Vice-Chairman Paul Carideo opened the meeting at 7:00 PM. Members present were Paul Carideo, Neil Emerson, Bill Weber, Chris Dane, Chad Bennett, and Priscilla Lindquist, Ex-officio voting member. Nicholas J. Cricenti Jr, PE, SFC Engineering and Susan Hastings, Secretary attended. Members of the public and others attending included Suzanne Zakian, Courtney Clark, Steve Hatem, Conrad Decker, Matthey Murphy, John Zakian, Wayne Morrill, Jones and Beach Engineering, Jeffrey Dirk, Traffic Study Engineer, Scott Mitchell, Jeff Dowd, Chairman, Zoning Board of Adjustment, Gary Knox, and Penny Williams, Media Correspondent. The publishing and posting affidavit is part of these minutes.

**VICE-CHAIRMAN’S REMARKS**

Paul Carideo announced the next meeting will be on 15 July 2013 due to the 4 July holiday. The last date to file plans for the 15 July 2013 meeting is 24 June 2013.

**1ST PUBLIC HEARING 10-005 Steve Hatem Property Management LLC, Condominium Site Plan**

The Vice Chairman opened the Public Hearing for Hatem Properties for a site plan of a condominium building located at 15 Owens Court, Hampstead, NH. Jim Lavelle, Lavelle Associates presented the plan along with Steve Hatem. Jim Lavelle explained the history of the site saying the previous plan was approved but was never built. The building is 20,560 square feet and will have 10 business condominiums. All new permits are needed and being applied for. The comment letter on the plan has been received from SFC Engineering, **Attachment # 1.** Jim Lavelle added there is no problem with any of the items listed. The plan notes will be revised to include the sprinkler requirement. The Alteration of Terrain permit application was prepared by Pat Fowler, a new engineer in their group. A waiver will be needed for the power lines which are proposed to be overhead.

**1ST PUBLIC HEARING 10-005 Steve Hatem, Condominium Site** continued from page 1

**MOTION**

**Paul Carideo asked Board members if they were ready to take jurisdiction of the plan. Bill Weber made the motion to take jurisdiction of the Steve Hatem Property Management condominium site plan 10-5. Neil Emerson seconded the motion and it was approved. VOTE-YES Neil Emerson, Chris Dane, Bill Weber, Chad Bennett, Priscilla Lindquist; ABSTAIN Paul Carideo.**

Nick Cricenti recommended a waiver be granted for the community impact statement and the impact assessment statement. Both waivers were granted for the 2006 plan. Paul Carideo had driven through Owen’s Court and said the overhead and buried power lines appeared to be mixed on the site. Nick Cricenti added the installation of overhead power lines would be more environmentally damaging than underground utilities. J. Lavelle added the pole is set. He requested the waivers be granted. Paul Carideo said the request should be in writing. He polled the Board for a general feeling on the plan and no outstanding issues were expressed.

The Vice Chairman asked Nick Cricenti if a technical review had been held on the proposal. N. Cricenti said the Technical Review was not needed since the land has not changed since the previous plan. The requirement for fire protection is new, and the requirements are addressed in a plan note.

Chad Bennett asked if there was landscaping planned for the areas adjacent to the parking lot. N. Cricenti told him the Alteration of Terrain permit would have all that information. Bill Weber asked what the status of the permits needed was. Jim Lavelle requested the hearing be continued to the next meeting. Paul Carideo asked if there would be driveway culverts noting the lot is at the top of a hill. He was concerned with ditch line culverts and drainage easements. A certified wetlands surveyor needs to stamp the plan. The building elevation is not shown. Steve Hatem said the building height would be 20 feet. The full drawings are not complete. They will be provided as soon as they are ready.

**1ST PUBLIC HEARING 10-005 Steve Hatem, Condominium Site** continued from page 2

Paul Carideo asked if there were any more question or comments and there were none.

**MOTION**

**Paul Carideo requested a motion to continue the hearing. Bill Weber made the motion to continue the public hearing for 10-005, Steve Hatem Property Management LLC condominium site plan to 15 July 2013. Neil Emerson seconded the motion and it was approved. VOTE-YES Chris Dane, Bill Weber, Neil Emerson, Chad Bennett, Priscilla Lindquist; ABSTAIN Paul Carideo.**

**1ST PUBLIC HEARING 06-046 Tropic Star**

Paul Carideo reminded members this hearing is continued from 6 May 2013. The Planning Board received a copy of a State of New Hampshire Intra-Department Communication. The Memorandum are from Engineering District 6**.** The Memorandum noted “The Bureau of Highway Design has reviewed the Traffic Impact and Access Study and Site plans prepared by Vanasse & Associates dated March 29, 2013, **Attachment # 2**. The applicant proposes constructing a 4,146 SF convenience store with a six pump fueling facility. Access to the site would be provided by a single drive located on NH 121 opposite of Brickett’s Mill Road. The drive would be 330’ south of the NH 121 & NH 111 intersection.

Wayne Morrill, Jones & Beach Engineering, of Tropic Star said they are waiting on the Department of Transportation permit issuance. At this point the permit is approved subject to the changes noted in their Memorandum Attachment #2. Other changes to date are the security lighting, the parking design and the owners name.

Jeffry Dirk, Traffic Study Engineer, was introduced to address traffic issues. He explained the DOT meeting had confirmed a number of facts and approved the analysis of the traffic study.

**1ST PUBLIC HEARING 06-046 Tropic Star** continued from page 3

Design comments were received by 22 May 2013 and all issues have been by addressed by Jones & Beach. Refinements were made to the NH 121 right turn lane extending it from 230 feet to 280 feet. This will shift the road layout west into the site and south to include Brickett’s Mill Road access to NH 121. The modification into the subject parcel will remove any necessity for abutter property acquisition, since improvements will all be on the owners’ property. The traffic signalization will be upgraded as part of the proposal. An easement for snow storage will still be necessitated from Brickett’s Mill office park. The traffic island at the NH 121 and NH 111 will be removed and a new pole with an extension arm is to be installed. The traffic opticom emergency system will be upgraded.

A copy of the revised plan was available at the meeting. Nick Cricenti requested a plan copy. A copy of the plan and septic approvals will be provided to him and to the Board.

Vice Chairman Carideo asked for comment from Board Members. Bill Weber asked for clarification on the traffic turn for tractor trailers. Jeffrey Dirk explained the turn to accommodate tractors has been widened to 19 feet. A WB 50 tractor trailer requires a 12 foot entrance and this is exceeded. Paul Carideo noted a recommended revision to the site plan calls for a 6’ side slope. Guard rail is not proposed and curbing will be utilized. The largest vehicle on this level of highway is a WB 67’ tractor trailer. A permit is needed for this site and it will have the restriction for a WB 62’ tractor trailer.

Suzanne Zakian, 257 Stage Road: Ms. Zakian told the Board that District 6, Kevin Russell, had significant problems with the tractor trailers of 67’ and 62’. There was no assurance these tractor trailers could enter or exit safely. She said easements to maintain the line of site maintenance should be acquired. She emphasized the project is too large for the intersection and right turn lane. From NH 121 vehicles would have to cross the traffic lane.

**1ST PUBLIC HEARING 06-046 Tropic Star** continued from page 4

Conrad Decker, business competitor, said he had a small copy of the site plan. He noted there were 12 fueling stations and asked how many gallons of storage there would be. He considered the corner lot of 1.1 acres very small for such intense development. C. Decker questioned traffic flow onto the site. There will be a 24’ aisle width; he said the usual was 48’ and this narrower width would constrict the traffic flow. He added the traffic circulation within the site was a concern, and asked if a pick-up truck with a boat trailer could negotiate the site. C. Decker added there was one-way traffic and no width for two-way traffic. He said there would be congestion with a tractor trailer on the site. Mr. Decker said a 1.1 acre lot was too small to support a store and traffic and fueling stations with a single access drive.

Paul Carideo said there is a truck turn down lane; the lot meets the regulations for density; they have a variance from the ZBA for the building setback. There is room for a tractor trailer to maneuver on the site.

Nick Cricenti added the largest piece of fire apparatus is equal to a WB 50 Tractor trailer with an aisle width of 22’. He added that improper parking by the public is difficult to control.

Jeff Dowd, ZBA Chairman, presented further information on the Board of Adjustment variance granted. Discussion continued on the Brickett’s Mill entrance, use permits needed, gridlock concerns and the intense use of the site.

Gary Knox questioned when the Board had received the letter from District 6. He was told the Board received it just before the meeting and read the letter. The information is being considered along with information provided from the Traffic Engineer..

**1ST PUBLIC HEARING 06-046 Tropic Star** continued from page 5

Nick Cricenti explained the truck numbers like WB 50. The last numbers represent the truck length for example the fire apparatus is 50’. The left turn lane has to cross two lanes of traffic to turn in or out. N. Cricenti said the phased traffic lighting versus concurrent means one lane will have to wait for the other traffic lane before turning.

G. Knox felt the right turn lane was short and asked the length. He asked for information on the traffic and design elements and questioning the best use of the land. He requested the square footage of the building (20,146 square feet). He said the Town web site describes Hampstead as a “picture post card Town”. A gas station was not in keeping with that perspective and he asked if it was really needed on that corner. Paul Carideo said the zoning of the town represents the context of what the people have voted for. The Planning Board is elected to support these regulations which are specific about what and how things can be done, everyone has the right to due process and the Board is expected to balance the issues. P. Carideo said he understood the abutters concerns. He said he was born here and has seen the Town completely change.

Suzanne Zakian said she had respect for the zoning but asked if a gasoline station and convenience store was the best use of the land. Her other concerns were public safety, the need to mitigate a problem or correctly solve the traffic problem, reduce the number of accidents, the slope of the driveway entrance to the site and reduce trash from the site and people using the site.

Nick Cricenti said the aisle width is 24’ and the turn radius will accommodate a 40’ bus. He was sure the site will accommodate what is required. The Board was told a permit from the State is required for the site designating the size of tractor trailer which can access the site. Enforcement is up to the police if a traffic issue is violated. Courtney Clark asked if the Town could regulate the size of tractor trailer to be used on the site.

**1ST PUBLIC HEARING 06-046 Tropic Star** continued from page 6

Wayne Morrill said NH Department of Transportation can institute highway modifications. They issue the permit for the site including information on the size of the tractor trailer using the site. The ramp is not huge and easements will limit the use. The site distance will be maintained and easements will enable the site distance to be maintained. The right turn lane will include enough distance for vehicles to queue. Emergency signals are part of the plans. They intend to make the site as safe as possible. Neil Emerson asked what the new design size was for a tractor-trailer. Jeffrey Dirk said all the DOT issues were addressed. When fuel is ordered for delivery, the tractor trailer size the site can accommodate is part of the order. There is no acquisition of private property. The only easement will be for snow storage. The drainage for any increased snow storage is calculated. The queue line from NH 121 to the east on NH 111 is reduced by adding the use of a right on red signal.

Scott Mitchell, the developer, said he had developed 100 gas stations in this area and most sites are about 1 acre. This will be the same design as one in Hampton. He added the traffic is here and that is why he wants to have a refueling facility in Hampstead. The plan will be tweaked for the next meeting. Bill Weber has concerns for health and safety. Hampstead already has multiple service stations creating competition. He said the site regulations are to promote local prosperity and local businesses. The colonial design is part of the character of the town. The Master Plan describes Hampstead as a rural historic town and another gasoline station is not the way to go. This plan would have a negative impact on local businesses which he felt should be protected. He said the Planning Board is involved with local businesses financial stability and he will not approve this plan because of the negative impact, and negative improvement to the Town.

**1ST PUBLIC HEARING 06-046 Tropic Star** continued from page 7

There were no further comments and the Vice Chairman called for a motion.

**MOTION**

**Neil Emerson made a motion to continue the public hearing for Tropic Star, 06-046, to the next meeting on 15 July 2013. Chris Dane seconded the motion and it was approved. VOTE-YES-Neil Emerson, Chris Dane, Chad Bennett, Bill Weber, and Priscilla Lindquist; ABSTAIN Paul Carideo.**

**PUBLIC MATTERS Morris Subdivision, Sandown, NH**

Tim Lavelle of Lavelle Associates brought to the office, a copy of a Subdivision his office is presenting in Sandown. The subdivision abuts the Hampstead/Sandown Town line. T. Lavelle asked if there was any action the Hampstead Board needed to take in regard to the plan. The proposal is for a 5 lot subdivision on NH 121 and Chase Road located in Sandown NH. The remaining area is in Sandown and Hampstead. Nick Cricenti said under state law a town line is a boundary line. Paul Carideo said they are creating an unbuildable lot. Priscilla Lindquist asked if the Town was an abutter. Paul Carideo summarized saying the RSA’s have made a town line equal to a property boundary line. No action was taken.

**PUBLIC MATTERS Rockingham Planning Commission**

Paul Carideo said there is an open position on the Rockingham Planning Commission. The Selectmen have recommended Matt Murphy for the position, **Attachment # 3**. The RPC has sent information on the appointment procedure and commissioner responsibilities,  **Attachment # 4.** Paul Carideo asked Matt Murphy his reasons for wanting to be on the Commission. M. Murphy said the Town has a Master Plan, regulations for development and he wanted to promote towns retaining local power. He does not want to see this town delegating its’ local power to other groups. Susan Hastings, a commissioner, said the RPC represents the Towns as a group for projects which affect multiple towns such as the development of Route 93.

**PUBLIC MATTERS Rockingham Planning Commission** continued from page 8

They have the staff to develop the documents for accepting grants and track the projects to insure the federal criteria, such as public hearings, construction schedules for allocation of funds are met. They provide many services to the towns. There was no further discussion.

**MOTION**

**Bill Weber said he appreciated Matt’s interest in serving the Town. He made a motion to recommend to the Selectmen they appoint Matthew Murphy as a Commissioner to the Rockingham Regional Planning Commission. Neil Emerson seconded the motion. VOTE: YES Chris Dane, Bill Weber, Neil Emerson, Chad Bennett, Priscilla Lindquist; ABSTAIN: Paul Carideo. A letter will be sent to the Selectmen advising them of the Board vote. Attachment # .**

**OTHER 08-104-Middle School Access**

The Vice Chairman reported the project engineer has filed the Dredge and Fill application with the State of New Hampshire and a copy provided to the Board, **Attachment # 5.** Paul Carideo said the Conservation Commission has not recommended approval. A letter will be provided to the Board. The application to the New Hampshire Division of Historical Resources Project Review has been received, **Attachment # 6.** This application is checked the state data base file of historical places registered in the State. It does not involve a local review. There has been no contact with the school representatives. The paperwork has been placed in the file and is available for the public to review.

Courtney Clark, 58 Emerson Avenue said her home is beside the 75 foot access strip of land. She is concerned with the wetlands, drainage close to her well, the ledge in the area. The 1740 colonial has a dry stack foundation and blasting could damage the old foundation. She expressed her concerns for the safety of her children playing in the back yard beside the proposed access, for the use of salt damaging the wetlands, for her loss of privacy and the loss of property value. Courtney Clark asked if they had

**OTHER 08-104-Middle School Access** continued from page 9

permission to cross the wetlands. Paul Carideo explained the school has filed an application with the NHDES wetlands board. He suggested she address her concerns to the Conservation Commission. C. Clark said a waiver was presented for her signature and she refused to sign. Priscilla Lindquist, also an abutter said she had not signed the waiver either. The Vice Chairman told Ms. Clark the loop road appeared on an approved plan of the Middle School. He added the Conservation Commission did not feel the wetlands needed to be impacted. P. Carideo questioned the site distances on Emerson Avenue. A letter has been sent to the Wetlands Board. The Planning Board should receive a copy also. John Clark questioned the need for an emergency access. It would be a second way to access the school in the event of an emergency. P. Carideo emphasized again, this is not a formal hearing and is for information only. Chris Dane said the fire department had requested a gravel, gated access for emergency use only. J. Clark said he objected to the paved access road. Priscilla Lindquist added she had offered a right of way to Agawam when it was developed and the school had no interest. No action was taken.

**BOARD BUSINESS**

* **Correspondence**

**DOT Public Hearing Notice-NHRT 111 project changes**: A copy of the notice was received and was posted in the front hall of the Town Office Building and in the planning board office. A copy is on file.

**J. Forbes**: A letter was sent explaining the Board’s procedure in setting up the agenda. A copy is on file.

* **Member Comments**

Neil Emerson said there was confusion over the road name in Winchester Heights Subdivision. It was not clear if it was Winchester Road, or Winchester Avenue. S. Hastings said she would check and clear the issue.

**BOARD BUSINESS** continued from page 10

* **Minutes 6 May 2013 & Adjourn**

The minutes of 6 May 2013 were reviewed and the following changes made: Paragraph 1, Page 2, Sentence 4 change “road” to “Avenue”; Sentence 5 change “Tobin” to “Farwell”; Sentence 7 change “Jon” to read “Jon Worthen, Road Agent”; capitalize “Alteration of Terrain” permit. Page 3, Paragraph 1, delete the sentence beginning “Neil…”.

**MOTION**

**Priscilla Lindquist made the motion to accept the 3 June 2013 minutes as amended. Chris Dane seconded the motion and it was approved by vote. VOTE-YES Chris Dane, Priscilla Lindquist, Bill Weber, Neil Emerson and Chad Bennett. ABSTAIN-Paul Carideo.**

**MOTION**

**The motion to adjourn at 9:05 PM was made by Priscilla Lindquist and seconded by Chris Dane. The vote was unanimous. VOTE-YES-Priscilla Lindquist, Chris Dane, Neil Emerson, Chad Bennett and Paul Carideo.**

Respectfully submitted,

Susan Hastings, Secretary