

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes January 4, 2021

A meeting of the Planning Board was held on Monday, January 4, 2021 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Steve Wentworth, (Chairman), Randy Clark, Paul Carideo, Sean Murphy (arrived at 7:10 pm), Chuck Ashford, Jr., Bob Villella, Mike Hanides, Tom Riha (alternate), and DJ Howard (alternate).

CHAIRMAN'S REMARKS

Next Public Hearing Date February 1, 2021

Filing Deadline for the February 1, 2021 meeting is January 4, 2021

Chairman Wentworth started the meeting at 7:00 P.M. Chairman Wentworth deferred to Vice-Chairman R. Clark and asked if he would please read the 2021 Zoning Proposals.

Board Matters

2021 Zoning Proposals

R. Clark read Article #1 and commented that he would still like the word "or" to be capitalized in the article. There was a discussion between the board members. R. Clark asked the opinion of Attorney Bernard Campbell, who was in the audience, about the "OR". Attorney Campbell (who is not the town attorney) commented that he has not read all of the town's zoning but would suggest this article follow the style of the rest of the zoning. Attorney Campbell also commented that the person reading the language would read what they see fit.

Article #1

To see if the Town will vote to amend Article III-5:4 A, In Commercial Zone C2 by replacing the existing language with the following: "The minimum lot size shall be the appropriate square footage required under Article II-1 (Soil-based Lot Size) and Article II-2 (Wetlands Ordinance) for the soil and slope which constitute such lot, or 45,000 square feet, whichever is larger."

MOTION: R. Clark made a motion to move Article #1 to the town warrant.

SECOND: P. Carideo

VOTE: 6-0

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R. Clark read the text of Article #2.

Article #2

To see if the Town will vote to adopt Article I-2:3 Building Permits Required, Under General Provisions, "C. For any Building Permit issued which includes elements of roofing, siding, windows, and doors; these exterior elements must be completed within 12 months of issuance of said Building Permit."

MOTION: R. Clark made a motion to move Article #2 to the town warrant.

SECOND: C. Ashford

VOTE: 6-0

R. Clark read the text of Article #3. Attorney Campbell asked the board to move the article to the warrant. Chairman Wentworth asked for public comment and there was none.

Article #3

To see if the Town will vote to rezone the land consisting of the area on the Northerly side of Route 111, bounded on the Northeast by the existing C-2 Zone at Map 12, Lot 15, bounded on the Southwest by Village Green Road, bounded on the East by Route 111 and bounded on the Northwest by a line which is four hundred feet (400') distant from the Northerly line of Route 111, from Zone A (Residential) to Zone C-2 (Commercial).

MOTION: R. Clark made a motion to move Article #3 to the town warrant.

SECOND: P. Carideo

VOTE: 6-0

R. Clark read the text of Article #4.

Article #4

To see if the Town will vote to adopt Article I-2:10 Unregistered Motor Vehicles and Boats, Under General Provisions, "No lot in the Residential or Recreational Districts may be used for the outside storage of more than two unregistered and/or uninspected motor vehicles. No more than one unregistered boat shall be permitted on a lot."

Carl Cote, Collins Drive, was present and asked the purpose of Article #4 and what it supports.

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Chairman Wentworth explained that the Code Enforcement Officer had proposed this article in an effort to more easily enforce the removal of unregistered vehicles, the town currently needs to refer to the State Junk Yard Statute. It was also noted that Code Enforcement worked with the Town Attorney to draft the language that is being proposed. P. Carideo added that the board is supportive of proposals brought forward by the Code Enforcement.

Carl Cote commented that he did research on surrounding towns and their wording. C. Cote asked if unregistered cars that are in a garage would be in violation. The board responded that garaged cars would not be in violation, the language clearly states “outside”, if the cars are in a garage they are “inside”.

Chairman Wentworth commented that the original proposal read “one” unregistered vehicle and the board felt “two” unregistered vehicles would be more appropriate.

Carl Cote commented that he feels the word “boat” is too general. S. Murphy commented that kayaks and canoes are not motorized boats and do not need to be registered.

MOTION: P. Carideo made a motion to move Article #4 to the town warrant.

SECOND: B. Villella

VOTE: 7-0

New Business

1. Map 12 Lot 130 2 Starwood Drive – Change of Use/Occupancy – Used Auto Sales

Claire Aoun was present as a potential tenant at the site in question, she is requesting used auto sales be allowed on the site. C. Aoun stated it would be sales only with no repairs.

Chairman Wentworth asked about the boats that are being stored on the site. P. Carideo commented that it is unfortunate that the property owner is not here this evening. P. Carideo stated that the site is currently in violation of the approved plan, there is no approval for outside boat storage. Additionally, it was observed that along the Northwest side of the site there was an area cleared of trees and graded without

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prior board approval. P. Carideo commented that he wants the site to be in compliance with the current approved plan.

The gentlemen with Ms. Aoun commented that the boat owners are the problem and asked that they be granted approval for the used auto sales and asked the board to address the boat owners separately. The gentleman commented that it takes at least 90 days to get approval from the State for used auto sales and asked if the board would grant them approval.

B. Villella commented that the property owner needs to address the issue, C. Ashford and R. Clark both agreed.

P. Carideo referenced the google earth handout of the site from 2 years ago and noted that the area in question has been paved and thus created more impervious surface on the site possibly affecting drainage and run off on the site.

Chairman Wentworth commented that unfortunately the change of use would need to be continued to a future meeting. S. Wentworth commented that the board needs an amended site plan which shows the current existing conditions on the site as well as any proposed changes.

R. Clark stated if the board does anything it should be contingent upon an existing conditions plan. P. Carideo felt the board could not take any action knowing the site is in violation.

B. Villella commented that he saw multiple trucks and business equipment for a business on site in addition to the stored boats. He noted it seems as though there are more businesses in there than originally approved. There was discussion regarding parking allocations for the businesses on site and if the boats and/or other business trucks were occupying spaces meant for other tenants.

MOTION: R. Clark made a motion to continue the Change of Use/Occupancy to the February 1, 2021 Meeting

SECOND: P. Carideo

VOTE: 7-0

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Chairman Wentworth asked that Code Enforcement be notified about the site plan violations. Chairman Wentworth also asked the secretary to confirm with legal counsel whether an approval can be granted when the site is not in compliance (per legal opinion it should not be granted).

Planning Board Matters

1. Town Engineer Comments – none
1. Correspondence – none
2. Member Comments – none
3. Review of Minutes (12/21/2020 Workshop)

R. Clark asked for a change on line 30 “R. Clark noted that per the engineering report of December 15, 2020 from KNA all work has been completed on the project and the road should be accepted.”

MOTION: R. Clark made a motion to accept the 12/21/2020 workshop minutes as amended.

SECOND: B. Villella

VOTE: 5-0-2 (P. Carideo and S. Murphy abstained)

4. Adjourn at 7:50 PM

MOTION: B. Villella made a motion to adjourn at 7:50 P.M.

SECOND: C. Ashford

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary