Chairman Paul Carideo opened the special meeting at 7:00 PM. Members present included Paul Carideo, Chris Dane, D. J. Howard Jr., Neil Emerson, Robert Waldron, Proctor Wentworth, Chad Bennett, Ex-officio and, alternate Glenn Emerson. Nicholas J. Cricenti Jr., PE, Town Engineer and Secretary Susan Hastings were present.

Attendees included: J. Lavelle, Lavelle Associates, Pierre Sader, Steve Cummings, PE, and Derrick Moyer.

**CHAIRMAN’S REMARKS**

The next meeting of the Planning Board is 21 September 2015. The last date to file plans for a Public Hearing at that meeting is 31 August 2015. A Public Hearing on the Rules of Procedure is scheduled for 21 September 2015.

Chairman Carideo said there was an error in allowing the waiver for parking for Quick Stop LLC. To correct the oversite the Planning Board will notify the applicant, abutters and other parties entitled to receive notice in accordance with RSA 676:4 (d).

**BOND 06-006, 103 #17 Gigante Drive Bond**

The Chairman announced the bond has been signed by Board members for release.

**BOND 11-060, 060-1 Lancaster Bond**

The Chairman said the issue of the bond posting has been resolved.

**1st PUBLIC HEARING 17-089 Quick Store Properties LLC**

The Public Hearing notice was posted and published as required:

***“To consider the request of applicant Quick Store Properties LLC, 33 Clementi Lane, Methuen MA 01844 to have a Public Hearing for the property located at 416 Emerson Avenue, Hampstead, NH 03841. The proposal is for a Site Plan for a Change of Use of Map 17 Parcel 89 located in the Commercial 2 Zone. The proposal is to convert a unit to expand Osaka Restaurant and show expanded parking on the site.”***

Chairman Carideo said the waiver granted for parking was not within the authority of the Board to authorize and the vote should be rescinded. The letter to Pierre Sader is part of the record.

**MOTION**

**Proctor Wentworth made a motion to rescind the vote allowing the reduction of the number of parking spaces required by 5 spaces. Neil Emerson seconded the motion and it was approved unanimously.**

**VOTE YES Paul Carideo, Chris Dane, D. J. Howard Jr., Neil Emerson, Robert Waldron, Proctor Wentworth, and Chad Bennett.**

**The site plan is required to meet the zoning requirements for parking as adopted.**

The Chairman requested Steve Cummings to present the revised plan. He explained plan note # 6 now reads “floor area for retail” and this means the square footage for the parking required has been lowered. The fire lane beside the donut shop drive through has been added. The sign requirements will be complied with.

**1st PUBLIC HEARING 17-089 Quick Store Properties LLC** CONTINUED FROM PAGE 2

Chairman Carideo asked Town Engineer, Nick Cricenti for his evaluation. N. Cricenti said the revised plans were reviewed and they found the plan to be compliant with the Town zoning and site regulations, see **Attachment # 1** dated 30 July 2015.

Chad Bennett noted there were no hash marks for the designated parking. Nick Cricenti answered there is no standard in zoning or site regulations and either way is acceptable.

Neil Emerson said it was a good plan. He also said there was no enforcement on parking in front of the fire hydrant, removing the grease traps or putting up required fencing. He was advised these issues are being corrected as quickly as possible.

The Chairman invited the public to comment and there was none. Board members had no further comments. P. Carideo asked if the members were ready to vote.

**MOTION**

**Neil Emerson made a motion to take jurisdiction of the site plan for Quick Store Properties LLC, Map 17 Parcel 89, to convert a unit for use as a restaurant. Proctor Wentworth seconded the motion and it was approved unanimously.**

**VOTE YES Paul Carideo, Chris Dane, D. J. Howard Jr., Neil Emerson, Robert Waldron, Proctor Wentworth, and Chad Bennett.**

**1st PUBLIC HEARING 17-089 Quick Store Properties LLC** CONTINUED FROM PAGE 3

**MOTION**

**Proctor Wentworth made a motion to approve the site plan for Quick Store Properties LLC, Map 17 Parcel 89 as presented and subject to the usual conditions of approval. Neil Emerson seconded the motion and it was approved unanimously.**

**VOTE YES Proctor Wentworth, Neil Emerson, Paul Carideo, Chris Dane, D. J. Howard, Jr., Robert Waldron, and Chad Bennett.**

Neil Emerson, D. J. Howard Jr., and Glen Emerson stepped down from the Planning Board for the Lanpher hearing.

**1st PUBLIC HEARING 02-052 James Lavelle Lanpher Heirs Subdivision**

The Public Hearing notice was posted and published as required:

**“*To consider the request of applicant James M. Lavelle, 2 Starwood Drive, Hampstead NH 03841, to have a Public Hearing for the property owned by the Lanpher Heirs. The proposal is for a two lot Subdivision of Map 2 Parcel 052, one lot with the existing dwelling and one additional building lot. The property is located at 441 Main Street, in Residential Zone A.*  “**

Chairman Carideo opened the Public Hearing. James Lavelle, Lavelle Associates presented the plan for a two lot subdivision to the Board. He explained the Planning Board approval of the plan was challenged by the Board of Selectmen. At their July 2, 2015, the ZBA voted unanimously to grant the appeal of the Board of Selectmen – thereby vacating the Planning Board Decision.

