

**PUBLIC HEARING AND BUSINESS MEETING
FINAL**

- A. CALL TO ORDER:** T. Franciosa called the meeting to order at 7 p.m.
- B. ROLL CALL:** A. Franciosa, Vice Chairman; B. Mutrie, G. Parish, S. Volpone, Members; M. Kasprzak, Selectmen's Representative; L. Ruest, Administrative Assistant; D. Smith, Circuit Rider Planner; K. Kelley, Building Inspector
NOT PRESENT: C. Brown, Chairman; A. Tonry, Member

C. SUBDIVISION REGULATIONS, SECTION 7.9- SEPTIC SYSTEM REQUIREMENTS and SUBDIVISION REGULATIONS, SECTION 8.6- DRAINAGE

Amend Section 7.9 (Subdivision Regulations) regarding septic system reference to the proper section of the Building Code and amend Section 8.6 (Subdivision Regulations) to allow for the use of drainage pipes made of High Density Polyethylene (HDPE).

T. Franciosa opened the public hearing for Section 7.9 Septic System Requirements. Copies of proposed amendments were made available to the public. T. Franciosa read the current and proposed wording and opened discussion to members of the Board. Hearing none, he opened discussion to members of the public.

No comments or questions were heard. T. Franciosa closed the public hearing. It was reported that the intent of this amendment is to correct the reference to the proper section of the ordinances. The Board determined that each amendment was to be acted on individually.

MOTION: To accept the amendment to Subdivision Section 7.9 – Septic System Requirements as written and that a Certificate of Adoption be signed by those present and presented to the office of the Town Clerk.

MOTION: B. MUTRIE
SECOND: S. VOLPONE
UNANIMOUS

T. Franciosa opened the public hearing for Section 8.6 Drainage. Copies of proposed amendments were made available to the public. T. Franciosa read the current and proposed wording and opened discussion to members of the Board. Hearing none, he opened discussion to members of the public.

No comments or questions were heard. T. Franciosa closed the public hearing. It was reported that the intent of this amendment is to add HDPE as a type of piping allowed.

MOTION: To accept the amendment to Subdivision Section 8.6 Drainage as written and that a Certificate of Adoption be signed by those present and presented to the office of the Town Clerk.

MOTION: G. PARISH

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SECOND: S. VOLPONE
UNANIMOUS

D. PUBLIC HEARINGS

1. **Case #11-05-01** (cross reference Case #10-07-01): Application from **T. P. Realty Trust** for Final Public Hearing for an amended Site Plan review for the redesign of the parking lot for the approved function hall facility. The applicant is applying for an Expedited Review on the property located in Zone B at 1 Lafayette Road (Map 7, Lot 70)

David Benoit, Attorney John Colliander and Engineer Bill Evans were present. Revised plans were displayed for viewing and also provided to the Board. B. Evans reported that these revised plans address grading issues relating to the parking area and also retains as many trees as possible along the northerly property line. The plan includes two additional parking spaces more than the original approved plan as well as two additional handicap spaces (for a total of 103 parking spaces and eight handicap parking spaces). He noted that he has also shown the propane tank location and configured the area behind the building to include the dumpster location.

Discussion was opened to members of the Board. T. Franciosa acknowledged that the 10 spaces requested to be removed from the plan last meeting (nine from the curve along the northerly side of the lot and one within the setback area at the southerly side line of the property) have been removed from the plan and confirmed with the engineer that no parking is shown in these areas. T. Franciosa stated that K. Kelley has indicated to him that he is in approval of the handicap parking as well as the dumpster location as presented. K. Kelley requested that the area at the rear of the building be striped to include the words "no parking." The Board agreed to add this as a condition of approval. He added that he agreed with the location of the two handicap spaces at the rear of the building given the terrain.

T. Franciosa added that the revised drainage report will need to go to the Town Engineer for review and approval and that this will be a condition of approval. B. Evans reported that the revised drainage report and revised plans have been provided to Jones and Beach Engineers. L. Ruest stated that she would get additional information to Jones and Beach Engineers with a request to review the revised drainage on behalf of the Planning Board.

In response to questions of the Board, B. Evans stated that the parking area is to be paved with regular pavement and that the back side of the parking lot is proposed to be flared with a Cape Cod berm in order to assist with drainage.

Dylan Smith requested that the notes relating to proposed variances be removed from Sheet 1 of the plan given the determination made by the ZBA at its May 26 meeting. He also requested that note number one of the General Notes block be removed or reworded to indicate compliance with the Town of Hampton Falls. B. Evans stated he would remove the note.

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Hearing no further questions of the Board, T. Franciosa opened discussion to abutters and members of the public. Hearing none, he closed the public hearing.

MOTION: To accept jurisdiction of the application as complete.

**MOTION: B. MUTRIE
SECOND: G. PARISH
UNANIMOUS**

T. Franciosa referred W. Evans to the reference on Sheet 2 of the plan where it points to Sheet 6 for a detail of stone check dams. He asked that this reference be corrected as this plan set only has two sheets and that the detail be shown on Sheet 2.

T. Franciosa also requested to go on record indicating that he has a professional relationship with Attorney Colliander and that if any members feel he should abstain from voting, he will. No concerns were heard from the Board or Attorney Colliander.

MOTION: To approve the applicant's request for amended site plan for Case #11-05-01 for the redesign of the parking lot for the approved function hall facility (Case #10-07-01) located in Zone B at 1 Lafayette Road (Map 7, Lot 70) with 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 the conditions of Case #10-07-01 remain in effect.
3. That the amended drainage report be reviewed and approved by Jones and Beach Engineers.
4. That the painting of "no parking" striping be installed at the rear of the building in the area of the dumpster.
5. That a detail for the stone check dams be added to Sheet 2 and that the reference be corrected to read "Sheet 2" instead of "Sheet 6."
6. That the "Variances Requested from Zoning Board" block as well as note number one in the "General Conditions of Approval" block be removed from the plan.

**MOTION: S. VOLPONE
SECOND: G. PARISH
UNANIMOUS**

E. PRELIMINARY CONSULTATION: Hampton Falls School District, 5 Kensington Road, Map 8, Lots 21, 22, 28-2

SAU 21 Business Administrator Bill Hickey and Lincoln Akerman School Board Members Robin Ratigan and Susan Smylie were present. B. Hickey displayed a large copy of the parcels owned by the School District.

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T. Franciosa informed those in attendance that preliminary consultations are non-binding on both parties, in this case, the Hampton Falls School District and the Hampton Falls Planning Board. He stated that discussion will be an exchange of ideas and information only and will not include consideration or review of plans. He also reported that he has been involved with other school projects to include member of committees. He asked the Board and applicant if there were any concerns. Hearing none, he remained on the Board.

Bill Hickey reported that the Lincoln Akerman School Board is considering subdivision of the Merrill house and barn parcel; to be sold off with two acres along with the intention of dismantling the barn and moving it from that property.

In conjunction with this consideration, one of the back two lots is planned to be added to the existing lot the school is located on and the third parcel is being explored to be allowed for a lease arrangement to recoup income to offset the bond. B. Hickey stated the Board is looking for direction on what to take into consideration. T. Franciosa noted that the lot numbers provided with the application do not correspond with the tax maps. A copy of the tax map was provided to B. Hickey.

Discussion took place with regard to the idea of subdividing the home for sale. Questions were raised as to whether current requirements such as frontage and minimum acreage could be met keeping septic and well needs in mind. It was also noted that should the parcel be subdivided with 250' of frontage, an approximate 100' of frontage would remain on Kensington Road. Question was also raised as to how subdividing the house lot for sale would affect zoning (commercial versus residential). It was noted that leaving the remainder of Lot 22 with only 100' of frontage would make the resulting lot non-conforming; which is not allowed by zoning. K. Kelley added that it appears from the wetland maps that Lot 22 is approximately 50 percent wetlands.

