

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

A meeting of the Planning Board was held on Monday, August 6, 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, Steve Wentworth, DJ Howard, Joe Guthrie, Randy Clark (Alternate).

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

Chairman Carideo opened the meeting at 7:05 P.M. Chairman Carideo made the announcement that no new applications would be heard after 10:00 P.M.; if needed those hearings would be continued to the workshop in two weeks.

### **Chairman's Remarks**

Next Public Hearing Date September 4, 2018

Plan Filing Deadline for September 4, 2018 Meeting is August 13, 2018

### **Old Business**

#### **1. 07-064 & 07-068 Hurley Lot Line Adjustment (LLA)**

T. Lavelle was present to represent the applicant. T. Lavelle stated that he was hoping to have the driveway permit from the State and it did not come through. T. Lavelle requested a 30-day continuance on the conditional approval.

**MOTION:** B. Schmitz made a motion to extend the conditional approval to 9/4

**SECOND:** D. Howard

**VOTE:** 6-0

S. Wentworth stepped off the board.

#### **2. 19-009 Winchester Heights Elderly Housing**

Jim Hanley from Civil Design was present to represent the applicant. J. Hanley stated that as he sees it there are two issues left to resolve prior to approval. The first was to provide an updated plan that includes the lighting plan as part of the plan set; this has been provided to Dubois & King. The second issue was the legal documents and all have been reviewed and approved. J. Hanley stated that the project has received all State approvals and he is requesting conditional approval this evening.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

Chairman Carideo read from the latest Dubois & King review letter dated 7/11/18. P. Carideo asked which lights have changed. D. Soucy stated that she verbally confirmed with S. Bourcier, D&K that the foot-candle has not changed. P. Carideo reminded the applicant that trash was discussed at the last meeting and that since the project is still under single ownership they need to address this issue. J. Hanley stated that the project was never intended to be apartments and there has always been the intention to convert to condominiums. P. Carideo stated he cannot see where trash/dumpsters would be located in the development. J. Hanley stated that due to the scale of the project they would provide private pick-up. P. Carideo commented that if the Town were to provide trash pick-up there would be two trucks entering the development weekly, one for trash and the other for recycling. P. Carideo stated that note #22 on the plan needs to be changed to read "trash pick-up to be provided by the owner".

Chairman Carideo asked the PB members for their questions/comments. R. Clark asked about the Fiscal Impact Analysis (FIA), D. Soucy responded that the FIA had been provided and shared a copy with R. Clark for his review.

Chairman Carideo asked the public for comment.

James Beauregard – 198 Hunt Road – Asked if the legal documents reference the age 55+ development. P. Carideo confirmed that all the legal documents reference the Elderly Housing Zoning in addition to 55+ being referenced on the plan set. In addition the documents reference only 2 residents are allowed per unit with the possibility of a 3<sup>rd</sup> being a caretaker.

Chairman Carideo closed the public comment session.

D. Howard asked if the plan is approved this evening if the developer has to build the house as submitted to the board. P. Carideo stated that there is some flexibility, especially if the footprint is smaller. D. Howard commented that the floor plan is not really ideal for apartments.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

### **19-009 Winchester Heights Elderly Housing**

**MOTION:** B. Schmitz made a motion to grant 90-day conditional approval with special conditions (listed below).

**SECOND:** D. Howard

**VOTE:** 5-0

### **SPECIAL CONDITIONS**

1. All notes from the Dubois & King letter dated July 11, 2018 are to be addressed and incorporated into the final plan set. Including but not limited to the following:

- a. Submission of retaining wall profiles of each proposed retaining wall with an existing conditions profile; proposed top of wall/bottom of wall elevations; and, protective guard system in accordance with Section 1015.2 of the International Building Code.
- b. Submission of structural plans related to the stream crossing at Sta.0 + 50 of Driveway 'D' be stamped/signed by a NH Licensed Structural Engineer.
- c. Submission of a letter from the Hampstead Area Water Company stating that the utility has capacity to supply the proposed Winchester Heights Elderly Housing.
- d. Submission of all Federal and State approvals (including but not limited to, NHDES Environmental Permits, EPA Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), SWPPP Field Reports, etc.).
- e. A pre-construction meeting with the Applicant, the Applicant's Contractor, the Hampstead Town Engineer and any other Town Departments is completed prior to commencement of construction.
- f. Submission of annual stormwater inspection reports that identify the third party inspector (including name of company, contact information and name of inspector) date of the inspection, results of the inspection, corrective measures performed (include date of completion).

