|  |  |
| --- | --- |
| **PLANNING BOARD** | **October 24, 2017 7:00 PM** |
| **TOWN OF HAMPTON FALLS** | **TOWN HALL** |

Public Hearing and Business Meeting

**DRAFT**

**PRESENT:** T. Santora, Chair, C. Brown, Vice Chair, A. L. Tonry, S. Hanson, A. Brubaker, L. Brown-Kucharski, G. Coppelman, Circuit Rider Planner, M. Sikorski, Building Inspector and R. McDermott, Selectman’s Representative, H. B. Fazzino, Secretary.

**CALL TO ORDER:** 7:00 P.M.

T. Santora introduced the members of the Board and members of the applicant’s team.

**PUBLIC HEARING:**

## Case # 17-09-01: Application from Stephen Currier, Elmfield, Inc. d/b/a Curriers Leather for Final Public Hearing for Site Plan Review to permit the proposed development to add onto the existing retail space to provide additional retail space and a residence for the owner at property located at 75 Lafayette Road, Map 8, Lot 91. Waivers requested.

CONTINUED FROM THE SEPTEMBER 26, 2017 PLANNING BOARD MEETING

T. Santora opened the public hearing. D. Moulton, Engineer from Altus Engineering, Inc., presented the 7,000 square foot addition and Site Plan to the Board. Mr. Stephen Currier, Owner of the property, and John Sava, Architect for the project, were also present.

T. Santora recapped the following letters that were received since the September 26, 2017 meeting: letter from Jones & Beach dated October 11, 2017, letter from Altus Engineering dated October 12, 2017, letter from Jones & Beach dated October 19, 2017. T. Santora will call Jones & Beach to confirm only the drainage study will be billed.

Mr. Moulton presented a plan to expand the existing building by 7,000 sf for residential and storage space and offices. Jones & Beach performed a drainage analysis, which was in agreement with calculations, as well as three recommendations. NH Department of Transportation (DOT) stated that a driveway permit will be needed. There is an issue with the entrance and the DOT wanting it narrower. D. Moulton is not in favor of the recommendation due to the needed tractor trailer turn radius. Septic design is under review. Mr. Moulton believes the Special Use Permit is outstanding.

G. Coppelman raised a concern if no returns were received from the Notice to the two additional abutters. He was concerned that the additional abutters may not have been notified ten days prior to the meeting. The Board agreed that mailing the Certified notices to the abutters within 10 days was adequate notice and met the requirement.

1. C-2 Jones & Beach October 19, 2017- Dennis sent Jones & Beach today. PCB 1 has no “in.”
2. Catch basin and Drain- will be removed.
3. Drainage Manual- T. Santora requests a copy of the manual for the Board’s file, including a description of storm water operations and maintenance manual. The Manual will track the written history of maintenance.
4. That the posting of a bond, as approved by the Town Engineer, be filed with the Board of Selectmen.

A. Tonry confirmed that all edits identified in the plan have been corrected.

Mr. Sava entered a set of landscaping plans into the record.

Septic design- M. Sikorski was not certain if the addition will accommodate the current septic system.

T. Santora will confirm the amount due from Jones & Beach, and will confirm the cost for RCCD to review the septic design on behalf of the Town.

A. Tonry requested a list of the waivers on plan C2.

Lighting fully down-shielded is now noted on the plan.

Building Inspector and Highway Department had no comment on the plans.

There were no abutters or members of the public present. The public hearing was then closed.

T. Santora read the criteria for the Special Use Permit.

**MOTION:** To approve the request for waiver to zoning ordinance section 8.6.1.1 proposed construction is due to the reason given in the response letter to the Board dated September 1, 2017. Condition one has been met.

**MOTION: S. HANSON**

**SECOND: T. SANTORA**

**UNANIMOUS**

**MOTION:** To approve the request for a waiver from 8.6.1.2 in the proposal that design and construction methods will be such as to minimize detrimental impact upon the wetlands and will include restoration of the site as nearly as possible to its original grade and condition, due to the reasons stated in Mr. Moulton’s letter dated September 6, 2017. Condition two has been met.

**MOTION: S. HANSON**

**SECOND: C. BROWN**

**UNANIMOUS**

**MOTION:** To approve the request for waiver from 8.6.1.3 in the proposal that no alternative route which does not cross a wetland, setback or buffer or has less detrimental impact on the wetland is feasible, due to the reasons stated in Mr. Moulton’s letter dated September 6, 2017. Condition three has been met.

**MOTION: T. SANTORA**

**SECOND: C. BROWN**

**UNANIMOUS**

**MOTION:** To approve the request for waiver from8.6.1.4 that economic advantage alone is not the reason for the proposed construction, for the reasons stated in Mr. Moulton’s September 6, 2017 letter. Condition four has been met.

**MOTION: T. SANTORA**

**SECOND: C. BROWN**

**UNANIMOUS**

**MOTION:** To grant the Applicant’s request for a wetland special use permit relating to Map 8, Lot 91, in accordance with the plan by Altus Engineering dated October 17, 2017, revised to October 24, 2017, for property located on 75 Lafayette Road, as all conditions of 8.6.1 are found to exist and subject to the following conditions:

1. That the mylar be recorded at the Rockingham County Registry of Deeds
2. That any and all fees due to the Town of Hampton Falls be paid
3. That the Department of Environmental Services permit number and date of permit be shown on the plan.
4. That the posting of a bond, as approved by the Town Engineer, be filed with the Board of Selectmen.

**MOTION: S. HANSON**

**SECOND: R. McDERMOTT**

**UNANIMOUS**

**MOTION:** To approve the applicant’s request for a site plan to add an existing retail space to provide additional retail space and residence for the owner- 75 Lafayette Road, M8, L 91.

Subject to the following conditions:

1. Any and all fees due to the Town of Hampton Falls be paid before the mylar is signed and recorded.
2. The hours of operation will be Tuesday-Saturday 10 a.m. – 5:00 p.m. and Friday extending until 9:00 p.m. and Sunday 1-5 p.m. During the summer months, closed Sunday and Monday. Store hours will be added to Sheet C-2.
3. The building height and sightless objects (pipes, stacks, air conditioners, etc.) may not exceed 35 feet.
4. That any and all state permits including septic be obtained and made part of the file before the mylar is signed.
5. That the Planning Board approve any change to the State Department of Transportation driveway permit, and added to plan C-2.
6. That a note reading “No additional use or change of use shall be permitted unless approved by the Planning Board.” Added to the final plan and C-2.
7. That approval is for a retail warehouse and residential structure, and shall be noted as such on the final plan at C-2.
8. Any blasting must be done in accordance with Article IX, Section 9 of the Hampton Falls Zoning regulations.
9. Provide a copy of the Drainage Maintenance Manual for the file at the Town.

**MOTION: T. SANTORA**

**SECOND: A. TONRY**

**UNANIMOUS**

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES:** September 26, 2017.

**MOTION:** To approve the September 26, 2017 meeting minutes as written.

**MOTION: S. HANSON**

**SECOND: A. TONRY**

**UNANIMOUS**

**COMMUNICATIONS TO BOARD MEMBERS:**

G. Coppelman discussed the Legislative Forum on Nov 8, 2017, in Hampton at the Unitil Headquarters, sponsored by the RCCD beginning at 6:00 p.m., preregistration is needed, via Roxanne at RCCD. C. Brown, R. McDermott, A. Brubaker and L. Brown Kucharski to attend.

**OTHER BUSINESS:**

**PROPOSED AMENDMENTS:**

T. Santora read the text of the following proposed amendment and opened the discussion to Board members.

**PROPOSAL #1: ZONING ORDINANCE (WARRANT ARTICLE)**

**Present Regulation:**

Site Plan Review Section 8.8.3:

Moving, fluttering, blinking or flashing neon or tubular signs and/or lights shall not be permitted, except as temporary seasonal holiday decorations. Signs must be laminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.

**Proposed Regulation:**

Replace current Site Plan Review Section 8.8.3 with:

***Illuminated signs, including neon or tubular signs, shall be permitted in “BDS, BDN and TCD Districts”. No moving, flashing or animated light signs are permitted, except as temporary seasonal holiday decorations. (Amended September 2017)***

**MOTION:** To move the proposed amendment to Site Plan Review Section 8.8.3 to a public hearing on November 28, 2017.

**MOTION: C. BROWN**

**SECOND: S. HANSON**

**UNANIMOUS**

S. Hanson read the proposed appendix to the Site Plan Review Regulations. A series of examples were viewed and verified as appropriate or not in accordance with the description.

**PROPOSAL #2:**

**PROPOSED APPENDIX**: Create Appendix VII in Site Plan Review Regulations to provide visual/design guidelines for Detached ADUs that are preferred by the Town of Hampton Falls:

**APPENDIX VII**

**DESIGN GUIDELINES FOR DETACHED ACCESSORY DWELLING UNITS (ADU)**

**Introduction:** Detached ADUs can be permitted in ***existing***, accessory structures on residential properties in the Town of Hampton Falls. They are intended to increase housing options in the community, but should blend with the surrounding property in a way that maintains the residential “look and feel” of the property. Below are some examples of ADUs that promote the town’s goals of functionality and visual character.

These *guidelines* are intended to supplement, illustrate, and amplify various sections of the Zoning Ordinance and Site Plan Review Regulations. Check the applicable sections of the Ordinances and Regulations for specific requirements.

**MOTION:** To move the proposed Appendix VII in Site Plan Review regulations to a public hearing on November 28, 2017.

**MOTION: S. HANSON**

**SECOND: C. BROWN**

**UNANIMOUS**

**PROPOSAL #3:**

S. Hanson read the proposed change to the definition of living area.

PROPOSAL: Add a definition to “living area” to support our ADU Ordinance. The following could be added to Page 6 of the “Green” pages:

***“Living Area” (for an Accessory Dwelling Unit): That space within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes. Living Area is calculated by using the exterior wall dimensions per floor to calculate the gross Living Area of the ADU. Any finished unheated area that is contiguous (such as a sunroom) to the conditioned living area will be conditioned living area.***

**MOTION:** To move proposed Appendix 7 to a public hearing on November 28, 2017 as amended.

**MOTION: S. HANSON**

**SECOND: C. BROWN**

**UNANIMOUS**

**PROPOSAL #4: ZONING ORDINANCE CHANGE**

Section 13 Aquifer Protection District- the following zoning amendments are recommended to comply with state requirements for groundwater reclassified as GAA under RSA-C.

**MOTION:** To table the matter, as the current ordinance covers the requirements.

**MOTION: C. BROWN**

**SECOND: L. BROWN-KUCHARSKI**

**UNANIMOUS**

Next meetings: November 28, 2017, and December 19, 2017.

**2018-2023 CAPITAL IMPROVEMENT PLAN**

T. Santora presented the Capital Improvements Plan (CIP) recommendations. The Committee consisted of T. Santora, Chairman, Jim Ziolkowski, C. Brown, S. Hanson, L. Brown-Kucharski, T. Franciosa, Margaret Allen, and non-voting members Lori Ruest, Town Administrator, and Mark Sikorski, Building Inspector.

**MOTION:** To approve the CIP recommendations, attach the Winnacunnet materials.

**MOTION: S. HANSON**

**SECOND: L. BROWN-KUCHARSKI**

**6 IN FAVOR/ 1 ABSTAINED.**

T. Santora reported that the cell tower ordinance can provide additional income for the landowner, or school if it is owned by a school. A recent conference from the NH Municipal Association provided literature on cell towers. H. Fazzino will provide T. Santora with literature from the conference.

**ADJOURN**

**MOTION:** To adjourn the meeting at 9:45 P.M.

**MOTION: T. SANTORA**

**SECOND: C. BROWN**

**UNANIMOUS**

**W:\PLANNING BOARD\PLAN2017\PB10242017.docx**