

HAMPSTEAD PLANNING BOARD

11 Main Street Hampstead New Hampshire 03841-2033

Approved Minutes September 19, 2016

Chairman Paul Carideo opened the meeting at 7:00 PM. Members present included Paul Carideo, Dean Howard, Neil Emerson, Glen Emerson, Ben Schmitz, and Chad Bennett, Ex-officio voting member, Chris Howard, alternate, and Randy Clark, alternate. Nicholas J. Cricenti Jr., PE, Town Engineer and Secretary Susan Hastings were present.(absent Robert Waldron, Alternate Randy Clark took his place at the request of the Chairman.)

Attendees included: See attached list

CHAIRMAN'S REMARKS

RFQ for Engineering Consultants- Q & A time

Questions submitted ahead of time but also open to questions from the floor.

Mike Redding of Loureiro Engineering—Manchester, NH Went through list of questions he provided.

1. Does the position serve as a resource for other departments i.e. MS-4
Response- Current Engineer has assisted the Town when needed
Regarding MS-4, it is in the hands of the Board of Selectmen. Selectman Bennett felt that if there were questions the Town Engineer would be consulted. Zoning regulations and site plans, are the things the Engineer would assist through those changes. Regarding runoff etc, they need to see how the permit comes out and what the Selectmen will be looking at.
2. Is the Board interested in mixed Use Developments combining residential with retail and light industry to promote sustainable land planning practices. Always looking at new options.
3. Is there an aging population will the new ADU law impact the community. Response- working on the ADU zoning now to make sure that it works correctly. We do have a number of facilities in town now that are "retirement communities". The town overall should be in fairly good shape. Town if fairly built out and most projects coming in are small ones.
4. In review of the Master Plan, agriculture has been a strong element of the Hampstead community. Has the board considered developing incentives to encourage agriculture like businesses and agriculture -supporting businesses. Response we actually just approved working vineyard. Have no problem with agriculture and Planning Board can always discuss the direction they would like to go.
5. Does the Board see a need to plan for making sections of Hampstead a walkable and bicycling accessible community. Nick Cricenti stated that there was a discussion

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Continued discussion from page 1

about sidewalks along Main Street and there was no interest. Mr. Carideo noted that these were all good ideas and the Planning Board is open to new ideas.

Ellie Baker- Horsley Letter Group- Exeter, NH

1. Board is looking for 4 NH references, what are you looking for specifically. Mr. Carideo responded that they want to see that they are familiar with NH RSA and how small NH communities work. Mr. Clark asked her if they have done work in NH and she responded yes. Like to have consultant at the meetings to help along and pick up on things they may miss. Ms. Baker asked what the level would be, Mr. Cricenti stated that it varies, right now there is only one road being developed. The Board normally meets for public hearings on one Monday night and currently the other Monday for a workshop, which the Engineer doesn't need to attend.

Jim Lavelle asked for them to look into mixed use that he believes could work if done correctly in town. Mr. Carideo stated that they have discussed it in the past but the request for more C2 (commercial 2) zones. Mr. Cricenti stated that mixed uses creates code issues. Mr. Clark stated that there is not a lot of land to develop mixed use now but there are some lots of land that may come up but they would need extra zoning.

This ended the Question and Answer period. Mr. Carideo noted that this is new to the town whereas Mr. Cricenti and SFC Engineering have been handling the Town of Hampstead since 1986. Mr. Carideo thanked the attendees.

1st PUBLIC HEARING

Map 9 Lot 24- Granite Village Phase VI- 2-lot subdivision.