2. Note 22 on the plan set be changed to reflect that all waste management disposal is to be private.

J. Hanley requested a discussion concerning bonding for the project. P. Carideo discussed the current bond amount. There was a discrepancy between what was included in the bond amount versus what the developer wanted to bond for. J. Hanley stated they would discuss the bond matter at the 9/4 PB meeting.

### **New Business**

S. Wentworth returned to his spot on the board.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

### **1. 02-072 & 02-011 Meyers 534 & 542 Main Street Lot Line Adjustment (LLA)**

T. Lavelle was present to represent the applicant and provided the PB members with a revised plan set based on S. Bourcier's review letter. T. Lavelle stated the existing Meyers lot is changing lot lines, this is a simple land swap. T. Lavelle began to discuss the D&K review letter: #1 revised the legend and corrected the line types. #2 added. #3 added to the coversheet. #4 corrected line type. #5 comment was incorrect, the setback is met. #6 front setback, this is an existing structure on a non-conforming lot. #7 sheet 2 shows the soils by lot sizing, 75K square feet is required and they are proposing 140K square feet with this LLA. #8 Map 2 Lot 11 was suggested to be 75K square feet as well. T. Lavelle stated the Meyers trust gave this lot as much as they would give. T. Lavelle stated the undersized lot is being increased by 35K square feet. P. Carideo requested that a note be added to the plan regarding the undersized pre-existing lot. P. Carideo stated the lot is improving significantly especially as it relates to frontage. #9 T. Lavelle stated that a soil scientist did not work on the proposal. #10 added a note.

Chairman Carideo read from the Zoning, Article II-1:2 Determination of Soil Type "Tests for determining soil information for use in this section shall be performed by a qualified soil scientist using published soil data with on-site inspections as necessary." T. Lavelle was questioning the soils requirement for a simple LLA. P. Carideo stated that this is not a simple LLA. P. Carideo reiterated that the Land subdivisions state that soil type must be verified by a soil scientist. T. Lavelle responded by stating that nothing in Zoning goes beyond 140K square feet.

R. Clark stated he would agree with Chairman Carideo if this application was for a new subdivision, however, these are existing lots of record. R. Clark stated he understands P. Carideo's point, however, no new lots are being created. T. Lavelle stated that the new lot is larger than any of the soil requirements in the Town's Zoning. P. Carideo referenced soil type 321D. T. Lavelle stated there are no "D" soil types on the Meyers property, it is all flat land.

Chairman Carideo polled the board members. D. Howard stated he doesn't feel that soils are necessary, he is familiar with the lot and thinks it's fine. S. Wentworth stated the only benefit would be for any future changes. J. Guthrie stated that he has no objection since Map 2 Lot 11 is improving. B. Schmitz stated that he is on the fence; from a practical perspective, he feels it is ok; however, he

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

is questioning what the responsibility of the PB is from a Zoning perspective. P. Carideo stated he feels the zoning is clear, soil based lot-sizing states that tests must be performed by a licensed soil scientist. B. Schmitz stated that his recollection from the workshop at which this application was discussed is that the larger lot needed to prove soils.

P. Carideo stated that the PB cannot waive a Zoning Ordinance and feels it is clear that a licensed soil scientist needs to stamp the plan to prove the soils. Chairman Carideo polled the board again. R. Clark felt that a soil scientist was not required. D. Howard agreed with R. Clark. B. Schmitz read the definition of a Subdivision and a Lot Line Adjustment, the PB discussed the difference between the two. Chairman Carideo polled the board members again. D. Howard, S. Wentworth, J. Guthrie, B. Schmitz, and R. Clark all said that no soil scientist stamp was required on the LLA. Chairman Carideo stated he feels that it is needed and commented that the PB was setting a bad precedent. P. Carideo noted that the majority of the PB has said a soil scientist stamp is not required.

B. Schmitz stated that he could not find Note #3 on the plan set. T. Lavelle confirmed that the notes were not numbered correctly. P. Carideo asked for the NH State Subdivision approval number. T. Lavelle stated he did not have a NH State Subdivision approval and did not feel that it is required for this LLA. P. Carideo stated he feels that it is needed. T. Lavelle commented that the properties in question are pre 1967 and the State Subdivision approval are not needed.

Chairman Carideo asked for public comment. There were none.

B. Schmitz stated he would like more information on the State Subdivision Approval. P. Carideo explained the process and indicated that NHDES approval is needed on lots under 5 acres that are being subdivided. D. Howard asked why S. Bourcier did not ask for this State approval in his review letter. P. Carideo responded by stating that he cannot speak for Dubois & King and they are not at the meeting. T. Lavelle commented that he feels the approval is not needed. P. Carideo asked T. Lavelle to provide NHDES Subdivision approval or a letter from NHDES that states the approval is not needed.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

### **02-072 & 02-011 Meyers 534 & 542 Main Street Lot Line Adjustment (LLA)**

**MOTION:** B. Schmitz made a motion to accept the application as complete.

**SECOND:** D. Howard

**VOTE:** 6-0

**MOTION:** D. Howard made a motion to grant 90-day conditional approval with special conditions (listed below).

**SECOND:** S. Wentworth

**VOTE:** 5-1 (P. Carideo)

### SPECIAL CONDITIONS

1. Add a plan note stating that Map 2, Lot 011 does not meet soils type lot-sizing.
2. A letter from the State of New Hampshire stating that NHDES subdivision approval is not needed OR NHDES subdivision approval be added to the plan set.
3. Correct the numerical order of the plan notes to be sequential. (Current plan shown as notes 1, 2, 4, 5, 6)
4. Subject to final review and sign-off by the Town Engineer.

### **2. 07-023 St. Anne Church – Amended Site Plan**

C. Dane was present to represent the applicant. C. Dane handed out a revised plan which showed the wetland setbacks. C. Dane stated that Hampstead Central School has donated a portable unit to the church. C. Dane stated that the church is proposing a 70'x30' concrete pad as a base for the portable unit, approximately one-third of the pad is about 17 feet into the wetlands. C. Dane stated he understands that he will need to go to the Board of Adjustment for a variance. C. Dane stated he had no questions as it relates to the Dubois & King review letter.

P. Carideo asked the PB members if they had any questions. J. Guthrie asked if the PB could ask the ZBA to approve. B. Schmitz asked if the pad location could be moved. C. Dane stated it could not be moved based on the location on the leach field. P. Carideo asked C. Dane to add the comment about the well to the plan set.

**MOTION:** J. Guthrie made a motion to accept the application as complete.

**SECOND:** B. Schmitz

**VOTE:** 5-0-1 (R. Clark abstained)



# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

**MOTION:** S. Wentworth made a motion to continue the public hearing to the 9/17 work session, (subject to Board of Adjustment approval at 9/5 meeting).

**SECOND:** D. Howard

**VOTE:** 5-0-1 (R. Clark abstained)

Chairman Carideo announced the public hearing would be continued to 9/17.

### 3. 09-024 Granite Village – Amended Site Plan

Josh Manning from Points North Design was present to represent the applicant. The amended site plan is proposing access to a two unit building on the Johnson Meadow (09-070) property. The buffer in Granite Village will be crossed to reach this access road to the abutting property. Town Counsel had advised the Planning Board that a variance would be needed to go through the buffer. The Board of Adjustment reviewed the case and felt a variance was not needed and that the buffer could be crossed for an access road.

Chairman Carideo confirmed that the application that was being discussed is for access to Map 09 Lot 070. The amended site plan is allowing access to the rear of the Johnson Meadow (09-070) property. P. Carideo commented that no distances or widths are indicated on the plan set. J. Manning stated the driveway is proposed to be twelve (12) feet wide and could be added to the plan. P. Carideo stated that Charleston Ridge should be noted as a private road on the plan. P. Carideo stated the proposal is not a duplex as far as the PB is concerned, this is a multi-family proposal. Chairman Carideo stated a number of things are missing for the PB to make a decision.

B. Schmitz stated he feels he needs more info to make a decision, especially as it relates to possible wetlands. P. Carideo stated that the Dubois & King review letter for Johnson Meadow (09-070) has 49 outstanding items to be addressed. Chairman Carideo asked the other PB members how they want to proceed with this application. B. Schmitz stated he doesn't feel it is complete. P. Carideo explained why two applications are needed and feels that both applications should show more information.

**MOTION:** S. Wentworth made a motion to accept the application as complete.

**SECOND:** D. Howard

**VOTE:** 6-0

B. Schmitz stated the PB is looking for road dimensions, soil delineation, and an understanding of existing landscape. P. Carideo stated he would like to see the

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

driveway location of the four abutters as well as location of the utility connections. P. Carideo mentioned that a hold harmless and an access easement will be needed and suggested the applicant get started on those documents.

Chairman Carideo asked for public comment.

Robert McEachern – 23 Charleston Ridge Road – stated he originally had sent a letter to the Board of Adjustment saying he was ok with the project. R. McEachern stated he was at the meeting this evening to say that he is against the project. R. McEachern said the building will be built fifty (50) feet from his driveway. He is worried about kids.

John Skinner – 18 Charleston Ridge Road – stated he purchased a home in a 55+ neighborhood. J. Skinner feels they should enter the location via the other end of the parcel off Carriage Lane.

Chairman Carideo closed the public comment session.

P. Carideo stated the duplex unit is located within the Johnson Meadow (09-070) parcel, the use and location is permitted based on Hampstead Zoning.

J. Manning commented that the building is over one hundred (100) feet away from the Charleston Ridge turn around. J. Manning stated that topography from Carriage Lane does not make it feasible to enter from that side of parcel.

**MOTION:** B. Schmitz made a motion to continue the public hearing to 9/4

**SECOND:** S. Wentworth

**VOTE:** 6-0

Chairman Carideo announced the public hearing would be continued to 9/4.

### **4. 09-070 Johnson Meadows – Amended Site Plan**

Josh Manning from Points North Design was present to represent the applicant. The amended site plan is for the addition of one duplex unit to be accessed via the rear of the current parcel off a private roadway via Charleston Ridge Road. J. Manning stated they submitted the State approved septic plan. J. Manning stated he will expand the topography to include the driveway. D. Soucy is to confirm with S. Bourcier that septic plans were received and reviewed.



# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

Chairman Carideo asked the PB members for their comments. R. Clark stated that J. Manning and S. Bourcier need to work out the review comments. P. Carideo asked for topography to be shown on the amended site plan along with the new building. P. Carideo questioned the septic approval and asked if it was only showing the current loading. B. Schmitz asked if they have considered any other access points. B. Schmitz made a comment that the two properties in question are in different zones, one residential and the other mobile home park. P. Carideo stated that he was on the same page as Dubois & King and would like a soil scientist to walk the site and note any new wetlands.

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

**SECOND:** B. Schmitz

**VOTE:** 6-0

D. Soucy is to follow up with S. Bourcier regarding the scheduling of the Department Head Review (DHR) meeting.

Chairman Carideo asked for public comment. There were none.

**MOTION:** B. Schmitz made a motion to continue the public hearing to 9/4

**SECOND:** D. Howard

**VOTE:** 6-0

Chairman Carideo announced the public hearing would be continued to 9/4.

### 5. 09-049 255 Kent Farm Road – Godfrey Subdivision

Randy Haight from Meridian Land Services was present to represent the applicant. R. Haight stated that historically the property was two (2) parcels and they were voluntarily merged. R. Haight advised the PB members that the ZBA granted a variance for road frontage of 115 feet. R. Haight reviewed the soils calculation. R. Haight stated he used the formula given to him by Dubois & King and explained why there were two soil calculations on the plan set. R. Haight gave a summary on the update on the soils chart. R. Haight stated that both lots meet soils.

R. Haight stated the only outstanding items are the setting of monuments. R. Haight advised that they are awaiting NHDES State Subdivision approval number. R. Haight stated that they have received a letter from Hampstead Area Water Company (HAWC), the Fire Department, and the Road Agent regarding the site.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

The Road Agent, Jon Worthen, has previously visited the site and approved the site distance for the driveway. P. Carideo questioned the stone wall along the roadway. R. Haight presented the board with a photo of the gate and the stone wall.

R. Clark asked for an explanation of the soil value calculation. D. Howard asked how the site distance was measured. P. Carideo said that J. Worthen is technically not qualified to make that assessment. D. Howard asked about the current site distance requirement. P. Carideo referred to Appendix C, Driveway Regulations, in the Subdivision Regulations. P. Carideo stated that he feels the PB can require additional information if they feel it is needed. P. Carideo stated that he feels that the engineer has been ignoring Appendix C of the Subdivision Regulations. P. Carideo stated the driveway should be in the safest spot. P. Carideo asked for the driveway to be noted on the plan.

**MOTION:** B. Schmitz made a motion to accept the application as complete.

**SECOND:** R. Clark

**VOTE:** 6-0

P. Carideo asked for public comment. There was none.

### **09-049 255 Kent Farm Road – Godfrey Subdivision**

**MOTION:** B. Schmitz made a motion to grant 90-day conditional approval with special conditions (listed below).

**SECOND:** S. Wentworth

**VOTE:** 6-0

### **SPECIAL CONDITIONS**

1. A plan note stating that a driveway permit has been obtained for the new lot.
2. A letter stating the goat shed has been moved to meet the five (5) foot setback requirement for accessory buildings.
3. Correct/Revise the soil scientist name to reflect Tom Carr performed the certifications.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

### **Other Public Matters**

#### **1. 17-051 Merryfield Lane Extension - Erosion Bond**

Chairman Carideo reviewed the Dubois & King bond amount. P. Carideo confirmed the developer had agreed to the bond amount and has already provided a check. P. Carideo stated the developer is building to binder course and then will bond for the rest of the project at that time and have mylar recorded once second bond is posted.

**MOTION:** D. Howard made a motion to accept the \$72K bond amount that Dubois & King recommended.

**SECOND:** R. Clark

**VOTE:** 6-0

#### **2. 06-019 Phan Zone – Bond Discussion**

This matter was deferred to a future meeting. Neither the applicant nor their representative was present to discuss. P. Pandela was present at the July PB workshop and stated a revised plan set would be given to the PB once plans were worked out. No new plans have been received to date.

#### **3. Camp Tel Noar Master Plan Discussion**

Jonathan Cohen presented to the PB a copy of Camp Tel Noar's Master Plan. J. Cohen stated that his grandfather started the camp in 1945. He is aware that this is a non-conforming summer camp that hosts 288 children each year. J. Cohen stated that they want to improve the standard of what they are doing to increase the quality of the program. There are three projects in mind to improve the camp and they are looking for guidance and advice from the PB on how to proceed.

- a. Move the parking lot. J. Cohen felt that the Kent Farm Road parking would be the ideal location.
- b. Create a yurt village for counselors in training. The yurt village would be located where the staff parking is currently.
- c. Amphitheater near the chapel.

J. Cohen asked what the most efficient way to proceed with the plans would be.

P. Carideo stated the parking lot proposal for Kent Farm road is in a residential Zone A and would need a variance. P. Carideo stated the camp is in a residential

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

area and that needs to be balanced with the current residents. P. Carideo commented that he has had to stop short to avoid golf carts crossing the road from the camp. P. Carideo stated that he personally has an issue with the parking lot proposal and commented that it would take a lot of work to hide.

P. Carideo stated the yurt village is on a residential lot as well and would need a variance. J. Cohen stated that they have had thoughts about a stockade fence on Kent Farm Road to block the view. P. Carideo asked if the yurts would go up and down each year. P. Carideo stated his concern with the amphitheater would be the noise it generates. P. Carideo stated that he drives Kent Farm Road every day and the parking needs to be considered. P. Carideo stated the PB would want to preserve the residential feeling.

J. Guthrie stated that he supports what P. Carideo is saying. J. Guthrie stated that as a Selectman he doesn't feel the Town can support additional activities on the site and how they want to expand. J. Guthrie commented that this is a non-conforming site that keeps expanding. R. Clark inquired about the number of children and staff at the camp, there are 280 kids and 100 staff members, the main camp area is approximately 14 acres and in total all parcels are 20 acres. S. Wentworth asked about a Shoreland Permit from NHDES.

B. Schmitz stated the plan presented is based on multiple variances which makes it a difficult starting position. D. Howard commented that the site appears to be getting pretty full. D. Howard stated that each proposal would need to be viewed on its own merits. P. Carideo explained that there are a number of lots and parcels associated with the site, some are in the Residential Zone A and others in Recreational Zone B.

Chairman Carideo asked the public for comment.

Nancy Richardson – 7 Shore Drive – asked about the parking area and the amphitheater proposal. It was explained again.

Chairman Carideo closed the public session.

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

---

## Minutes August 6, 2018

B. Schmitz suggested that J. Cohen reconsider the entire site and maybe move things around.

### **Planning Board Matters**

1. **Town Engineer** – S. Bourcier was on vacation.

2. **Correspondence** - None

### **3. Member Comments**

R. Clark commented that he does not find the Town Engineer helpful and encouraged the Chairman to speak to him as well as his boss. B. Schmitz stated that he was under the impression from the D&K interviews that a back-up representative would be sent in S. Bourcier's absence for public meetings.

### **4. Minutes (7/16 Workshop)**

**MOTION:** B. Schmitz made a motion to accept the 7/16 minutes as amended.

**SECOND:** R. Clark

**VOTE:** 6-0

### **5. Adjourn**

**MOTION:** B. Schmitz made a motion to adjourn at 10:35 P.M.

**SECOND:** J. Guthrie

**VOTE:** 6-0

Minutes prepared by Debbie Soucy, Secretary