

ZONING BOARD OF ADJUSTMENT	APRIL 25, 2024 7:00 PM
TOWN OF HAMPTON FALLS	TOWN HALL

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A. CALL TO ORDER:

J. DeLeire, Chairman, called the meeting to order at 7:02 PM.

B. ROLL CALL:

4 MEMBERS and 2 ALTERNATES PRESENT: John DeLeire, Chairman; Steve Bryant, Vice-Chairman; James Manna, Member; Michael LaBarre, Member; Stephen MacLeod, Alternate; Patti Young, Alternate.

2 ABSENT: Weezie Vance, Member; and Jude Augusta, Alternate.

STAFF: Mark Sikorski, Building Inspector; and Rachel D. Webb, Assistant Administrator.

GUESTS: Robert (Bob) Clarke and Stephen Mayer, Allen Major Associates for JTC NH LLC re 12 Lafayette Road.

Chairman DeLeire stated that there were four (4) ZBA Members and two (2) Alternates present. The five (5) voting Members for the meeting were: J. DeLeire, S. Bryant, J. Manna, M. LaBarre, and S. MacLeod. Chairman DeLeire clarified that the additional Alternate Patti Young, could participate in the discussion of the meeting up to, but not including, the vote.

C. PUBLIC HEARING:

- 1) **Case # 24-03:** Continuance from March 28, 2024 ZBA meeting, of application from **JTC NH LLC**, for **8 Variances** from the Hampton Falls Zoning Ordinance to the terms of:

1. Art. III, Sec. 5 – Table of Dimensional Requirements, max. building height, to allow for the construction of a building up to 42 ft in height where 35 ft is allowed in the BDS district.
2. Art. III, Sec. 5 – Table of Dimensional Requirements, max. building footprint, to allow for the construction of a building with a footprint of up to 31,300-sqft, where 25,000-sqft is allowed in the BDS district.
3. Art. III, Sec. 8.5.2, to allow building and construction to take place within the wetland setback.
4. Art. III, Sec. 11.4.1 max. number of dwelling units relative to the existing number of dwelling units in Town, to allow for approximately 9.6% where 5% is allowed.
5. Art. III, Sec. 11.4.5 max. allowable density for elderly housing development, to allow for 26.9 bedrooms/ac. where 8 bedrooms/ac. are allowed in the EMFH overlay district.
6. Art. III, Sec. 11.5.1 number of required parking spaces for elderly housing developments, to allow for ~~150~~ 176 parking spaces where 220 are required. The required parking ratio is 2.5 spaces/dwelling unit. The project requests a ratio of ~~1-7~~ 2.0 spaces/dwelling-unit to be allowed.
7. Art. III, Sec. 11.5.3 max. number of bedrooms in an elderly housing building, to allow for 111 bedrooms where 24 are allowed.
8. Art. III, Sec. 11.5.5 max. building footprint for elderly housing buildings, to allow for a footprint of up to 31,300-sqft where 10,000-sqft is allowed.

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at property located at **12 Lafayette Road, Map 7, Lot 50 and Lot 51, in Zone BDS-Business District South.**

Chairman DeLeire stated that because this case is a continuance from the ZBA meeting of March 28, 2024, he summarized that there were several questions from the ZBA from that meeting for the applicant to address at this meeting. **Chairman DeLeire** stated that the applicant did a good job answering the questions in the correspondence submitted ahead of the meeting tonight.

Bob Clarke introduced himself and Stephen Mayer with Allen & Major Associates and stated that he appreciated the ZBA continuing the case at the last meeting. **B. Clarke** went through the written letter the applicant had submitted ahead of the meeting that itemized responses to nine (9) questions/issues discussed at the March 28, 2024 ZBA meeting.

- 1) Sewer – It is the applicant’s understanding that the Town of Hampton Falls has requested that the Town of Seabrook perform a study to determine the engineering and cost implications of connecting approximately 200 properties along Lafayette Road in Hampton Falls to the Seabrook municipal sewer service. This study has been performed by the Town of Seabrook and has been provided to the Seabrook Board of Selectmen. The Seabrook Board of Selectmen has not made the results of this study public at this time. With that said, the applicant has committed to providing the funds necessary to install approximately 550 feet of force main necessary to extend the sewer from the town line to his property, should an inter-municipal agreement be reached between Seabrook and Hampton Falls. The applicant requested that the Hampton Falls ZBA or the Board of Selectmen request of Seabrook to make that report public. He stated that the engineering and cost analysis have been completed, but have not yet been made public.
- 2) Water- There are three (3) options that the applicant can explore to provide adequate water for domestic and fire suppression services for this project. Historically, the applicant has used a one-inch water service that is connected to the Town of Seabrook municipal system. The preferred option is to upgrade this service line to a size that is adequate for all needs of the project. A second option is to maintain the existing one-inch line for domestic water service. A third option, if utilizing the existing water line is not permitted, is to install one or more wells to provide for the domestic water service. Cisterns for domestic and fire suppression would be installed underground using tanks that are rated for H-20 traffic loading and comply with National Fire Protection Association (NFPA) requirements. Backflow preventers, pumps, and a back-up generator would be provided under options two and three. The existing 1-inch service, or well(s), would be used to maintain the water level in the domestic water cistern and a water truck would be used to fill the fire suppression cisterns.

M. LaBarre asked if the applicant has determined where, on the site, they would propose to locate the underground cisterns, and **B. Clarke** responded no, they are focusing on the variances first, and then will engineer those details for site planning at Planning Board. **S. Bryant** stated that there is no more room on site without asking for more variances. **B. Clarke** responded that

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because the cisterns would be H-20 they are rated for traffic loading (concrete and water-tight) and can be located under the parking lots, as he has designed for other locations.

- 3) Heat- We have been coordinating with Unitil, the local natural gas provider, and Unitil has confirmed that natural gas service is available for this project. It would be extended to the project from the Seabrook town line, at the applicant's expense. **B. Clarke** stated that the other two options for heat fuel would be for either electric or propane, but his client has expressed his preference for using natural gas.
- 4) Taxes and economic impact- We have contracted with a third party that specializes in economic impact studies. This study is pending, and we expect it will be available in the next couple of weeks, for the meeting in May, as their consultant needs to meet with Police and Fire to factor in those costs. **B. Clarke** provided preliminary impact information calculating only gross real estate tax revenue, without net (to be included in a future net impacts draft at ZBA May meeting) the Police and Fire impacts, the amount of real estate tax revenue generated to the Town would be \$586,000 gross annually.
- 5) Management company- It is the applicant's intention to meet the requirements of Section 11.5.7 of the Zoning Ordinance by establishing a Homeowner's Association and adopting appropriate Articles and By-Laws, which will be submitted in advance to the Town for review and approval. The applicant is willing to put language in these By-Laws which will restrict the owners from using their units for Short-Term Rentals. It is the applicant's intention to have private entities manage the landscaping and snow and trash removal, so those services would not be provided by, nor be an impact to the Town.
- 6) Traffic Impacts- According to the most recent available NHDOT records, this section of Lafayette Road /Route 1 experiences an average of 16,217 trips per day. We reviewed the *Institute of Transportation Engineers (ITE) Trip Generation Manual* for the proposed use. A development of this size and type is expected to generate 285 trips on the average weekday, which was less than 2% of the current daily trips. The AM and PM peak hours are both expected to generate 26 trips, which translates to roughly 1 trip every 2 minutes. **S. Bryant** commented on the seasonality of the traffic in Hampton Falls, and questioned the "trips per day" and whether it was an average of twelve (12) months? **B. Clarke** stated that the trips per day data are from the *ITE Manual*, that is based on an annual average of these types of developments. Further, he continued that the traffic analysis and trip generation averages are calculated when school is in session. He added that the *ITE Manual* has been adopted for use by Traffic Engineers. **S. Bryant** stated that anyone who lives around Hampton Falls knows that Lafayette Road / Route 1 annually is a "nightmare" during the months of June, July, and August.
- 7) EV charging- The site plan has been updated to show five (5) parking spaces reserved for electric vehicle charging stations. At the time of construction, if it appears that there is significant demand, the applicant could simply install additional conduit in this area to allow for convenient future expansion of the EV charging stations.

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- 8) Age restriction- It is the applicant's intention to meet the requirements of the Zoning Ordinance by requiring that permanent residents be at least fifty-five years (55-yrs) of age. This language would be included in the Homeowner's Association By-Laws mentioned above.

Chairman DeLeire stated that there is a section of the Zoning Ordinance that explains how the age-restriction works.

- 9) Parking- **B. Clarke** stated that they have developed two parking plans. We have modified the site plan to provide 176 total parking spaces for both plans, which equates to two parking spaces for each dwelling unit (88 housing units x 2 parking spaces per unit=176 total parking spaces). To accomplish this goal Option 1 keeps the 10-foot-wide parking spaces (as defined in the Zoning Ordinance), a 19-space parking lot was added to the central courtyard. Losing the central courtyard to install a dead-end parking lot is a less desirable design element. We therefore are providing an alternative plan, Option 2, which shows the same number of parking spaces, but they are all reduced from 10-feet-wide to 9-feet-wide. A 9-foot-wide parking space is a common minimum width and is the standard minimum in the surrounding towns of Hampton, North Hampton, Exeter, Kingston, Kensington, and Stratham. We believe Option 2 yields a more attractive site plan, is just as functional, and has the added benefit of reducing impervious cover. If it pleases the Board, we would like to propose the use of 9-foot-wide parking spaces and request a variance from Article I, Definitions, which specifies that a parking space must be 10-feet-wide. The minimum length of 20-feet has been maintained. The applicant prefers Option 2.

The applicant stated their sincere hope that the information conveyed in their follow-up response letter will address most of the concerns of the Board and said that they would provide the additional information as soon as it is available.

M. LaBarre asked about federal standards for handicapped parking spaces and whether there is a local handicapped parking requirement in the town's Zoning Ordinance for a development of this size.

S. MacLeod offered some information he had researched on the subject that the ADA (Americans with Disabilities Act) requirement for parking space width is nine-feet (9ft) wide with a five-foot (5ft) wide access way.

Chairman DeLeire thanked the applicant for that information and said that it was very helpful to be able to apply to the five criteria. **Chairman DeLeire** stated that at the last ZBA meeting, in March, he said that he knew that there were some discussions that may have crossed the border into Planning Board issues. He said that he needed to remind the ZBA board that the applicant has asked for eight (8) specific variances, and so what the applicant has asked for is what the ZBA has to look at, so at some point the ZBA has to stop the debate about some things, and start to consider each variance request and start to work on and evaluate each in terms of the five criteria. He said that if it is decided to go forward with the nine-foot (9ft) wide parking space, then the Planning Board could not change that dimension unless the applicant came back to the ZBA to request a variance.

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Chairman DeLeire asked if any ZBA members had any questions about the applicant's responses to the nine (9) questions from the March ZBA meeting, that were just presented, and there were no questions.

Chairman DeLeire stated that the applicant, at the March ZBA meeting, did make their presentation requests for the eight (8) variances in terms of the five (5) criteria, and, because this April ZBA meeting is a continuation of that March ZBA meeting the ZBA is not going to ask the applicant to make their case again. **Chairman DeLeire** stated that typically the ZBA evaluates and applies the five (5) criteria to each variance separately.

Chairman DeLeire read the first variance request:

1. Art. III, Sec. 5 – Table of Dimensional Requirements, max. building height, to allow for the construction of a building up to 42 ft in height where 35 ft is allowed in the BDS district.

B. Clarke responded that the applicant is proposing three (3) stories in height. They started with a proposal for four (4) stories at fifty-eight-feet (58-ft) and now are at three (3) stories at forty-two-feet (42-ft). **B. Clarke** stated that there are buildings in Hampton Falls that are three (3) stories in height, so the applicant did not feel as though their proposal would change the vernacular. He continued saying that the applicant is following the architectural guidelines as laid out in the Zoning Ordinance that will be more fully vetted by the Planning Board's review of their site plan, and they are in keeping with the spirit and intent of the Zoning Ordinance. The relief being sought is from thirty-five-feet to forty-two-feet (35-ft to 42-ft), and it is the applicant's opinion that their proposal is not being overly aggressive. **B. Clarke** stated that one of the prior comments was to "make it look New England style", so the applicant is proposing gable style roofs and dormers, not flat roofs.

Chairman DeLeire initiated a discussion about the process of the meeting and when it would make sense to invite the Public Comment, as the ZBA needs to consider and vote on each variance separately, and it was decided to open up Public Comment before deliberations of each variance request.

Public Comment:

- 1) Hunter Stetz, Birch Drive: wrote a letter, as he thought he was not going to be able to attend the meeting in person. He did attend the meeting in person and presented his letter, that is included as follows:

To the Zoning Board, Joe Faro, JTC NH LLC, and Allen & Major Associates, Inc.:

I support everything about this project other than its age restriction. We need to enhance our stretch of Lafayette Road and this would be a big step in the right direction. It would have been nice to have commercial space within the complex as originally proposed, but I completely understand that the number of parking spaces needed cannot be reconciled. Overall, this is an efficient use of space that has long sat idle but available. This project can satisfy the high demand for the "missing middle" housing. I am requesting that the 55+ requirement be dropped or comprise only a portion of the total units.

- *Has consideration been given to dropping any age restrictions? Either no 55+ or only 55+ for 1/2, 1/4, etc.?*
- *Would this proposal be as appealing to the ZBA if it wasn't age-restricted housing? If not, why? If so, then that's great to hear.*

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My understanding of Section 11 of the current Hampton Falls Zoning Ordinance is that multi-family units in the “Elderly, Multi-Family Housing, and Workforce Multi-Family Housing District” are not required to be for seniors only. If there is a condition I overlooked that requires this development to be occupied only by elders, then I am suggesting a variance be granted. If this hasn’t been brought up yet, I believe this project would qualify for the Community Revitalization Tax Relief (79-E).

I’ve done my best to keep up with the development proposal as it’s progressed and shifted but forgive me in advance if I raise any questions that have already been settled. Perhaps nothing can prevent this development from being age-restricted and I am merely venting, but I want the record to reflect a view held by a (nearly) life-long Hampton Falls resident. Perhaps the developers can reflect on this aspect of the proposal and consider removing the age restriction, even if they are not obligated to do so. Just to clarify, I’m not suggesting that these units qualify as “workforce housing.” I would wholeheartedly support a mixed-income facet of this project, in which a portion of deeded below-market units are offset by the rest being market value units, but I understand that I may be asking too much. New Hampshire has one of the highest median ages (~43.1 years) in the country and Hampton Falls is even older (~47.8 years). Based on current trends, one-out-of-three Granite Staters in 2040 are expected to be 65 years of age or older. Birth rates are generally declining across the country, so it is not surprising that our population is aging, but zoning practices and preferences in many, many municipalities have accelerated the trend in NH. On the surface, it would seem that we need to be creating as much housing as possible to keep up with the “graying” of our state, but it’s not so simple. “New Hampshire’s demographic imbalance is demonstrably much greater than can be accounted for by the aging of the Baby Boom generation” (Francese & April 25, 2024 Merrill 2020). In simpler terms, younger adults are leaving our state and older folks are moving in because of a zoning environment we’ve facilitated that is more favorable to empty nesters and retirees. Other statistics that I hope “hit home” include:

- *New Hampshire has one of the highest rates of out-migration of high school and college graduates in the country.*
- *According to the 2023 State of New Hampshire: Workforce Assessment, there will be nearly 59,000 job openings in Seacoast NH’s top 80 occupations by 2032, but only 3,000 will be filled by labor force growth (based on current conditions). It is hard to reconcile a 55+ community improving this outlook.*

We need long-term participants in the labor market to sustain our state’s economy. Any new age-restricted housing exacerbates our lopsided age demographics and furthers our labor shortage. Paradoxically, our aging population necessitates more professionals and resources devoted to emergency services, healthcare, and senior caregiving. The increased proportion of senior residents has proven to drive up the demand and taxpayer resources devoted to more EMT responses, medical trips, wear & tear on equipment, etc. Ambulance trips are billed to the patients, but fire departments are not allowed to bill for anything else. Ambulance transportation bills are based on insurance company policies, but Medicare and Medicaid are at set rates.

Has anyone considered a scenario in which there are too few students at Lincoln Akerman? Too few students make for destabilizing and inefficient uses of the school system. In NH, student enrollment peaked around the year 2000 (see Francese & Merrill 2020). With public school enrollment for pre-K through high school declining 10% between 2008 and 2018 (15% for private schools), several SAUs elsewhere in the state have closed schools and merged. This is not something to be excited about. In fact, the average cost per pupil in New Hampshire would rise at a slower rate if enrollment ceased to decline. A smaller cost-per-pupil figure would be much easier to digest for those concerned about school budget impacts to property tax bills. As of last year, only 43 Hampton Falls residents are under the age of 5. This is less than when I was part of this age bracket (1994-1999). If this development had no age restrictions, there’d still probably be a healthy mix of seniors with or without adult children, singles, and young families. Not every single unit would have 1+ children “burdening the school system.” In general, “NH Housing Finance Authority research shows that 50 new homes are likely to bring no more than 12 to 24 children into the local schools, depending on type of housing” (Francese & Merrill 2020). In fact, single-family dwellings in NH produce more students per household than does a household within a 5+ multi-unit building (see Francese & Merrill 2020). April 25, 2024 As an example, “a more likely impact of 50 new housing units would be to put between 75 and 100 adults into the local workforce and perhaps opening new businesses - as well as shopping in local stores, using local service providers, and eating in area restaurants” (Francese & Merrill 2020). Anecdotally, if all the units were 55+, long-term demand (value) would be lower because fewer people could pursue said housing.

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*Please don't make this "another town's problem" by saying condos for anyone at market price "isn't Hampton Falls." Just like our seniors, plenty of people would prefer a condo with no land over 2 acres to take care of. If you say that they can live in another town, then so could the seniors. There aren't enough houses to push a demographic many residents seem averse to into another town to make it their problem. We should be proud to be a town that welcomes young families to grow up and give back to the community and contribute to the economy. This is our chance to deviate from concerning demographic trends in our state. "The communities we admire and celebrate are traditional communities, both urban and rural, not only of mixed uses, but mixed incomes and mixed generations." Rather than age-restricted housing, let's embrace "age-friendly" housing. We love having grandparents and grandkids living "a hop, skip, and a jump" from each other! I highly recommend checking out the book *Communities & Consequences II* by Peter Francese & Lorraine Stuart Merrill (2020), as well as the recent Seacoast Online article "'Silver Wave': How New Hampshire's aging population is straining Seacoast fire departments" by Angeljean Chiamida. I'm happy to share additional studies and resources to anyone interested.*

Thank you for your time. I look forward to your responses.

Sincerely,

Hunter Stetz

Chairman DeLeire responded that the ZBA and the developer have heard H. Stetz's concerns and they are not something that the ZBA can opine nor act upon. **Chairman DeLeire** further clarified that it was the developer who proposed the age-restricted housing, as the ZBA does not act in an advisory role.

- 2) Donald and Janet Towler, Pelton Way: Letter read by Chairman DeLeire, as the Towlers were not in attendance.

After viewing the site plan for housing at 12 Lafayette Road, we as ab-butters, have a few concerns. Traffic is a major problem for us when either entering or leaving Pelton Way. The center lane of Lafayette Road is designed to be used for turning only, but drivers frequently use that lane for passing, making it a very dangerous situation. More traffic, will magnify this problem, and for us, and others living at 5 Pelton Way, it is really frightening.

We feel, that when the forefathers of Hampton Falls made the zoning rules for the town, they were made for a reason. Should the board change up the rules and codes for a developer who wishes to profit from this endeavor, or should the neighboring residents, have reasonable expectations that their investments would be protected by the board with the zoning laws being upheld? Our homes could lose appeal and value if this proposal is approved. The developers of this wet lands 12 acres must be fully aware of the zoning laws for this parcel, and while there is a need for more housing in our area, the number of variances they are asking for, should send up a red flag that this is not the place for this to happen.

We appreciate the opportunity to voice our concerns, and we are hoping this proposal will be turned down by our trustworthy zoning board.

Thank you, Donald and Janet Towler

- 3) Mike Mullins, Pelton Way: **M. Mullins** stated that he is an abutter to the proposed project. He said he was looking at the list of variances and asking why the developer needs so many variances? He said that a variance is typically something that is different than what people would normally accept. He stated that exiting Pelton Way to travel southbound onto Lafayette Road / Route 1 in the summertime is scary because the traffic is moving fast and there is a curve in the road makes gauging distance challenging. He commented on the five (5) criteria to evaluate the variances and said that he would be concerned about the value of his real estate that he purchased approximately one year ago. His summary comment was that he was amazed that someone would ask for so many variances, and that he was opposed to the size of the proposal and the number of variances.

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Chairman DeLeire closed the Public Comment on the first variance request, and invited comments from the ZBA.

P. Young stated that she was bothered by the degree of the ask being seven feet (7-ft) that translates to an extra twenty percent (20%) over the maximum allowed by ordinance. **S. Bryant** asked if the Fire Department had weighed in yet, and **R. Webb** said that the Department Reviews occur through the Planning Board site plan review process.

M. Sikorski referred to the definition of building height in the Zoning Ordinance. He said that there is the thirty-five-foot (35-ft) maximum and then there are things that are above the 35-ft level that do not apply, such as chimneys and steeples on churches, and other appliances on roof lines. He said that the Zoning Ordinance continues about the maximum height from the ground level to the bottom of the highest window entry point shall be thirty-feet (30-ft) and that is regarding the Fire Department for safe rescue from the building. He said that architectural details above, on the top of the building is where the extra ask comes in. **M. Sikorski** mentioned in another town a variance case request for building height was due to a proposed ventilation system on the roof that was hidden with a wall to encase ventilation structures. He said that this is not the case with the current applicant, and he continued that he wanted to give the applicant some credence with this request for height extension due to Hampton Fall's Design Guidelines and providing gabled roofs and dormers. He said that a design feature is going to exceed the 35-feet in the Zoning Ordinance. **S. Bryant** pointed to the rendering of the building elevation drawing and asked if the bottom of the dormer windows were 30-feet from the ground, and **M. Sikorski** responded that the elevation drawings are a representative view of the applicant's intention of what the building will look like, that will get more specific at Planning Board.

B. Clarke stated that there was a representative from the Fire Department at the March ZBA meeting whose two major concerns were 1) to verify that the buildings would be sprinkled, and **B. Clarke** stated that they would be, and 2) the Deputy Fire Chief also wanted to make sure that there would be fire suppression in the form of some type of cistern on site, and **B. Clarke** confirmed. What he recalled from the Planning Board meeting they attended for Concept Review was when their building height was a proposed five-stories, then four-stories and the Fire Department's ladder truck could not reach those heights. What he understood was that if the applicant came down to three-stories (3-stories) then that variance request would be considered.

Chairman DeLeire said that he wanted to open the Public Comment again so that P. Young could participate in the discussion. Additionally, he stated that he thought it would be good to go through all 8 variances and talk about each, and then go back and vote. He said that there may be value to looking at the whole, and then returning to vote afterwards.

J. Manna clarified that the seven-feet (7-ft) extra being requested in the building height variance would be from the peak of the roof to the bottom grade, and **B. Clarke** confirmed.

2. Art. III, Sec. 5 – Table of Dimensional Requirements, max. building footprint, to allow for the construction of a building with a footprint of up to 31,300-sqft, where 25,000-sqft is allowed in the BDS district. **Chairman DeLeire** asked the applicant to please state briefly why the applicant needs the extra square footage, and the response from **B. Clarke** was to get the number

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of units the owner required. He stated that the ordinance allows up to 25,000-sqft and that currently the applicant is proposing 31,300-sqft, and they formerly had proposed 58,000-sqft. **B. Clarke** stated that the applicant is prevented from proposing several additional smaller buildings on site due to the wetlands. He showed a map of the 10.25-acre site with the wetlands overlaid to yield a 1.15-acre buildable area.

S. Bryant asked for clarification on the maps from **B. Clarke** of the difference between the wetlands and the wetland buffer area. **B. Clarke** pointed out on the maps for **S. Bryant** the areas of interest, and stated that the wetlands present the hardship on the lot. **S. Bryant** followed up and said that his understanding was that the state requires that development stay out of the wetlands, so this proposal is compliant with the state, but it is the local regulations the applicant needs relief from. **B. Clarke** said that the state allows the filling of wetlands for commercial development and provides an ARM Fund to pay into if filling more than 10,000 sqft of wetlands. He added that the applicant's first proposal of mixed-use development included filling of wetlands onsite in the northeast corner, but they decided not to pursue that concept because of the increased parking requirements for a restaurant. **Chairman DeLeire** asked if the applicant would still need to file permits with the State for their current proposal, and **B. Clarke** responded yes, they would still file with NH DES for wetlands, and with AOT for disturbance of more than 100,000 sqft.

S. Bryant clarified that even if there was no structure being built in a particular area, the land area was going to be disturbed.

P. Young pointed out that the applicant is requesting an extra 6,000 sqft of building footprint, that is 25% more than what is allowed

3. Art. III, Sec. 8.5.2, to allow building and construction to take place within the wetland setback.

Chairman DeLeire said that the applicant had just discussed this topic as part of variance #2 discussion a few minutes ago. He added that the ZBA frequently sees cases for building within the wetland setback, and that it is a hard issue. **B. Clarke** stated that the site has 5.8 acres of dry land outside of the wetland, but when he applies the 100-foot wetland buffer area to the site that buildable area gets reduced down to 1.1 acres of developable land.

M. LaBarre stated that it was disturbing that the building toward the rear is entirely located within the wetland setback area, and the major building in the front is approximately 80% within the wetland setback area. He said that he understands the hardship of the big setbacks and the lot configuration, but he said that it is such a large encroachment on the zoning requirement.

4. Art. III, Sec. 11.4.1 max. number of dwelling units relative to the existing number of dwelling units in Town, to allow for approximately 9.6% where 5% is allowed. **P. Young** pointed out that the applicant is asking for almost twice what the local Zoning Ordinance allows. **S. Bryant** commented that this is a very unique and challenged lot. **Chairman DeLeire** stated that the hardship box gets checked off. **B. Clarke** stated that according to the 2023 NH Statewide Housing Needs Assessment, housing in NH currently falls short of need by an estimated 23,500 housing units statewide. **P. Young** asked how many of those units are for elderly housing? **B.**

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Clarke stated he did not have that statistic; however, NH has a large percentage of elderly residents and the median age is 47-years old. He explained that the point of these (elderly / age-restricted) ordinances are to not have a bunch of school-age children impacting the school system.

5. Art. III, Sec. 11.4.5 max. allowable density for elderly housing development, to allow for 26.9 bedrooms/ac. where 8 bedrooms/ac. are allowed in the EMFH overlay district. **P. Young** pointed out that the applicant is requesting three times (3x) what the ordinance allows. **S. Bryant** commented that several of the variances requested are related to density. There was a discussion between **P. Young** and **S. Bryant** about the uniqueness of the two lots taking into account their physical constraints, and whether there were other similar lots in the general vicinity that may justify that these two lots are not so unique if characteristics in the larger area are similar.

M. LaBarre was concerned about the ZBA setting a precedent that other future cases would use to justify their cases. He asked the applicant about the details of the sewer research completed to date, and where the 200 properties were located that were identified for the study. **B. Clarke** responded that the Town of Hampton Falls commissioned the study and identified 200 properties along Lafayette Road / Route 1. **M. LaBarre** asked if the projection was northward of the pond and up the hill to Hampton? **B. Clarke** responded that the Town of Seabrook has not yet made that study public. He said that he was told that there are 200 properties that theoretically could tie in with a pump system located in Hampton Falls to pump into Seabrook. He said that Seabrook has the study done, they have done the engineering, and they have done the cost implications analysis, but nothing is currently available to the public. **Chairman DeLeire** asked if sewer is brought up to 12 Lafayette Rd with a stub to the North, and then another property to the north wants sewer to extended to their site, then who is going to pay for that extension? **S. MacLeod** stated that at the last ZBA meeting in March this subject was discussed that the properties to the north would need to make their own proposals for sewer extension, but those scenarios are not on the ZBA agenda tonight because they would come in the future.

6. Art. III, Sec. 11.5.1 number of required parking spaces for elderly housing developments, to allow for 150 176 parking spaces where 220 are required. The required parking ratio is 2.5 spaces/dwelling unit. The project requests a ratio of 1.7 2.0 spaces/dwelling-unit to be allowed. **S. Bryant** said that with the Avesta/ The Meadows development on Brown Road there was an additional parking area that was specified for future overflow parking if there were not enough parking spaces based on their projections; their reserve area could be built at another time. He asked the applicant if there was a plan for 12 Lafayette Road if the 2.0 parking ratio was found not acceptable after the buildings were built and people moved in. **B. Clarke** stated that he believed that Avesta/ The Meadows was built at a ratio of 1.2 for parking per unit, that goes up to 1.7 or 1.8 including the parking reserve area.

M. Sikorski stated that Avesta/ The Meadows was able to provide the necessary parking (2.5) to meet the zoning ratio. He continued that when they finished construction of Building 1 and began development of Buildings 2 and 3 the applicant returned to the Planning Board to request a site plan modification. He said that their argument was that it was not a necessity to have all

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that parking. They had enough dry land that did not need any relief, so they asked that they not pave it at that time to see if they need it or not. He stated that there is a rider that if the parking becomes an issue, then the Board can require the property owner to build the additional parking area.

B. Clarke asked what percentage of the approved parking was built, or what was the parking ratio built, and **M. Sikorski** said he would have to research that question and do the calculations taking into account the overage for staff parking spaces, etc. **B. Clarke** said that he believed Avesta/ The Meadows built at a 1.2 parking ratio. He continued that Allen & Major typically builds at a ratio of 1.6 to 1.8 and the industry standard is 1.8 and they are proposing 2.0 in Hampton Falls. **B. Clarke** said his opinion was that a parking ratio of 2.5 per unit is a ridiculous requirement for age-restricted housing.

P. Young pointed out that everything else the applicant is requesting exceeds the maximums as stated in the Zoning Ordinance, except for the parking requirement where the applicant is requesting a 20% reduction from the requirement.

S. Bryant stated that he did not see any potential additional parking space if it was needed in the future on the two lots at 12 Lafayette Road on which to locate any reserve parking area (as was done with Avesta/ The Meadows) **B. Clarke** responded that the plan does not show a 2.5 parking ratio. He continued that the two alternate plans currently show a 2.0 parking ratio, with Option 1 (sheet C-101) at a parking space width of 10-ft W x 20-ft L, and a main door drop-off area with parking all around the drop off courtyard. Option 2 (sheet C-102) shows a parking space width of 9-ft W x 20-ft. L with a clear courtyard area with no parking at the main drop-off area.

OPTION	Sheet #	Parking Space Width	Parking Space Length	Courtyard Parking Present? Yes or No	Notes
1	C-101	10-ft	20-ft	Yes	Not the applicant's preferred Option.
2 preferred by applicant	C-102	9-ft	20-ft	No	Could add 20 parking spaces to courtyard area at future date if needed.

B. Clarke said he has been doing this work for 30-years and his company does permitting in six (6) states of the northeast and he has never built at a parking ratio of 2.5. He said that the Zoning Ordinance was written to anticipate one-bedroom units in 25,000-sqft buildings to yield what is considered in the industry, a small, "boutique" scale of development. He said that most clients want more than 100-units, and in multi-family developments his firm typically builds close to 300-unit projects.

P. Young asked what is the industry standard for handicapped parking spaces for 88 units, and **B. Clarke** responded six (6) spaces, which are shown on the plan with five-feet (5-ft) access.

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J. Manna stated that he recalled at the last ZBA meeting discussion about potentially removing the pool area to gain more parking, and **B. Clarke** responded that his client was not in favor of removing the pool.

S. Bryant offered that the ZBA could add a Condition to the approval to state that if parking becomes problematic in the future, that either or both the pool gets filled in for additional parking, and/or the front entry courtyard area becomes additional parking.

S. MacLeod said that he went over to Avesta/The Meadows on Brown Road and measured the parking spaces and found that the parking space width varies from 8-ft to 11-ft wide, so he thought that if their parking lot stripes were painted accurately, they may benefit from some additional spaces. He also stated that he went to that site multiple times throughout the week to observe parking demand (at different times and on different days) and he found that it was busier on the weekend with residents having visitors.

Chairman DeLeire stated that obviously parking is a big issue. **P. Young** stated that parking is such a big issue because the developer is asking for so many more units than what is allowed.

7. Art. III, Sec. 11.5.3 max. number of bedrooms in an elderly housing building, to allow for 111 bedrooms where 24 are allowed. **P. Young** pointed out that the developer's request is 4-1/2 times (4.5x) more than what is allowed. **Chairman DeLeire** stated that his understanding was that a lot of the relief being requested has to do with economics: units, bedrooms, size, height.

S. Bryant said that the ZBA is not the Committee who writes the Zoning Ordinance, nor that changes the Zoning Ordinance, but they could make recommendations. He said that it does not mean that he agrees with every zoning ordinance in the book. **Chairman DeLeire** stated that if the zoning was the letter of the law, then there would be no need for a ZBA. And **S. Bryant** said that the ZBA adjudicates these issues and what makes sense given the unique characteristics of the lot.

M. LaBarre asked if age 55 was defined as "elderly" for this proposed development, and **Chairman DeLeire** stated that there is a paragraph in the Zoning Ordinance that defines elderly as age 55+. He said that hypothetically, if there was an age 55+ couple who had a 2-bedroom unit, and their adult child comes to visit in the summer with their kids to go to the beach, and the visitors stay in the residents' second bedroom, he said that his concern is where is that extra car going to park?

S. MacLeod made the point that the developer had previously deleted the proposed use of some of the site for a restaurant/commercial space with the result that created more parking spaces available for the revised residential proposal, and **B. Clarke** responded that the applicant is no longer proposing to fill wetlands to accommodate a formerly proposed restaurant on site.

8. Art. III, Sec. 11.5.5 max. building footprint for elderly housing buildings, to allow for a footprint of up to 31,300-sqft where 10,000-sqft is allowed. **M. LaBarre** asked if that square

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footage was for both buildings, or just for the large building, and **B. Clarke** confirmed that it was just for the large building. **M. LaBarre** followed-up asking the size of the second building, and **B. Clarke** responded that it is 12,000-sqft. **B. Clarke** continued that he did not understand why in one section of the Zoning Ordinance it restricted his proposed maximum building footprint to 10,000-sqft (Art. III, Sec. 11.5.5), and then in another section (Art. III, Sec. 5 Table of Dimensional Requirements) the restriction was to 25,000-sqft. **Chairman DeLeire** stated that there is more restriction for elderly developments, and that may be unusual, but it is the way it is. He acknowledged S. Bryant's earlier point that referenced the Zoning Ordinance that is in place, is what the ZBA must work with.

P. Young said that to summarize she would find it hard to balance giving these variances, asking for the reduction in parking, and, to find substantial justice in it.

Chairman DeLeire opened the meeting to Public Comment.

- 1) Mark Lane, Blake's Lane: **M. Lane** stated that he had a few points to bring for consideration, as follows:
 - a) Last year, on the Town's 2023 Ballot the Town overwhelmingly supported the idea of looking at how to bring sewer to Lafayette Road/ Route 1, and he thought that was an important fact to bring to light in this case.
 - b) If this project is approved, it will become the standard against which future development will be followed. The developer is proposing well-designed, nice-looking buildings that meet the standard (Design Guidelines) that the Town is looking for on Lafayette Road/ Route 1.
 - c) This proposed project is projected to bring an estimated 15% of the Town's budget in new tax revenues. If this proposed project is the stimulating project/trigger that further develops Lafayette Road/ Route 1, then that 15% will increase dramatically.
 - d) The State is working very hard to bring additional housing into NH, and, in some proposed State legislation (he does not support), is obsoleting town ZBAs, and that is something to be careful about. He continued that if there is a project such as this, on a lot that has been empty for a long time, and we can make a project like this work, then we should, because we are controlling our own destiny. He said that if we don't then there is the chance that the State may come back to this town and dictate what will go on that lot, and on other lots. He referenced two laws that have been recently passed in the House (and still need to go to the Senate) that were alarming to him that propose to take control away from local towns.
 - e) One of the biggest complaints he has heard in his four (4) years on the Select Board, and his seven (7) years on the School Board, and living in town for close to thirty (30) years, is that there is no relief for the taxpayers. He stated that something needs to happen/develop to increase the property values on Lafayette Road/ Route 1, because otherwise the residents will continue to shoulder 94% of the tax burden. An improved Lafayette Road/ Route 1 will improve the Town's bottom-line and consequently will improve the tax burden for resident taxpayers.

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He stated that without improvements to Lafayette Road/ Route 1 it will become more difficult for elderly residents to pay their taxes. In conclusion, he stated that it is his opinion that it is imperative for the ZBA and for the Planning Board and for the Town to look at ways to find additional taxes to give some relief to the current citizens in this town.

P. Young commented that the new residents of the proposed development will shift the tax burden to divide it among more residents.

Chairman DeLeire closed the Public Comment, and stated that the ZBA would go into deliberations, and that P. Young would no longer be able to comment nor vote, although he valued her sage input during the meeting to this point.

Chairman DeLeire summarized some of the comments, starting with the fact that:

- the lot is very unique, and that
- there is some hardship present in the uniqueness of the lot. He also stated that
- there was some resistance to some of the things being requested, namely the parking.

Chairman DeLeire stated that the ZBA would need to decide whether to go through the 8.5 variance requests and vote on the five (5) criteria, or to decide if more “pencil sharpening” by the applicant was needed.

S. Bryant shared some of his thoughts prior to launching into deliberations. He stated that he agrees with M. Lane that the town needs to do something with Route 1/Lafayette Road. He agrees that Lafayette Road/ Route 1 needs to be developed within the spirit of what the Zoning Ordinance is looking for in terms of a certain look, and it was his opinion that this proposed project meets that.

He stated that the applicant’s requests are incredibly significant, and he said that he agrees wholeheartedly with P. Young on the significance of the requests, but he is trying to balance those with how the town improves its small business district on Lafayette Road/ Route 1 to provide some increased tax revenue, making the pie bigger to help everyone in the town. He said that he was struggling because these are significant asks, and yet there are positive benefits to developing this area.

Chairman DeLeire stated that he agreed with a lot of what S. Bryant said, and that overall it is a significant ask as it is applied to the town as a whole, but when applied to Route 1/Lafayette Road and you look at the type of zoning there, some of the things on Route 1/Lafayette Road for this particular lot are very hard to balance against the Zoning Ordinance directly. He reminded the ZBA that the residents of town voted for the Zoning Ordinance because they wanted a certain type of town, but he stated that he was not so sure that people who voted for those particular ordinances considered this particular scenario. **Chairman DeLeire** said that something has to happen on that lot because it has been vacant for so long. He said that he was not 100% sure that what is being proposed is what should 100% go there, and he said that he is struggling too. He said that he knows that whatever goes there has to be more than what the zoning dictates because

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it does not work for that. He said that somewhere there is a “happy median” and the question is whether they are there yet or not. He reviewed someone’s comment that there were so many variances (at 8.5), and he stated that many of the variances are related to each other, that there can not be one without the other, namely: bedrooms, units, height, coverage all applied to the limited space of an acre.

S. Bryant said that it is all about lot coverage; if there was more lot, the density would be different. **Chairman DeLeire** stated that there is a certain point that the developer needs to reach to make the project economically viable. He stated that if the ZBA’s requests are too onerous then the developer is going to walk away, and then what M. Lane described might happen with the State stepping in and dictating what goes on that parcel. He recalled a similar situation with the Avesta / The Meadows vote (that was 3:2) with the State threat of dictating something else that may have pushed through that vote a bit.

S. Bryant asked if anything could be done on this lot and meet the zoning, because of the constraints of the 100-foot wetlands setback, and the setbacks from the street. He was not sure that anyone could do anything on this lot without relief. He stated that the lot is very unique.

B. Clarke said that a restaurant and a function hall used to be located on the property, and **M. LaBarre** said that the former restaurant building was very close to the wetlands. He continued that the proposed project has one building that is 100% within the wetland setback, and the other building is approximately 75% within the wetland setbacks, which he said was very disturbing. **M. LaBarre** said that he would very much like something to go in on this site, but he is very torn about the sewer and water issue. He said that that the sewer and water issue is a big “if”, and if granted, then only so much capacity will be granted. He stated his concern that if future development north of this site also wanted sewer and water to be extended to their lot, then who would pay for that extension? Would that cost be borne by the town of Hampton Falls? When something goes wrong with that sewer line, then who is going to maintain that line because there is no municipal sewer department in Hampton Falls. He stated that this is a tiny town that is run on a very tight budget. He said that he is all for development along Route 1/ Lafayette Road but he is concerned about who will pay for the infrastructure and the future maintenance of it. He asked if there are any other potential developers who would be interested in developing in Hampton Falls if there was sewer and water available in Route 1 / Lafayette Road?

S. MacLeod addressed M. LaBarre and said that at the last ZBA meeting the applicant made it clear that the developer would pay for the (gravity fed, if needed) sewer line, the pump house, the stub out to the north, and pay to maintain the pump house. **M. LaBarre** expressed concern about the hypothetical scenario of a major repair required in the future and who would pay for it, after, for example the current developer has sold all the units, and is no longer present? **S. MacLeod** responded that there would be a Special Assessment applied to the Home Owners Association (HOA) to pay for the repair. **Chairman DeLeire** stated that there are some unknown aspects and it is difficult to predict everything, but the ZBA needs to focus on the particular requests from this applicant.

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B. Clarke stated that the applicant wants to request of the Town of Seabrook that their sewer study for Hampton Falls be made public. He continued that Joe Faro would like the help of the Hampton Falls Selectmen to request that study and engineering be made public.

S. Bryant asked the question that if resolution to sewer and water were achieved, would that change the perspective of the ZBA members on the variance requests? He said that if the ZBA is of that mind to have the applicant get the sewer information desired, then he suggested the applicant request a Continuance, to see if that report can be obtained from Seabrook to get more clarity on that issue. He said that if the ZBA thinks that report is irrelevant, then they don't need to obtain the report, nor does the applicant need to request the Continuance.

Chairman DeLeire stated that the applicant said from the beginning that there were two additional things that could be obtained to provide greater clarity to the ZBA. One was information to be gleaned from the sewer report and engineering from Seabrook, and secondly there was additional information forthcoming on the subject of future tax impacts. At a prior meeting the developer made representations that they were willing to pay for the cost of the sewer infrastructure improvement from Seabrook to their lot, and the ZBA requested proof of that representation, that the developer would pay for the sewer. **Chairman DeLeire** stated that there also was some tax information that the applicant was pulling together, and if the ZBA felt that it was important to see that information prior to making a decision then they would urge the applicant to request a Continuance to the May ZBA meeting. **B. Clarke** stated that the owner Joe Faro was planning to attend the ZBA meeting in May. **S. Bryant** clarified to the applicant that it was the applicant's decision on whether to either request a Continuance to the next ZBA meeting, or to ask the ZBA to make a decision tonight.

Chairman DeLeire said that he felt as though this was moving in a positive manner, and that the applicant has heard from a number of the ZBA Board members that they would love to see something happen there. He said that the ZBA is not foreclosing the opportunity, and said that he thinks that the ZBA wants to know some more information (sewer report, and the tax impacts) if available, as discussed.

B. Clarke asked for feedback regarding the nine-foot wide (9-ft) versus the ten-foot wide (10-ft) parking spaces. **Chairman DeLeire** stated that personally, he does not have a problem with the nine-foot wide (9-ft) parking space, and **S. Bryant** agreed. **S. MacLeod** said he measured every parking space in town and they are all nine-feet wide (9-ft). **Chairman DeLeire** said that if the ZBA approves the nine-foot wide (9-ft) parking space he understands that the Planning Board will have to hold to it, but he did not think there would be a problem. **B. Clarke** said that he could add another twenty (20) parking spaces near the main entrance to bring the parking total to 196. **S. Bryant** said that there could be a Condition of Approval included that: *if, in the future, there was deemed to be a parking shortage (as determined by the Building Inspector), that those twenty (20) parking spaces would be developed/stripped and established within the main entrance in the courtyard area.* **S. Bryant** said that the applicant should come back to the ZBA in May with the revised numbers for that future potential parking space contingency, being able to

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leverage an additional XX number of parking spaces by developing additional parking in specific locations on site.

B. Clarke stated that Joe Faro said at the first ZBA meeting that he is not opposed to a Condition of Approval that he/the owner obtains the sewer from the Town of Seabrook.

M. Sikorski asked for clarification about who initiated the sewer report and who did the applicant want to ask for the sewer report from the Town of Seabrook? **B. Clarke** responded that he is requesting a joint effort of the Hampton Falls Selectmen and his client to make the request of Seabrook. **S. Bryant** asked M. Lane if the Selectmen initiated the report, and **R. Webb** responded that there was a Build-Out Study done of all properties along Route 1, and then that information was given to the Town of Seabrook for them to crunch their numbers. **M. Lane** stated that the Flow Study determined the total number of gallons that would flow to Seabrook's Sewer Treatment system. He stated that Hampton Falls' projected sewer demand was a very small amount compared with what Seabrook's capacity was, at the time. **M. Lane** stated that the information was provided to the Seabrook Selectmen, and they have not made a decision on it yet. **B. Clarke** stated that Seabrook is at 40% capacity of their Sewer Treatment Plant. **M. Lane** stated that it was his recollection that Hampton Falls would add approximately six-percent (6%) to Seabrook's Sewer Treatment Plant capacity.

B. Clarke stated that there is a larger game plan in the State of NH, that different municipalities "have to" start looking for intermunicipal connections and to deal with sewer as a regional issue.

Chairman DeLeire requested the applicant to follow-up with the Selectmen to request the sewer report.

J. Manna clarified that the sewer would be extended from the Town of Seabrook to the proposed site at 12 Lafayette Road, and asked if the sewer pipe size would be the minimum or if it would be of a size to accommodate future development.

B. Clarke responded that the pipe size would match the rest of the municipal system, and, there would need to be an intermunicipal agreement between the two towns.

M. Sikorski clarified with Chairman DeLeire that the responsibility has been assigned to the applicant to obtain the sewer report from the Town of Seabrook. **Chairman DeLeire** stated that if the applicant wants some help with that request, then they should make that request of the Hampton Falls Selectmen. **S. Bryant** said that the applicant has made it clear that the owner will accept a Condition of Approval contingent on the applicant obtaining sewer from the Town of Seabrook.

B. Clarke raised another topic, that the owner is "grandfathered" with 4,500 gallons/day for the existing septic system that would yield, for an age-restricted housing development, thirty (30) housing units. **R. Webb** stated that the septic system that was previously there was removed, and **M. Sikorski** confirmed that the septic system that was there is gone. **B. Clarke** asserted that the owner would still be considered "grandfathered" because he had an approved system on that lot. **M. Sikorski** stated that that was twelve-years (12-ys) ago, and asked how long does the

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“grandfather” status last? **B. Clarke** said that it would need to be proven, but he believed that the grandfathered designation is effective. **S. Bryant** said that Mike Cuomo (RCCD) would need to vet the grandfathered status of the former septic system. **M. Sikorski** asked if the septic system was grandfathered, would the applicant propose locating the system under the parking lot, like it was previously, and **B. Clarke** responded yes. He stated that the applicant would need to do test pits, etc. **M. Sikorski** stated that he thought that some of that wetland area is Prime Wetland, and that when the former septic system was removed 12-years ago there were people happy to see it leave because of its proximity to the wetlands. He said that the entire parking lot was chambered concrete. **Chairman DeLeire** said that if the wetlands are Prime Wetlands, then the State may have an interest in the proposed use of the lot, in terms of the wetland setbacks.

Chairman DeLeire questioned B. Clarke that the applicant had previously represented that he needed to build 88-housing units to make the proposed project viable. And now B. Clarke was saying that the owner may build 30-housing units on a septic system. **B. Clarke** said that the owner would not build 30 high-end condos, it would probably have to be “Work-Force Housing” instead. **Chairman DeLeire** said that this meant that the 88-units are not the only thing that could be built on site, and **B. Clarke** responded that the 30-units would not be profitable and that the applicant would still need relief to develop the site, and concluded that the owner probably would not build it. **B. Clarke** stated that the owner had said that he needed 100-units to make it profitable, and they got him down to 88 because of the parking, and he can not go lower than 88. **B. Clarke’s** point was that it is not an economically viable project using the grandfathered status for 30-units, for the land price alone, and ZBA relief would still be needed.

MOTION: To continue ZBA Case # 24-03: Continuance from March 28, 2024 and April 25, 2024 ZBA meetings, of application from JTC NH LLC, for 8 Variances from the Hampton Falls Zoning Ordinance to the ZBA meeting May 23, 2024 at 7:00 PM at Hampton Falls Town Hall.

MOTION: J. DELEIRE

SECOND: S. BRYANT

UNANIMOUS

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: 03/28/2024

MOTION: To approve the meeting minutes from 03/28/2024 as written.

MOTION: M. LABARRE

SECOND: J. MANNA

UNANIMOUS

E. OTHER BUSINESS: None.

F. COMMUNICATIONS TO BOARD: None

G. ADJOURN:

MOTION: To adjourn the Zoning Board of Adjustment at 9:00 PM.

MOTION: J. DELEIRE

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SECOND: S. BRYANT

UNANIMOUS

The next meeting of the Hampton Falls Zoning Board of Adjustment is scheduled for Thursday, May 23, 2024, at 7:00 PM at Hampton Falls Town Hall.

Zoning Board of Adjustment Minutes prepared by Rachel D. Webb, Assistant Administrator.

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