

PLANNING BOARD	MARCH 27, 2018 7:00 P.M.
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

1. **CALL TO ORDER:** The meeting was called to order at 7:00 p.m. by Chairman Todd Santora.
2. **ROLL CALL:** Todd Santora, Eric Cimon, Abigail Tonry, Andy Brubaker, Lisa Brown-Kucharski, Shawn Hanson, Ed Beattie, Selectman's Representative, Glenn Coppelman, Mark Sikorski, Building Inspector, Holly Fazzino, Secretary.

3. REORGANIZATION OF THE BOARD

MOTION: To nominate and elect Todd Santora as Chairman.

MOTION: L. BROWN-KUCHARSKI

SECOND: S. HANSON

DISCUSSION: NONE

UNANIMOUS

MOTION: To nominate and elect Shawn Hanson as Vice Chairman

MOTION: L. BROWN-KUCHARSKI

SECOND: A. BRUBAKER

UNANIMOUS

4. COMMITTEE ASSIGNMENTS

Capital Improvements Plan (CIP): no changes, T. Santora, Chair, L. Brown-Kucharski, S. Hanson, T. Franciosa, M. Allen, J. Ziolkowski, Building Inspector (non-voting) and Town Administrator (non-voting)

Master Plan Committee: C. Brown, Chair, L. Smith, L. Brown-Kucharski, A. Brubaker, T. Santora, RPC Consultant (non-voting)

Road Committee: A. Brubaker, Chair, A. Tonry, L. Brown-Kucharski, E. Cimon, Building Inspector (non-voting), Road Agent (non-voting)

Ordinance and Regulations Review Committee: S. Hanson, Chair, A. Tonry, T. Santora, E. Cimon, E. Beattie, Circuit Rider Planner (non-voting), Building Inspector (non-voting)

Route 1 Sewer Committee: T. Santora, Chair, K. Nydam, J. Colliander, S. Hanson, Road Agent (non-voting)

MOTION: To approve committee assignments as proposed.

MOTION: To approve the Master Plan Committee, unchanged.

MOTION: S. HANSON
SECOND: A. BRUBAKER
UNANIMOUS

MOTION: To propose A. Brubaker as Chairman of the Road Committee.

MOTION: S. HANSON
SECOND: L. BROWN-KUCHARSKI
UNANIMOUS

MOTION: To propose S. Hanson as Chairman of the Ordinance and Regulations Review Committee.

MOTION: S. HANSON
SECOND- L. BROWN-KUCHARSKI
UNANIMOUS

T. Santora described the Route 1 Sewer Committee- To explore the feasibility of sewer along Route 1. Todd states that he anticipates the Committee's work to begin at the end of April.

MOTION: To appoint the following people to the Route 1 Sewer Committee: T. Santora, Chair, K. Nydam, J. Colliander, S. Hanson, E. Beattie, Road Agent (non-voting).

MOTION: S. HANSON
SECOND: A. BRUBAKER
UNANIMOUS

RPC Commissioners Richard McDermott and A. Brubaker are the representatives, through 2022.

S. Hanson takes his seat as Vice Chairman.

5. PUBLIC HEARINGS

CASE #18-03-01: Application for Final Public Hearing from Brent Flemming and Maria Flemming for a Conditional Use Permit- Detached Accessory Dwelling Unit to construct an Accessory Dwelling Unit above the existing garage, for property located at 331 Exeter Road, Map 6, Lot 30-2.

Joe Coronati, Jones & Beach Engineering, described a drawing of the proposed Accessory Dwelling Unit.

T. Santora read the new ordinance for existing ADUs passed on March 13, 2018. Also, the definition for living area was read, also passed on March 13, 2018.

Charlie Hoyt, Architect, also presented his design.

J. Coronati stated that C. Hoyt will address the square footage. There is no plan to expand the asphalt, there is a designated place for parking for the Detached Accessory Dwelling Unit (ADU). T. Santora confirmed that the ADU is tied into the existing septic system. The existing house is four bedrooms, which has been changed to 3 bedrooms with one bedroom in the ADU, as reflected in the shelf design. S. Hanson discussed the description of a door (Number 13), which should be reflected as “on the side.”

A. Tonry confirmed that parking will be on the asphalt and landscaping on the outside of the parking. M. Sikorski confirmed that the lot coverage is valid. (1 bath downstairs, 1.5 baths upstairs). Her concern is that it is a heavy use for a small lot. S. Hanson asked about the fourth bedroom, which B. Flemming confirmed that it is now going to be converted to an office. A. Tonry relayed typographical errors- accessory #13.

L. Brown-Kucharski expressed concern about the square footage, read the definition from the warrant as passed on March 13, 2018. T. Santora said the garage is unheated. L. Brown-Kucharski stated that the law specifies that the exterior dimensions are used.

C. Hoyt provided the calculation drawing. The unfinished space is not to be accessible. It is unheated and dead space. The stairway is unheated and not part of the ADU.

G. Coppelman reported that the living space is calculated by the outside wall. The drawing shows the heated, finished space.

A. Brubaker stated if the outside wall was used, the square footage would increase by 48 square feet, when measured from the outside of the interior walls, or an increase of 4%.

C. Hoyt said he was not aware of the new requirement.

J. Coronati confirmed when the law became effective. G. Coppelman confirmed that it became effective on the first meeting following the effective date.

A. Tonry said she is concerned about the stairway, C. Hoyt confirmed that the mechanical could be installed elsewhere. G. Coppelman confirmed the definition.

B. Flemming clarified that the garage is heated.

S. Hanson confirmed that the three large blocks could be increased to meet the maximum square footage requirement.

M. Sikorski confirmed that the deck will provide a second means of egress.

T. Santora confirmed that there were no further questions.

A. Tonry wondered if there are any additional lights planned. B. Flemming stated that one sconce is planned for the slider.

T. Santora opened the public comment. Having no comments, the public comment period was closed.

MOTION: To accept jurisdiction of the matter.

MOTION: S. HANSON

SECOND: L. BROWN-KUCHARSKI

UNANIMOUS

S. Hanson asked M. Sikorski if the Board could make a condition to have the plans updated.

MOTION: To approve **Case #18-03-01**, the applicant's request for a Conditional Use Permit-Detached Accessory Dwelling Unit to construct an Accessory Dwelling Unit above the existing garage, for property located at 331 Exeter Road, Map 6, Lot 30-2, subject to the following conditions:

1. That any and all fees due the Town of Hampton Falls be paid.
2. That the owner of the property shall occupy one of the dwelling units as his/her primary dwelling unit and be owner and landlord of the second dwelling unit.
3. That the living area of the accessory dwelling unit shall not exceed 750 square feet. There must be an interior door between an attached accessory dwelling unit and the primary dwelling.
4. That any entrance, newly constructed, to the accessory dwelling unit shall be located on the side or rear of the dwelling unit.
5. That onsite parking shall be provided on the lot for both dwelling units.
6. That the accessory dwelling unit shall conform to all applicable structural, water and sanitary standards for residential buildings and that detached accessory dwelling units that utilize an accessory use building (e.g., garage or barn) shall match the character of the primary residential use located on the lot.
7. That once any renovation or construction is complete or the owner is ready to have a unit occupied, a request must be made to the Building Inspector to obtain a certificate of occupancy permit. There shall be no occupancy of the accessory dwelling unit (or either unit if the entire dwelling has been newly constructed) until the Building Inspector has issued a certificate of occupancy permit.
8. Only one accessory dwelling unit is allowed per lot. The property and proposed use must conform to any and all zoning ordinances and regulations of the Town of Hampton Falls.

9. Detached accessory dwelling units that utilize an accessory use building (e.g., garage or barn) shall match the character of the primary residential use located on the lot.
10. That no accessory dwelling unit shall be condominiumized or in any way be in a different ownership than the principal dwelling.
11. That an updated copy of the floor plans for the Accessory Dwelling Unit shall be provided for the property file in the Building Inspector's Office, and the revised plans should specifically define the living area as being calculated by utilizing the exterior wall dimensions. A full definition of living area can be found in the Hampton Falls Zoning Ordinance or by contacting the Planning Board Secretary, Holly Fazzino. This new plan shall be approved by Todd Santora, Planning Board Chairman, and Glenn Coppelman, the Hampton Falls RPC Circuit Rider Planner.
12. That Note #13 type-o on the Site Plan page C2 and one inaccuracy be corrected.

MOTION: S. HANSON
SECOND: A. BRUBAKER
SIX IN FAVOR, ONE OPPOSED, PASSES

Case # 18-03-02 Application from Carole R. Binette, Trustee of the Binette Family Realty Trust for a Final Public Hearing, Application for Subdivision, Lot Line Adjustment, to adjust a portion of the common boundary line between 264 and 266 Exeter Road, Map 6 Lot 50-1 & 50-3.

