

PLANNING BOARD	OCTOBER 23, 2018 7:00 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

A. CALL TO ORDER: The meeting was called to order by Chairman T. Santora at 7:00 p.m.

B. ROLL CALL: Todd Santora, Chairman, Shawn Hanson, Vice Chairman, Lisa Brown-Kucharski, Andrew Brubaker, Abby Tonry, Ed Beattie, Selectman’s Representative, Jon Rizdon, Alternate, Mark Sikorski, Building Inspector, Glenn Coppelman, Circuit Rider Planner, Holly Fazzino, Secretary. Eric Cimon was absent. J. Ridzon, Alternate was designated as a Member for the evening.

C. PUBLIC HEARING

Case #18-05-01 Amended public notice for application of Shabiki Realty Trust for Final Public Hearing for Private Road Subdivision of an existing 9.04 acre residential lot with an existing house. The project proposes to subdivide into three buildable lots (5A, 5B & 5C) by proposing a Private Road per the Zoning Ordinance Section 7.5 required for parcel frontage and access. The new building lots (5B & 5C) each show a potential conceptual layout for a future house, driveway, utilities (i.e. private septic and well), grading, drainage, etc. The property is located at 25 Depot Road, Map 8, Lot 84-5. Waivers are requested.

A letter from Applicant Shabiki Realty Trust dated Monday, October 22, 2018, was read by Todd Santora, as follows:

Good Morning Holly,

As you noted in your email the parties (our engineering and the town's review engineer) have not connected with each other yet to address the items raised at the last meeting. I have spoke to my engineer and they are doing their best to address these comments and give the board ample time to review them.

In an effort to be as productive as possible and not waste the boards time, we would like to continue to the next meeting on November 27th so that the items raised in the first engineering review can be addressed.

We apologize for the delayed response from our attorney John Arnold relative to the cul-de-sac, however, he is still out on paternity leave. With that said, please see the attached letter from. By way of this email we would like to formally request that the town attorney review the attached letter and provide comment to us in advance of the November meeting.

Thank you for your time.

Respectfully,

James and Alizza Mitchell

In addition, a letter from the Applicant’s attorney, J. Arnold, requesting that the Planning Board Attorney review and confirm his position on the applicability of 8.1.3 was reviewed by the Board.

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Further, the Applicant requested a continuance to November 27, 2018.

THE CHAIRMAN OPENED DISCUSSION TO ABUTTERS

Richard Rayment, Meadow Lane, discussed his concerns about the number of continuances. The Board commented on the excessive number of continuances in Case #18-05-01.

S. Hanson spoke to the Wetland HISS Mapping letter that is on file. T. Santora discussed the matter with Planning Board Attorney Mark Beliveau and Jon Ring of Jones & Beach Engineering about 8.1.3 and they all agree that a cul-de-sac is needed.

Chairman Santora noted that the Planning Board has remained patient with this Case’s requests and application, understanding that the Board is comprised of elected officials serving the needs of our community. However, the Board must also be mindful of the abutters in the neighborhood regarding the time they have spent trying to understand the Applicant’s intent with the land, attending meetings and voicing their concerns regarding the application. E. B. Beattie remarked that patience has a limit.

MOTION: To accept the request for a continuance to November 27, 2018. A final set of plans including Town Engineering Review are due by the agenda close date of November 12, 2018.

MOTION: S. HANSON
SECOND: L. BROWN-KUCHARSKI
ONE ABSTENSION, FIVE IN FAVOR, ONE OPPOSED **PASSES**

Bev Mutrie, Brown Road, asked about the reason for a cul-de-sac. A. Tonry clarified that the land has been dedicated to a cul-de-sac, and there was an existing cul-de-sac, two other subdivisions in town did not build cul-de-sacs because their plan was different. (Zoning Ordinance 7.5.10.) A cul-de-sac would meet the standards of a Town road.

THE PUBLIC COMMENT PERIOD WAS CLOSED

D. MOTION: To approve the meeting minutes of August 28, 2018, as written.

MOTION: S. HANSON
SECOND: E. B. BEATTIE
SIX IN FAVOR, ONE ABSTENTION **PASSES**

MOTION: To approve the meeting minutes of September 25, 2018, as written.

MOTION: S. HANSON
SECOND: E. B. BEATTIE
FIVE IN FAVOR, ONE ABSTENTION **PASSES**

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E. NH OFFICE OF STRATEGIC INITIATIVES PLANNING DIVISION

The Board reviewed the 2018 Legislative Session Updates. G. Coppelman discussed the procedure for making motions as reflected in the minutes. A. Brubaker and L. Brown-Kucharski are attending the Fall Legislative Forum.

ORDINANCE AND REGULATION CHANGES PRESENTED BY GLENN COPPELMAN

The following proposed amendment was opened for discussion by the Board. No comments or questions were heard.

1) Amend Article III, Section 7.7 – Yard Requirements (Supplementary Regulations for “A District” as follows:

7.7.1 In Agricultural-Residence District (“A District”), each structure shall be setback at least fifty (50) from all lot lines or such distance as shall conform to the front lot line of existing buildings on adjacent property. Lots of record **under two acres (87,120 square feet)** ~~one (1) acre (43,560 square feet) or less~~ are exempt from this requirement and each structure thereon shall be set back at least twenty-five (25) feet from all lot lines.

MOTION: To approve the proposed zoning ordinance change #1, Article III, Section 7.7.1 as written, to a legal notice and public hearing.

MOTION: T. SANTORA
SECOND: S. HANSON
UNANIMOUS

The following proposed amendment was opened for discussion by the Board. No comments or questions were heard.

2) Amend Article III, Section 7.5- Private Road Subdivision in “A District” as follows:

7.5.9 All uses permitted in the “A District” shall be permitted on any lot on a private road, except for family day care home, private schools, churches, golf courses **and Residential Care Facilities.** ~~nursing homes, hospitals and accessory housing units.~~

G. Coppelman recommended changing 7.5.9 nursing homes to residential care facilities.

MOTION: To approve proposed zoning ordinance change #2, Article III, Section 7.5- Private Road Subdivision in “A District” as follows:

MOTION: A. TONRY
SECOND: T. SANTORA
UNANIMOUS

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The following proposed amendment was opened for discussion by the Board. No comments or questions were heard.

3) Amend Article III, Section 4 – Table of Uses for Hampton Falls Zoning Districts as follows:

8. Mixed Use Development: **Change “N” to “P”** so that this type of development is allowed in Business District North (BDN).

MOTION: To approve proposed zoning ordinance change #3, Article III, Section 4- Table of Uses for Hampton Falls Zoning Districts as written, and move to a public hearing.

MOTION: T. SANTORA
SECOND: S. HANSON
UNANIMOUS

PROPOSED SITE PLAN REVIEW REGULATION CHANGE

The following proposed amendment was opened for discussion by the Board. No comments or questions were heard.

To Add new section to Article IX- Supplementary Regulations as follows:

9.6 Underground Utilities
Whenever possible, the Town encourages all utilities to be placed underground.

MOTION: To approve the addition of Article IX, Section 9.6 to the Proposed Site Plan review regulations as written and move for a public hearing on November 27, 2018.

MOTION: T. SANTORA
SECOND: S. HANSON
UNANIMOUS

MOTION: To move the proposed Zoning Ordinance changes and Proposed Site Plan Review Regulation change as amended to public hearing.

MOTION: T. SANTORA
SECOND: S. HANSON
UNANIMOUS

PUBLIC INFORMATION REVIEW

T. Santora described that the Applicant and public cannot see the Engineering Review until the Planning Board meeting. He proposes the information be shared with the Applicant and the Public, with the understanding that the reports cannot be changed.

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C. Brown, Exeter Road, is opposed to sharing file information before the Board has viewed the information. The matter was tabled.

SEPTIC REVIEW PROCEDURE

T. Santora confirmed that during the subdivision review process with Rockingham County Conservation District (RCCD), the test pits are witnessed by RCCD. Test pit information will be added to the file in the future.

F. MASTER PLAN: PLANNING BOARD CHAPTERS: SECOND REVIEW

Housing- 1.1 Hampton Falls is a predominantly bedroom community.

MOTION: To move the Master Plan chapters of Community Vision & Goals, Community Profile, Housing, Public Utilities to a public hearing on November 27, 2018.

MOTION: T. SANTORA
SECOND: S. HANSON
UNANIMOUS

MASTER PLAN: PLANNING BOARD CHAPTERS: FIRST REVIEW

Transportation- There were no comments.

MOTION: To move the Master Plan Transportation chapter to public hearing on November 27, 2018.

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

C. Brown, Chairman of the Master Plan Committee, reports that three additional chapters are pending. T. Santora was reminded to appoint a replacement to participate in the Master Plan Committee.

G. MOTION: To adjourn the meeting at 8:50 p.m.

MOTION: LISA BROWN-KUCHARSKI
SECOND: A. TONRY
UNANIMOUS

The next meeting of the Planning Board will be November 27, 2018, 7:00 p.m. at the Town Hall.