

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes October 1, 2018

A meeting of the Planning Board was held on Monday, October 1, 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, Glen Emerson, DJ Howard, Steve Wentworth, Joe Guthrie, Robert Waldron, Randy Clark (Alternate), Susan Hastings (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.

Chairman's Remarks

Next Public Hearing Date November 5, 2018

Plan Filing Deadline for November 5, 2018 Meeting October 15, 2018

Old Business

R. Clark stepped down from his spot on the board.

1. 06-019 PhanZone

Chairman Carideo announced that S. Hastings would be a voting member on this case. (S. Wentworth entered meeting room during discussion). P. Carideo informed the board that the office received an email request from the owner to extend the conditions for 90 days. The applicant is still working the numbers with contractors for the project. P. Carideo stated that if the board extends the conditional approval he would write a letter to the applicant. P. Carideo was concerned that there could be significant changes to the plan.

MOTION: J. Guthrie made a motion to extend the conditional approval to 1/7/2019

SECOND: R. Waldron

VOTE: 7-0

R. Clark returned to his spot on the board.

2. 07-064 & 07-068 Hurley LLA - Conditional Approval Expires 10/1/2018

Chairman Carideo made the announcement that all regular PB members would be voting. Chairman Carideo informed the other PB members that he sent a letter to the applicant after the September meeting. P. Carideo stated the PB has

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no information from NHDOT. P. Carideo informed the board that he was handed a copy of his letter earlier this evening from the Town Clerk. There were a bunch of telephone numbers and names on the letter but no comment or direction to the board. P. Carideo reminded the board that the original approval was granted over two and a half years ago (2.5 years). The board has been told numerous times by the consultant that there is a problem with NHDOT. D. Soucy has contacted NHDOT on several occasions and they have advised her that they have no record of the driveway permit application. Chairman Carideo asked if anyone in the office wished to speak. James Lavelle stated that Mr. Hurley does not wish to continue. P. Carideo asked D. Soucy to send a letter to the applicant stating the conditional approval has lapsed.

3. 09-024 Granite Village and 09-070 Johnson Meadows – Amended Site Plan

Chairman Carideo announced that the two applications would be discussed together. Josh Manning, Points North Design, was present to represent the applicant. J. Manning stated that he had received the two review letters from Dubois & King. J. Manning stated the soil mapping is ongoing. J. Manning stated he is looking for an extension to work on the other review comments. S. Bourcier stated that if the review comments are not addressed it does not make sense for him to review the plan(s). J. Manning asked to continue the review process.

J. Manning referenced item #25 from the 09/20/2018 D&K review letter which states there is a 24-foot minimum driveway width. J. Manning asked S. Bourcier if he looked at Charleston Ridge (private road) as this is the road the driveway would be extended from. J. Manning stated the HFD stated the driveway width was acceptable during the Department Head Review (DHR) for the plan. P. Carideo stated that the regulations state 24-feet. J. Manning stated he believes that there are developments over Town that do not have 24-foot driveways and felt the requirement was a bit over the top.

P. Carideo asked the other board members their opinion. R. Clark stated he believes it is a simple waiver and indicated that there are two regulations under consideration, multi-family and mobile home. S. Wentworth, D. Howard, G. Emerson, and J. Guthrie all agreed with R. Clark. B. Schmitz stated he would like a formal record of request to the PB. R. Waldron, S. Hastings, and P. Carideo all

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agreed that a waiver would be granted if the HFD is ok with the proposed driveway width. (W. Warnock responded to S. Bourcier's inquiry on this matter and advised that HFD was ok with the proposed driveway).

Chairman Carideo made the announcement that the hearing(s) would be continued to the November 5 PB meeting.

New Business

1. 02-030 556 Main Street – Accessory Dwelling Unit (ADU)

Bob French, builder, was present to represent the applicant. B. French stated that he was before the board last month during a conceptual discussion and has the septic design & approval as requested. P. Carideo reviewed the septic plans. The PB members reviewed the floor plan sketches. P. Carideo commented that the kitchen for the ADU is not shown on the plan. D. Howard commented that he does not see how you come up the stairs to the ADU. B. French stating that he is still working on finalizing the plans. B. Schmitz commented that there seems to be some questions on the floor plan and layout and suggested that B. French present a better plan when the numbers are worked out. P. Carideo advised the applicant that the current zoning states the septic "must" be installed prior to occupancy of the ADU, however, the PB is proposing an amendment to remove the "must" be installed wording this coming March 2019. P. Carideo suggested the applicant check with the Building Inspector, P. Carideo believes the ADU could not be occupied until the new zoning is enacted in March.