Greg Binette presented a description of the addition of a building for equipment and tractor. His mother, Mrs. Carole Binette, requested that the building be set as far away from her house as possible. A Letter of authorization was received.

T. Santora opened **Case # 18-03-02** to the Board.

A. Brubaker asked for clarification about the lot size, and Mr. Binette showed the extra 5 feet at the end of the lot, as illustrated in a drawing. The drawing was stamped by the surveyor.

A. Tonry reported that tax records show 50-1 has 336.86 feet. If you subtract parcel 1 reduce by 86.87, you get 249.99. A. Tonry says 336.87 is what is shown on the plans. A. Tonry recommended that the matter be confirmed. T. Santora asked whether Henry Boyd measured, Greg reports that the new pins have been set. A. Tonry requested that the Applicant investigate the discrepancy.

A. Tonry identified the typographical errors, which were:
(REALYT) should be Realty
Parcel 1 (TOP) should be TO
Record Owner-
(Minus) Book & Page- remove minus
(Cookkingham) should be Cookingham

Parcel 2 (TOP) should be TO

MOTION: To invoke jurisdiction that the application is complete for 18-03-02.

MOTION: L. BROWN-KUCHARSKI

SECOND: A. BRUBAKER

UNANIMOUS

T. Santora opened the public comment, seeing no one present, closed the public comment.

MOTION: To conditionally approve the applicant's request for lot line adjustment to Map 6, Lot 50-1, adding .667 acres to Map 6 Lot 50-3, and increasing Map 6 Lot 50-1 8.003 acres in accordance with the plan by Millennium Engineering, Inc. February 14, 2018, subject to the following conditions:

1. That new monumentation be set and a Certificate of Monumentation be provided for the file before the mylar is signed and recorded.
2. That new deeds be provided for the file showing the appropriate acreage added to lots before the mylar is signed and recorded.
3. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed.
4. That the discrepancy between the existing tax map and the new proposed plan is clarified so that each of the new lots are confirmed to have at least 250 feet of frontage.
5. All typos as discussed are corrected.

MOTION: S. HANSON

SECOND: E. CIMON

UNANIMOUS

6. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

MOTION: To approve the meeting minutes of February 27, 2018 as written.

MOTION: L. BROWN-KUCHARSKI

SECOND: A. BRUBAKER

5 APPROVED, 2 ABSTAINED, PASSES

7. OTHER BUSINESS

A letter of thanks from departing member Charlyn Brown was read to the group.

A. Brubaker asked about Avesta and the delineation of the monitoring agency. T. Santora stated that the New Hampshire Housing Finance Authority (NHHFA) will provide the monitoring for

the Town. The final step of receiving this information from NHHFA is to draft a memorandum of understanding, committing NHHFA to sending Hampton Falls this monitoring information annually after their review. Eighty percent occupancy is required before construction can begin on the next building. T. Santora stated that the gazebo, trees for the Robinson's barrier, and walking trails have not been completed to date.

New Board of Selectmen Chair Jim Ziolkowski seeks participation of all Department Chairs at the next meeting to discuss their goals. T. Santora stated that the CIP process needs to begin sooner. He also wants to activate the sewer committee. L. Brown-Kucharski requests that the Town use an accounting software system to be able to easily provide reports. S. Hanson reports that Municipal Resources is one software, but it is difficult to figure out. E. Beattie stated that her concerns are his concerns. L. Brown Kucharski is concerned about the books not being balanced. We need to work towards clarity and transparency. A. Tonry states that S. Hanson knows that the current software is over 10 years old. Tax Collector software is excellent, efficient.

8. OTHER BUSINESS

The upcoming conference is April 28, 2018. H. Fazzino will send conference information and registration. Members should return the information to H. Fazzino for processing and payment.

B. Mutrie, Brown Road, requested a correction to July 25, 2017, minutes. The Heritage Commission should replace any reference to the Historical Society when the windows at Lincoln Akerman School are discussed.

9. ADJOURN

MOTION: To adjourn the meeting at 9:00 p.m.

MOTION: A. TONRY

SECOND: A. BRUBAKER

UNANIMOUS

The next meeting is scheduled for Tuesday, April 24, 2018, 7:00 p.m. at the Town Hall.