Discussion of Lot 27 (where the school is located) took place. T. Franciosa stated that there may be frontage to Route 1 for this lot. B. Hickey indicated that there has been no research of the deed for Lot 27 and that he is not aware of frontage on Route 1 for Lot 27. T. Franciosa referred the applicant to the section of the ordinance where it indicates lots within 300' of Route 1 are zoned commercial and noted that the Merrill lot includes a portion of commercial area. It was noted that the school is within the Commercial District as well. T. Franciosa questioned whether all lots would be considered commercial if they were merged to one by Voluntary Lot Merger. G. Parish questioned whether doing so would affect the leasing ability the School Board is seeking. B. Hickey reported that the School Board has done preliminary research with regard to acting as a leaseholder and found it is a possibility but that more work needs to be done. T. Franciosa provided B. Hickey with a copy of a Voluntary Lot Merger form for consideration.

Dylan Smith stated that depending on what the lots are to be used for determines whether certain regulations need to be met. He stated that if the property is to be used for Town purposes some regulations apply, however, if the property is to be leased, the School District will need to comply with regulations to include wetlands regulations. It was also noted that there may be a

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need for more than two acres of land with Lot 22/Merrill house given the amount of wetlands and the need to ensure adequate septic and well. D. Smith stated it would be beneficial to have a survey of all parcels in order to get an idea of wetlands and determine constraints. With the idea of a road from Kensington Road at Lot 22, there will be a potential for dredge and fill permits from the State. D. Smith suggested that definitions be checked to see if the pond falls under the definition of natural wetland. G. Parish added that one consideration may be to merge two lots (22 and 27) only. S. Volpone noted that there is a substantial amount of wetlands that would affect access to Lot 21.

Dylan Smith also referred the applicant to the Rockingham Planning Commission web site for information on soils. The Board suggested that the applicant work with D. Smith to see if he can refer them to information needed without spending too much money. K. Kelley offered to pull the file for Lot 22 with regard to septic information. R. Ratigan stated that the Board is looking for three resulting lots; a house lot (Lot 22), an area to lease (Lot 21) and the remainder of the land to be merged with the school lot (Lot 27).

Discussion took place with regard to requiring three lots in order to lease (to include the matter of a ground lease). Question was raised as to whether this can be done on government land and whether the Town can lease for profit. R. Ratigan stated that the School District is allowed to lease for profit with vote of the Town.

In closing, it was determined that the applicant should conduct additional research with counsel to include looking into the zoning bylaws, lot merger, other legalities of being able to lease or ground lease and whether ZBA relief is needed.

F. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

MOTION: To approve the minutes of May 24 as amended deleting a duplicate phrase.

MOTION: M. KASPRZAK
SECOND: S. VOLPONE
UNANIMOUS

G. OTHER BUSINESS

1. Committee Reports

Ordinance and Regulations Review Committee - April, May & June meetings: No comments.

Road Committee: T. Franciosa provided an update on work being done at Peltons Way and Wadleigh Lane. He noted that the developer of Peltons Way did not replace the performance bond with an acceptable form of security, however, it appears as though the remaining work to be done will be completed. T. Franciosa stated that the paving of Wadleigh Lane included a

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repair to a seam in the road using a product called Petrotac which was approved by the Town Engineer and Road Agent.

2. Form Based Codes Presentation July Meeting

Dylan Smith will have information for the Board's review and discussion at the July meeting.

3. Reminder: RPC Planning Board Training Series, Thursday, June 30, 2011

T. Franciosa reminded those in attendance of this training opportunity.

H. COMMUNICATIONS TO BOARD MEMBERS

No communications were shared at this time.

Beverly Mutrie inquired as to obtaining additional Alternate Members. She reported that she spoke with resident Ray Talkington, Exeter Road, who indicated he may be interested in serving. K. Kelley stated he would bring a volunteer application form to R. Talkington when he sees him later this week.

I. ADJOURNMENT

MOTION: To adjourn the meeting at 8:16 p.m.

MOTION: S. VOLPONE

SECOND: G. PARISH

UNANIMOUS