

**PUBLIC HEARING AND BUSINESS MEETING
DRAFT**

- A. CALL TO ORDER:** C. Brown called the meeting to order at 7:02 p.m.
- B. ROLL CALL:** C. Brown, Chairman; A. Franciosa, Vice Chairman; B. Mutrie, G. Parish, S. Volpone, Members; M. Kasprzak, Selectmen's Representative; P. Stone, Alternate Member; L. Ruest, Administrative Assistant; K. Kelley, Building Inspector
D. Smith, Circuit Rider Planner
NOT PRESENT: A. Tonry

C. PUBLIC HEARING

Case #12-07-01: Application from **Michael J. Fecteau, President, HFOCA** for Final Public Hearing for Site Plan Review for change of use to existing condominium units 3 and 4 from offices to resident apartments and for change of use to existing condominium unit 9 from office to office/resident apartments at property located at 153 Lafayette Road, Map 9, Lot 12.

Owners M. Fecteau, I. Abourzik and A. Brown were present as well as Engineer Dennis Quintal. C. Brown acknowledged letters of authorization received from the owners for D. Quintal to present the application on their behalf. P. Stone was designated a voting member in A. Tonry's vacant seat.

D. Quintal referred Board members to the plan submitted and summarized the plan contents to include the limits of the property, new septic system design, existing buildings and septic systems, the previous approval of 1986 as well as many uses that have been in place over the years. He identified the area of the well at the rear of the parcel as well as existing parking spaces (numbers in squares) and new proposed parking spaces (numbers in circles). He noted that there are wetland areas at the rear of the parcel as shown on the plan.

D. Quintal stated he took current regulations and adapted the plan to meet them as best he could. He added that he met with Circuit Rider Planner D. Smith and learned of the needs to address existing signage, accesses, vegetation and lighting on the plan. There is additional landscaping planned to take place after the installation of the new septic system design (approved with relief of the Zoning Board of Adjustment (ZBA)). D. Quintal reported that the new septic system addresses the new proposed uses, that the existing lighting shines down and that additional shields will be added where needed in order to keep existing lighting rather than replacing it.

D. Quintal stated that the main focus of the application before the Board is to seek approval for a change of use for two sections of the buildings at the front of the parcel, units 3 and 4 and unit 9, to allow residential occupancy within those units.

Discussion was opened to members of the Board at this time. C. Brown asked that Sheet 2 become Sheet 1 and that the label/title be changed to "existing conditions plan." The second page of the plan set then becomes the "amended site plan" for recording. C. Brown also asked that the Rockingham County Registry of Deeds recording number and date be added as a note to the recordable sheet.

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Discussion of D. Smith's review comments took place at this time. The applicant engineer responded as follows.

1. A note will be added to the plan outlining the information relating to the ZBA decision for the septic system.
2. C. Brown requested that the term "workshop" be replaced with a permitted use term from the Hampton Falls Zoning Ordinance. It was suggested that "retail" and/or "wholesale" may be appropriate.
3. The existing well within units 5 and 6 can no longer be used due to the new septic design. M. Fecteau reported that effort is being made to get permission from the State to use the well for irrigation. C. Brown asked for a copy of the State approval, if approved.
4. There is a utility pole in place in the location of the new septic system. D. Quintal will label the plan to show the existing pole and the location to which the pole will be moved.
5. D. Quintal explained that the approved site plan of 1986 has a certain number of parking spaces. He looked at available space on the plan and added parking spaces; the new spaces are delineated in accordance with current regulations. C. Brown noted that designated parking is now needed for the residential units. She added that parking should be addressed for persons who may own a boat. D. Quintal stated that there is area at the rear of the parcel. M. Fecteau stated that rules can be put in place by the Association(s) to address this instance and that boats may not be allowed. D. Quintal stated that signs would be placed at the residential units. D. Smith was satisfied this would address his review comment.
6. Discussion took place with regard to parking on top of the existing septic tank located behind unit 7. D. Quintal will check to verify the strength of the concrete and M. Fecteau stated he could place bollards to prevent parking on top of the septic tanks. The area up to the bollards will be paved and the remaining area is to remain gravel. D. Quintal stated he could include a detail on the plan.
7. Two dumpsters are located on the plan. One is to be shielded by landscaping; however, the other is shielded by buildings and not visible from the street. D. Quintal asked if shielding is required in this regard. D. Smith responded that it is a requirement of regulations. Following discussion, a poll of the Board resulted in no need to screen this dumpster.
8. D. Quintal identified the existing lighting on the plan and restated that there is intention to add shields to ensure lighting points downward.
9. The applicant was asked to place bollards at parking space #4 behind unit 1. G. Parish inquired as to the propane tanks behind the building at the rear of the parcel needing bollards. It was determined that bollards are not needed in this location.

C. Brown asked Fire Chief J. M. Lord if he was okay with fire trucks accessing buildings given the parking layout shown on the plan. J. M. Lord stated he felt the trucks could get around fairly easily. K. Kelley stated that a "no parking" sign is needed along the access to the north.

C. Brown acknowledged K. Kelley's report and K. Kelley stated that ADA requirements need to be met to include parking spaces, signage, etc.; specifically, that no residential occupancy will be allowed until fire separation is in place. He added that the site plan will address allowable signs. C.

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Brown noted that each unit has a specific approved use and that no outdoor display or storage is part of this plan. Discussion of the history of unit 1 having outdoor displays took place. M. Fecteau stated it was understood that outdoor displays are not part of this plan and indicated that it would not be a problem.

Discussion of signage took place in conjunction of ordinance requirements. C. Brown asked for direction of the Board in order to have no future problems with temporary or additional signs in the future on this site plan. The Board referred to page 56 of the zoning ordinance and reviewed the definition of temporary signs. It was learned that temporary signs are permitted for specific purposes. The applicant indicated understanding of the Board's concern and identified the existing sign locations on the site plan (three existing signs to remain) at Lafayette Road as intended sign locations. It was noted that any lighting on the signs is to be down-shielded.

C. Brown requested that the label on units 3 and 4 that reads "1-3 bedroom apartment" be revised to read "3 bedroom apartment." It was acknowledged that unit 9 is a single bedroom residential unit.

C. Brown also noted that units 3, 4 and 9 have office uses and requested hours of operation be noted on the plan. The applicant engineer indicated that business hours of 7 a.m. to 10 p.m., Monday through Sunday would be appropriate and will place a note on the plan. In response to G. Parish, it was determined that the Building Inspector will address the lighting issues relating to the stairwell to unit 5.

Discussion took place with regard to the number of handicap accessible parking spaces as well as location of spaces. It was determined that K. Kelley would work with the applicant engineer to identify what is required for inclusion on the final plan.

Paving and striping the parking spaces was discussed at this time. M. Fecteau reported that the existing hot top is in poor condition and that it is hoped to fund the paving and striping work in order to complete the work within the next two years. It was identified that the parking areas are mostly gravel with little usage at present. M. Fecteau estimated that less than half the parking spaces are being utilized.

Hearing no further questions of the Board, C. Brown opened discussion to abutters and members of the public. No abutters were present. C. Brown closed the public hearing.

MOTION: To accept jurisdiction of the application as complete.

MOTION: B. MUTRIE
SECOND: S. VOLPONE
UNANIMOUS

MOTION: To approve the application from **Michael J. Fecteau, President, HFOCA** for Final Public Hearing for Site Plan Review for change of use to existing condominium units 3 and 4 from offices to resident apartments and for change of use to existing

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condominium unit 9 from office to office/resident apartments at property located at 153 Lafayette Road, Map 9, Lot 12, subject to the following conditions:

1. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed and recorded.
2. That the hours of operation be 7 a.m. - 10 p.m., Monday through Sunday, and be noted on the plan.
3. That the building height and sightless objects (pipes, stacks, air conditioners, etc.) not exceed 35 feet.
4. That landscaping is installed according to plan. No occupancy permit shall be issued until the landscaping is inspected by the Building Inspector.
5. That any and all state permits be obtained and made part of the file before the mylar is signed.
6. That a note reading "No additional use or change of use shall be permitted unless approved by the Planning Board." be added to the final plan.
7. That approval is for mixed use office residential and shall be noted as such on the final plan.
8. That all exterior lighting be down-shielded and labeled as such on the final plan in accordance with Site Plan Review Regulation Article VIII, Section 8, Illumination.
9. That the existing utility pole within the new septic system location be identified and labeled "to be relocated" and that the plan also show and be labeled to show the proposed location on the amended plan.
10. That written notification is received from the applicant and/or the State of NH that the status of the well within units 5 and 6 is to be abandoned or has been approved to continue for use as an irrigation well.
11. That protective bollards be placed at the propane tanks at unit 1 in the area of proposed parking space #54.
12. That renumbering and renaming of plan pages is done per discussion at this meeting and that a note be added to the recordable plan sheet referring to the 1986 plan approval and Registry recording number; page two of the plan set submitted is to read "existing conditions plan."
13. Bollards are to be placed in front of the septic system chambers behind unit 7.
14. When the new construction of the access way as well as the parking areas are constructed, that they be built to the most current town standards; a note is to be added to the plan indicating "any change in surface area is to be built to current town standards."

MOTION: A. FRANCIOSA
SECOND: S. VOLPONE

A. Franciosa stated he is not in favor of leaving the time to complete the paving open and suggested that a time frame be set. D. Smith noted that the Town's ordinances allow for a provision to extend the one year timeframe for substantial completion by another year, but that a request to the Board would need to be made by the property owner(s); conditions should be met within one year in order to be in compliance with regulations. A. Franciosa stated he felt the Town would be better served in requiring a condition that upon repaving of the area that the applicant resubmit to the Planning

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Board. The consensus of the Board was to stay with condition number 14 which states *when* the paving is done, it will be in accordance with current Town of Hampton Falls standards.

UNANIMOUS

P. Stone excused himself from the meeting at this time.

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

MOTION: To approve the minutes of the June meeting as written.

**MOTION: A. FRANCIOSA
SECOND: M. KASPRZAK
5 IN FAVOR, 1 ABSTENTION, PASSES**

E. OTHER BUSINESS

1. Committee Reports: C. Brown acknowledged Ordinance and Regulations Review Committee July 11 meeting minutes for the record.

F. COMMUNICATIONS TO BOARD MEMBERS

- NH Community Planning Grant Award Letter of 7/2/12: C. Brown informed the Board that a public meeting will be held at the Board's August meeting to provide a brief explanation of this grant to the public. This is the first step of the grant. Discussion took place with regard to drafting information for a news article as well as discussion relating to the information to provide to the public at the first session. Information will be provided to the local newspaper in advance of the August meeting; a legal notice is not required. C. Brown will work on the write-up with D. Smith.
- Revised copy of Master Plan Chapter 13 – Energy was provided to Board members.
- An updated member listing was provided to Board members. C. Brown reported one change in that M. Caruso is unable to continue to serve as CIP Committee Chairman.

G. ADJOURNMENT

MOTION: To adjourn the meeting at 9:23 p.m.

**MOTION: M. KASPRZAK
SECOND: A. FRANCIOSA
UNANIMOUS**