**1st PUBLIC HEARING 02-052 James Lavelle Lanpher Heirs Subdivision**

 CONTINUED FROM PAGE 4

J. Lavelle appealed to the Board of Adjustment for an equitable waiver of dimensional requirements and a Special Exception forthe front setback of a newly created lot to be less than 30 feet. This was granted on August 6, 2015. This permitted an existing house to be 26.9 feet from the road. The minutes and decision notice from the Board of Adjustment are part of the record. A plan note will be added to the mylar on these actions. A copy of the ZBA minutes for 7/2/2015 and 8/6/2015 are part of the record. J. Lavelle said the Department of Transportation had approved the driveway permit. A plan note with the number of the approval permit will be added to the plan. P. Carideo asked if the existing DOT permit for a nine lot subdivision could be used for a single family lot. J. Lavelle said with another access design, a new driveway permit would be required.

J. Lavelle briefly explained each of the sheet pages in the plan set. Nick Cricenti said there should have been a standard road entrance plan.

The public was invited to comment and there was none. The Chairman said there have been no changes to the plan and he asked the Board if they were ready to vote.

**1st PUBLIC HEARING 02-052 James Lavelle Lanpher Heirs Subdivision**

 CONTINUED FROM PAGE 5

**MOTION**

**Chris Dane made the motion to accept the plan presented by James Lavelle of the Lanpher Heirs, a two lot subdivision of Map 2 Parcel 52, located at 441 Main Street, Hampstead, NH in the Residential Zone. Proctor Wentworth seconded the motion and it was approved unanimously to accept the Lanpher Heirs plan.**

**VOTE YES Chris Dane, Proctor Wentworth, Paul Carideo, Robert Waldron and Chad Bennett.**

**MOTION**

**Robert Waldron made the motion to approve the plan presented by James Lavelle of the Lanpher Heirs, a two lot subdivision of Map 2 Parcel 52, located at 441 Main Street, Hampstead, NH subject to the addition of the plan notes of the Board of Adjustment decisions, the state approvals for the Subdivision and State Driveway permit and other usual items\*.**

**Proctor Wentworth seconded the motion and it was approved unanimously.**

**VOTE YES Robert Waldron, Proctor Wentworth, Paul Carideo, Chris Dane and Chad Bennett.**

***(\*****Other usual items typically include the Subdivision Approval number and a Plan Note, Septic Approval number and a Plan Note, State Drive Permit number and a Plan Note, HFD written Approval and a Plan Note, ZBA Waiver and Special Exception and a Plan Note, Subdivision Waivers, Payment of Fees Due, Final Plan to have required stamps and signatures, State Grid Coordinates to be added to Final Plan, Receipt of 6 plan sets and 4 reduced plan sets, Receipt of 2 Mylars, one for recording, LCHIP check to* ***Rockingham Registry of Deeds****, and**Receipt of*

**1st PUBLIC HEARING 02-052 James Lavelle Lanpher Heirs Subdivision**

 CONTINUED FROM PAGE 6

*Electronic Drawing Files. All items discussed and agreed to in the minutes are expected to be completed*.)

Board Members Neil Emerson, D. J. Howard, Jr. and alternate Glen Emerson returned to their seats with the Planning Board.

**OTHER 06-026 Sweet Baby Vineyard**

Paul Carideo said the public hearing for Sweet Baby Vineyard had been continued to the 21 September 2015 meeting. A letter has been received from the Eaton’s requesting waivers from the Site Plan regulations.

**BOARD BUSINESS**

**Correspondence** The Board has received a letter from the Hampstead Fire Department Deputy Chief William Warnock concerning Sweet Baby Vineyards. It was briefly outlined and placed in the file for consideration at the next meeting.

**Correspondence** A request was received from Matthew and Brenda Harold to consider rezoning property described as Map 6 Parcel 45 on Stage Road. P. Carideo said he would like to review the proposal and visit the area. A rezoning request can be done by petition. Neil Emerson said there is no provision in the zoning for a mixed use zone. The Chairman said a new zone could be created. Nick Cricenti said there are three or four lots on Route 121 adjacent to Brickett’s Mill which could be commercial, provided there are proper buffers to the residential areas.

**BOARD BUSINESS** CONTINUED FROM PAGE 7

**Correspondence** N. Emerson said he was against mixed use. Robert Waldron said he would favor expansion of the commercial Zone. The matter is continued.

**Member Comments** Paul Carideo encouraged members to attend the Municipal Law Lecture series presented in Derry. Chris Dane, Neil Emerson and Robert Waldron each said he could attend one and report back to the Board. The costs can be reimbursed by the Town.

Derrick Moyer asked several questions about the Lanpher Subdivision. He was advised they pertained to a further subdivision not presented yet.

Revisions to the Letter of Credit will be on the agenda for the next meeting at the request of Randy Clark. P. Carideo asked they be send ahead of the meeting for members to review.

The Rules of Procedure have been reviewed by Diane Gorrow and several changes recommended. This will be on the next agenda, 21 September 2015.

Paul Carideo said changes to the zoning should be reviewed to comply with the MS4 regulations.

Members were asked to read the minutes prior to the meeting

**BOARD BUSINESS** CONTINUED FROM PAGE 8

**Minutes and Adjourn** The following changes were made to the minutes of 6 July 2015: Page 7, Paragraph 5, Line 1 change “denied” to “approved”; Line 3 add “**Attachment # 2** “.

**MOTION**

**Proctor Wentworth made a motion to approve the minutes of 6 July 2015 as amended. Chad Bennett seconded the motion and the minutes were approved.**

**VOTE YES Proctor Wentworth, Chad Bennett, Paul Carideo, Robert Waldron, Neil Emerson and D. J. Howard Jr. ABSTAIN Chris Dane.**

**MOTION**

**Proctor Wentworth made a motion to adjourn the meeting at 8:05 PM. Chris Dane seconded it and approval was unanimous.**

**VOTE YES** **Proctor Wentworth, Chris Dane, Chad Bennett, Paul Carideo, Robert Waldron, Neil Emerson and D. J. Howard Jr.**

Respectfully submitted,

 Susan J. Hastings, Secretary