MOTION: B. Schmitz made a motion to continue to the application to 11/5

SECOND: G. Emerson

VOTE: 7-0

2. 06-111 30 Gigante Drive – Barlow Millwork – Amended Site Plan

Chairman Carideo explained that this application is on the ZBA agenda for Wed 10/3 as the applicant needs a variance for lot coverage and wetlands setback. S. Bourcier stated since variances are needed he did not start the engineering review. S. Bourcier stated it did not make sense to spend the applicant's money if a variance was not granted. Chairman Carideo stated the PB would not be accepting jurisdiction of the application this evening.

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T. Burns stated the amended site plan is for a proposed 5,000 SQ FT addition of finishing and storage space. The extension will be on the front of the building along Gigante Drive. T. Burns stated there would be a 2,000 SQ FT wetland impact, T. Burns indicated this is the reason for one of the variance requests. The second variance is for overall lot coverage percentage. T. Burns stated that the applicant has concurrently applied to the PB and ZBA.

P. Carideo asked if the board members see anything on the plans that needs to be addressed or if they have questions of the applicant. S. Bourcier asked that the applicant email D&K of the ZBA outcome. S. Bourcier indicated that if the variances are granted he would begin his review 10/4 with the goal of providing T. Burns review comments within the next two weeks. This will give the applicant the opportunity to address the engineering comments prior to the 11/5 PB meeting.

P. Carideo stated that the biggest concern is the HFD requirements. B. Schmitz asked about the look of the addition. T. Burns stated it would be in keeping with the existing building. P. Carideo asked for a picture of the front of the building. P. Carideo asked about the coverage variance. T. Burns responded and stated that when the Group 5 soils are removed from the equation the building coverage is 23 percent.

P. Carideo asked if the other PB members had questions. B. Schmitz asked about a lighting plan. T. Burns stated that there are lights on the building above the doors and that there are no free standing lights in the parking lot. P. Carideo commented that the PB has been asking for lighting plans and requested the applicant provide the PB with pictures of the type of lights on the building.

D. Howard asked about the building setback on the right hand corner. T. Burns confirmed it met the thirty (30) foot side setback requirement. S. Bourcier asked if a lighting plan would be required if only building mounted lights. P. Carideo stated a lighting plan would not be required and asked the applicant to provide the PB with a cut sheet of the fixture(s). D. Howard commented that they could show the lights on the last page of the plan with the building rendering.

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The application was continued to the 11/5 PB meeting. (The applicant was granted variances at the 10/3 ZBA meeting for both the wetland setback and lot coverage percentage.)

3. 18-005 45 Danville Road – Preppy Paws – Amended Site Plan

J. Lavelle was present to represent the applicant. J. Lavelle provided the PB members with copies of the plan and stated there were a few changes. C. Sarkozy will be renting the building. The site was previously a daycare with a fence in the back that had been removed. J. Lavelle indicated that the applicant plans to replace the fenced area out back. J. Lavelle stated that there has been a Department Head Review and the respective departments have signed off on the project. J. Lavelle stated he has his list of requirements from Deputy Chief Warnock for compliance.

P. Carideo stated he believes that the Chief Building Official had questions regarding dog waste disposal and septic. J. Lavelle stated there will be no grooming. R. Clark asked if there would be any overnight stays. J. Lavelle responded no. J. Lavelle stated he did some housekeeping with the comments on the plan. J. Lavelle stated that they unidentified symbols on the plan represented man hole covers. J. Lavelle stated that there are two septic systems for the building. J. Lavelle commented that most of the department heads felt this amended site plan could be handled as a change of use. J. Lavelle was unsure why the Building Inspector and Fire Department couldn't just sign off on the plan.

P. Carideo asked S. Bourcier if he felt the application was complete. S. Bourcier stated he felt the application was complete with the exception of a few items that might need a waiver.

MOTION: R. Waldron made a motion to accept the application as complete

SECOND: S. Wentworth

VOTE: 7-0

Cortney Sarkozy and Kaitlyn Sarantos are the co-owners of Preppy Paws. The ladies were present to answer any questions the PB members had. K. Sarantos stated the business will deal with dogs only, there will be no overnight stays, and

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there will be no grooming at this time. K. Sarantos stated the dog waste will be handled daily. The waste will be double bagged and placed in the dumpster. K. Sarantos stated this is the protocol that Casella recommended for dog waste.

P. Carideo asked that the dumpster be noted on the plan and indicated that it should be screened as much as possible. C. Sarkozy stated there will be an eight (8) foot high chain link fence which is reinforced at the bottom. C. Sarkozy stated there will be privacy screening on the fence.

P. Carideo stated the concentration of animal waste could run-off into the State Right of Way. The applicant stated the waste would be addressed every day. P. Carideo stated they should address the drainage on the down slope. J. Lavelle stated it could be addressed. K. Sarantos stated their business goal was to care for 30-40 dogs but 20 dogs is probably a more realistic number to start.

P. Carideo reminded the applicants that there is a noise ordinance in Town between the hours of 7 AM and 10 PM. P. Carideo asked what the plans are for the winter months when snow is on the ground. C. Sarkozy stated the dogs would be rotated in and out during the cold weather. B. Schmitz asked if there were isolated areas for "bad" dogs and C. Sarkozy responded yes. B. Schmitz asked if there was lighting out back. C. Sarkozy said there was no need.

P. Carideo stated that note 8 on the plan refers to an eighty (80) SQ FT sign. J. Lavelle stated he believes the wrong ordinance was referenced on the plan and he would make the correction.

B. Schmitz asked if there were any improvements being made to the entrance. C. Sarkozy stated that they would possibly stripe the area. P. Carideo stated that his concern, with the building being vacant so long, is that people from the gym area drive wherever they want through the parking lot. P. Carideo stated that maybe adding directional signs or stop signs would help mitigate the situation. J. Guthrie asked if the owner of the site is responsible for the improvements P. Carideo has suggested. J. Lavelle suggested that C. Sarkozy would work with the owner. S. Hastings asked about the berm along the roadside. P. Carideo stated that was taken out to gain six (6) parking spaces.

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J. Lavelle asked for a continuance to the next meeting. J. Lavelle stated he would be requesting waivers for the landscape plan. J. Lavelle stated he would show a lighting plan.

P. Carideo stated that in March 2012 the site under review received a special exception for a doggy daycare. P. Carideo stated the question is whether that is still valid or expired. P. Carideo is not sure if a doggy daycare is a permitted use in the zone. D. Soucy stated that she remembers researching this matter a few months ago and believes that per RSA 674:33 the applicant is grandfathered and the special exception is still valid. D. Soucy was asked to reach out to Town Counsel and confirm. (10/3 According to D. Gorrow the special exception is still valid.)

P. Carideo asked for public comment and there was none. The application was continued to the 11/5 PB meeting.

Other Public Matters

1. 02-072 & 02-011 Meyers Lot Line Adjustment (LLA)

J. Lavelle asked P. Carideo if he could discuss the Meyers LLA. J. Lavelle presented the PB members with a handout of RSA 485.33 concerning subdivision of land. J. Lavelle stated that when land is being subdivided and no new lots are created State Subdivision is not required. J. Lavelle stated that Map 2 Lot 072 exists at approximately 22 acres of which 21.5 acres are in the Town of Derry.

P. Carideo stated that nothing presented to the PB indicated there was land in Derry. P. Carideo asked that J. Lavelle add a note to the plan indicating the remaining lot is over 5 acres. J. Lavelle felt it was not needed since there is an exchange of land between two lots and no new houses are proposed. NHDES State Subdivision is not required per J. Lavelle. P. Carideo stated he had a conversation with someone at NHDES and they indicated otherwise. J. Lavelle thanked the board for their time and left.

S. Wentworth stepped down from his spot on the board.

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2. 19-009 Winchester Heights – Bond Discussion

S. Wentworth asked if a 25% contingency was standard on Town bonds. P. Carideo responded and said yes it was standard. S. Wentworth commented that the contingency alone on the project was \$250K. P. Carideo confirmed that S. Bourcier was asked to bond everything on the plan to be developed as indicated on the site plan. S. Wentworth asked if the road was built and no houses were constructed would the Town care if the septic systems were not installed.

P. Carideo explained the bonding process to S. Wentworth. S. Wentworth stated that as a developer you need money to borrow and money to build. D. Howard commented that the developer cannot get an occupancy permit without having septic installed. D. Howard stated he can understand the erosion and stabilization items but felt septic and electrical did not need to be bonded. P. Carideo said the PB can go through the bond amount line by line.

R. Clark asked how the project was being phased. S. Wentworth responded and stated Units 1-17 would be included in the first phase and the remaining would be completed during phase two. S. Wentworth commented that the major expenses are during the first phase. S. Wentworth advised the board that he was thinking of using vegetated retaining walls on the project. S. Wentworth stated he had been to a seminar recently regarding green walls and indicated they could be engineered and are more environmentally friendly.

D. Howard commented that if the septic systems are removed from the bond amount it reduces the overall amount by \$150K. P. Carideo commented that S. Bourcier prepared the bond as requested by the board. B. Schmitz stated he would agree that septic could be removed from the bond amount. There was a comment regarding the bond amount for metal pipe. The board felt that was for electric, etc. and could probably be removed from the bond amount as well. S. Bourcier was asked to provide another revised bond amount for the project.

P. Carideo asked the public for comment.

James Beauregard – 198 Hunt Road – asked if the amount the PB approves as a bond is the actual amount that is posted, P. Carideo responded yes and explained

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the bond process and the bond requirements. P. Carideo explained that the project received conditional approval and bonding is one of the conditions that must be met before construction can commence. P. Carideo explained that securing water for the site is still one of the outstanding items. J. Beauregard stated that he received a letter from Hampstead Area Water Company (HAWC) indicating that one of the wells in the area was shut down due to arsenic contaminants. S. Wentworth stated he could bond for erosion and sediment without recording the mylar or pulling a building permit.

P. Carideo closed the public comment session.
S. Wentworth returned to his spot on the board.

Planning Board Matters

1. 2019 Proposed Zoning Amendments

The PB members had copies of the proposed zoning changes and were asked to review and be prepared to discuss at the next workshop. D. Soucy asked if the board would consider any type of wording to amend the ADU zoning to address ADU's being proposed within the existing footprint of a dwelling. For example, ranch-style homes wanting to turn the basement into an ADU max out the 50% square footage requirement. P. Carideo commented that scenario would represent a duplex and not an ADU.

J. Guthrie stated that he asked D. Soucy to provide the PB members with copies of Windham's water requirements for discussion. P. Carideo stated the PB could look at these during the workshop but cautioned that what is good for Windham may not be good for Hampstead. J. Guthrie stated he wanted to present the idea to the PB before going to the Board of Selectmen (BOS) with the suggestion. J. Guthrie stated he would like to see something in the zoning that requires a minimum flow of water for wells prior to receiving an occupancy permit. P. Carideo agreed with J. Guthrie that it is something that needs to be looked at but indicated that he does not want to hastily put something together.

2. Town Engineer

S. Bourcier asked the PB members for their comments. P. Carideo asked the other PB members if they had a chance to look at D&K comments concerning the subdivision regulations. S. Bourcier indicated that he is providing the PB his comments as he completes his review of each section.

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D. Soucy commented that Julie LaBranche from Rockingham Planning Commission (RPC) will be at the 11/5 PB Meeting to discuss the PB role in the MS4 Permit process. P. Carideo stated that the PB would need to work on a Stormwater Management Ordinance for the March 2019 warrant article. D. Soucy was asked to reach out to J. LaBranche for more information.

R. Clark stated he had attended a recent workshop regarding solar panels and provide the PB with an overview of the information. R. Clark stated he would be working on a draft to amend the current Zoning.

B. Schmitz asked if a Fact Sheet could be posted on the Town website explaining the zoning proposals for 2019.

3. Correspondence

- Cell Tower in Hooksett, NH
- Draft minutes from 9/5 ZBA Meeting

4. Member Comments

B. Schmitz thanked S. Bourcier for his comments during this evenings meeting and encourage him to continue speaking up.

P. Carideo informed the PB members that he would be requesting funds for a laptop, projector, and the staff site option for the GIS website at the upcoming budget session.

5. Minutes (9/17 Workshop)

MOTION: B. Schmitz made a motion to approve the 9/17 minutes as amended

SECOND: D. Howard

VOTE: 7-0

6. Adjourn

MOTION: B. Schmitz made a motion to adjourn at 9:35 PM

SECOND: G. Emerson

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary