Chairman Randy Clark opened the meeting at 7:00 PM. Members present included Randy Clark, Paul Carideo, Chad Bennett, Neil Emerson, Chris Dane, Bill Weber and Priscilla Lindquist, Ex-officio voting member. Nicholas J. Cricenti Jr., PE, Town Engineer and Secretary Susan Hastings were present. Attendees included Rich Towne, Bruce Worthen, Jeffrey Green, Doreen Green, Steve Hatem, Suzanne Zakian, Wayne Morrill, Tom Mitchell, Tim Lovell, Hampstead Conservation Commission and Penny Williams, Media.

**CHAIRMAN’S REMARKS**

The next meeting of the Planning Board is 16 September 2013. The last date to file plans for a Public Hearing at that meeting is 26 August 2013.

**BOND - 18-047 Four Seasons Development**

Chairman Clark explained the Letter of Credit # 98-69 has been received and placed in the file. The time for completion has been extended to 20 July 2014, **Attachment # 1.**  No further action is required.

* Chad Bennett recused himself from the Board for the 01-018 Depot Development bond vote.

**BOND - 01-018 Depot Development Erosion & Sediment Control Bond**

Chairman Clark opened the hearing on the bond for Erosion and Sediment Control drafted by SFC Engineering for the Board, Attachment **# 2.** R. Clark said the item was voted on at the last meeting but he did not believe the vote was fair and legal. The Board will vote on it again. The Chairman asked Chad Bennett to step down because of conflict of interest.

The bond amount is $103,200.00 for erosion and sediment control construction on the Depot Development project. Page 2 of the document details the amount allocated for each item. R. Clark asked if there were any comments or questions from Board members or members of the public. There was none.

**BOND - 01-018 Depot Development Erosion & Sediment Control Bond** continued from page 1

**MOTION**

**Chairman Clark called for a vote on the Depot Development bond. VOTE YES - Paul Carideo, Neil Emerson, Chris Dane, Bill Weber and Priscilla Lindquist; ABSTAIN – Randy Clark. The Erosion and Sediment Control bond for 01-018 Depot Development is set at $103,200.00.**

Randy Clark said the estimated cost of the Engineering Services for Depot Development is $2,500.00. This is to be a separate vote. The Chairman asked if there were any questions on this item and there were none.

**MOTION**

**Neil Emerson made the motion to approve the estimated Engineering Service amount of $2,500.00. Paul Carideo seconded and the motion was approved. VOTE YES - Paul Carideo, Neil Emerson, Randy Clark, Chris Dane, Bill Weber and Priscilla Lindquist.**

* Chad Bennett returned to his seat on the Planning Board.
* Paul Carideo stepped down from the Planning Board saying he is a member of the Conservation Commission.

**1ST PUBLIC HEARING - 03-132 Joan Emmert Subdivision**

Randy Clark, Chairman opened the first Public Hearing on the request of Timothy Lovell, Hampstead Conservation Commission, for a two lot subdivision of a 26 acre parcel of land described as map/parcel 03-132 on the Hampstead Maps. The land is located on Collette Drive in the Recreational and Residential Zones. A 16-acre lot is to be deeded to the Town of Hampstead for conservation purposes. The owner, Joan M. Emmert, PO Box 27, Salem, NH 03073, will retain the remaining 10-acre parcel. Abutters were notified by certified mail, return receipt requested on 23 July 2013. A comment letter from SFC Engineering Partnership was received, **Attachment # 3.** R. Clark asked Tim Lovell if he was presenting the plan and he answered Jeffrey Green would be doing that.

**1ST PUBLIC HEARING - 03-132 Joan Emmert Subdivision continued** from page 2

Jeffrey Green, Land Surveyor presented the subdivision plans for 03-132 to divide a 26-acre parcel into one residential lot of about 10 acres in the Recreational Zone and the remaining area to become conservation land with Town ownership. A 20-foot wide access path would connect the land-locked parcel to Collette Drive, Hampstead, NH. The non-buildable lot is map 3 parcel 132-1. The monuments have been set for the lot; the well location identified; the soils are Group 2, 153,000 square feet more or less. J. Green added the front part of the 10-acre lot has 119,655 square feet of usable area. R. Clark asked if the 10-acre lot showed the 4,000 square feet allocated for a septic system. J. Green said this was done. Neil Emerson questioned the wetlands because they were different on the maps presented. R. Clark said the revised plan is to be used. Neil Emerson said the Hampstead ordinances do not allow the area behind the wetland to be used in the lot calculations. J. Green said they were hoping to ask for a waiver to use the soils in the back area. This would mean crossing the wetlands. There is enough area on the front part of the lot for it to be usable according to Mr. Green. N. Cricenti said he still does not have the soil lot calculation based on Hampstead regulations to show the 10-acre parcel is a viable building lot. J. Green presented a HISS, high intensity soil map prepared by Schauer Environmental Consultants LLC. The predominant soils are 321, and 361; the 261 EH soils are not used in the calculation. R. Clark asked N. Cricenti if he could do a quick calculation from this. Nick Cricenti said they probably have enough Group 3 soils but he needed to see their calculations. The soil calculation to HISS standards will be presented to the Board for review by SFC Engineering.

Tim Lovell, Conservation Commission, informed the Board of the Town of Derry’s intention to purchase adjacent land. The Hampstead piece will be attached to adjacent Hampstead land. Randy Clark asked about the town land to the south questioning the Society for the Protection of New Hampshire Forest’s (SPNHF) ownership of 03-133. It was believed SPNHF gave right of usage but may not have ownership. Tim Lavelle said they (SPNHF) have ownership over the lot and legally Hampstead can connect 03-133 to the new land to the northeast. There remained some question of the ownership because of the designation on the town maps. If the land were owned by SPNHF, they would have to be notified as an abutter. Priscilla Lindquist said she had a list of all Town owned land and she would look it up.

**1ST PUBLIC HEARING - 03-132 Joan Emmert Subdivision** continued from page 3

Chairman Clark said the two remaining issues were (1) the calculations for HISS soils on the 10-acre parcel and to prove the land suitable for building and (2) verification of the ownership of map/parcel 03-133 as Town of Hampstead land or SPNHF land. Randy Clark asked what the Board wanted to do.

**MOTION**

**Neil Emerson made a motion to conditionally approve the plan of land of Joan E. Emmert for a subdivision of map 3 parcel 132, located on Collette Drive, Hampstead, NH as shown on the revised plan dated July 22, 2013. Specific conditions are receipt of HISS soil calculations for 3-132 and verification of the ownership of 3-133; including the usual conditions for approval. Bill Weber seconded the motion and it was approved. VOTE YES – Neil Emerson, Bill Weber, Chad Bennett, Chris Dane, and Priscilla Lindquist; ABSTAIN -.Randy Clark.**

Randy Clark asked Tim Lovell if there were any plans to use the 20-foot right of way immediately and T. Lovell said there were no trail plans at this time .

* Paul Carideo returned to his seat on the Planning Board.
* Bill Weber recused himself from the 06-046 Tropic Star discussion and stepped down from the Board.

**1ST PUBLIC HEARING – 06-046 Tropic Star Development Site** 235 Stage Rd, Hampstead, NH

Chairman Randy Clark opened the Public Hearing continued from 15 July 2013. There is a review letter from SFC Engineering dated 1 August 2013, Attachment # 4. Revised plans have been submitted to reflect changes required by the State of New Hampshire Department of Transportation. The review response letter from Jones & Beach, Attachment # 5 details changes made to the site.

