



MEETING MINUTES

NORTH HAMPTON PLANNING BOARD

Regular Meeting

Tuesday, September 5, 2006

Mary Herbert Conference Room

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, Selectmen's Representative.

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

Members Absent: Craig Salomon

Alternates present: None

Mr. Wilson convened the meeting at 6:30pm.

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:

John Chagnon, Altus Engineering

Attorney Michael Donahue, Donahue, Tucker and Ciandella

Mr. Wilson stated the substantive issues to discuss were the overall drainage issues and issues pertaining to the proposed driveway.

Mr. Chagnon informed the board that they had received subdivision approval from NHDES. Attorney Donahue handed out copies of the State subdivision approval to each member and a copy to add to the record. The following note appears on the approval, Number SA2006007343:

1. *Although the subdivision as approved herein meets all ENV-WS 1000 rules as submitted, please be advised that construction may involve dredging and filling a jurisdictional wetland, and if so, shall require wetlands bureau approval prior to construction.*
2. *Lots 1 thru 3 are approved with municipal water only.*
3. *Lots 4 thru 6 are approved with on-lot wells.*

Mr. Chagnon said that they would have a completed drainage analysis two weeks prior to the next meeting scheduled for October 2, 2006. He further explained that the erosion control plan analysis would be part of the drainage analysis.

Mr. Chagnon discussed installing a water line and the possibility of ledge they may encounter. They may either have to hammer or blast. Attorney Donahue will submit protocol pertaining to blasting at the next meeting for the board and abutters to review.

Mr. Chagnon presented two alternative road designs for the board to review. One of the proposals described as Alternative B was a loop road off of Mill Road and the other was to bring the existing "Little Road" up to Town standards.

The loop road approach would require a wetlands crossing, which would be approximately 4500 sq. ft. and Wetland Bureau approval. This concept would create eight lots.

To reconstruct the existing road and bring it up to town standards would involve opening it up to a 54' width, which would allow two-way traffic. This concept would equal nine lots, creating one new lot plus one existing lot.

Attorney Donahue informed the board that the feedback he received from the Conservation Commission was that they were pleased with the idea of using the existing "Little Road" as a private road and preserving the stonewalls.

Attorney Donahue handed out draft copies of restrictive covenants. He suggested Town Counsel review the covenants at Mr. Jeppesen's expense.

Mr. Wilson asked whether or not there was a clause in the proposed covenants that would prohibit the private road of ever becoming a town road.

Attorney Donahue explained that the proposed covenants does state that it is a private road and the owners would have to maintain it. He said that language could be added to the covenants as well as each deed prohibiting the road ever be accepted as a town road, but nothing is ironclad, the townspeople can always vote to accept the proposed private road as a town road.

Ms. Robinson brought up points for discussion and points for the board to think about:

- There may be a halfway point between bringing the road up to town standards and preserving the original Little Road, maintaining a lot of the rural characteristics.
- If the townspeople ever vote to accept the private road as a town road it would cost the town a lot of money to bring the road up to town standards.

Dr. Arena suggested that the existing "Little Road" be constructed as closely to town standards as possible while preserving the stonewalls on either side. He would also like language added to the covenants stating that the road shall remain private.

Mr. Wilson commented on the three concepts presented to the board.

1. The original proposed plan preserves the rural New England seacoast character and heritage of the town better than the proposed conceptual plans.
2. The alternative “A” plan, which creates a parallel road to Pine Road will result in a lot of people using that road to avoid the Mill Road/Atlantic Ave. intersection.
3. Alternative “B” (loop road) would create added costs to the Town for maintaining it because it calls for the town to accept the road as a town road.

Dr. Arena stated that he is absolutely against the Alternative B concept. (“loop road”).

Mr. Wilson opened the public hearing at 7:24pm.

Mr. Vince Vettraino of 64 Mill Road stated that he feels the original design is more suitable for the Town. He added that the board, when considering each concept should keep in mind “who would benefit?”

Attorney Donahue stated that the deeds would read that the lots are subject to the covenants. Both the deeds and covenants are recorded at the Registry of Deeds. Attorney Donahue said that he would email a copy of the covenants to Ms. Chase to send to Town Counsel for review.

Ms. Kathy Shirley of 140 Atlantic Ave. asked how large the houses were proposed to be.

Attorney Donahue said they are unsure of how large but it is stated in the covenants that there will be a minimum size of 2800 sq. ft.

Ms. Cole asked if the police have the authority to enforce the one-way on the proposed private driveway.

Attorney Donahue said that it could not be enforced because it is a private way but language could be added to the covenants to allow the police to enforce traffic rules.

Ms. Shirley suggested they create a straight road with a dead-end and place a utility easement on one of the lots so traffic could turn around.

Mr. Marsh stated that the Fire Department needs two accesses. He doubts the Fire Department would approve a dead-end road.

Mr. Chagnon will be scheduling a consultation with NH Department of Transportation to discuss traffic issues.

Ms. Robinson suggested the board consider how will these proposals fit in with the town’s overall road layout.

Mr. Wilson closed the public hearing at 7:50pm.

Mr. Wilson wanted to get a sense of the board to give the applicant some direction on which route to pursue for the next meeting. The members agreed that they were not in favor of the Alternative B (loop road) concept.

Mr. Kroner said that he preferred the original plan.

Ms. Pohl also prefers the original plan but would like more work done on the proposed covenants. She addressed a couple of potential issues such as parking for multiple cars and mitigation for neighbor disputes.

Mr. Marsh commented on the drastic changes on the new proposed plans presented from the original plan that the board took jurisdiction on.

Dr. Arena reiterated what he had said all along, "keep the road private."

Ms. Robinson reminded the board that the original plan proposes a shared private driveway opposed to a private road. She also said that she agrees with Ms. Pohl's comments regarding the proposed covenants.

Dr. Arena moved and Ms. Pohl seconded the motion to continue case #06:16 to the October 2, 2006 meeting.

The vote was unanimous in favor of the motion (5-0).

New Business

There was no new business to discuss.

Other Business

1. Correspondence to the Planning Board from Richard Skowronski and Leila Hanna regarding Case #05:20, Leonard and Mary Saunders subdivision plan.

Richard Skowronski and Leila Hanna were both present.

Mr. Skowronski went over the letter that he sent to the board. He stated that the driveway turnouts depicted on the Saunders' recorded subdivision plan were incorrect. He stated that the turnouts depicted on the final recorded plan are very different from what was proposed and discussed at the March 6, 2006 meeting. He further stated that he had listened to the recordings of the March 6, 2006 meeting and would like the board to direct the Saunders to revise their plans to match the discussions that took place at that meeting.

Mr. Skowronski requested that the turnouts be located on the inside of the turns on the driveway to improve the visibility of oncoming vehicles and that at one point during the meeting Mr. Ring sketched them on the plan to reflect that request.

Mr. Wilson recalled the site walk the planning board members went on to view the driveway. He stated that the first turnout if placed on the inside would be in the wetlands and if it were located on the other side it would not be in the wetlands. Mr. Skowronski said that it would be in the wetlands on either side.

Mr. Wilson would like to listen to the recordings of the March 6, 2006 meeting. He would also like to speak to Mr. Jonathan Ring of Jones and Beach.

Mr. Kroner said that the Mylar should reflect what the board voted on at the public hearing on March 6, 2006.

Mr. Marsh suggested that Mr. Wilson review the recordings and if it is determined that changes need to be made then to do so in a timely fashion and contact Mr. Saunders.

Mr. Wilson agreed that he should listen to the tapes and suggested that maybe the entire board should listen also.

Ms. Robinson asked if anyone discussed this issue with Jonathan Ring.

It was determined that Mr. Wilson will contact Jonathan Ring and listen to the recordings of the March 6, 2006 meeting. Mr. Kroner was directed to place the topic on the next work session's agenda scheduled for September 18, 2006.

Dr. Arena asked if the board had reviewed the correspondence from Attorney Allen regarding the rental agreement for Greystone Village. The members will review the proposed changes and the topic will be placed on the October 2, 2006 agenda.

Mr. Vincent Vettraino introduced himself to the board. He will be sworn in as a Planning Board member prior to the next meeting, October 2, 2006.

**Mr. Marsh moved and Ms. Pohl seconded the motion to adjourn at 8:20pm.
The vote was unanimous in favor of the motion (5-0).**

Respectfully submitted,

Wendy V. Chase
Recording Secretary