



## **MEETING MINUTES**

### **NORTH HAMPTON PLANNING BOARD**

#### **Regular Meeting**

**Monday, August 7, 2006**

**Mary Herbert Conference Room**

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*These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription.*

**Members present:** Phil Wilson, Chairman; Shep Kroner, Vice Chairman; Laurel Pohl, Joseph Arena and Henry Marsh, Selectman's Representative.

**Others present:** Jill Robinson, Circuit Rider/RPC and Wendy Chase, Recording Secretary.

**Absent:** Craig Salomon

**Alternates present:** None

Mr. Wilson convened the meeting at 6:36pm.

### **OLD BUSINESS**

**06:16 Russell Jeppesen, PO Box 990, North Hampton, NH.** Subdivision application: Applicant proposes a seven-lot subdivision. Property location: Mill Road, North Hampton, NH, zone district R1, M/L 007-002-001 & 007-027.

In attendance for this application:

Attorney Michael Donahue, Donahue, Tucker and Ciandella

John Chagnon, Ambit Engineering

Russell Jeppesen, Owner

Mr. Wilson began the discussion by disclosing the fact that Barbara Kohl residing at 164 Atlantic Avenue, an abutter of the Jeppesen property, did not receive notification of this meeting. The notice was sent to an old address and was not forwarded to her current address.

Attorney Donahue explained that the abutter list submitted was the same list submitted with the original subdivision application, which was compiled in April 2006. He further explained that although Ms. Kohl did not receive notice, she was present at the June Planning Board meeting where it was declared that the Jeppesen application would be discussed at the August 7, 2006 meeting.

Mr. Wilson asked Ms. Kohl if she had any objections to the board proceeding with the Jeppesen subdivision application.

Ms. Kohl replied that she is concerned that she was not notified because of an oversight and would like assurance that mistakes like this will not be systematic throughout the entire project.

Mr. Wilson explained that although he would like to assure Ms. Kohl that there will be no mistakes throughout the project, the Planning Board is made up of volunteers that try very hard to adhere to the spirit and laws of the regulations for each individual application before them.

Ms. Robinson suggested the board proceed if there were no objections by Ms. Kohl.

Dr. Arena stated that Attorney Donahue used the address of record at that time so the board should proceed. Mr. Kroner agreed with Dr. Arena.

**Dr. Arena moved and Mr. Marsh seconded the motion to proceed with case #06:16, Russell Jeppesen's proposed 7-lot subdivision application. The vote passed in favor of the motion (4 yes, 0 no and 1 abstention). Mr. Wilson abstained.**

Attorney Donahue stated that there have been revisions to the plan that was submitted to the board on June 26, 2006 and that Mr. Chagnon will explain those changes to the board. He also stated that the applicant wishes to obtain acceptance of the plan but would also like the opportunity to continue this case to next month's meeting due to issues that have come up that are beyond the acceptance stage.

Mr. Chagnon addressed Ms. Robinson's comments from her review of the plan.

- The lot line was adjusted so that both lots 4 and 5 have the required 175 feet of frontage.
- Regarding the suggestion made by Ms. Robinson to remove the note "A" from sheet C2 of the plan stating that the applicant reserves and does not waive its right to obtain an exception from the North Hampton ZBA for an additional building lot. Mr. Chagnon stated that the plan has been changed from a 7-lot subdivision to a 6-lot subdivision and a note was added to the plan.
- Mr. Chagnon explained that each proposed lot has at least one contiguous acre of uplands.
- Ms. Robinson suggested the former Little Road should not be used as a shared driveway but should become a road, meeting town standards for construction. Mr. Chagnon suggested that the driveway issue be discussed further as the deliberations go on.

Attorney Donahue stated that a draft copy of the homeowner association documents would most likely be submitted to the board for next month's meeting.

Mr. Chagnon explained that there is a new set of plans for the Fire Department to review with an added water main connecting to a fire hydrant. There was also additional test pitting on lot one for State subdivision approval.

Dr. Arena voiced concerns with the proposed additional homes on Mill Road and the one-way access.

Mr. Kroner asked if the applicant were aware of the amount of ledge on Mill Road where it is indicated on the plan the 8' trench would be dug.

Mr. Chagnon explained that they have done test pits there and are aware of the ledge.

Ms. Robinson stated that she feels the plan is complete.

Mr. Kroner stated the difficulty he had tracing the deeds at the registry.

Mr. Donahue submitted into the record a copy of the release of restrictive covenants recorded at the registry of deeds, book 3249, page 0216, dated November 4, 1997.

Mr. Donahue also submitted into the record a copy of Barbara Kohl's address as it appeared in the town's records in April 2006.

**Ms. Pohl moved and Dr. Arena seconded the motion to take jurisdiction of application case #06:16, Russell Jeppesen, M/L 007-002-001 & 007-027. The vote passed in favor of the motion (4 yes 0 no 1 abstention). Mr. Wilson abstained.**

Mr. Wilson opened the public hearing at 7:06pm.

Ed Rubicky, 62 Mill Road raised concerns that if the proposed lots are to be elevated it will worsen the existing drainage problem on his property.

Mr. Wilson explained that it states in the subdivision regulations that the rate of run off water must not exceed the rate of run off water that existed prior to the subdivision and it is up to the applicant to prove that it will not exceed. He also stated that it is not up to the applicant to fix Mr. Rubicky's drainage problem but it is up to the applicant not to worsen the problem.

Vince Vettraino, 64 Mill Road voiced concerns regarding the right-of-way on the proposed road. He owns 104 feet of frontage on the road and would like to make sure the project does not encroach on his property. He also wanted to know if the proposed lots were conforming lots.

Mr. Wilson stated that the applicant has addressed the issues on the lots and they are all now conforming lots.

Mr. Vettraino also voiced concerns with the proposed shared driveway.

Seavie Rideout, 71 Mill Road voiced concerns about the drainage.

Henry Marsh, as a state of reference, reminded the audience that Mill Road is a State Road.

Dr. Arena pointed out that once the road is paved the water would leave the area at a much more rapid pace.

Attorney Donahue stated that they have to design the roadway so that the water is not running down Mill Road.

Jane Currivan raised concerns about blasting. Jane is also on the Heritage Committee and fears blasting may have an impact on older homes in town. She asked if the applicant would be providing a feasibility study on blasting.

Mr. Vettraino questioned the reason for the one-way access.

Mr. Chagnon explained that the access off of Atlantic Ave. is closer for the Fire and Police Department in case of an emergency.

Mr. Marsh added that it is set up that way for safety and security issues also.

Ms. Robinson pointed out that the board should be aware of the comments made by the Town's Engineer, Ed Kelly of Keach and Nordstrom. She stated that in light of all the comments made in regards to drainage and the topography of the area the board should keep in mind Mr. Kelly's question of "What is the disposition on the previous revisions relative to the determination if an Erosion and Sedimentation control plan analysis is warranted?"

Mr. Wilson closed the public hearing at 7:34pm.

Mr. Kroner added for the record that he felt one of the reasons they chose the one-way access was to retain the characteristics of the property.

Dr. Arena feels that the Board should keep in mind that some time down the road it will be a request to accept the proposed road as a town road.

**Dr. Arena moved and Mr. Kroner seconded the motion to continue case #06:16, Russell Jeppesen's proposed 7-lot subdivision application to the September 5, 2006 meeting.**

**The vote passed in favor of the motion (4 yes, 0 no and 1 abstention). Mr. Wilson abstained.**

## **New Business**

**Preliminary Consultation – W/S North Hampton Properties, LLC. Applicant to discuss development of a potential Staples office products retail store on parcel C at Lafayette Crossing Mall.**

In attendance for this application:

William Haskell, Gorrill-Palmer Consulting Engineers, Inc.

Mr. Haskell came before the board on behalf of W/S Development, LLC to discuss the proposed development of one retail space with an approximate 18,276 s.f. footprint and 61 parking spaces located on tax map 007-052. The property is also described as Parcel C of Lafayette Crossing Mall.

The application previously granted by the Planning Board consisted of two retail spaces, retail store "G" equaling 5,000 s.f. and retail store "F" equaling 10,880 s.f. Mr. Haskell explained that the new proposal would request an increase of square footage to equal 18,276 s.f. He also stated that the paved perimeter outside of the proposed building would not change from the previously approved plan.

Mr. Haskell informed the board that the proposed retail business is Staples Office Products. He explained that the trip generation differs greatly with an office supply store. People generally run in and out so it would be unusual to witness a full parking lot.

Mr. Wilson pointed out that the new proposal would eliminate the previously sought drive-thru window.

Mr. Wilson explained to Mr. Haskell that the town passed a new sign ordinance and that he would have to apply for a conditional use permit with the board. He suggested that the applicant apply for both the conditional use permit and the site plan review at the same time.

**Capital Improvement Plan (CIP) Update**

Ms. Pohl informed the board that she has received completed CIPs from most of the departments.

Ms. Pohl asked the members of the Board if there were any "special studies" the board intended on doing, because the cost of the studies would have to be added to the operating budget.

Mr. Wilson suggested that the topic of "special studies" be added to the next work session agenda in order to give each member time to think about it.

Dr. Arena questioned how far into the future the board intended on going and that major studies would be a tax burden to the town. He suggested the board focus on the immediate future.

Mr. Kroner suggested that one special study could focus on the increasing demands on playing fields in town.

Mr. Marsh explained that the School has met the burden for playing fields. The North Hampton Youth Association is a separate entity from the Town. The Town has a very active Recreation Department where the school gym is being used often. We have more fields than are towns do.

### **Needs Assessment Update**

Ms. Pohl informed the board that the Long Range Planning Committee met earlier and over the course of the next ten days would redraft the statement of the work that needs to be done for the needs assessment. Ms. Pohl would like the Planning Board to approve the scope of the needs assessment at the next work session and authorize the Long Range Planning Committee to go before the Board of Selectmen at their August 28, 2006 meeting.

Ms. Chase was directed to place the May 25, 2006 minutes on the next work session agenda.

**Dr. Arena moved and Mr. Marsh seconded the motion to adjourn the meeting at 8:45pm.**

**The vote passed in favor of the motion (5-0).**

Respectfully submitted,

Wendy V. Chase  
Recording Secretary