Jason Lopez of Keach Nordstrom presented the plan. Mr. Carideo asked if the plan was complete. There is a letter from SFC regarding the plan. Mr. Lopez stated that this is Site Plan Phase VI located on Map 9 lot 24. Total lot size is 112 acres with 138 units. Looking to add two additional lots and adjust the lot line on unit number 124. The 2 lots will be off Freedom Hill Road. There is an emergency access road that divides the park and an access road to the gravel pit. He is talking to the area that was part of Phase V near Freedom Hill. They will be connected to HAWC. (Hampstead Area Water Company) There are hydrants already located near there and they will connect to the existing overhead water lines. There are currently two existing septic systems located in the back portion of the park and are currently operational and approved. They took a water meter reading for 9 months and there are 135 gallons per day per unit being processed which is less than it was originally designed for so it will be sufficient to handle two new lots. They are meeting the buffer of the wetlands after delineation. One small item on the plan is that they added names to the two driveways that were listed on the previous Phase V plan. There were issues with 911 and mail delivery locating these driveways whereas

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Map 9 Lot 24- Granite Village Phase VI- 2-lot subdivision continued from page 2.

the address was on the road the property was facing but access was through the driveways. The driveways have since been named Ian's Path and Brooklyn's Way. Adding these to the map will allow the town map to be updated to show them. Mr. Cricenti stated the benefit to do the plan is to do the septic by metering the water to free up the space but they will need to have the revised septic from DES do to the new units. The roads are already in; the utilities are in so there is not a lot to do.

Mr. Carideo asked if there were two water stubs existing or proposed. Mr. Lopez responded they are proposed. Mr. Neil Emerson asked if they had subdivision approval from the State. Mr. Lopez said that it is a site plan and they only need to have the septic approval from the State. Mr. Carideo also questioned the need for State Subdivision approval. Mr. Cricenti said that they haven't done subdivision for the others lots. The State is just looking for the water impact. It was noted that the application is complete.

R. Clark moved to take jurisdiction of map 9, lot 24. The motion was seconded by D. Howard. The motion to take jurisdiction passed unanimously.

Mr. Carideo noted that pages 1, 2 and 3 should be recorded and the complete plan set will be available on file in the office. Mr. Clark asked if there was more septage going into Sandown. Mr. Lopez stated that there was no increase. Mr. Clark asked if Sandown needed to sign the plan. Mr. Lopez stated that would be up to the board. Mr. Cricenti stated that the only way for Sandown not be involved is to keep the whole thing in Hampstead. Mr. Clark noted that they will need a place for Sandown to sign off on the plan. Mrs. Hastings asked if this was a faulted application. Mr. Cricenti said no, but they will need to do their work, but if the flow went into the two fields in Hampstead, there is no issue. Mr. Lopez stated that it splits and flows into all the fields so it was determined that Sandown will need to sign off on the leach field. Hampstead will need to approve the new lots before Sandown needs to sign off on the plan. Mr. Clark asked what they needed from the State on the septic. Mr. Lopez said that they need an amended updated construction approval. Mr. Lopez said the actual use is less but there is no physical change to the systems or beds, just a mathematical calculation change. There will be no physical change to Sandown just a paper trail. They will add a block on for Sandown. HAWC will provide the water data which will go to the State for verification of the usage. The final submittal will be in electronic format. Open to the public- there were no comments.

D. Howard motioned to grant conditional approval of Map 9 lot 24 Granite Village known as Phase VI with the following conditions: State approval on the amended septic paperwork, submittal of the engineered design plans for the retaining wall and that it shall be inspected, the addition of Note 19 stating what pages are recorded, and the addition of the signature block for Hampstead and Sandown. The motion was seconded by N. Emerson. The motion passed unanimously.

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1st PUBLIC HEARING

Map 06-054 James Holland Site – 35 Gigante Drive- Addition for a separate garage

Jim Lavelle noted that he was representing Mr. Holland and explained that this request is for a site plan amendment to add a garage for storage. Mr. Holland is required to keep hard records (not just electronic) and this is what the garage will be used for. Mr. Lavelle reported that it is not for housing vehicles. Mr. Lavelle noted that since the application was originally submitted he has amended the plan to show that it is 10% of lot coverage not 7 as on the original, due to wetlands calculations. It is a responsible low usage of the site. The drainage design for the additional runoff is attached. The following sheets note the silt fencing and plantings. The only issue raised at TRC was sprinkling the building. Because of its size there are a couple of possibilities such as build a firewall to separate the space which wouldn't require sprinkler. The other option is two of the businesses further up the road are talking about running water lines up the road and putting in a hydrant which would relieve the owner of needing a sprinkler. Mr. Lavelle asked that they approve the site plan subject to the fire protection. Mr. Holland may contribute to the cost of running the water line as to the cost of putting in a sprinkler. The requirement is any commercial building over 1,000 feet. There is no occupancy in the garage other than going in for file retrieval. Mr. Clark asked what type of door- overhead or a "people door". Mr. Lavelle responded that he did not know, but Mr. Lavelle was told that no vehicles would be stored in there. Mr. Carideo noted that he would like to see the building plans with these so they can see how many floors, height of building etc. They are only seeing the site plan with no idea what the structure will look like. There was a request for a note on the plan regarding the wetlands. Mr. Carideo asked for a note to state what plans will be recorded. There was discussion on the drainage. Mr. Holland was trying to figure out the sprinkler issue and Mr. Lavelle asked for a continuation to the next meeting (October 3rd).

R. Clark motioned to take jurisdiction of Map 6 lot 54 as a completed application. The motion was seconded by B Schmitz. *B. Schmitz said there may be items added as the review continues.* The motion passed with all voting in favor.
Public Hearing continued to October 3rd.by a motion of N. Emerson and a second by R. Clark. The motion passed unanimously.

1st PUBLIC HEARING

Map 2 Lot 37- Thompson Subdivision-366 Main Street-

Mr. Lavelle was representing the Thompsons. He submitted a copy of the driveway permit that was approved and the application that was submitted. He asked if the Town had a copy of the subdivision approval. Mr. Lavelle submitted his copy of the approval. He also presented the copy of the BOA approval and entrance permit plan. Mr. Lavelle stated that there is 75 feet of frontage on Main Street for the driveway and a variance for frontage on the rear lot and a variance for lot soil. They initially approached the Board to use the Fire Lane 1 as access to the rear property. The issue was clouded by the fact that it is now a Class A trail and it couldn't be used as part of the lot for access. He stated that the Thompsons have used that as their

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Map 2 Lot 37- Thompson Subdivision-366 Main Street-continued from page 4

driveway to access the back field. Straight and flat in that area until the hill to West Hampstead. Have all the approvals they need from the State. On the review letter from SFC it was suggested that the Thompson's grant an easement to the Town for their half of the old road. Mr. Lavelle doesn't see the need whereas the Town already has one and that it was a used road in the past. However, Mr. Thompson agreed to go through the process if that is what the Planning Board wants. The road was created back in the 1700's J. Lavelle said and no one was ever paid a fee for it. The researcher suggested that the ownerships reverts to the center to the abutters. There were questions as to why an easement would be needed. The plan is showing the rear lot is at 5/100ths of an acre being used. The BOA limited them to a 3 bedroom building. There was some discussion about the wording in the minutes from the BOA. The soils under the fire lane were not calculated based on the minutes of the BOA meeting. Mr. Lavelle said that they are used for the area of the lot but since the driveway was moved over, the fire lane is now being used. Mr. Lavelle was asked if he had the information of the calculation with and without the road as requested by Mr. Cricenti.

Mr. Carideo asked N. Emerson if the BOA had Town Counsel review the road issue. Mr. Dowd was there as Chairman of the ZBA, and stated that he didn't see it as a prudent use of taxpayer money. There is history of the road being there back to the 1730's. It didn't matter that the town did or did not own the underlying road but had access to use the road. Mr. Dowd's observation was that the town simply had the use of the road. There was a letter read by Mr. Lavelle regarding the class trail. It stated that this is a new animal and it hasn't been tested. His thought is that ownership goes to the center of the line (16 ½) feet, subject to the Statutes. If no money exchanged hands or fees paid then it is an easement. Mr. Carideo said that doesn't answer the soils question. Mr. Lavelle responded that the BOA gave them a variance for the soils on the rear lot. Mr. Carideo felt that he had to follow due diligence and have Town Counsel review it. The researcher was paid by the applicant to do the research and it is to their benefit. Mr. Carideo wants to make sure that right of way is owned by the town or not. It is for public use and there is an easement. He has heard all the determinations, but the Planning Board needs to look at the other landowners that could come in down the road and that it would be prudent to have the correct information.

Mr. Lavelle agreed to ask for a continuance until they can get an opinion from Town Counsel to get an opinion on who owns the road. He will be okay if it is a few weeks.

Opened to the public- Bill Weber 361 Main Street- the plan before the Planning Board is not the same plan is the one before them in 2015. This plan is totally different. He questioned whether they should be looking at the new plan. Mr. Cricenti stated that this is a totally new application and is therefore a clean slate. Mr. Carideo stated that he couldn't answer the question asked by Mr. Weber. The plan that was rejected was taken to the ZBA and made the changes they required, which is expected and it has come back to the Planning Board as a new application. N. Emerson believes that the ZBA original request was denied and they asked for a revised plan. D. Howard asked if Town Counsel be asked that question as well.

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Map 2 Lot 37- Thompson Subdivision-366 Main Street-continued from page 5

Mr. Carideo stated that he will. Mr. Weber stated that the plan in front of the Planning Board is not the same plan approved by the ZBA. Mr. Lavelle had no comment.

Mr. McHale of 356 Main Street. He noted that on the plans there are some details missing on the plan and the math is off. The primary location for the driveway is a dirt driveway that is used by the neighbors and will probably be overlapping the driveway to Main St. Mr. McHale read the RSA regarding the tax map data and requirements of a town. The ZBA refused to use the tax maps based on inaccuracies. Mr. McHale had his land surveyed and there was a discrepancy about some feet measurements near the pole, which now shows as part of his land. He also added the numbers and stated that it doesn't work out. The soil sheet from 4/7/16 for the ZBA doesn't square with what was approved or presented tonight. The statement he read from is attached to the minutes as part of the record.

Mr. Cricenti did not review what the ZBA used. He did review what they have now and made the notes he did. The question was also asked at the Staff meeting about the use of the calculations. He noted that it was confusing reading the minutes and is not sure if the minutes were accurately portraying the information. Mr. Lavelle said that he added somethings and agrees something wasn't adding up. He will need to check on that. The addition to the area of the roadway of a 16 ½ road way and the angles shift so some are at 17.36. He has reiterated that he has asked for a continuance and will clean up what he needs to. R. Clark read the minutes of 4.7.16 talks about the area considered and stated it didn't make sense.

It appears the calculations do not reflect including the roadway (Fire Lane #1). N. Cricenti asked for lot calculations including the fire lane and without the fire lane so they can be compared. G. Dowd, ZBA Chairman, said they did not ask Town Counsel to review the record on the road.

Paul Carideo said he would request Town Counsel to review the records. N. Emerson said when the Southwick land was subdivided it was to the stone wall and not to the center of the fire lane.

J. Lavelle requested a continuance to allow a conclusion to be reached on the road status.

W. Weber said the plan before the Planning Board was not the same as the plan rejected in 2015. He asked if the Planning Board could consider the plan before them since it was not the same. N. Cricenti said this was a new application.

Jim McHale asked what was the primary driveway and if this was used to overlap the existing driveway; he questioned the width of the trail which was different than what his surveyor found; he said a number of the calculations were wrong and asked they be checked; he considered the soil calculations to be 11,000 square feet different from the plan used by the Board of Adjustment. He presented a written letter to the Board detailing his concerns, which is part of the record.

N. Cricenti said he could not comment on the calculations since he did not have the plan used by the Board of Adjustment. J. Lavelle said he would check the calculations.

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Map 2 Lot 37- Thompson Subdivision-366 Main Street-continued from page 6

Neil Emerson made a motion to continue the review of the Thompson application to October 3, 2016. Dean Howard seconded the motion. It was approved unanimously.

J. Lavelle asked to know what the Attorney's decision was.

PUBLIC MATTER

08-104 Hampstead Middle School Access

Mike Hall told the Board the Easement Deed had been executed but not recorded. P. Carideo said the deed would be recorded by the Planning Board with the revised site plan. Mr. Tobin said the Church has a site plan of their land and the property notes are on that plan. P. Carideo requested N. Cricenti review the Church plan. There will be certifications of the Town signing off on all the plans to be recorded. The

08-104 Hampstead Middle School Access

Board will want an update on both plans. The Mylar's need to be here for the 3 October 2016 meeting. He added the approval is subject to the review of the plans by N. Cricenti. R. Clark noted the signature blocks need to be added to the plans. There was no comment from the public.

Neil Emerson made a motion to extend the time for consideration of the Hampstead Middle School Access for 30 days to allow time for N. Cricenti to review the school access plan and the church property plan and the original conditions. Ben Schmidt seconded the motion and it was approved unanimously.

PUBLIC MATTER

02-052 Labrador Lane

P. Carideo asked if there were any updates. The full bond for the road has been posted. The conditions of approval have not been met. The work on the installation of the cistern has begun. N. Cricenti said technically the site is still one lot.

Dean Howard made a motion to extend the conditional approval to 5 December 2016. Randy Clark seconded the motion. and it was approved. Neil Emerson and Glen Emerson abstained.

PUBLIC MATTER

06-018 Sweet Management Site

Paul Carideo asked if there was any new information. The Hampstead Fire Department is reviewing the striping for their access to the building. The owners are currently working on the inside of the building.

Neil Emerson made a motion to extend the time for Sweet Management to meet the conditions of approval to 5 October 2016. Glen Emerson seconded the motion and it was approved unanimously.

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PUBLIC MATTER

07-064, 068 C. Hurley

The Chairman asked what the status of the driveway permit was. It still has not been received. The state has been very slow to issue new driveway permits.

Ben Schmitz made a motion to extend the time for the Hurley Subdivision to 5 December 2016. Dean Howard seconded the motion and it was approved unanimously.

PUBLIC MATTER-NHDOT

02-052 Brady Estates, Labrador Lane

Neil Emerson asked of the Board had received a letter from the Department of Transportation saying that Madelyn Lanpher would be allowed to use her existing driveway onto NH Route 121 for as long as she lived in the family home. Once the property was sold the driveway would be relocated to Labrador Lane at the owner's expense. Nick Cricenti said letters of this type are usually recorded at the Registry of Deeds with a notation of the plan to which the letter refers. Jim Lavelle said he would record the letter.

OTHER ZONING

Attached Dwelling Units

Paul Carideo asked Randy Clark for an update. He said he was working with Town Counsel to tighten up the regulation and they were working on Revision 6. This will be discussed at the Work Session.

BOARD BUSINESS

Ground Water Contamination

Paul Carideo said a letter had been received with information on ground water contamination and its relationship to the MS 4.

BOARD BUSINESS

Zone Book

P. Carideo asked if there was new information. Susan Hastings said the correction on the stone wall ordinance passed had been incorporated into the Zone Book so that was up to date.

Hooksett NH Cell Tower

The Chairman read the public notice from the Hooksett noting the hearing had been posted and would be filed as required.

NHDES-PBN 08B—006(PBN= Permit by Notification)

P. Carideo said the request of Paul Deastlov was to replace the retaining wall at 16 Shore Drive. The notice will be placed on file as required.

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10-004 Cell Tower

P. Carideo said they had requested a pre-preliminary hearing on the proposal. It will be scheduled for 3 October 2016.

MS-4 Known as Municipal Separate Storm Sewers

Neil Emerson asked what these were. Paul Carideo gave a brief outline and explained their use in the MS 4 planning. This will be discussed more in the next year.

Susan Hastings

Ms. Hastings said this would be her last meeting since she could no longer continue the job.

Minutes

P. Carideo asked what the issue was and S. Hastings said there had not been time to get them ready.

Adjourn

Neil Emerson made a motion to adjourn the Public Meeting at 9:30 PM. Glen Emerson seconded the motion and it was approved unanimously.

Chairman Carideo thanked members of the public attending the Public Hearing and invited them to stay for the Work Shop to begin in a few minutes.

Respectfully submitted,

Susan Hastings