

PUBLIC HEARING AND BUSINESS MEETING

- A. CALL TO ORDER – 7:00 PM:** Chairman Brown called the meeting to order.
- B. ROLL CALL:** C. Brown, Chairman; L. Smith, A. Tonry, Co-Vice Chairmen;
R. McDermott, Alternate Member; R. Vigneau, Building Inspector; L.
Ruest, Secretary
NOT PRESENT: R. Duchaney, C. Gordon, D. Mitchell, Members; F.
Ferreira, Jr., Selectmen’s Representative; G. Greenwood, Interim Circuit
Rider Planner

R. McDermott was designated a voting member. Four members present constitute a quorum.

- C. PRELIMINARY CONSULTATION:** David Chareth, 186 Drinkwater Road,
Map 4, Lot 11, Proposed 3-4 Lot Subdivision

David Chareth and his son, Brad Chareth, were present. C. Brown informed the applicants that preliminary consultations are non-binding on both parties; the applicant and the Planning Board. This discussion will be an exchange of ideas and information only.

B. Chareth displayed a copy of the proposed plan for viewing and identified the 21-acre property location as 186 Drinkwater Road. D. Chareth noted the existing house location and indicated there is 150’ of frontage. The proposal is to construct a new cul de sac with four lots (one being the existing house). Initial test pits have been done as well as non-flagged wetlands review and it is hoped that a resolution on this property can be reached by year end. It is understood that test pits need to be witnessed and wetlands need to be flagged and that the driveway to the existing house would be moved to access the new road. All other requirements of zoning have been considered. C. Brown informed the applicant that the Town names subdivision roads.

It was noted that this property abuts town-owned land and may become something the Town is interested in for conservation purposes. He requested ideas and recommendations of the Board.

A. Tonry asked whether the applicant considered a private road subdivision and provided information related to that ordinance. Following discussion, D. Chareth stated he would consider this suggestion. C. Brown reminded the applicant that certain services are not provided to private roads. R. Vigneau suggested the applicant refer to Hampton Falls ordinances relating to septic system requirements as what is shown does not meet regulations. The Board also indicated that the 50’ right of way should run right along the property line rather than leaving a sliver of land with questionable ownership.

D. PUBLIC HEARINGS

1. **Case 05-02-01:** Application from **Charles Mutrie** for Final Public Hearing for Site Plan Review of a 12 unit age restricted residential/condominium development of property at 67 Lafayette Road. (Map 8, Lot 92)

Attorney Michele Peckham, Charles and Beverly Mutrie, Steve Sicard, John Chagnon of Ambit Engineering and David Lopatich were present. A letter of authorization from Mr. Jasinski is part of the file. Attorney Peckham identified the site location and changes to the plans from the discussion at the preliminary consultation held with the Board. The project has been scaled down to two buildings in order

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to meet the required 50' separation with three living units on the first floor and three on the second. There is underground parking for 12 vehicles. Additional parking spaces are provided for a total of 36 which meets requirements. Attorney Peckham reviewed Article II, Section 11 in its entirety noting where each section has been met. Items addressed included but were not limited to parking, pedestrian access, number of bedrooms, amount of upland and square footage of each building. A one-way entrance and a one-way exit are proposed.

Attorney Peckham reviewed the memo from the RPC prepared by Glenn Greenwood. In response to item number one, she stated that two conditions of a variance granted for the septic system were inadvertently excluded from the plans. The variance granted allows the reserve area to be 12,264 square feet.

The second item questions the density calculation for the site. The Board agreed with the suggestion to request input from M. Cuomo on this matter.

Application has been submitted for subdivision as well given the plan to condominiumize. Question was raised with respect to whether the legal notice should have included Subdivision as well as Site Plan Review. This question will need to be answered in anticipation of approval and the application re-noticed, if necessary, as this case was only posted for site plan. A waiver request has also been submitted regarding plan scale. Trip generation figures were provided indicating little increase in traffic trips for this use. Based on this, the applicant feels a traffic study is not warranted. Information has also been provided on the sewage pump proposed for this project.

J. Chagnon began a page by page review of the plan set at this time. He identified the cover sheet to include an index of sheets and an existing conditions plan. A summary of the drainage analysis has been provided and there is plan to use a detention pond. He noted that there is a shed on the property. Following discussion, the Board requested the plans be noted that this structure is to be removed.

Review continued with the layout and landscaping page. Plantings are planned along the road and certain tree lines are to remain. The orientation of the buildings is such to provide views to the marsh and pond. Variances are listed and handicap parking spaces are provided. The setback from the street to the buildings is 50' and the property line vegetated area to the north is to remain and be landscaped. The applicant is currently in discussion with the Department of Transportation and is aware of the 12' easement along Route 1. This will be shown on the plans once a permit is approved. Alan Garland of the NH DOT has not yet visited the site and is determining whether two accesses are allowed.

Referring to the utilities plan, it was noted that underground utilities are planned. The proposed entrance/egress locations will require relocation of a utility pole. There is only one well proposed for the site. The location and radius were identified. J. Chagnon provided the Board with the way this type of community system works. He noted that a design sheet layer is part of the plan set. A swale is located behind the buildings to catch water and bring it to a detention pond. A series of catch basins bring water to the detention pond as well. The pond is in the wetland buffer and tidal buffer and will require additional permits. In order to not have a detention pond, the applicant would need to request a waiver which is adverse to the condition of use variance approval. J. Chagnon explained his reasons why it would be better not to have a detention pond impacting the buffer. Following discussion, the Board indicated that the reviewing engineers and John Chagnon could review this matter and each could report its recommendations back to the Board. J. Chagnon indicated that each building is to have a dry sprinkler

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system and that he will review and coordinate this with the Fire Chief. The two buildings are to have interior fuel tanks.

Referring to the detail plan for the septic system, J. Chagnon stated this sheet shows a secondary reserve area should the proposed area fail. Test pit data and design information is shown on this sheet as well.

The lighting plan sheet shows a proposal to light the property with four pole-mounted lights to the drive and parking areas. The buildings will have building mounted lights for the access and pedestrians ways. Lighting fixtures are dark sky compliant. The plan set also includes wetland delineation and HISS mapping conducted by NH Soil Consultants and four sheets of details and erosion control information. This concludes J. Chagnon's review and he requested the Board accept jurisdiction this meeting.

Discussion was opened to members of the Board. L. Smith commented that he is pleased to see a project of this type before the Board as he is anxious to see available elderly housing in Hampton Falls. Hearing no further comments, C. Brown opened discussion to abutters and members of the public. Lyn Stan of 15 Meadow Lane expressed her concern with the potential for increased traffic with this use and urged the Board to require a traffic study. She also expressed concern with the proposed two accesses. It was explained to her that the proposal is for one access and one exit. She added that a review of this site in the past included a concern by the Army Corps of Engineers with respect to drainage on this site. She requested this be reviewed. R. McDermott provided her with a copy of the trip generation information submitted to the Board this evening for review. Following review, she stated her disagreement with the figures. Maria Kenney of 14 Meadow Lane expressed concern with traffic; specifically, the congestion of traffic at the intersection of Route 1 and Route 84 as well as left hand turns to the site. She also asked if there is a possibility of access from Meadow Lane. It was explained that this was considered, but decision was to access from Route 1. M. Kenney also inquired as to the area of trees to be cleared and the possible loss of privacy from Route 1. A review of the plan for clearing took place and Attorney Peckham noted that the wetlands setback will prevent the removal of trees for approximately 140-200' on the east side. M. Kenney requested the amount of clearing be limited. L. Smith noted that the ordinance requires retention of natural vegetation.

C. Brown asked for any further questions or comments from the public. None were heard. She stated that she will leave the public hearing open as long as this application is before the Board for discussion. R. McDermott stated his concern with only one well location and requested information be submitted to prove one well will suffice for the proposed number of units. Discussion of water yields, tank size, etc. took place. It was noted that this well is not proposed for irrigation purposes. J. Chagnon added that the property does allow for other wells. The Board requested he consider showing locations that would meet regulations. A. Tonry identified that the cupolas appear to be higher than the 35' limitation. The applicant agreed to remove them and the Board stressed that the height limitation of 35' be met.

D. Lopatich provided a review of the building plans and elevations at this time. He addressed architectural issues, description of units, and proposed hardscape. C. Brown expressed concern with the lobby area and requested the applicant review this with the Fire Chief. No further questions were heard from the Board at this time.

MOTION: To accept jurisdiction of the application as complete.

MOTION: L. SMITH

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**SECOND: R. MCDERMOTT
UNANIMOUS**

The Board addressed the applicant's request for waiver at this time.

MOTION: To approve the applicant's request for waiver to Site Plan Review Regulations 6.2.2 to allow a plan scale of 30 feet to the inch.

**MOTION: L. SMITH
SECOND: R. MCDERMOTT
UNANIMOUS**

MOTION: That the plans and application documentation be sent to Jones and Beach Engineers, Mike Cuomo of the Rockingham County Conservation District, and Department Heads for review once the posting of \$2,500 engineering review fees is received.

**MOTION: R. MCDERMOTT
SECOND: L. SMITH
UNANIMOUS**

J. Chagnon requested additional discussion with respect to drainage. He requested feedback from the Board regarding the detention pond that has been provided in order to comply with Section 8.6.1 that does not allow off-site increases in run-off. Following discussion, he requested the Board consider granting a waiver. C. Brown noted that this information and request are above the knowledge of the Board. She suggested that the applicant engineer seek written opinion and recommendation of Jones and Beach Engineers and Mike Cuomo of the Rockingham County Conservation District with respect to both options. She stated that John Chagnon of Ambit Engineering has the Board's permission to discuss the best plan to avoid a request for waiver. L. Smith questioned whether it is preferable to have treatment to sheet flow and not disturb trees or take up trees for an alternative. In closing, C. Brown requested interior floor plans, to include the open entry area, be provided to the Fire Chief. This application is continued to March 23, 2005.

E. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES:

L. Smith requested that item number two of the waiver request on page five include the word "granite" rather than "stone."

MOTION: To approve the minutes of the January 25, 2005 meeting as amended.

**MOTION: R. MCDERMOTT
SECOND: L. SMITH
UNANIMOUS**

F. OTHER BUSINESS

1. Building Inspector's Report: The Board acknowledged R. Vigneau's January report.

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2. Committee Reports: It was reported that the CIP/Master Plan Committee, Road Committee and Ordinance and Regulations Review Committee has not met.
3. Timely Filing of Meeting Minutes: C. Brown stressed the need for timely filing of meeting minutes in accordance with RSA 91a. A copy of meeting minutes should also be provided to the Planning Board Secretary for inclusion in the monthly mailing.
4. Annual Spring Planning Conference, Saturday, April 9 (Sign up ASAP, space limited - deadline April 1): Information for registration and track sign-up was provided to the Board. All are encouraged to attend. Registration forms are due as soon as possible in order to submit timely registration and make arrangements for the processing of the fees.

Circuit Rider Planner: Board members and R. Vigneau expressed concern with the lack of Circuit Rider Planner assistance. It is suggested that the Board of Selectmen be informed of the lack of Circuit Rider for the last two meetings and request assistance in getting one assigned.

G. COMMUNICATIONS TO BOARD MEMBERS:

The following communications were reviewed at this time:

- Rockingham Economic Development Corp. – 5 Year Strategic Plan for Rockingham County.
- REDC “Developments” newsletter informing of two workshops.
- Rockingham Planning Commission Natural Hazards Mitigation Plan
- Work session Minutes of 4/13/99 regarding DOT easements along Route 1
- Results of test pits at Tanner property, Tax Map 4, Lot 40
- Copies of Decision Letters from prior meeting

Alternates to the Planning Board: C. Brown reported that three people have expressed an interest in serving as alternate member to the Planning Board. Statute allows for two alternates. One alternate position is currently filled by R. McDermott. Discussion took place with respect to R. McDermott considering the open member position on the Board or the Board of Selectmen considering him as Selectmen’s Alternate. R. McDermott requested the matter of potential conflict of his being a ZBA member and regular member of the Planning Board be researched.

The Board was reminded that next month is reorganization of the Board and that the meeting will start at 6:30 p.m.

H. ADJOURNMENT

MOTION: To adjourn the meeting at 9:22 p.m.

MOTION: A. TONRY
SECOND: R. MCDERMOTT
UNANIMOUS