Wayne Morrill, Jones & Beach Engineers, Inc. presented the plan with the changes made. The location of the water line has been relocated and placed in the grass strip. A pinch point at the southeast corner of the canopy has been enlarged. The delivery vehicle (WB 50) will be able to maneuver throughout the

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

site without backing onto Rt. 121, as shown on Exhibit B. The Rt. 121 lane expansion will extend for 160 feet to the north from Brickett’s Mill. The entrance has been designed to provide for a SU-30 vehicle. The entrance throat has been widened by 7 ½ feet. Deliveries are limited to off-peak hours. A right-turn entrance into the site has been modified to include a 10-foot lane with a 2 foot paved shoulder. A site easement will be obtained from lot 6-44 to allow sight distance to the south. A 5-foot easement to NHDOT will be granted and or obtained outside of the roadway widening and an alignment plan is included. Traffic at the intersection of Rt. 121 and Rt. 111 has been reanalyzed under 2014 weekday morning and evening weekday peak traffic hour. The result indicates the signal will continue to operate at an overall level-of-service “E” with improvements at some of the approach movements. The proposed northbound right-turn lane has been extended to incorporate this. The plan includes removing the existing splitter islands on Rt. 121 to maximize the distance between the proposed right-turn lane and the existing utility pole on the southeast corner of the intersection. The splitter islands removal will be an improvement on the Rt.121 northbound alignment. A permanent easement is proposed for the property east of Rt. 121. A detail of the step box widening is provided. An additional signal head is proposed to incorporate the right-turn lane for NH 121 northbound including a new 30-foot mast arm. The Department of Transportation is planning to reconfigure the timing of the traffic signal to improve traffic flow. The new wall along Rt. 121 on the north side will have a 2 to 4-foot retaining wall with a guardrail.

Randy Clark asked if they had paperwork from NHDES and that has been received. Paul Carideo asked if the NHDES approval included the water line. The water line appears to be too close to the abutters leach field. W. Morrill said they would review it.

Neil Emerson asked if you are heading north on Rt. 121 and want to turn right onto Rt. 111, how many cars can be stacked. W. Morrill said approximately 20 vehicles could be stacked in the 160-foot lane. W. Morrill said The DOT approval has not been received.

Paul Carideo said he was concerned with gasoline leaking into the groundwater system from around the canopy island. Wayne Morrill said there is an oil water separator and system, which provides multiple

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

layers of protection. The groves around the pumps are meant to hold a gallon of gasoline and the pumps are set to shut off at the gallon mark. N. Cricenti said the groves could actually hold more overflow.

Randy Clark asked for comments from the public present.

Suzanne Zakian expressed her concerns: Current and increased traffic and its’ effect on the residences in the area; the DOT light timing changes might not be right and could adversely affect traffic flow; WD 62 trucks are not acceptable; site should be set up to accommodate larger trucks in the future; there should be fewer gasoline pumps. Wayne Morrill responded the DOT has approved the truck radius-turning plan for a WD 50 vehicle. The drive entrance has been expanded and a retaining wall designed. All the issues raised by the Department of Transportation have been addressed. Priscilla Lindquist asked who oversees the site to insure the WD 50 trucks are used. Mr. Morrill said the permit allows for only the WD 50 and this is what size truck is ordered. The DOT enforces its’ regulations. If a problem occurs the local enforcement agencies would be first involved.

Neil Emerson asked Police Chief Joe Beaudoin if he had any comments. Chief Beaudoin said he was not addressing the issue of need for another gasoline station. The right turn-in lane at the site is adequate. He said the applicant has met all the requirements they were looking for.

Nick Cricenti, SFC Engineering said their letter of August 1, 2013 shows the plan adequately addresses each of the issues of the DOT. The local regulations were discussed in an earlier review letter.

Chris Dane asked if the lights would be adjusted to the activation of the option for emergency responses. W. Morrill said that was included in the light timing sequences.

Wayne Morrill said they are in the process of procuring the easements required by the DOT in order for the permit to be issued. He requested the Board to grant a conditional approval. Chairman Clark asked Board members for comments. Paul Carideo said he would prefer to wait for the DOT permit to be issued.

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

**MOTION**

**Neil Emerson made a motion to continue the hearing for Tropic Star 06-046 to September 16, 2013. Paul Carideo seconded and the motion was approved. VOTE YES – Neil Emerson, Paul Carideo, Chris Dane, Chad Bennett and Priscilla Lindquist. Chairman Clark reminded the applicant that a written request for a time extension is needed.**

* Bill Weber returned to his seat on the Planning Board.

**1ST PUBLIC HEARING – 10-005 Steve Hatem Properties Site**, 10 Owens Court, Hampstead NH

Randy Clark, Chairman, opened the Public Hearing continued for S. Hatem Site 10-005 from 15 July 2013.

James Lavelle, Lavelle Associates addressed the Board saying the NHDES approval had been received, approval # CA2013113311, **Attachment # 6.** Variances will be asked for relief from preparing a Traffic Impact Assessment, a Community Service Impact Assessment and unsuitable land. J. Lavelle said there is overhead electric across from the site. P. Carideo added there is a mix of overhead and underground service lines in the development. A 30’ foot by 60’ gravel area for loading docks is behind the building.

J. Lavelle described the plans noting the location for the proposed well and an area designated for location of a cistern for fire department water supply. Sheet # 2 shows the gravel parking area. Nick Cricenti said a fire pump could be used if the water source were below grade. A cistern could be placed in the building. Typically a fire pump has its’ own building. The well is sufficient water to supply the cistern. A fire pump with a cistern would need to flow 250 to 350 GPM. A pond in Sandown approximately 300’ distance might be considered but it would need a pump. N. Cricenti said a sprinkler system in the building is required by Hampstead’s regulations. Mr. Hatem requested a waiver on the Site Plan Development requirements for the Fire Protection. P. Carideo said he would request the Fire Department input. Chris Dane advised Mr. Hatem to meet with Will Warnock, Hampstead Fire Department and see what was required.

**1ST PUBLIC HEARING – 10-005 Steve Hatem Properties Site**, continued from page 7  J. Lavelle summarized saying the AOT was not available; sheet # 4 shows the silt fencing, landscape plan and grass areas of the slope in front of the building. Summit Sign has some landscaping. J. Lavelle requested a waiver from the requirement.

J. Lavelle presented a written request, **Attachment # 7,** from 6.01 Traffic Impact Assessment. The plan proposal is for a low impact industrial use in established industrial zone with similar low impact uses. Chairman Clark asked if members of the Board or the public had any comment.

**MOTION**

**Neil Emerson made a motion to waive the requirements of the Site Plan Review Regulations 6.01, Traffic Impact Statement for the S. Hatem Site 10-005. Paul Carideo seconded the motion and it was approved. VOTE YES – Neil Emerson, Paul Carideo, Chris Dane, Priscilla Lindquist, Bill Weber and Chad Bennett. The motion was approved.**

J. Lavelle presented a written request, **Attachment # 7,** for a waiver of the Site Plan Regulation 6.05 Community Service Impact Assessment. The plan proposal is for a low impact industrial use in established industrial zone with similar low impact uses. Randy Clark asked if there were any comments on this request.

**MOTION**

**Neil Emerson made a motion to waive the requirements of the Site Plan Review Regulations 6.05, Community Service Impact Assessment for 10-005 S. Hatem Site plan. Bill Weber seconded the motion and it was approved. VOTE YES – Neil Emerson, Paul Carideo, Chris Dane, Priscilla Lindquist, Bill Weber and Chad Bennett. The motion was approved.**

J. Lavelle presented a written request, **Attachment # 7,** for a waiver of the Site Plan Regulation F, Unsuitable Land. He said the site plan shows test pits for the septic design and this proves the sites suitability for development. The Chairman asked for comment from the public or Board Members before calling for a motion.

**1ST PUBLIC HEARING – 10-005 Steve Hatem Properties Site**, continued from page 8

**MOTION**

**Bill Weber made a motion to approve the written request for a waiver to the Site Plan Regulations, F, Unsuitable Land for S. Hatem Site 10-005. Paul Carideo made the second and the motion was approved. VOTE YES – Bill Weber, Paul Carideo, Neil Emerson, Chris Dane, Priscilla Lindquist and Chad Bennett.**

An earlier discussion on overhead utility lines had not been voted on. The Chairman asked if there were any further discussion.

**MOTION**

**Neil Emerson made a motion to grant the request for overhead power lines for the S. Hatem Site 10-005. Paul Carideo seconded the motion and it was approved. VOTE YES - Neil Emerson, Chris Dane, Priscilla Lindquist, Bill Weber, Paul Carideo and Chad Bennett.**

The water supply system for fire protection will be evaluated by the fire department and the plans changed to reflect this. A landscape plan will be provided. The architectural detail will be provided. There are to be 10 commercial stalls. Neil Emerson asked the size of the back doors. They will be 12’ by 12’ and will be level to the ground so there will be no need for loading docks. Paul Carideo asked what the construction material would be and it will be a steel building with a metal roof.

Chairman Clark asked for a motion on the project.

**MOTION**

**Bill Weber made the motion to continue the Public Hearing for Steve Hatem Development 10-005 to the next meeting on September 16, 2013. Paul Carideo seconded the motion and it was approved. VOTE YES - Neil Emerson, Chris Dane, Priscilla Lindquist, Bill Weber, Paul Carideo and Chad Bennett.**

* Chad Bennett recused himself from the Board for the 01-018 Depot Development bond vote.

**PUBLIC MATTERS 01-018 Bond Vote**

It was noted there was not a usual motion with a second on the Depot Development Erosion and Sediment Control bond vote. The Chairman asked Board members to affirm the vote. He asked for comments and asked Nick Cricenti to explain the process for developing a bond amount. N. Cricenti said they use a spreadsheet comprised of many elements such as those to preserve the earth, estimate costs, evaluation of the plan elements, and note any special features. Permits, which may be required, are listed

**MOTION**

**Paul Carideo made a motion to approve the Erosion and Sediment Control Bond estimate prepared by SFC Engineering for 01-018 Depot Development of $103,200.00. Neil Emerson seconded the motion and the bond was approved. VOTE YES - Priscilla Lindquist, Bill Weber, Paul Carideo, Chris Dane and Neil Emerson; Abstain Randy Clark.**

* Chad Bennett rejoined the Board.

**BOARD BUSINESS**

* **Correspondence –** Kris Emerson, Building Official, forwarded a letter on Applebriar Drainage and it has been placed on file.
* A letter to the **Conservation Commission** concerning Ordway Park has been placed on file.
* **Member Comments – Middle School Access Road** Paul Carideo said the Conservation Commission had serious concerns with the wetlands issues in the area. A 24-foot wide road is excessive and not needed. The sidewalks have been eliminated as a concession.

**BOARD BUSINESS continued** from page 10

* **Court Costs –** Neil Emerson asked what the costs were for Depot Development. Randy Clark said he was not sure of the exact figure but was sure we were over budget for the year. The figures will be available at the next meeting.
* **Minutes and Adjourn –** The 7/15/2013 minutes were edited as follows: Page 1, Paragraph 1, Line 2 insert “Paul Carideo came in after the Hatem vote.” Page 4, Paragraph 2, Line 2 change “United States” to “New Hampshire”.

**MOTION**

**Randy Clark made a motion to accept the minutes as amended. VOTE YES – Randy Clark, Chris Dane, Chad Bennett and Priscilla Lindquist. ABSTAIN – Neil Emerson, Paul Carideo and Bill Weber. The minutes of 15 July 2013 were approved.**

**MOTION**

**Neil Emerson made the motion to adjourn at 8:30 PM. Paul Carideo seconded and the meeting was adjourned. VOTE YES – Randy Clark, Paul Carideo, Neil Emerson, Bill Weber, Chris Dane, Chad Bennett and Priscilla Lindquist.**

Respectfully submitted,

Susan Hastings, Secretary