

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

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## Minutes of May 1, 2017

A meeting of the Planning Board was held on Monday, May 1, 2017 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

**PRESENT:** Paul Carideo, (Chairman), Ben Schmitz, (Vice Chairman), Dean Howard, Glen Emerson, Robert Waldron, Neil Emerson, Chad Bennett (Ex-Officio), Chris Howard (Alternate) and Scott Bourcier, Dubois & King.

Chairman remarks- Introduced the new Planning Board Secretary, Debra Soucy.

### **New Business**

1. Election of Officers-

Chairman: A motion was made to elect Paul Carideo as Chairman of the Planning Board.

**MOTION: N. Emerson**

**SECOND by: R. Waldron**

**VOTE ON MOTION: 6-0-1(P.C. abstained)**

Vice Chairman: A motion was made to elect Ben Schmitz as the Vice Chairman of the Planning Board.

**MOTION: G. Emerson**

**SECOND by: R. Waldron**

**VOTE ON MOTION: 6-0-1(B.S. abstained)**

Secretary: A motion was made to elect Debra Soucy as the Secretary to the Planning Board. P. Carideo explained that this allows the Secretary of the Planning Board to sign Mylar plans. He stated that in other communities a member of the Planning Board serves as the Secretary for those purposes.

**MOTION: D. Howard**

**SECOND by: R. Waldron**

**VOTE ON MOTION: 7-0-0**

2. 06-108 Public Hearing for Site Amendment, Hampstead Self Storage 53 Gigante Dr.

Mr. Grainger of M. J. Grainger Engineering spoke on behalf of the proposal. He explained that they are looking to add a new building to the existing site. He explained there are two buildings currently on the sides of the lot and this one is

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for the middle of the lot. They have a variance from the ZBA to go over the 15 percent allowed. There is a small change in the driveway for a retaining wall shown on page 4. There was an existing detention pond that starts where the new building ends, that will be replaced with two smaller detention ponds. A Level spreader to catch the additional drainage from the new building along with the other buildings is being added. The storage building will be two levels. There will be no office facilities along with no running water or electricity, just like the two other buildings.

The plan had not been submitted to Dubois & King for review due to a mix up in the office. P. Carideo pointed out that there is an issue with the water supplies and that any new buildings need to have that type of water supply for fire protection. The last hydrant is several hundred feet down from this proposed project. N. Emerson asked to see the waiver from the ZBA. P. Carideo asked that they put the date of the ZBA waiver onto the plan note. N. Emerson said that they came to the ZBA for lot coverage but nothing was said about a two story building. P. Carideo pointed out that it is grade to grade (double level). B. Schmitz asked if there was a question as to what the drainage will be changed to. M. Grainger responded that page 3 is the current plan and page 4 is the proposed plan and that a drainage report was given with the application. P. Carideo spoke about the grade differences and couldn't see any grading work. On the bottom corner the grade looks like 256 and an upper corner of 269.5 and wanted to know how that would work with no grading on the plan. M. Grainger was told that it needs to be on the site plan, not just in a report. He stated that he would add it to sheet 4 from the drainage reports. P. Carideo asked about the 6 lights and noted that he didn't see any lighting on the plan. M. Francoeur said that he met with the Fire Department and they spoke about what requirements they wanted for internal lighting. P. Carideo said that was under the Fire Department review. He is talking about the outside lighting and without knowing what is there it is hard to determine if the current lighting is sufficient. Every third storage unit will have a wall pack the same as the others.

P. Carideo asked about additional signage and the response was there were no additional signs just the sign at the corner of Route 121 along with the signs at the end of each of the buildings. P. Carideo would like to see the signage on the buildings shown on the plan. The main sign was approved as part of the original subdivision. They were told to note on the plan the square footage of the sign so

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that there is documentation of what is there for future reference. The ability to get a fire truck around the building is up to fire department approval. P. Carideo considered going down the regulations and noted items that were missing. State coordinates and benchmarks are missing. There is no note for the wetlands to show the area poorly drained soils and the proximity for the proposed building. P. Carideo asked about a TRC (Technical Review/Dept. Heads Meeting) and was told one had not yet been held, but would be scheduled. There was a question about the parking spaces and if there were enough. P. Carideo said that he was trying to point out as much as he could to save the list from the Town Engineer from being extremely long. C. Bennett asked about the retaining wall and if it needed specs or Engineering review where it is over 4 feet. P. Carideo responded that it is not in our regulations. M. Grainger reported that they would be engineered blocks. P. Carideo said the existing grade is 264 and at south east corner of the building would be 269.5 and this needs to be addressed and include things such as protective rail on top. An erosion control plan needs to be on the plans as well. C. Bennett questioned the information on the drainage and asked where the water was going. P. Carideo said that there was a detention pond and on sheet 4 it shows the new process for the drainage. S. Bourcier will review the drainage calculations. P. Carideo asked about the drainage information and said that normally they would be on the plan. P. Carideo said he thought the requirements stated it needed to be on the plan.

No further questions were asked from the members. P. Carideo stated that while the application was submitted complete, the plan needs further information. S. Bourcier said that if he reviews the current plan he will have a ton of comments to add to the letter. It was suggested that the applicants take the information from tonight and make the changes for the department head review and then Scott can address any remaining concerns in his review letter from what is submitted then. It is hoped that this will happen on May 17<sup>th</sup>. Mrs. Harrington stated that she did not have a drainage report with the paperwork received.

**MOTION: N. Emerson moved to continue the public hearing for the Site Plan Application for 06-108 (53 Gigante Drive) to June 5<sup>th</sup>.**

**SECOND by: D. Howard**

**VOTE ON MOTION: 7-0-0**

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### **Other Public Matters**

#### **1. 17-025 Central Street 3 Lot Subdivision, Belle Maison**

*Chairman Carideo stepped down for this discussion due to a conflict of interest.*

J. Lavelle asked to speak with the Planning Board regarding the approval by the Planning Board for no more than four bedrooms on the subdivision on Central Street/Route 111, Map 17 Lot 025. He stated that he believes there was an error made, but was not asking for a correction at this time. He mentioned that the developer sold the parcel to another developer and they will ask for an amended approval regarding note #11. J. Lavelle explained that when he reads the zoning book the discussion about the limit of a parcel to four bedrooms comes under cluster housing Section II-1: 1 (d) and this development is not considered that. He pointed out that Section II-1: 1 (e) speaks to the calculations when the bedrooms are more than four or a duplex. He noted that the proposed subdivision met the requirements by soil to build duplexes which should be calculated at 1 ½ of the four bedroom. J. Lavelle also noted that when they received the notes from the Engineer, they made the adjustments without really looking at it. D. Howard asked J. Lavelle if he was going to bring it back to look at. J. Lavelle stated that he felt the new developer would bring it back because he was interested in doing three bedroom duplexes, which would amount to six bedrooms per lot, not the four approved.

P. Carideo spoke as a member of the public and as a consultant and stated he disagreed with the interpretation by J. Lavelle. He reported that he has done work on duplexes through his work in town and they have always been two bedrooms per unit for a total of four on the lot. He agreed that this could be considered interpretive but believed the intent was not to cram six bedrooms on one lot, which if approved for a single home, would be four bedrooms. R. Waldron pointed out that he is aware of duplexes in town that do have three bedrooms per side. B. Schmitz asked if they would have been allowed three bedrooms based on soils. P. Carideo stated just because there are duplexes with three bedrooms per side doesn't mean they were done correctly. J. Lavelle said that one avenue to pursue would be to go to the ZBA and let them rule on the zoning. R. Waldron asked J. Lavelle if he had spoken with K. Emerson. B. Schmitz said that it is not clear and suggested that it be asked of K. Emerson and Town Counsel. J. Lavelle said that no matter how it gets addressed to move forward

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with three bedrooms, it would need to be re-noticed to the abutters whereas when they left the meeting on April 17<sup>th</sup>, the approval was for four bedrooms per lot. S. Bourcier was asked if he knew why he used the four bedrooms as the maximum allowed for the application. He stated that he would need to sit down and look at it again. It was agreed to contact Town Counsel and get an interpretation.

P. Carideo returned back to his seat on the Board.

**2. 01-018 Depot Development- plan was recorded and is D-40063**

**3. 02-037 Thompson Subdivision- plan was recorded and is D-40062**

**4. 09-024 Granite Village, Phase VI- plan was recorded and is D-40061**

**5. Discussion on application requirements for ADU (Accessory Dwelling Units)**

There have been two applications submitted under the new ADU requirements. The ADU zoning states that the process would be a site plan application along with the site plan requirements. T. Harrington questioned the Planning Board as to what they want to see with the ADU requests and the fees that should be attached. R. Clark was not present this evening but he had taken the site plan application and adjusted it for things that would be required for an ADU application and a list for things not needed. There are currently two applications submitted, one with only an internal change and the other will be an external change. The Planning Board discussed having two forms, one called "A" for no external changes and a basic application. The second on "B" would be for a more information needed application. They discussed that if there were no structural changes the applicant could submit a copy of the assessor's record and show the changes before and after. If there was to be architectural changes, then they would need a more formalized drawing. They went through each of the site plan requirements and discussed if they thought it would be required or not.

- a. Dimensions- the CEO (Code Enforcement Officer) would need to know and it would need to show the calculation of the square footage.
- b. Adequate Parking, Septic, certified foundation, and show the grading work if needed.
- c. Natural features, if an addition, the water source would be an issue for the Fire Department along with the Planning Board would want to have

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it tested. The testing is based on that the ADU or PDU would now become a rental piece and the water testing is required.

- d. Drainage and grading could be required
- e. Shoreline Protection –May be something the K. Emerson would review.
- f. They discussed the setting of monuments and it was noted by N. Emerson that if a foundation is put in, then they would certify it and it would have the necessary markers.
- g. Soil Types- Could be an issue if adding bedrooms.  
They discussed taking the current ADU zoning and go down it and within each section to add the requirements/checklist they want to see.  
B. Schmitz, R. Waldron and P. Carideo all agreed to be on a subcommittee and work on the application formats.

**MOTION: N. Emerson motioned to create a subcommittee to review an ADU application with R. Waldron, B. Schmitz and P. Carideo.**

**SECOND by: D. Howard**

**VOTE on Motion: 7-0**

T. Harrington noted that the two current applications were charged \$100 for a site plan application and \$7.00 per abutter. They would also be responsible for the cost of recording the certification form upon approval.

### **Planning Board Business**

*1. Engineer Comments-* S. Bourcier mentioned that he remembers discussions in his office regarding the soils and how it was written. There should be changes to the way it is written currently such as Item B comes before the lot size of 45,000 square feet. P. Carideo asked for S. Bourcier to mark up where he sees changes that can be made.

P. Carideo asked S. Bourcier if he has done any inspections on the sites. S. Bourcier responded that the one that had been approved haven't started yet. P. Carideo pointed out the Labrador Lane project that started prior to Dubois & King and suggested that with all the rain lately, the site should have the erosion and sediment checked.

S. Bourcier reported that he recently met with the Road Agent and reviewed the roads that he was interested paving this year. He went to Governor's Island Road and Eagle Road and asked the Planning Board if there was any way to control the damage to those roads. He pointed out that there are a lot of vacation homes that are being converted to year round homes, which is creating more wear and

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tear on the road. The way it is currently constructed will not support the traffic. The response was that those are town roads and are required to be maintained by the Town. S. Bourcier mentioned Impact Fees or TIF (Tax Increment Financing) and asked if the Town of Hampstead had considered them. The response was that they had discussed Impact Fees a long time ago but there was no interest in them. B. Schmitz asked if the Planning Board had given any thought to having a 3<sup>rd</sup> party review the zoning book. P. Carideo brought forward the idea of having Dubois & King review the Town of Hampstead Zoning Book as they are going along and make recommendations on changes that reflect what they see in other towns. He also asked for an estimate to have a complete study done for 2018. P. Carideo also pointed out that they could bring up the discussion again on impact fees when looking into zoning for 2018. R. Waldron asked if our zoning was messed up. P. Carideo stated that it was weak and gave an example that lighting plans are part of the standard application everywhere, yet ours doesn't have it on the site plans.

### 2. Correspondence

- a. Wetlands Permit by Notification 135 Mills Shore Drive 03-151

### 3. Member Comments

N. Emerson reported that he attended the Annual OEP meeting and was the only PB member from Hampstead. He pointed out that there was a resident from Hampstead who was there, but works in another community. He said that there was a lot of good information in the four sessions he attended. One of them he enjoyed and learned a lot from was "When to recuse yourself"

### 4. Review and Approval of Minutes

March 6, 2017

**Line 7** R. Clark listed twice, **Line 38** remove "one with any", **Line 45** get rid of > sign, **Line 97** remove 1 ½ sized, **Line 125** change to soil type lot sizes, **Line 193** change to Building areas are to be staggered, **Line 253**, capitalize the, **Line 263** change lite to lit, **Line 268** Still be less and correct RF Spelling, **Line 276** look not like, **Line 302**, change to a plan is not needed, **Line 309**, change to Not applicable, **Line 361** Cumulative report (not cumulate), **Line 362** Remove which is the FCC limit, **Line 383** change to gorgeous view from their home, **Line 420**

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remove voted at this, **Line 422**, change "at" to "out", **Line 428** remove "the same" and add "on", **Line 447** change from B. Schmitz to P. Carideo, **Line 461** "not" to "no" and "it" to "if", **Line 477** remove extra punctuation, **Line 483** change it to Town, **Line 512/513** remove "but" after cell towers and change to fire department communication equipment is allowed, **Line 518** correct punctuation, **Line 519** correct punctuation, **Line 520** change to their instead of there, **Line 523** correct punctuation, **Line 534** add "s" to Planning Board, **Line 557** add comma after service, **Line 589** correct punctuation, **Line 602** change is to are, **Line 617** remove hyphen, **Line 583** change anything to another, **Line 589** correct punctuation at Mrs. Hess, **Line 602** change "is" to "are", **Line 617** remove the comma and if and after pass remove the "if", **Line 625** correct punctuation around doesn't, **Line 634** change 90 to 90 day, **Line 643** remove everything after and then add a copy, **Line 661** change there to they, **Line 697** remove there, **Line 698** correct punctuation on Hastings seat, **Line 738** eliminate "the", **Line 741** remove hyphen

**MOTION: D. Howard motioned to approve the minutes of March 6, 2017, as edited.**

**SECOND by: G. Emerson**

**VOTE on Motion: 7-0-0**

March 20, 2017

**Line 48** change Selectmen to Selectman

**MOTION: B. Schmitz motioned to approve the minutes of March 20, 2017, as edited.**

**SECOND by: D. Howard**

**VOTE on Motion: 6-0-1 (N. Emerson abstained)**

April 3, 2017

**Line 21** change to read "The smallest lot on the southern end will be given to the property located at Map 12 lot 30, **Line 23** remove being and add conflict of interest instead of just conflict, **Line 43** change has slight to had slight, **Line 88** change last to lot, **Line 100** remove hyphen, **Line 102** change have to has, **Line 105** change there to they, **Line 127** change they to the, **Line 131** change different to deferred, **Line 163** change for to of, **Line 178** correct GPM, **Line 189** correct punctuation on towns, **Line 214** correct the word re do to one word, **Line 223** change "the" to "he", **Line 275** correct possible to possibly, **Line 277**

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remove duplicate that, **Line 280** remove "2", **Line 281** change dips to ice cream dippers, **Line 285** change there to their, **Line 290** remove the following that, **Line 296** change "do" to "to".

**MOTION: R. Waldron motioned to approve the minutes of April 3, 2017, as edited.**

**SECOND by: C. Bennett**

**VOTE on Motion: 6-0-1 (N. Emerson abstained)**

*April 17, 2017*

**Line 14** Correct the punctuation after Vice Chair, **Line 45** Correct Shelley to V. Shelley.

**MOTION: N. Emerson motioned to approve the minutes of April 17, 2017, as edited.**

**SECOND by: B. Schmitz**

**VOTE on Motion: 6-0-1 (C. Bennett abstained)**

**MOTION: N. Emerson motioned to adjourn at 10:02 pm.**

**SECOND by: C. Bennett**

**VOTE on Motion: 7-0-0**

*Minutes by: Tina Harrington, Planning Board Secretary*

*Approved 06/05/2017*

*Date:*