

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes February 5, 2018

A meeting of the Planning Board was held on Monday, February 5, 2018 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Paul Carideo, (Chairman), Ben Schmitz, Chad Bennett, Glen Emerson, DJ Howard, Robert Waldron, Randy Clark (Alternate), and Scott Bourcier (Dubois & King)

The public attendance roster is available as an attachment to this document.

Chairman Carideo opened the meeting at 7:05 P.M. P. Carideo reminded the audience about the PB Zoning Warrant Articles that will be up for a vote in March.

Chairman's Remarks

Next Public Hearing Date March 5, 2018

Plan Filing Deadline for March 5, 2018 Meeting February 12, 2018

Old Business

R. Clark stepped down from the board.

1. 06-006-2 & 006-3 17R Gigante Drive – Site Plan Amendment

P. Carideo reminded the board members that this application has been on the PB agenda for several months. The applicant had been waiting to be heard by a full board at the ZBA on the rehearing of the application. The ZBA issued their final denial letter on Jan 3, 2018 stating the variance had been denied to construct a storage building within 100 feet of very poorly drained soils. P. Carideo confirmed with PB Secretary that the applicant had not requested a continuance from the PB.

MOTION: B. Schmitz made a motion to deny the application as submitted.

SECOND: D. Howard

VOTE: 6-0

2. 07-064 & 07-068 Hurley Lot Line Adjustment

J. Lavelle informed the PB that NHDOT would be reviewing the site this week. J. Lavelle presented the plan to the board and explained the only outstanding item is the driveway permit from NHDOT. He stated the property in question is located

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in District 5 and indicated that Tim Lavelle has been dealing with this application. J. Lavelle requested a continuance to the March 5 PB meeting.

MOTION: D. Howard made a motion to extend the conditional to the March 5 PB meeting.

SECOND: G. Emerson

VOTE: 6-0

R. Clark returned to his spot on the board.

3. 11-170 & 11-249 Atwood & Keating Lot Line Adjustment

J. Lavelle represented the applicant and provided the PB with a copy of the ZBA approval letter dated Jan 3, 2018 that states the applicant was granted a Special Exception Variance to permit a lot line change on a pre-existing non-conforming lot which was created prior to soil zoning for property located at 5 Croy Path.

J. Lavelle presented three plans to the PB. Plan #1 shows the Atwood Lot on Croy Path leading to the Angle Pond; this plan also shows Estee Road on the Keating property. Plan #2 shows the Keating property. Plan #3 shows the Lot Line Adjustment (LLA) that will transfer land from the Keating property to Atwood. The Right of Way (ROW) ownership is also being transferred.

S. Bourcier stated he had minor comments based on the initial submission, most of which are housekeeping items, he stated he felt comfortable with a conditional approval of the LLA. P. Carideo asked if any of the board members had questions. D. Howard asked how much property was being transferred, based on the plan .23 acres is being transferred. R. Clark asked for confirmation that the newly created lot would be 1.38 acre, J. Lavelle stated that was correct.

P. Carideo asked for public comment and there was none. P. Carideo stated this is a simple LLA and the Town Engineer is requiring minor changes. R. Clark asked the width of the roadway and J. Lavelle responded with the information listed on the plan. J. Lavelle stated the property line was drawn based on notes from the ZBA meeting.

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MOTION: B. Schmitz made a motion to grant 90-day conditional approval based upon engineering review comments.

SECOND: R. Waldron

VOTE: 7-0

4. 19-009 Winchester Heights Elderly Housing

P. Carideo reminded the board that this is a continuation of a prior public hearing and the board renotified abutters due to the amount of time that had passed since the initial hearing as well as the substantial changes that have been made to the plan.

James Hanely, Civil Design Consultants and Charlie Zilch, SEC & Associates were present to represent the applicant. J. Hanley indicated that substantial plan changes were made since the last presentation based on direction from the PB, abutters, DES, and NH Fish & Game. Highlights of some of the areas of concern included the drainage system, pervious pavement, earthwork, and septic systems that would require a variance from the ZBA.

J. Hanley stated that based on the September review letter (10 pages) from the Town Engineer a second technical review meeting was held to discuss the comments. J. Hanley stated at this point they made significant adjustments to address those comments. J. Hanley stated the original proposal had 36 units, impacts within vernal pools, and disturbance within the buffer that the PB had then requested the applicant retain the buffer around the perimeter of the property.

J. Hanley displayed the new plan sets on the tripod for the PB and audience to view the updated layout. J. Hanley walked the audience through the major changes of the plan, most significant is the reduction in the number of units from 36 to 30 units resulting in a smaller footprint on the parcel (an almost 20% reduction). J. Hanley indicated the new plan maintains the 30 foot natural buffer, the roadway configuration has changed, the pervious pavement has been eliminated and a more traditional drainage system has been proposed. J. Hanley stated the amount of earthwork has been cut down by two-thirds from the

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original proposal. J. Hanley stated the goal is to have the site balanced. They will be importing 8,000 cubic yards of earthwork materials.

J. Hanley stated they have received DES review comments and hope to address and respond to DES by the end of week. J. Hanley stated they received the D&K review letter (dated Jan 19) on the revised proposal and are formally preparing a response to the PB and D&K by the end of week as well. C. Zilch stated there is no longer a need to apply to the ZBA for a septic variance with the revised plan sets.

D. Howard asked if there is a rendering of the buildings showing the elevation, he felt this would be helpful for the abutters. J. Hanley stated the new houses would not be towering over the existing abutters, he stated the land would be cut down 12-14 feet and indicated the reverse would be the case, the new homes would be lower than the neighbors.

P. Carideo asked if any other PB members had questions. S. Bourcier stated he reviewed the plan sets dated 12/15 and provided his review comments on 1/19, there were significant changes between the two designs.

B. Schmitz asked if a second point of entry had been addressed. J. Hanley indicated they have looked at options and have not obtained rights to do so, he stated they have prepared the turn-around radius for Fire Department vehicles and apparatus. R. Clark asked about culverts and drainage pools. C. Zilch stated there would be a bottomless culvert as per the suggestion of NH Fish & Game.

P. Carideo noted that light pole bases are shown on the plan in front of each unit and asked for detail on the light fixture itself. P. Carideo asked for a lighting plan to ensure a proper candle light effect, he indicated the PB is looking for fixtures as suggested by Dark Skies. S. Bourcier indicated that Item #27 in his review letter addresses this concern.

R. Clark referred to Item #30 of the D&K review letter. S. Bourcier indicated he is asking if improvements could be made on the existing portion of Winchester Drive. S. Bourcier stated his comment was based on the Road Agents input at the Technical Review Meeting. J. Hanley stated he feels the roadway has been

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engineered as per the Road Agent's comments. P. Carideo made a comment regarding snow plowing and snow storage and felt it would be difficult based on the current design. S. Bourcier suggested the applicant, Road Agent, and he meet on site to review, P. Carideo stated he was ok with that approach. S. Bourcier stated he would provide a field report to the PB that documents the meeting, etc.

B. Schmitz commented that there are many elevation changes and he was concerned with the slopes in the backyard especially since this is an elderly housing proposal. J. Hanley responded that fences have been added to the backyards with elevation changes as a result of B. Schmitz comment from a prior meeting.

P. Carideo commented that it appears the development is impacting buffers in some spots. J. Hanley stated there is nothing being impacted within 30 feet; he stated if the PB wants additional plantings, they are ok with that. S. Bourcier stated that Item #13 in his review letter addresses this concern. P. Carideo advised the applicant if they are unable to maintain the buffer a variance from the ZBA would be needed. J. Hanley asked for clarification on the buffer and P. Carideo stated there is a 30 foot perimeter buffer around the entire parcel that is the no go zone.

P. Carideo asked if the PB had any additional comments, there were none. Chairman Carideo opened the meeting to the public for comment and gave direction to the audience.

J. Beauregard – 198 Hunt Road – asked about snow plowing and the Road Agents comments, Winchester Drive is a Town road and he was under the impression that this development would be private. P. Carideo stated the Winchester Heights Elderly Development will remain private and will not be maintained by the Town. J. Beauregard asked if the ownership issue could be addressed. C. Zilch stated this is a single owner development until condo conversion is done; the units are too big for rentals. C. Zilch stated once the approval process is complete they will apply for condo conversion. J. Hanley

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indicated that the challenge would be if condo docs had been filed they would then need to be revised based upon PB and other state agency comments.

P. St. Jean – 12 Regiment Drive – asked if buffer requirements would change when the units are converted to condos. R. Clark stated the development is being proposed under the Elderly Housing Zoning Ordinances and that the buffer and setback requirements would not change as a result of condo conversion. P. Carideo commented that the PB is viewing the proposal as one development, one tract of land that will not change when converted to condos. P. St. Jean asked if abutters could request additional vegetation based on the location of the houses. P. Carideo stated Units 3-6 have a substantial vegetated buffer between the units, he stated the zoning requirement is 30 feet and the applicant has met this requirement. P. Carideo commented that the developer did not build the abutter's property and stated they can develop their property within the Town's ordinances. P. Carideo stated the PB could ask for plantings but cannot force the developer because the regulations state 30 feet. P. Carideo did suggest that Driveway A/B be looked at by the developer as Map 19, Lot 55 could be affected by headlight glare.

K. Corcoran – 25 Regiment Drive – stated he has experienced significant basement flooding. He is questioning the plans for clear-cutting the property, the alteration of the terrain and what the impact would be. P. Carideo stated the PB requires that all DES requirements are followed and an Alteration of Terrain permit is required. K. Corcoran fears there will be an adverse impact on his existing home. S. Bourcier briefly explained the clearing process as per DES regulations, the developer can clear 5 acres at one time, stabilize, build, then move on to another 5 acres. S. Bourcier further stated the developer would then move on to installing road structures, etc. S. Bourcier stated he would have to further review the plans to determine why K. Corcoran would be receiving water in the basement when his property is at a higher elevation than the proposed development. S. Bourcier stated the applicant is not allowed to touch the buffer. J. Hanley explained the difference in elevation to K. Corcoran.

L. Lemoine – 31 Regiment Drive – Map 19, Lot 56 – was asking for more clarification on the height elevation. P. Carideo stated per the plan ground

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elevation is at 248, zoning allows the building elevation to be 35 feet to the peak of the roof. P. Carideo stated the property appears to be at 264 feet. L. Lemoine stated his property appears to lie 8-10 feet below the proposed structure, he feels the condo will tower over his house. P. Carideo stated the first floor of the condo is at 248 and L. Lemoine's property appears to be at 256 on the first floor.

C. Fiacchino – 32 Soldiers Hill Road – Map 19, Lot 52 stated he has basement flooding problems and stated Kevin Camm cleared all the trees up to his property line. C. Fiacchino indicated there was once 19 trees along the property line, and have been there for 20 years, and they are now gone. C. Fiacchino stated that K. Camm bought the land and dried up the wetlands over a 10-year period. P. Carideo explained the process of identifying wetlands and indicated that professionals map soils, based on water, plant life, hydrology, etc. C. Fiacchino stated he never had water problems before this proposal. He asked about foundations and blasting. P. Carideo stated there are specific requirements that must be followed for blasting as per DES regulations. C. Fiacchino stated the test pits by his house are on ledge. P. Carideo stated the applicant has zoning requirements concerning wetlands that need to be adhered to. P. Carideo stated that things change over time and the flooding he is experiencing could be weather related.

C. Fiacchino asked if the developer would eliminate one of the buildings and questioned the setback requirements. P. Carideo stated the development being proposed is on an odd shaped lot and is not a square or rectangle like the one you typically see, the town setbacks are 50 feet to the rear property line and 30 feet for front and side property lines.

L. Russell – 35 Soldiers Hill Road – referred to the original D&K review letter that identified front, rear, and side property lines. L. Russell is questioning the rear setback to her property line. P. Carideo stated the proposal is under the Elderly Housing Zoning. R. Clark stated the buffer and setback requirement are two separate issues. L. Russell stated the rear of her property is within 30 feet of the new development. L. Russell feels that since her house in Zone A needs to have a 50-foot rear setback the developer should be required to meet the same standard. P. Carideo explained, multiple times, that the rear property line of her

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parcel abuts the side property line of the proposed development, this is why the 30 foot setback exists. R. Clark responded by saying the PB is not nullifying her setback. L. Russell stated she feels that she is not being protected. B.Schmitz tried to explain how the rear/side lot lines are laid out on the proposal to L. Russell.

C. Fiacchino – 32 Soldiers Hill Road – asked if there was any way to move the houses back. J. Hanley stated they made significant changes to the plan to address the vernal pools on site and hammer out all the issues raised by all parties.

P. Carideo closed the public session. P. Carideo indicated there are a number of items that need to be addressed based on the D&K review letter as well as other state agencies.

MOTION: B. Schmitz made a motion to continue the application to the March 5 meeting.

SECOND: G. Emerson

VOTE: 7-0

New Business

1. 06-026 Sweet Baby Vineyards – Site Plan Amendment

L. Eaton presented his plans to the board after having a non-binding discussion at the prior month PB meeting. L. Eaton stated they are looking to be open an additional four hours per week, hosting small events one night a week in the barn. L. Eaton stated he met with NHDOT today on his site, he indicated that Jim Hewitt (NHDOT) pointed out several trees that need to be removed. L. Eaton commented that Eversource is currently doing tree work on Route 121 near his property.

P. Carideo reminded the board that this is a public hearing. S. Bourcier handed out the engineering review letter dated Feb 5 to the board members and the applicant. S. Bourcier stated that most comments were regarding notes on the plan set from the prior approval. S. Bourcier stated additional comments are included as they relate to the parking lot, driving lane, wastewater volume, fire

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access, septic, etc. P. Carideo stated the PB members and the applicant have not had time to review the D&K comments. P. Carideo reminded the board that this is an amended site plan and conditions could be imposed.

L. Eaton stated the septic design is on file with the Building Dept. and added that he also has a Place of Assembly permit from Deputy Chief Warnock. P. Carideo stated the septic only needs to be noted on the plan, there would be something on file from NHDES; the plumbing code issues fall under the jurisdiction of the Building Dept./Health Code Enforcement. L. Eaton indicated the waivers are listed on the original plan. P. Carideo commented that he thinks some of the waivers are missing, he was unable to find the complete listing of original waivers on short notice.

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

SECOND: D. Howard

VOTE: 7-0

L. Eaton asked if they could have conditional approval tonight. P. Carideo stated he could certainly request conditional approval however there are too many issues that need to be addressed. S. Bourcier stated he would not recommend that the applicant ask for conditional approval tonight for their own protection.

P. Carideo asked if the other board members had questions. B. Schmitz had questions regarding parking spaces, it seemed to him that some are paved and others are not. P. Carideo stated there appears to be ten (10) paved parking spaces. L. Eaton stated there is some parking on the grass and commented that they have not lost a car yet. L. Eaton stated there is a 120-foot long tennis court out back. S. Bourcier asked how the PB determined the parking requirements; the site is located in Residential Zone A, using the site for agricultural use, which is an allowed use (there is no Agricultural Zone in Hampstead). P. Carideo stated the prior engineer used the parking requirements for Commercial Zone C2.

P. Carideo stated he understands the amended site plan shows the barn for assembly and asked for clarification on how the 1,800 square feet would be used, will it all be storage, all assembly, a breakdown would be needed. P. Carideo was

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reviewing prior approvals and stated it appeared they are allowed 30 people on site. L. Eaton responded by stating he thinks P. Carideo is referring to the number for parking spaces versus the number of people.

G. Emerson referenced the six (6) foot high x thirty-two (32) foot long fence (to block headlights) that is referenced as existing on the amended site plan, he commented that when he drove by the site today the fence is missing. L. Eaton stated he planted arborvitae in place of the fence. G. Emerson asked how tall the arborvitae were and L. Eaton responded about three (3) feet tall. P. Carideo commented that four 3-feet tall arborvitae do not have the same effect as a six (6) foot high x thirty-two (32) foot long fence.

P. Carideo asked where the four (4) apple trees are in relation to the parking area on the site. L. Eaton commented that he would be removing the old dead apple trees tomorrow.

B. Schmitz asked if any new lights would be on the barn. L. Eaton stated the lights would be on the front door facing down to illuminate the staircase.

P. Carideo asked if anyone else had comments and questions, there were none. Chairman Carideo opened to public comment.

S. Zakian – 257 Stage Road – had a prepared statement she asked to read to the board. S. Zakian asked about the nature of the events that Sweet Baby Vineyard (SBV) plans on hosting during these additional four (4) hours per week. L. Eaton responded by stating they are hoping to attract new customers to their business, they have a permit for 99 people, however he feels that 40-50 people would be a more realistic number. L. Eaton stated he envisions corporate events, tastings, and educational type events.

B. Schmitz asked if there would be food or loud music. L. Eaton stated he could not have a sound system although he thought someone playing an acoustic guitar would be cool. L. Eaton stated SBV does not have a catering license nor are there kitchen facilities in the barn. P. Carideo stated that although SBV does not

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have a catering license that does not mean that an outside caterer could be prohibited from bringing food to the site.

S. Zakian presented her letter to the board and read her statement. S. Zakian noted that the Eaton's have been good neighbors and do have a right to use their property for wine tasting in a residential zone, she referenced 2015 PB minutes and added that SBV has special conditions to use the property. In February 2018 the definition of Agritourism changed. S. Zakian commented that accessory uses need to be common uses, not rare; for example, it is typical to see a corn maze in a cornfield. S. Zakian asked the PB to clarify and carefully consider the applicants intent. S. Zakian asked about dumpster locations and lighting. S. Zakian asked if the owners are proposing to offer the barn structure to the public for gatherings, parties, and celebrations or are they renting out the use of the barn space. Chairman Carideo stated all of these issues will be taken into consideration.

Matt & Brenda Harold – 268 Stage Road – the abutters presented a copy of a letter from neighbor Jim Sokoloff (244 Stage Road). B. Harold stated she likes the Eaton family and their chickens. B. Harold stated she is in opposition to the definition of Agritourism since all properties in the residential zone are allowed this use. B. Harold feels the Town, by allowing Agritourism, would eventually make Commercial Zone C1 impossible to them to obtain. B. Harold stated she wants an outcome equally beneficial to all those who own frontage on Stage Road, she noted that sections of Stage Road have been morphing into a Commercial Zone for years.

B. Harold stated that for far too long there has been an issue with customer parking at SBV, patron's park on her property, they drive over the lawn and the septic system. B. Harold requested that the Eaton's have a professional fence installed as long as they are running a business on the property.

B. Harold stated in 2016 the Harold's hired Lavelle Associates to stake out the property lines on their parcel, none of the property lines were adding up and Lavelle indicated to the Harold's that there is a discrepancy in the boundaries. P. Carideo stated boundary disputes are a civil matter and are not part of the PB

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site-plan review process. M. Harold states that the Town Tax Maps match the Harold's survey from Millennium Engineering and referenced plan D-22056. P. Carideo stated the Town Tax Map is not used as a boundary survey and is simply used to identify a property with a Map and Lot number. B. Harold indicated that there is an in-ground swimming pool in the back of the Eaton property that is very close to the Harold's side lot line, if the pool were to be filled in and the area used for parking that would make the property 6-7 feet closer to the Harold's. P. Carideo stated the Harold's need to address this issue with the Eaton's. M. Harold feels that SBV needs to better address and identify their property boundary lines. L. Eaton stated he will install a privacy fence, he stated he wants to maintain good relations with his neighbors. P. Carideo indicated that there is no ordinance regarding fences, relative to property line setbacks, in the Town of Hampstead.

Senator Dave Boutin – approached the podium and announced that he had been a PB member in both Hooksett and Manchester, he is also one of the authors of the Agritourism Bill. D. Boutin stated that we need to ensure that farms stay in New Hampshire and that SBV proposal is precisely the type of activity they envisioned when drafting the Agritourism bill. D. Boutin cited RSA 672 and stated the PB could not be unreasonable when it comes to Agritourism activities. D. Boutin urged the PB to consider the benefit to the community and the State of New Hampshire. He stated people need to understand the importance of agriculture in the State.

Chairman Carideo closed the public comment section of the meeting and asked the PB members for comment.

D. Howard asked if SBV wanted to use the larger space for tastings and L. Eaton responded yes. B. Schmitz stated he has been considering all the viewpoints and noted that parking on gravel is the essence of a farm, you also want to be kind to your neighbors, and he stated he is looking to find a balance. L. Eaton responded to the abutter issues and indicated they want to address the issues and work with the neighbors.

B. Schmitz made a comment regarding zoning and indicated abutter's could submit changes to the Selectmen for next year. B. Harold responded by stating

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she was told there is no spot zoning in Hampstead by the PB last year. B. Harold stated there is lots of commercial activity in that area. S. Eaton commented that they want to remain a farm, not commercial, and want to do Agritourism activities.

P. Carideo indicated when the PB looked at zoning on Stage Road they did not hear from all the residential owners, he stated he would welcome landowners to come before the PB to discuss rezoning of the district. P. Carideo stated he understands that the transition in zones can be difficult.

P. Carideo stated that SBV is a unique situation, the PB utilized regulations for a restaurant zone to determine parking since off-site parking is not allowed, he is concerned with overflow parking with the proposed barn expansion. P. Carideo asked the applicant to think about the parking situation, especially headlight glare in the evening hours, it should be blocked. P. Carideo stated that the abutter comments regarding patrons trespassing on their property should be addressed. P. Carideo stated the signage for the barn should be added to the site plan, he stressed that the site plan is a working document.

D. Howard asked that the applicant work out the fence and boundary issue before the next PB meeting. R. Clark mentioned that the entry and exit ways could be better identified. P. Carideo gave a few suggestions about different styles of fencing, he also suggested that the Eaton's and Harold's have their respective surveyors speak directly to each other regarding the boundary line dispute.

S. Zakian reiterated her concerns regarding parking and questioned whether a bathroom facility would be required. P. Carideo responded by stating code enforcement checked with the plumbing inspector and it was determined that one ADA unisex bathroom facility would be required in the barn. S. Zakian stated page 32 of the site plan regulations state that parking needs to be stripped and indicated that SBV second tier of parking spaces could not be delineated. P. Carideo stated a number of options regarding the parking were included in the D&K review letter to SBV.

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MOTION: D. Howard made a motion to continue the application to the March 5 meeting.

SECOND: C. Bennett

VOTE: 7-0

2. 09-060-2& 060-3 Hastings Drive Subdivision – Duplex proposal

Chairman Carideo explained that he had stepped down on this application in the past due to a conflict with his employer, he has since switched jobs and is no longer in conflict and will remain on the board for this case; there were no objections.

J. Lavelle stated that Mr. Mason would like to have the choice to build duplexes on two of the lots on the Hastings Drive Subdivision. J. Lavelle stated the recorded plan shows single-family homes, he indicated that his office would typically only show setback lines on a final plan and allow the builder the choice of house placement. J. Lavelle handed the PB members paperwork that shows the soil calculations and indicated that Lots 2 & 3 meet the soil requirements for duplexes.

P. Carideo asked if J. Lavelle had the opportunity to read the PB minutes regarding the Hastings Drive Subdivision and he stated he had not. P. Carideo informed J. Lavelle that the abutters were strongly opposed to duplexes and based on that feedback Mr. Mason waived his right with a prior engineer. P. Carideo asked if these duplexes would be turned to condos and whether they would be rentals. P. Carideo stated he would like to see architectural renderings. P. Carideo stated the PB wants those questions answered as Mr. Mason was asked to provide this info originally.

J. Lavelle stated he would clarify and provide the board with more information. He stated he welcomed abutter input this evening and would request a continuance to the next meeting.

R. Clark stated he would like the ownership issue addressed. C. Bennett stated that Lot #3 is exactly 1.5 acres. J. Lavelle stated he would redo the calculations to confirm. C. Bennett commented that he doesn't feel it is appropriate to present

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one proposal to the abutters and then come back before the PB and change the proposal.

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

SECOND: D. Howard

VOTE: 7-0

Chairman Carideo opened the floor to public comment.

M. Kuhl – 5 Hastings Drive – stated she has lived in Town for 18 years and is in opposition to the duplex proposal, she indicated all the neighbors would prefer single-family homes. M. Kuhl stated that she was not notified directly about the duplex proposal because she was no longer considered an abutter, she expressed her concern over this fact. M. Kuhl stated this change would directly impact the character of the neighborhood, there are currently eight (8) single-family homes on Hastings Drive plus the three (3) that the developer has already built. M. Kuhl stated allowing the change to duplexes would mean four (4) new families versus two (2) new families which in turn mean more traffic and more noise; she feels this would affect the value of all the homes.

M. Kuhl feels that duplexes bring the possibility of more transient neighbors, in her opinion, she feels duplexes are a stepping-stone, someone could purchase and then simply rent out the unit causing more turnover in the neighborhood. M. Kuhl stated her home is her biggest investment and wants to preserve that investment before the neighborhood is permanently changed. L. Kuhl approached the podium and stated duplexes are out of character for the neighborhood.

E. Reschberger – 9 Hastings Drive – stated she purchased her home in 2000, they specifically selected a single-family home in a neighborhood. E. Reschberger stated the abutter comments are the same since the last meeting. She strongly objects to the duplexes.

M. Reschberger – 9 Hastings Drive - stated the first time around all the neighbors received notification as abutters, this second time there was not full

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notification to all abutters. M. Reschberger stated this is because Mr. Mason is his own abutter, M. Reschberger feels like Mr. Mason tried to circumvent the system.

S. Charles – 7 Hastings Drive – feels the developer heard the abutter concerns regarding duplexes and changed the plan to single-family homes. S. Charles stated single-family homes are what is expected in the neighborhood.

M. Reschberger – 9 Hastings Drive – feels that duplexes would significantly change the character of the neighborhood.

G. Riley – 17 Hastings Drive – stated there are eight (8) houses on the street and five (5) of the neighbors are in attendance this evening to oppose the duplexes. One neighbor provided a letter opposing duplexes because they could not attend.

P. Carideo stated the developer never applied as duplexes which is why there is discussion tonight. P. Carideo reminded the audience that the white house across from Hastings Drive is a duplex, he stated the developer has a right as a property owner to develop within the regulations of Zone A. P. Carideo stated he understands the abutters concerns however the PB is bounded by the Zoning. P. Carideo addressed the abutter notification concern and advised the audience the abutters were noticed according to the RSA.

J. Lavelle stated he would take all of the comments back to Mr. Mason concerning the strong opposition. J. Lavelle advised the abutters that he had a conversation with Debbie concerning the notification requirements and understands that Ms. Soucy checked with Town Counsel for confirmation on who was required notice.

S. Charles – 7 Hastings Drive – reminded the board that the Conservation Committee had concerns with wetlands crossing on Lots 2 & 3.

Chairman Carideo closed the public comment section.

MOTION: B. Schmitz made a motion to continue the application to the March 5 meeting.

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SECOND: R. Clark

VOTE: 7-0

3. *10-38 Owens Court – Original Site Plan Vested*

Chairman Carideo advised the PB members that he spoke with the applicant earlier in the day and the applicant confirmed their intention was to follow the original site plan. J. Lavelle provided S. Bourcier with a copy of the original site plan for Engineer review. P. Carideo stated the original site plan is vested and the Engineer should be looking for items that need to be updated as a result of zoning changes. P. Carideo stated the amended site plan was never acted on and is therefore not vested, however the original site plan is vested. P. Carideo asked S. Bourcier to provide an estimate for site bonding for erosion control.

4. *17-051 & 18-116 Brown & Houle Lot Line Adjustment*

J. Lavelle stated the Houle property located at 206 East Main Street is shown as Map 17 Lot 306 on the Town Tax Maps, at some point it was attached to Map 17 Lot 051 for tax purposes. The Town denied Mr. Brown a tax abatement because he was told he could not prove he did not own the property. J. Lavelle reminded the PB members that there were title problems with the original plan. Mrs. Houle has agreed to sell Mr. Brown Map 17 Lot 306. Mrs. Houle's lot is 1.8 acre and has 129 feet of frontage, the soils have been reviewed, and J. Lavelle noted that the tax map shows the parcel as 1.2 acres however, it is 1.8 acres. J. Lavelle stated the deed will be prepared once the LLA is approved. The plans for the original development were submitted and withdrawn.

J. Lavelle began to provide responses to S. Bourcier's review letter. P. Carideo asked about the deed and indicated the landowner needs clarification. P. Carideo stated a new lot is being created without State Subdivision approval. J. Lavelle stated he does not see that as an issue. P. Carideo stated he felt State Subdivision approval is needed. J. Lavelle asked for conditional approval based on engineer comments.

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

SECOND: B. Schmitz

VOTE: 7-0

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes February 5, 2018

MOTION: D. Howard made a motion to grant 90-day conditional approval based upon engineering review comments.

SECOND: R. Waldron

VOTE: 6-1 (P. Carideo)

Planning Board Matters

1. Town Engineer

S. Bourcier asked if the PB had a goal to improve the Town site plan regulations. P. Carideo stated that the upcoming PB Workshop is going to address this matter and asked if S. Bourcier had any comments to provide them to the PB within the next two weeks. S. Bourcier asked where parking could be found in the regulations. P. Carideo responded by stating they are found within each individual section of the Zoning Ordinance. P. Carideo also stated he wants to confirm if Rockingham County has updated soils and will incorporate these changes into the regulations.

R. Clark stated he felt some of S. Bourcier's comments in the technical review letter were unnecessary, for instance, his first comment referenced the fact that the owner's signature was missing on the plan. R. Clark felt this could be eliminated because the final mylar would be signed. P. Carideo suggested that S. Bourcier could lump comments like this into a single category in the review letter.

2. Correspondence

- a) Town of Hudson – Eco-Site Wireless Communication Tower
- b) Town of Pelham – American Towers, LLC
- c) Town of Bedford – Cellco Partnership dba Verizon Wireless
- d) 03-046 NH Division of Historical Resources – Project Review

3. Member Comments

B. Schmitz made a couple of comments about the Jan 20 library event.

4. Minutes (1/2/2018 Meeting and 1/16/2018 Workshop) – *Deferred to March 5 PB Meeting.*

5. Adjourn

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes February 5, 2018

MOTION: D. Howard made a motion to adjourn at 10:40 P.M.

SECOND: C. Bennett

VOTE: 7-0

Minutes Prepared by Debbie Soucy, Secretary