

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes June 1, 2020

A meeting of the Planning Board was held on Monday, June 1, 2020 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Paul Carideo (Chairman) at Town Hall office, all other members attended via Zoom, Steve Wentworth, Sean Murphy, Chuck Ashford, Jr., Bob Villella, Randy Clark, Mike Hanides, Tom Riha (alternate), and Susan Hastings (alternate). Steve Keach from Keach Nordstrom Associates (KNA) was also present via zoom. The public attendance roster is available as an attachment to this document.

CHAIRMAN'S REMARKS

Next Public Hearing Date July 6, 2020

Filing Deadline for the July 6, 2020 meeting is June 1, 2020

Chairman Carideo opened the meeting at 7:15 PM and read the following Right To Know announcement into the public record.

The Town of Hampstead has prepared an E-Meeting Checklist to be used by a public body chair to read into the record at the start of a meeting being conducted electronically. This checklist contemplates Zoom as the electronic meeting platform:

Town of Hampstead
Right-to-Know Law Meeting Checklist

As Chair of the Hampstead Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;

We are utilizing the Zoom platform for this electronic meeting and broadcasting live on Cable Chanel 17 on comcast. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-929-205-6099 and password 448835, or by clicking on the following website address:

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<https://us02web.zoom.us/j/81952574868>

b) Providing public notice of the necessary information for accessing the meeting;
We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the Town of Hampstead's website at: Hampstead.nh.us

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;

If anybody has a problem, please call 329-4100 x102 or email at: planningboard@hampsteadnh.us

d) Adjourning the meeting if the public is unable to access the meeting.

In the even the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

PRESENT: Paul Carideo (Chairman) at Town Hall office, all other members attended via Zoom, Steve Wentworth, Sean Murphy, Chuck Ashford, Jr., Bob Villella, Randy Clark, Mike Hanides, Tom Riha (alternate), and Susan Hastings (alternate) {Chip Hastings was also present in the room}. Steve Keach from Keach Nordstrom Associates (KNA) was also present via zoom. The public attendance roster is available as an attachment to this document.

{Script Prepared by James W. Kennedy, Esq., City Solicitor, City of Concord, March 26, 2020}

Conditional Use Permits

1. 13-037 296 East Road – Accessory Dwelling Unit (ADU)

Property owner Nathan Tines and applicant Jay Tines were at Town Hall to present the plans for the ADU to be located at 296 East Road.

Chairman Carideo asked the PB members if they had any questions. T. Riha asked about parking on the lot, J. Tines answered. R. Clark asked about the size of the shed and if the owner planned on keeping it. J. Tines stated it is a shed that will remain on

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the property. J. Tines further stated the shed is approximately 30 feet away from the ADU.

P. Carideo asked who would be using the garage. J. Tines responded that the garage is not living space. J. Tines stated there would be 2 stalls for the PDU and 1 for the ADU. J. Tines explained the parking and turn arounds.

M. Hanides asked about access to the ADU/PDU and J. Tines explained.

C. Ashford recused himself from voting on this application. Chairman Carideo announced that alternate T. Riha would be voting on this application.

MOTION: R. Clark made a motion to accept jurisdiction of the application.

SECOND: B. Villella

VOTE: 7-0

MOTION: R. Clark made a motion to accept the proposal with modifications regarding the car assignment in garage. The ADU for property located at 296 East Road, Map 13 Lot 37 has been granted a conditional use permit.

SECOND: B. Villella

VOTE: 7-0

Chairman Carideo informed the applicant that they have been granted a conditional use permit for the ADU. P. Carideo informed J. Tines that the ADU Certification Form needed to be completed and returned to the PB office.

2. 14-150 94 Picadilly Road – Accessory Dwelling Unit (ADU)

Property owner Steve Castle was at Town Hall to present the plans for an ADU to be located at 94 Picadilly Road.

Chairman Carideo asked the PB members if they had any questions. R. Clark asked the applicant if the square footage of the shed and garage are included in the calculations. S. Castle commented that the garage space is not livable.

C. Ashford recused himself from voting on this application. Chairman Carideo announced that alternate S. Hastings would be voting on this application.

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MOTION: R. Clark made a motion to accept jurisdiction of the application.

SECOND: S. Hastings

VOTE: 7-0

S. Castle explained the entrance ways to the PB members, citing a door on the ground level and the entrance ways on the second floor. Chairman Carideo asked the PB members if they had any more questions and there were none. P. Carideo asked for public comment and there was none.

MOTION: B. Villella made a motion to approve the ADU for property located at 94 Picadilly Road, Map 14 Lot 150.

SECOND: R. Clark

VOTE: 7-0

Old Business

C. Ashford recused himself from voting on this application. Chairman Carideo announced that alternate S. Hastings would be voting on this application.

1. 08-243 Camp Tel Noar – Gravel Parking Lot, Yurt Village & Common Building

Randy Haight, Meridian Land Services and Jonathan Cohen, Cohen Camps participated in the meeting via Zoom. R. Haight presented the plan to the PB members. R. Haight informed the board that the project received septic approval from the State as well as a letter from Hampstead Area Water Company (HAWC) committing to water for the common building.

S. Keach read his remarks from his Planning Board Memo dated 5/29/2020. S. Keach indicated that a performance guarantee still needs to be prepared for this project and he will direct J. Quirk to prepare the document. S. Keach reviewed the waiver request and stated why he supports the waiver request.

Chairman Carideo asked the PB members for comment. R. Haight explained the lighting on site. P. Carideo asked about the need for a soil scientist stamp. S. Keach explained. R. Haight explained the HFD request for fire hydrant placement.

P. Carideo asked if the Road Agent has seen the plan. R. Haight explained that the Road Agent was present at the Department Head Review and had seen the plans.

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MOTION: R. Clark made a motion to approve the waiver request from Section V:2-C of the Site Plan Review Regulations which normally requires HISS mapping.

SECOND: S. Wentworth

VOTE: 7-0

Chairman Carideo asked for public comment and there was none.

MOTION: R. Clark made a motion to grant conditional approval for the amended site plan of Camp Tel Noar for property located at Map 8 Lot 243 with special conditions.

SECOND: B. Villella

VOTE: 7-0

SPECIAL CONDITIONS

- Granted waiver be added to the final plan set.
- Receipt of an executed/recordable "Declaration of Septic System Loading Easement" over abutting Lot 8-128 for the benefit of subject Lot 8-243.
- Receipt of confirmation from Town Engineer that all comments and recommendations offered in his letter report of April 1st have been satisfactorily resolved.

C. Ashford returned to his spot on the board.

B. Villella recused himself from discussion regarding the Brady Lane Subdivision.

Chairman Carideo announced that T. Riha would be a voting member.

2. 14-102 339 East Road – Brady Lane Subdivision

Tim Lavelle was at the Town Hall office to present the plan to the PB members. T. Lavelle informed the board that the project received State Subdivision approval as well as the NHDOT driveway permit. T. Lavelle stated there is a waiver request before the board as it relates to road width. T. Lavelle informed the board that the HFD requested two fire hydrants.

MOTION: C. Ashford made a motion to accept jurisdiction of the application.

SECOND: S. Wentworth

VOTE: 7-0

Chairman Carideo asked S. Keach for his comment. S. Keach indicated that the 5/7 letter was his fourth review of the plan. S. Keach stated that all required permits have been received. S. Keach asked that the fire hydrant requests be added to the plan. S.

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Keach asked the PB to act on the waiver request. Chairman Carideo asked the board members if they had questions. R. Clark commented that he agrees with the road width waiver request.

MOTION: R. Clark made a motion to approve the waiver request for relief from Section VII-1-W which normally requires 24' feet of road length, this waiver is granted with 22' of road length.

SECOND: C. Ashford

VOTE: 7-0

Chairman Carideo asked about the fire pond. T. Lavelle commented that it is eight feet deep in the middle, however the sides are sloped and you can walk in and out of pond.

Chairman Carideo asked the PB members if they had any questions. T. Riha asked about the HFD request to install hydrants across town not relative to the development. P. Carideo stated the HFD assesses their needs and asks for hydrants when they can.

Chairman Carideo read into the record an email inquiry from an abutter questioning the soil mapping on the project; Pamela Mamacos, Map 14 Lot 77-1, 20 Laura Lane. S. Keach responded to the inquiry by stating he went out to the site and there are wetlands on the property for sure, Steve identified them for the members and public. S. Keach stated that he did not see any reason to challenge any of Bruce Gilday's mapping and further indicated that the test pit data correlates with the HISS mapping.

Catherine Jackson, 10 Laura Lane, along with her neighbor, Pamela Mamacos, 20 Laura Lane asked S. Keach to speak about the ledge outcropping. S. Keach spoke about the ledge outcropping and noted the soils identified on sheets 4 and 6 of the plan set. S. Keach noted that certain soils are not applicable when it comes to determining the lot size calculations and noted the lot sizing on the plan set.

P. Mamacos asked why there are no 224 soils, S. Keach stated that KNA did not map soils and that Bruce Gilday mapped the soils. P. Mamacos asked if she could hire a third-party independent soil scientist. S. Keach said it would be up to the property owner to grant permission to allow her on the property.

Chairman Carideo explained that the PB requires professional stamps on plans and that there are no soil scientists on the board. S. Keach commented that he has a wetlands

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scientist on his staff and he would have asked him to check the soils if he felt there was an issue. S. Keach stated that there are variable soils on the site and that he had no reason to question Gilday's work.

T. Lavelle commented that test pits on the lots as well as on the roadway were witnessed by Kris Emerson in the Building Department.

C. Jackson commented that she thought 4 houses would be ok on the site but not 6. C. Jackson inquired about previous subdivision of the property.

T. Lavelle stated they previously surveyed the property and the prior owner did not want to go through the expense of putting in a roadway and the consultant was asked to create two lots at the time.

Chairman Carideo reiterated the fact that the board relies on the expertise of professionals.

Chairman Carideo asked if there was any other public comment and there was none. P. Carideo asked the PB members for their questions/comments. C. Ashford commented that if S. Keach is ok with the soils then the board should move on.

Chairman Carideo stated that he has concerns with the public comment from abutters since this is the first time hearing the application, he would like to give more time to offer comment. P. Carideo stated that it is up to the PB to decide.

MOTION: R. Clark made a motion to grant conditional approval for the Brady Lane Subdivision for property located at Map 14 Lot 102 with special conditions.

SECOND: T. Riha

VOTE: 5-2 (P. Carideo and M. Hanides were not in favor)

SPECIAL CONDITIONS

- Granted waiver be added to the final plan set.
- Final plans be expanded to specify relevant details of accommodations for fire protection acceptable to the Hampstead Fire Department.
- Receipt of correspondence from Town Engineer acknowledging all remarks offered in his letter report of May 7, 2020 have been satisfactorily resolved.

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MOTION: C. Ashford made a motion to accept the \$41K bond amount.

SECOND: T. Riha

VOTE: 7-0

B. Villella returned to his spot on the board.

New Business

1. 12-015 664 Route 111 Amended Site Plan

Brian Pratt from Fuss & O'Neill participated remotely via ZOOM and presented the change of use, amended site plan, for property located at Map 12 Lot 015. B. Pratt stated that the PB could expect an application with the next few weeks for the subdivision and site plan for Blue Bird Self-Storage.

B. Pratt discussed the waiver requests and the rationale behind each request. B. Pratt commented that they have received two review letters from KNA and have addressed those comments. B. Pratt stated he wished to discuss the status of Witcher Road, he stated he requested a copy of the 1958 vote on Article 13 that discontinued the road.

B. Pratt stated they have submitted a NHDOT permit.

Chairman Carideo suggested the PB accept jurisdiction of the plan.

MOTION: R. Clark made a motion to accept jurisdiction of the amended site plan for property located at Map 12 Lot 015 in Hampstead.

SECOND: C. Ashford

VOTE: 7-0

Chairman Carideo asked S. Keach for comment. S. Keach referenced his 5/28 letter along with his 5/29 memorandum to the PB. S. Keach stated he has asked for hours of operation to be included on the plan for each of the businesses.

R. Clark spoke about his recollection of the entrances and driveways at the corner building at Emerson Ave/Route 111. S. Hastings stated she felt it would be safer to eliminate the illegal entrance. It was confirmed that the fence has been replaced.

Chairman Carideo asked the PB members if they had any questions. C. Ashford had questions regarding the waiver requests and asked if the next application the PB

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receives would include the information. B. Pratt explained the waivers and noted that the information would be provided with the subsequent application.

P. Carideo stated that he would like to know more about what is currently on the site for signage. Chairman Carideo specifically mentioned the Refined Roofing signs that were all over the corner building and have since been moved to the new location on the site.

P. Carideo stated that he wants things documented. P. Carideo suggested that B. Pratt refer to the Zoning Ordinances as it relates to signage.

S. Wentworth had a question regarding the paving on the Emerson Ave edge and feels it should be removed now. P. Carideo agrees, all other PB members were asked their opinion and all wanted the section of pavement removed. R. Bennett agreed to remove the section of pavement.

R. Bennett asked if the sign issue could wait until the next application to be resolved. Joe Gerraughty talked about the car dealership requirements as it relates to his signage. R. Bennett talked about the current signs.

C. Ashford asked about the truck turning radius, S. Keach confirmed that there is a plan sheet illustrating the truck turning.

Gino Spero from Refined Roofing stated all the work he has done has been permitted and has been inspected by Kris Emerson in the Building Department.

B. Pratt stated that he will gather an inventory of all signs on the site.

Chairman Carideo asked for public comment and there was none. P. Carideo asked the PB for their decision. R. Clark stated he needs more information on signs. B. Villella asked the PB to take action on the waivers. R. Clark stated he wants to continue the conversation about signs. B. Pratt stated they are looking for conditional approval this evening.

MOTION: B. Villella made a motion to approve a waiver request from Section VI:2-T of the regulations as it relates to architectural plans.

SECOND: S. Wentworth

VOTE: 7-0

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MOTION: B. Villella made a motion to approve a waiver request from Section VI:2-U of the regulations as it relates to commercial signage.

SECOND: S. Wentworth

VOTE: 7-0

MOTION: B. Villella made a motion to approve a waiver request from Section VI:2-V of the regulations as it relates to exterior lighting.

SECOND: S. Wentworth

VOTE: 7-0

MOTION: B. Villella made a motion to approve a waiver request from Section VI:2-W of the regulations as it relates to landscaping.

SECOND: S. Wentworth

VOTE: 7-0

MOTION: B. Villella made a motion to approve a waiver request from Section VIII:3-A of the regulations as it relates to drainage analysis.

SECOND: S. Wentworth

VOTE: 7-0

MOTION: B. Villella made a motion to grant conditional approval for an amended site plan for property located at Map 12 Lot 15 with special conditions.

SECOND: R. Clark

VOTE: 7-0

SPECIAL CONDITIONS

- Receipt of amended NHDOT Driveway Permit.
- Resolution of Witcher Road Right of Way status.
- Amend site plan to specify removal of paved driveway apron at Emerson Ave.
- Receipt of confirmation from Town Engineer that all comments and recommendations offered in his letter report of May 28, 2020 have been satisfactorily addressed.
- Note any waivers granted on the final plan set.
- Add a narrative to the site plan describing extent of any architectural, landscape, lighting, or signage improvements planned at each building.

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Planning Board Matters

1. Town Engineer Comments

S. Keach provided an update on the current projects.

- Map 19 Lot 009 – Winchester Heights, all utilities are in place; expected to finish gravel work next week.
- Map 16 Lots 1 & 25 – Hadley Road Subdivision, the road is near sub-grade; utilities and waterline is expected over the next two weeks.
- Map 10 Lot 005 – Owens Court – Steve Hatem project, the foundation is in place and work is moving forward.

2. Correspondence – none reviewed

3. Member Comments

R. Clark complimented S. Keach on the project memos that were provided to the PB members in advance of the meeting, they were much appreciated and assisted with the motions.

4. Review of Minutes (3/2/2020 Meeting)

MOTION: R. Clark made a motion to approve the 3/2/2020 meeting minutes as presented.

SECOND: B. Villella

VOTE: 7-0

5. **Election of Officers** – Steve Wentworth elected as Chairman, Randy Clark elected as Vice Chairman, and Debbie Soucy elected as Secretary

MOTION: B. Villella made a motion to elect S. Wentworth as Chairman.

SECOND: C. Ashford

MOTION: S. Wentworth made a motion to elect P. Carideo as Chairman.

SECOND: M. Hanides

P. Carideo announced that neither himself or S. Wentworth were eligible to vote on the motion.

VOTE: 3-2 for S. Wentworth as Chairman.

C. Ashford, B. Villella, and R. Clark voted for S. Wentworth and S. Murphy and M. Hanides voted for P. Carideo.

MOTION: B. Villella made a motion to elect R. Clark as the Vice-Chairman.

SECOND: S. Murphy

MOTION: S. Wentworth made a motion to elect P. Carideo as the Vice-Chairman and P. Carideo declined the nomination.

VOTE: 7-0

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MOTION: B. Villella made a motion that Debbie Soucy remain as PB Secretary.

SECOND: T. Riha

VOTE: 7-0

6. Adjourn at 11:05 P.M.

MOTION: S. Murphy made a motion to adjourn at 11:05 P.M.

SECOND:

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary