CALL TO ORDER

Chairman T. Santora called the meeting to order at 7:01 PM.

ROLL CALL

Present: T. Santora, Chairman; E. Cimon, Vice Chairman; E. Beattie, Selectmen’s Representative; A. Tonry, Member, L. Brown-Kucharski, Member; A. Brubaker, Member; S. Hanson, Member

Not Present: L. Jordan, Secretary

Non-Voting: M. Sikorski, Building Inspector; G. Coppelman, RPC Circuit Rider Planner

PUBLIC HEARINGS

Case #20-09-01: Application from TFMoran, Inc. for Final Public Hearing for Subdivision creating four or more lots being a proposed six lot subdivision including five single-family residential building lots and one lot of remaining land and Scenic Road Alteration Permit for property located at Brown & Old Stage Road, Map 5, Lot 19.

Branda Kolvo and Chris Rice of TF Moran, LLC (TFM) presented information on Case #20-09-01 for a six-lot subdivision. Jack Sullivan of CMTF provided a Letter of Authorization, included with the application.

Lots #1 and #3 have existing openings in stone wall, but Lots #4 and #5 will require that holes be cut in walls. TFM stated that the rocks would be used for the apron, to which A. Tonry replied that all rocks belong on town street portion of wall. The utilities are underground. There will be a 20’ wide easement behind the stone wall, not on town property, from Lot #3 through Lot #1.

TFM has requested waiver of 6.2.16 topography, 6.2.17 full plan survey and 6.2.21 High Intensity Soil Survey (HISS) mapping. The Circuit Rider Planner informed the Board that the letter mailboxes will be approved by the Post Office and Postmaster. All waivers and stamps will be reflected on the plans. The frontage is over 250’ with missing pieces shown. It has been requested to not have granite makers in the front bounds within the stone wall.

TFM has saved the special use permit request for later regarding the wetland buffer, depending on what is found upon excavation. The Chair suggested there be Town supervision for the tree trimming and stone wall removal for driveway entrances.

Access to Lot #6 will be by Old Stage Road because Brown Road access would traverse wetlands/buffers. S. Hanson feels that all test pits should be shown on the plans. The Board was not supplied with plans that showed where failed pits were, and the Board assumed the passed pits were in the 5,000 septic area. S. Hanson asked if the Police/Fire Departments have signed off on the safety and sight distances, and E. Beattie needed assurance that firetrucks can access the driveway of Lot #1. Further details were requested regarding the underground utilities.
The easement language will have to be in the deeds and reviewed by Town Counsel.

L. Brown-Kucharski requested driveways on other side of Brown Road be shown as they relate to the new driveway cuts, and A. Tonry asked if Lot #3 and #4 driveways would be in excess of 100’ (affirmative). S. Hanson expressed concern regarding erosion control during construction. A. Tonry insists upon foundation certifications due to tight house placement on Lots #4 and #5.

**MOTION:** To accept jurisdiction on **Case #20-09-01** for Subdivision creating four or more lots being a proposed six lot subdivision including five single-family residential building lots and one lot of remaining land and Scenic Road Alteration Permit for property located at Brown & Old Stage Road, Map 5, Lot 19.

**MOTION:** L. Brown-Kucharski  
**SECOND:** E. Cimon  
**UNANIMOUS**

Chair T. Santora stated that Case #20-09-01 must proceed through Engineering Review which requires a $5,000 retainer to the Town.

**PUBLIC COMMENT**

S. Bryant, Old Stage Road, inquired to the plan for Lot #6, to which TFM replied no plans at this time. E. Beattie commended the applicant for their consideration of the underground utilities, the Town stone wall/driveway entrances and the utility easements. A. Tonry stated that if TFM is requesting a special use permit, it would have to be separately noticed as it was not part of the original Application for Subdivision, and that the deadline for the next meeting is October 5th, 2020.

**MOTION:** To submit application #20-09-01 for Engineering Review to Jones & Beach Engineers and review by Department Heads upon receipt of the $5,000 escrow deposit.

**MOTION:** L. Brown-Kucharski  
**SECOND:** E. Beattie  
**6 IN FAVOR, 1 ABSTENTION, PASSES**

**MOTION:** To continue Case #20-09-01 to the October 27th, 2020 Planning Board meeting.

**MOTION:** A. Brubaker  
**SECOND:** E. Cimon  
**UNANIMOUS**

**Case #20-09-02:** Application from **TFMoran, Inc.** for Final Public Hearing for **Subdivision** creating three or less lots being a proposed three lot subdivision including two single-family residential building lots and one lot of remaining land for property located at 0 Exeter Road, Map 4, Lot 66.
Marinus Vander Pol and Chris Rice from TF Moran, LLC presented information on Case #20-09-02 for a three-lot subdivision. CMTF provided a Letter of Authorization, included with the application.

Waivers have been requested for 6.2.16 topography, 6.2.17 no plans of the undeveloped land, and 6.2.21 HISS. All driveways will need to be approved by DOT because Exeter Road is state highway. Lot #1 will have a replacement pole, and the remaining utilities will be underground. Lot #2 requires a new utility pole, and will use the existing hole in the stone wall for driveway access. Lot #1 will need a new driveway cut into the stone wall.

The Circuit Rider Planner informed the Board that the letter mailboxes will be approved by the Post Office and Postmaster. All waivers and stamps will be reflected on the final plans. The Exeter Road frontage is above 250’, there is 216’ frontage on Nason Road. Millennium Engineering has some errors on the abutting plan for the “French” subdivision Case #20-05-01, but they are aware of the error and are preparing corrective plans and deeds. Additionally, test pits must be shown on the final plans.

**MOTION:** To accept jurisdiction on Case #20-09-02 for Subdivision.

**MOTION:** E. Cimon  
**SECOND:** E. Beattie  
**UNANIMOUS**

**PUBLIC COMMENT**

Ed Powers, Nason Road, asked about plans for Lot #3 development, which is not part of this subdivision application.

Kim Rondeau, Beechwood Road, feels unhappy that she had did not have what she feels sufficient time to review plans. The Board explained that she received an abutter letter in early September and could have come to Town Hall anytime since to review plans.

The Board decided that Engineering Review was unnecessary due to no wetlands and a relatively straightforward request for two lots.

**MOTION:** To approve waiver to Subdivision Regulation 6.2.16 stating “A topographical plan with contour lines at two (2) foot vertical intervals shall be shown.”

**MOTION:** L. Brown-Kucharski  
**SECOND:** S. Hanson  
**UNANIMOUS**

**MOTION:** To approve waiver to Subdivision Regulation 6.2.17 stating “Where the layout submitted covers only a part of the applicant’s entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the submitted part will be considered in light of adjustments and connections with the street system of the part not submitted. Approval of the submitted area does not guarantee approval of the unsubmitted area.”
MOTION: L. Brown-Kucharski  
SECOND: S. Hanson  
UNANIMOUS

MOTION: To approve waiver to Subdivision Regulation 6.2.21 stating “Soil data shall be provided as a part of the subdivision plan as the scale and dimensions require. Soils information shall be provided in the form of High Intensity Soil Survey (HIS) maps. Tests for determining soil information shall be performed by a certified soil scientist, who shall stamp the HIS map. Any cover letters of explanatory data provided by the soil scientist shall also be submitted. All costs of performing such investigations shall be borne by the applicant.”

MOTION: L. Brown-Kucharski  
SECOND: S. Hanson  
UNANIMOUS

MOTION: To approve the application from TFMoran, Inc. for Final Public Hearing for Subdivision creating three or less lots being a proposed three lot subdivision including two single-family residential building lots and one lot of remaining land for property located at 0 Exeter Road, Map 4, Lot 66 in accordance with the plan submitted by TFM for three lot subdivision plan dated August 31, 2020, subject to the following conditions:

1. That any and all fees due the Town of Hampton Falls and its consultants be paid before the Mylar is signed and recorded.

2. That draft deeds for the newly created lots be submitted for the Planning Board file and that the Planning Board counsel, prior to the Mylar being signed, approve the final language of all the easements and advise the cost of review and recording. All easements are to be recorded in the applicable deeds.

3. That monumentation and wetland district placard installation be bonded, set and certified with a Certificate of Monumentation and Certification of Wetland District Placard Installation Form submitted for the Planning Board files.

4. That no lots are to be advertised or sold before the Mylar is signed and recorded. When and if this approved project changes ownership, the new owner is required to appear before the Planning Board to review the approved plan so as to have a complete understanding of it.

5. That the engineer obtains and identifies proper map and lot numbers for the newly created lots from the appropriate town official of the Town of Hampton Falls and that a note be added requiring that street numbers for new houses are to be assigned by the appropriate town official of the Town of Hampton Falls (before the Mylar is signed).

6. That wetland district placard markers are obtained from the Conservation Commission, at the owner’s expense, and that the placard markers be posted at wetland buffer points and corners,
with one, or more additional markers every 50’’ prior to any tree cutting for road construction or excavation. Wetland district placard markers are to be certified with a Certificate of Wetland District Placard Installation from for the Planning Board file.

7. That utility boxes be placed as far as practical from the asphalt road surface.

8. That driveway culverts be constructed in accordance with the approved plan and that an additional sheet be made part of the plan set that identifies the location(s) of road cross pipes, catch basins, drainage easements or other structures/features as needed.

9. That the plan set submitted as final for recording be reviewed by the Circuit Rider Planner in advance of the Chairman’s signature and that no building permits be issued until the Mylar is signed.

10. That no items such as, but not limited to, street lighting, granite curbing, fences, walls, sprinkler heads or entrance facades be built in the town’s right-of-way.

11. That a CAD file and proper number of plans, to include an 11”x17” copy, be submitted in compliance with Subdivision Regulation Section 6.1.4

12. State subdivision approval be granted before the final mylar is signed.

13. That all waivers granted be included on the plan.

14. That all appropriate professional stamps from licensed land surveyors, wetland scientist and soil scientist appear on the final mylar.

15. That all test pits will be shown on the plans with relation to the proposed 5,000-foot reserve area.

16. That all mailbox locations be shown on plan and postmaster approval is required before the final mylar is signed.

17. That state driveway permits are granted before the mylar is signed and the permit number be included on sheet S6.

18. That sheet S6 of the plan be recorded at the Registry of Deeds.

19. That a note be added to sheet S6 showing Lot #2 has 250-foot frontage.

20. That a note be added to the plan referencing the discrepancy found on Map 4, Lot 63-1 and, if the discrepancy is resolved before the mylar is signed, this note may be removed.

**MOTION:** S. Hanson  
**SECOND:** L. Brown-Kucharski  
**UNANIMOUS**
Application Fees: The purpose of this hearing is to discuss proposed changes to the Hampton Falls Fees for Planning Board Applications as outlined in Schedules of Fees for Subdivision Regulations Appendix II, and Site Plan Review Regulations Appendix II. The intent of the changes is to bring fees more in line with the actual cost to the Town for processing applications. A full copy of the proposed changes is available for review at the Town Hall. The Chair advised accepting the recommendations of the Town Administrator as is.

PUBLIC COMMENT

The Chair opened the discussion for public comment.

Beverly Mutrie, Brown Road, disappointed that fees are being increased.

Chair closed the public comment.

MOTION: To approve the Town Administrator recommendations for new fees to the Schedules of Fees for Subdivision Regulations Appendix II and Site Plan Review Regulations Appendix II.

MOTION: E. Beattie
SECOND: L. Brown-Kucharski
UNANIMOUS

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES:

The Board reviewed the minutes from the August 25, 2020 meeting.

MOTION: To approve the August 25, 2020 meeting minutes as written.

MOTION: S. Hanson
SECOND: L. Brown-Kucharski
6 IN FAVOR, 1 ABSTENTION, PASSES

E. OTHER BUSINESS

1. MUNICIPAL SEWER ANALYSIS/ SEABROOK SEWER EXTENSION

Jones & Beach presented a proposed spreadsheet to the Board.

2. RAILS TO TRAILS

Rails to Trails has made it to the 10-year plan with NH DOT.
3. **AVESTA HOUSING CLOSE-OUT**

**MOTION:** To release the $592,000 of Avesta Funds in performance guarantee issued by Bangor Savings Bank as stipulated in the Performance Agreement dated September 19, 2018.

**MOTION:** L. Brown-Kucharski  
**SECOND:** E. Cimon  
**UNANIMOUS**

4. **MASTER PLAN**

NH DOT has advised the Town/Planning Board they will pay for first light reconfiguration; Hampton Falls must fund for all others. This has advanced on the Town priority list. The Master Plan Committee has decided to hold off asking the CIP for $5,000 this year considering the COVID-19 Pandemic. The Board discussed if the Master Plan qualifies as a ‘capital improvement’.

F. **COMMUNICATIONS TO BOARD MEMBERS**

No communications were made to the Board at this time.

G. **ADJOURNMENT**

**MOTION:** To adjourn the meeting at 10:40 p.m.

**MOTION:** E. Cimon  
**SECOND:** L. Brown-Kucharski  
**UNANIMOUS**

---

**THE NEXT MEETING IS SCHEDULED FOR TUESDAY, OCTOBER 27, 2020, 7:00 p.m.**