

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes November 1, 2021

A meeting of the Planning Board was held on Monday, November 1, 2021 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Steve Wentworth, (Chairman), Sean Murphy, Randy Clark, Bob Villella, Chuck Ashford Jr., Mike Hanides, Kim Colbert, Susan Hastings (alternate), DJ Howard (alternate), Robert Weimar (alternate) and Steve Keach, Keach-Nordstrom Associates, Town Engineer.

CHAIRMAN'S REMARKS

Next Public Hearing Date December 6, 2021

Filing Deadline for the December 6, 2021 meeting is November 1, 2021

Chairman Wentworth announced that the consultant for the Bonnie's Way subdivision requested a continuance to the December 6, 2021 public hearing. (Please see Item 2 under new business as the audience members had a few administrative questions.)

Old Business

1. Map 01 Lot 091 – 651 Main Street –Conditional Approval Extended to 12/6/2021

Conditional approval for this project was due to expire 11/1/2021. D. Soucy deferred to S. Keach to confirm the status of the approval. S. Keach stated he has yet to see the NHDOT Driveway Permit.

MOTION: R. Clark made a motion to extend the conditional approval for property located at Map 01 Lot 091, 651 Main Street to the 12/6/2021 public hearing.

SECOND: C. Ashford

VOTE: 7-0

2. Map 13 Lot 121 – 27 Hazel Drive – Conditional Approval Extended to 1/3/2022

Conditional approval for this project was due to expire 11/1/2021. D. Soucy referred the board members to review the 10/13/2021 letter from Murphy's Law requesting that the application be withdrawn. S. Keach stated that the amended site plan contemplated the change of use, if the applicant withdraws his application he will not be in compliance. S. Murphy suggested the PB send the applicant a letter (10/4/2021 J. Lavelle dropped off paper plans and mylars for recording/D. Soucy requested electronic plans be forwarded to PB office and S. Keach for final review).

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MOTION: R. Clark made a motion to extend the conditional approval for property located at Map 13 Lot 121 – 27 Hazel Drive to the 01/03/2022 public hearing.

SECOND: B. Villella

VOTE: 7-0

New Business

1. Map 12 Lot 15-004 Route 111 Auto Sales – Amended Site Plan – Granted 90-Day Conditional Approval

C. York from Millennium Engineering, Inc. (MEI) was present to represent the applicant for a request to the recently approved site plan to shift the building location. The Auto Sales owner, Joe Gerraughty, recently purchased the adjoining property and is now presented a Two- Phase plan for the site. C. York explained that nothing has changed in terms of drainage, structures, etc. Phase II of the project is undetermined and will be undeveloped for the time being.

M. Hanides commented about the driveway entrance alignment on the prior plan. D. Soucy commented that the board should accept application before further discussion.

MOTION: R. Clark made a motion to accept jurisdiction of the revised amended site plan for property located at Map 12 Lot 15-004, 415 Emerson Ave, as complete.

SECOND: C. Ashford

VOTE: 7-0

Chairman Wentworth discussed the building on the corner and stated this is the temporary sales office, once the new building is approved for occupancy the corner lot use would need to be discontinued.

S. Keach explained the plans, Phase I and Phase II, and illustrated the change in building location. S. Keach read a few comments from his 10/28/2021 review letter.

Chairman Wentworth addressed M. Hanides comment about the driveway location and explained that lining up the driveway with Miners Way would not be a good idea.

D. Soucy asked about adding locus map, a signature block, and prior approved recorded plan info to the current plan set. S. Keach confirmed that sheet CS-101 would be recorded at the RCRD.

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Chairman Wentworth asked for public comment and there was none.

There was a discussion regarding a continuance or approval for the plan.

MOTION: B. Villella made a motion to grant 90-day conditional approval of the revised amended site plan for property located at Map 12 Lot 15-004, 415 Emerson Ave with special conditions. Confirmation from the Town Engineer that all comments from his October 28, 2021 review letter have been addressed to his satisfaction.

SECOND: C. Ashford

VOTE: 7-0

2. Map 12 Lot 144 – 20 Bonnies Way – Subdivision of Land- Continued to 12/6/2021

(This was the first item discussed at the public hearing). There were abutters and neighbors to the project in the audience that had administrative questions regarding the continuance. No one spoke at the microphone so no names/addresses were captured. Following is a summary of questions/comments from the audience:

a. Heard that the applicant was applying to the ZBA? Was advised to contact the ZBA Secretary Dawn Shaw regarding questions. Advised the December ZBA meeting would be December 1 at 7 PM, if you are an abutter to that project, you would be noticed.

Steve Keach stated that there was a zoning deficiency in the plan and he was not in the position to advise the PB to accept the application. Keach stated the applicant could do two things: amend the plan to conform to zoning or seek a variance.

b. Question regarding the style of the house, size of house, etc. Chairman Wentworth stated the PB was only concerned with the footprint of the proposed building and making sure setbacks could be met.

c. Question as to whether a septic could fit on the proposed lot. Chairman Wentworth stated there is no problem meeting the septic requirements for the site.

Steve Keach stated the owner can build a house that fits on the lot and conforms to the regulations. The Building Code Official will approve the house plans.

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d. Question regarding State Board requirements. S. Keach indicated the State of NH requires state subdivision approval under NHDES rules, this is a technical permit. Chairman Wentworth commented that the State requirements are more lenient than our local zoning.

e. Question regarding Wentworth Heights Homeowners Association, would the PB review the Declaration and Covenants and take that document into consideration. Chairman Wentworth responded that would be a civil matter and the town would not get involved.

R. Clark stated that if an application goes to the ZBA the abutters as well as the neighbors would have a voice in the ZBA proceedings. R. Clark stated the applicant could request relief for a number of items.

Steve Keach read from his review letter dated 10/28/2021 and indicated that the proposed plan does not conform to the requirements of Part II-1:1, Soils Based Lot Sizing, of the Zoning Ordinance.

Other Matters

1. DRAFT Stormwater Management Regulation Review

Jenn Rowden from Rockingham Planning Commission (RPC) was present to talk to the board about the DRAFT Stormwater Management Regulations and answer any questions the board may have. J. Rowden indicated that these regulations need to be adopted in order for the Town to be in compliance with the MS4 permit. Additionally, the regulations should be considered as protecting water is a goal of the Master Plan.

J. Rowden indicated that these proposed regulations apply to site plan review only, multi-family and commercial development. J. Rowden stated the board needs to pick a number/XXX for the area of disturbance for Element B: Minimum Thresholds for Applicability. J. Rowden indicated that most towns pick between 10K, 15K, or 20K square feet of disturbance. J. Rowden asked the board to think about the size of the projects they have reviewed/approved over the past two years.

R. Clark asked about Subdivision Regulations. J. Rowden stated the Stormwater Management Regulations (not yet proposed for LS DR), as they relate to Subdivision Regulations, would apply only when a new road is being proposed.

Chairman Wentworth polled the board and asked for a proposed threshold:

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MH 15K, KC, 10K, RC 10K, SW 20K, SM 20K, CA 20K, BV 20K, BW 15K, SH 20K, DJ 20K, S. Keach recommends 20K. Chairman Wentworth stated the board would move forward with 20K square feet as the threshold for Element B of the DRAFT regulations.

S. Keach explained areas of disturbance and redevelopment. Keach gave examples of real-world changes. The board talked about examples and properties still left to be commercially developed.

J. Rowden indicated that the current regulations require a SWM plan for a 10-year storm, Jenn suggested changing that to a 50-year storm.

There was discussion regarding the timing and frequency of the annual reporting requirement. No decision was made.

J. Rowden indicated she will have the DRAFT Land Subdivision Regulations for the boards review shortly.

2. 2022 Warrant Article Proposal Discussion

The previous proposal was reviewed again by the board.

Article #1

To see if the Town will vote to amend Article II-1 Soiled Based Lot Size with the following changes:

In Article II-1:1 Minimum Lot Sizes by adding the following sentence after the first paragraph: "The minimum lot size requirements shall apply to all lots including, but not limited to, lots served by off-site water and/or municipal sewage facilities."

In Article II-1:3 Relationship Between State and Local Regulations by removing the following sentence: "If the state regulations address an issue not included in the local regulation, or if the local regulation addresses an issue not included in the state regulation, that regulation shall automatically apply."

S. Keach stated the NHMA Municipal Calendar is now available on their website and important dates for SB2 Towns relating to Zoning proposals, petition articles, etc. have been published.

DJ Howard asked about proposing an article indicating that the minimum frontage requirement needs to extend back XXX number of feet into the lot. S. Keach stated that the Town of Windham has such a requirement and their target number is 50 feet. It was

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suggested that if DJ Howard wishes he should write up a zoning proposal for the board to consider.

Planning Board Matters

1. Town Engineer Comments

2. Correspondence

- a) DRAFT October 6, 2021 ZBA Minutes
- b) NHDES ROW Permit by Notification – Eversource
- c) Town of Salem – 322 North Broadway Cell Tower
- d) RPC Letter re: Annual Dues
- e) NHDES Wetlands Permit – 20 Shore Drive – repair existing wall
- f) NHDES Wetlands Permit – 73 Holiday Lane – repair existing wall

3. Member Comments

D. Soucy informed the board that she received five new applications for the December 6 public hearing. D. Soucy stated that there is basic information missing from 3 of the 4 applications (locus map, signature blocks, north arrow, soils calcs) and wanted the boards direction on how to proceed. S. Keach stated that per the RSA only the PB can determine is an application is complete.

4. Review of Minutes (10/4/2021 public hearing) – approved as amended

MOTION: R. Clark made a motion to approve the 10/4/2021 minutes as amended.

SECOND: M. Hanides

VOTE: 6-0-1 (C. Ashford abstained)

5. Adjourn at 9:05 P.M.

MOTION: B. Villella made a motion to adjourn at 9:05 P.M.

SECOND: C. Ashford

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary