

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

A meeting of the Planning Board was held on Monday, March 1, 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, Chuck Ashford, Jr., Bob Villella, Mike Hanides, Tom Riha (alternate), Susan Hastings (alternate) and DJ Howard (alternate). Steve Keach, Keach-Nordstrom Associates, Town Engineer.

CHAIRMAN'S REMARKS

Next Public Hearing Date April 5, 2021

Filing Deadline for the April 5, 2021 meeting is March 1, 2021

Voting is Tuesday, March 9 at the Hampstead Middle School 8AM – 8PM

Old Business

1. Map 9 Lot 163 – 272 Kent Farm Road – Accessory Dwelling Unit (ADU)

The applicant requested a continuance to April 5, 2021.

MOTION: R. Clark made a motion to continue the hearing for a proposed ADU for property located at Map 9 Lot 163 - 272 Kent Farm Road.

SECOND: C. Ashford

VOTE: 7-0

2. Map 13 Lots 26 & 35 – 62 East Road – Lot Line Adjustment (LLA)

Property owner, Jeffrey Duford was present to answer questions of the board. J. Duford stated that he plans to build a home and live there with his family. In an effort to address the neighbor's concerns, J. Duford stated he had met with the Will Warnock, Hampstead Fire Department (HFD) and Jon Worthen, Road Agent regarding the driveway; elevation plans were given to the board. J. Duford reiterated that he is requesting a LLA and is not creating any new lots.

S. Keach reminded the board that the town attorney, Diane Gorrow, had reviewed the file and provided an opinion. To summarize, D. Gorrow stated that the 2020 LLA is materially different than the 2010 Subdivision application, however, it is ultimately up to the board to make the determination. S. Keach stated he feels the present application is different as it is not creating any new parcels instead it is a simple LLA. S. Keach stated the applicant owns two contiguous parcels that are non-conforming, the LLA would make both lots conforming.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

MOTION: R. Clark made a motion that the application for the LLA is different than the 2010 application for a two-lot subdivision and should be considered by the board.

SECOND: B. Villella

VOTE: 5-2 (P. Carideo and M. Hanides voted against)

S. Keach stated he had received additional drawings addressing his comments as well as driveway details. S. Keach stated he would like the driveway stations added to the plan as well as a note about the driveway.

R. Clark talked about the angle of the driveway and had a concern with turning. P. Carideo stated he feels the driveway details are incomplete, there is no culvert being proposed, he is unsure of the slope, a slope easement may be needed. Chairman Wentworth commented that it is too bad the applicant's engineer is not present to answer these questions. S. Wentworth commented that a swale may be needed.

M. Hanides commented that he doesn't like the driveway. B. Villella stated he went to the site and felt the driveway is not a big deal. C. Ashford reviewed the driveway grades. R. Clark stated he would like a more detailed plan for the driveway.

J. Duford commented that his engineer is back in Florida. J. Duford asked if there are any other issues other than the driveway that need to be addressed. J. Duford asked for confirmation of what the board wants. S. Wentworth stated the board needs a full driveway plan. P. Carideo noted because of driveway length a turn-around plan is needed. S. Keach suggested the applicant or his engineer reach out to him directly and he will translate exactly what is needed as it relates to driveway plans.

Chairman Wentworth asked for public comment.

Edward Bonaccorsi – 21 Cherubs Way – stated he has concerns about the driveway, however it seems the board has requested more information to make a decision and will leave it to the board.

Elizabeth Selecky – 10 Cherubs Way – informed the board she had Colleen King – 29 Cherubs Way on the line as well – E. Selecky asked about the conformity of the lots. S. Keach explained that the existing lots are non-conforming and the LLA would create 2

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

conforming lots. E. Selecky feels a driveway drawing will give better information as this appears to be the same driveway proposed in 2010. R. Clark commented that the 2010 plan contemplated a shared driveway.

Colleen King – 29 Cherubs Ways – participated via phone call due to a positive Covid test. C. King referenced the case law she mentioned during the 2/16/2021 hearing. D. Soucy confirmed that Attorney Gorrow was provided all minutes from the 2/16/2021 hearing as well as minutes from 2010. R. Clark stated the board made a motion earlier this evening that the application is different.

C. King feels this application goes against the spirit and intent of the ordinance. C. King stated the East Road lot is pre-existing non-conforming and the applicant purchased the second parcel knowing it was land locked. C. King stated she doesn't feel the lot should be used. C. King stated she feels this is the wrong road for the town to take. C. King asked how long the case can be continued.

Chairman Wentworth stated the board is continuing the hearing since more information is needed.

Eric Selecky – 10 Cherubs Way – (unbeknownst to the board was on the phone remotely as well). E. Selecky stated he feels the board is coaching the applicant with the request for additional information. E. Selecky stated these are the same concerns as 10 years ago. R. Clark responded that what E. Selecky may call coaching is the board's way of getting additional information to make a decision. R. Clark commented that this is the only way to gain access to the lot.

S. Keach commented that the town has objective regulations regarding the construction of driveways. S. Keach stated the applicant needs to be pointed in the right direction. S. Murphy commented that the July 2010 minutes do not mention the driveway steepness as a reason for denial.

Chairman Wentworth closed the public comment session.

MOTION: P. Carideo made a motion to continue the LLA for property located at Map 13 Lots 26 & 35 – 62 East Road, to the April 5, 2021 public hearing.

SECOND: R. Clark

VOTE: 7-0

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

3. Map 6 Lot 045 – 264 Stage Road – Subdivision of Land

Chairman Wentworth stated the board received correspondence requesting a continuance to the May 3 hearing since a variance is needed. James Lavelle was present to represent the applicant and stated he only needed a 30-day continuance.

MOTION: R. Clark made a motion to continue the subdivision application for property located at Map 6 Lot 045 – 264 Stage Road to the April 5, 2021 hearing.

SECOND: B. Villella

VOTE: 7-0

New Business

1. Map 17 Lot 172 – 200 Central Street – Subdivision of Land

James Lavelle was present to represent the applicant. J. Lavelle gave a plan with driveway cuts to the board. J. Lavelle stated this is a 6-acre parcel that will be subdivided into 3 new lots and 1 existing house lot. J. Lavelle explained the lot sizes and indicated all lots have the required 150 feet of frontage. J. Lavelle stated he had met with the Road Agent and indicated that the Building Inspector and Road Agent will issue building and driveway permits. J. Lavelle stated that the HFD explained the requirements for fire protection and the developer is researching options.

MOTION: R. Clark made a motion to accept jurisdiction of the subdivision application for property located at Map 17, Lot 172 – 200 Central Street.

SECOND: C. Ashford

VOTE: 7-0

Chairman Wentworth asked the board members for their comments/questions.

P. Carideo had questions regarding the status of the old road versus the new road (Central Street); how was the status determined, where is the documentation. J. Lavelle stated that it is town land and is maintained as the Old Central Street. S. Keach stated there is no evidence that it can't be used as frontage.

P. Carideo had questions regarding well placements and asked if they are on the lots and if not, easements would be needed.

R. Clark asked about driveways near the cemetery.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

M. Hanides asked about the existing house that is too close to the road and asked if it could be moved to meet the current regulations. S. Keach commented that the existing house is grandfathered.

S. Keach commented that he will leave the well radius up to NHDES. S. Keach commented that the State has already approved the subdivision.

Chairman Wentworth asked about sight distances for the driveways. J. Lavelle stated they do not meet 400 feet but are around 200 feet. J. Lavelle indicated the speed-limit is 30 MPH on Central Street and ASHTO standards only require 200 feet of sight distance. S. Keach indicated that sight distance is mentioned in both of his review letters.

P. Carideo commented that when new lots are being created the board needs to consider the driveway. S. Keach stated he wants the sight distance info to be quantified and asked for sight distance profiles.

Chairman Wentworth asked for public comment.

Collette Powers – 191 Central Street – stated she has concerns regarding the driveways and sight distance, she stated there have been many accidents in this area of Central Street. C. Powers stated she also has questions regarding the wetland soils and is not sure if they are appropriately labelled. C. Powers stated she also has concerns with the stonewalls.

S. Keach stated the soils are on sheet 2 and have been defined and delineated by Bruce Gilday, wetland and soil scientist. S. Keach added that the definition of poorly and very poorly drained soils have scientific meaning.

C. Powers stated that water pools, she stated assessing card states ‘wetlands’. P. Carideo stated the assessing department has a different interpretation. The wetland soils by the board definition are classified by vegetation, hydrology, and soils.

C. Powers stated she had concerns with the wells and additional water. P. Carideo commented that ground water is regulated by the State of NH.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

C. Powers asked about the existing home. S. Wentworth stated the plan doesn't show that it will be razed.

Charlie Vannette – 45 Pitman Road – asked if the proposed houses would be single-family homes, and it was confirmed that single family homes are being proposed. C. Vannette stated he has concerns with the water and questions regarding cemetery access.

Bruce Squibb – 2 Country Road – has concerns with the water issues and wells in the area. B. Squibb is also concerned with drainage and commented that swales are not cleaned and maintained. B. Squibb asked if the developer is considering fire hydrants or cisterns and how that affects the water.

Chairman Wentworth stated that a cistern is basically a 30,000 gallon holding tank and water is trucked to the location and without wells the houses would connect to Hampstead Area Water Company (HAWC).

B. Squibb stated there have been numerous accidents on this road and additional driveways will affect the community.

S. Wentworth stated the board is requiring sight distance on all driveways as part of the review process.

John Pitman – 182 Central Street – stated his property directly abuts this proposal. J. Pitman stated he has a question regarding poorly drained soils and wants to know if abutting areas are considered as his property has water.

J. Lavelle stated they typically do not map off site. S. Keach asked Gilday to map this gentleman's property. S. Keach asked J. Pitman if he would grant permission to allow the soil scientist on his property and he agreed.

Pamela Pitman – 182 Central Street – stated she has been growing food and gardening on her property for 20 years. P. Pitman stated she is concerned with the water needs on her property.

S. Murphy commented that the developer needs to prove that the well water meets the town requirements before a building permit can be issued.

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

Alma Sheltra – 183 Central Street – asked if the road would be straightened and commented that she has a concern with traffic and speed.

Chairman Wentworth commented that enforcing the speed limit is not under the boards' jurisdiction. S. Murphy commented that he has seen patrols in that area. S. Murphy stated he would reach out to the Police Chief with Ms. Sheltra's concerns.

P. Carideo explained how the State reviews and approves septic and indicated there are average GPD flows based on the number of bedrooms.

Chairman Wentworth closed the public comment session.

R. Clark asked if the lots are large enough for duplexes. J. Lavelle stated they are sized for single-family homes.

Bruce Squibb – 2 Country Road - asked if the developer had ever considered constructing a road with a cul de sac versus frontage off of Central Street. J. Lavelle stated it was not considered.

J. Lavelle requested a continuance to the April 5, 2021 hearing.

MOTION: R. Clark made a motion to continue the discussion of the subdivision application for property located at Map 17, Lot 172 – 200 Central Street to the April 5, 2021 public hearing.

SECOND: B. Villella

VOTE: 7-0

Planning Board Matters

1. Town Engineer Comments

S. Keach informed the board that they will be reviewing two new applications at the 4/5/2021 hearing. One for a lot line adjustment and the second a subdivision for property located off Main Street.

S. Keach commented that he has been working with the town for approximately 15 months now and has become familiar with the town's design standards. S. Keach also commented on the recent waiver requests and feels the regulations warrant review. S. Keach feels the design standards could be better.

2. Correspondence – None

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes March 1, 2021

3. Member Comments

D. Howard commented that this is 3-term member Paul Carideo's last meeting and would like to thank him for his contribution to the board. All agreed Paul would be missed.

P. Carideo stated that recent inspection reports for the Winchester Heights project state that the units are different than what was originally approved. P. Carideo stated it also appears the developer created a hauling road through the buffer. P. Carideo feels they are in violation of the approved plan.

S. Keach stated he would follow up with J. Quirk regarding the buffer. S. Keach commented that the footprint of the building would not be the responsibility of the board, rather the building department issuing a permit.

P. Carideo commented that he has seen additional boat storage at 6 Starwood Drive, B&H Oil. D. Soucy stated she would follow up with code enforcement (3/2 P. Boisvert visited site/3/2 owner contacted PB office asking for direction/advised to submit an amended site plan).

S. Murphy asked about the status of the Master Plan (MP). D. Soucy advised the board that the contract with RPC went into effect 3/1/2021 and the first payment was signed off by the board today. D. Soucy is reaching out to RPC to discuss first steps in the MP process.

MOTION: S. Murphy made a motion to appoint David Smith, School Board Member, to the Capital Improvement Plan (CIP).

SECOND: R. Clark

VOTE: 7-0

4. Review of Minutes (2/16/2021 Public Hearing)

MOTION: R. Clark made a motion to approve the 2/16/2021 minutes as amended.

SECOND: C. Ashford

VOTE: 7-0

5. Adjourn

MOTION: S. Murphy made a motion to adjourn at 9:35 P.M.

SECOND: P. Carideo

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary