Zoning. S. Keach stated most towns will review the number of variance applications received by the Zoning Board of Adjustment and determine if there is a theme, that would suggest a certain section of zoning should be reviewed. Another yard stick to determine zoning changes is based on litigation, S. Keach stated he is not aware of any legal problems related to Hampstead zoning.

2. Correspondence

D. Soucy gave an overview of the correspondence

- a. RPC dues request for 2023
- b. Attorney Campbell – Consultation fees, 200 Central Street

3. Member Comments

Chairman Weimar commented that the KNA engineering contract is up the end of this year and asked the board to consider any questions they have regarding the contract and to be prepared to discuss the matter at the 11/21 workshop. Chairman Weimar stated the board can extend the contract for one year or put the contract out to bid. Chairman Weimar commented that he appreciates S. Keach work.

Chairman Weimar stated he would like to discuss the MP Steering Committee at the next workshop as well, he stated he would need to have a discussion with the BOS regarding the matter as well.

4. Review of Minutes (10/17 Workshop)

DJ Howard and L Eaton will be voting members in place of R. Clark and B. Villella who did not attend the 10/17 workshop.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

MOTION: M. Hanides made a motion to accept the 10/17 minutes as presented.

SECOND: K. Colbert

VOTE: 6-0-1 (S. Murphy abstained as he was not present 10/17)

5. Adjourn

MOTION: B. Villella made a motion to adjourn at 8:40 PM

SECOND: R. Clark

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary