

PUBLIC HEARING AND BUSINESS MEETING
DRAFT

A. **CALL TO ORDER:** The meeting was called to order at 7:00 p.m.

B. **ROLL CALL:** C. Brown, Chairwoman; A. Franciosa, Vice Chairman;
B. Mutrie, A. Tonry, S. Volpone, T. Santora, Members;
P. Stone, G. Parish, Alternate Members
M. Kasprzak, Selectmen's Representative; K. Croteau, Secretary
Not Present. Building Inspector, Mark Sikorski; D. Smith, Circuit
Rider Planner; G. Hardee, Alternate Member

C. **PUBLIC HEARING**

CASE #13-05-01 – Application from Unutil Forestry Department for Final Public Hearing for Scenic Road Alteration Permit for maintenance tree trimming and hazard tree removals on scenic roads; Drinkwater Road, Frying Pan Lane, Sanborn Road, King Street, Blakes Lane and small portions of Nason Road. The public is encouraged to attend.

Mr. Chris Moultroupe, Forestry Supervisor of Unutil's Forestry Department reported that Unutil plans to perform line-clearance maintenance pruning work on one overhead distribution circuit that runs along scenic roadways in Hampton Falls. He explained that this was basically the same as the last couple years in that they are requesting permission to trim a 6-foot clearance which they have followed in the past with the same clearing and some of the underlying brush. He explained that this was part of a five-year cycle. A. Tonry asked if this would be the end. C. Moultroupe replied that there would be one more circuit for next year on Brown and Old Stage Roads.

S. Volpone asked who picks up the cut up trees. C. Moultroupe explained that the homeowners let them know and usually they ask Unutil to take them away.

C. Brown noted that the letter submitted with the application stated that "If requested, Unutil will reduce the standard ten (10) foot clearance. . .", C. Brown indicated that the six (6) foot clearance requirement is mandated by town ordinance and any variance from that requirement would need to be brought before the Zoning Board of Adjustment. C. Moultroupe stated they were planning to trim at the six (6) foot requirement.

T. Franciosa asked why the requirement was set at six feet. C. Brown explained that many years ago the town passed the ordinance because they felt the 10 feet clearance was too much. There was a discussion about the five-year cycle for trimming and the six foot clearance requirement.

P. Stone arrived at 7:09 p.m.

MOTION: To accept the application as complete.

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MOTION: S. VOLPONE
SECOND: B. MUTRIE
UNANIMOUS

C. Brown asked if there were any further questions or comments regarding the application.

S. Volpone asked if Old Stage and Brown Roads were on the Hampton circuit and if there were any data available to show the cause of an outage. C. Moultroupe indicated that all outages are classified and will request the data to provide to S. Volpone. There was further discussion regarding the five-year cycle in relation to the six foot clearance limit.

P. Stone commented that he had been approached by Unitil seeking his permission for them to trim at his property and asked if this was a new practice. C. Moultroupe said that they do notify the homeowners now.

MOTION: To grant the request for Scenic Road Alteration Permit for maintenance tree trimming and hazard tree removals on scenic roads; Drinkwater Road, Frying Pan Lane, Sanborn Road, King Street, Blakes Lane and small portions of Nason Road at the six (6) foot limit as required by town ordinance.

MOTION: S. VOLPONE
SECOND: B. MUTRIE
UNANIMOUS

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

C. Brown requested that the motion to *nominate* Greg Parish be changed to read *nominate and appoint*.

C. Brown requested that the motion to approve Case #13-04-01 be changed to include condition number 6 as part of the motion and contain only 5 conditions as follows:

MOTION: To approve the applicant's request for a Wetland Special Use Permit relating to Map 1, Lot 23-1, in accordance with the plan by Berry Surveying and Engineering, dated March 26, 2013 for property located at 37 Mill Lane subject to the following conditions, *as approval of the findings to section 8.5 has been granted:*

1. That a mylar revised to RCRD standards be recorded at the Rockingham County Registry of Deeds.
2. That any and all fees due the Town of Hampton Falls be paid.
3. That the Department of Environmental Services permit number and date of permit be shown on the plan.

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4. That the posting of a bond, as approved by the Town Engineer, be filed with the Board of Selectmen.
- ~~5. That approval of the findings to Section 8.5 was made.~~
5. That construction details of the project and the erosion control measures be approved by the Board's engineers, Jones and Beach.

C. Brown suggested that on page 2 in the first paragraph the sentence beginning with "Although the school . . ." be changed to read "*The school across the street is designated as a Drug Free Zone, a Drug Free Zone has no restrictions on alcohol.*"

B. Mutrie asked for clarification for the word "rented" on page 2 paragraph one. It was decided to delete the words "is rented and" from that sentence.

C. Brown noted that for G. Other Business, for the record, AT&T had responded timely to the request for information regarding the fall zone. This was not known at the time of that meeting.

MOTION: To approve the minutes of the April meeting as amended.

MOTION: B. MUTRIE

SECOND: M. KASPRZAK

SIX IN FAVOR; ONE ABSTENSION

E. OTHER BUSINESS

1. Committee Reports – The Board acknowledged the Ordinance and Regulation Review Committee minutes from April 17, May 1 and May 15, 2013.

2. The Board reviewed the Table of Uses provided by D. Smith. C. Brown explained the draft contains uses for all districts, the definitions are a little more inclusive than what does and does not exist and the definitions that would come into play for uses that may be expanded from current existence. A lengthy discussion took place regarding breweries, distilleries and fisheries and the problems that might arise from size and location and odors that might occur. It was decided that this topic would require more discussion at the Ordinance and Regulation Review Committee level for clarification.

There was discussion regarding tattoo parlors, gaming and gambling and Inns versus Bed and Breakfasts and bakeries.

C. Brown asked that everyone please take some time to review the Table of Uses and the Ordinance and Regulations Committee will continue to work on the definitions and uses.

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F. COMMUNICATIONS TO BOARD MEMBERS

C. Brown indicated that the May/June 2013 issue of Town and City and the Spring/Summer 2013 issue of Great Bay Matters were available at the Town Office for review.

C. Brown mentioned that the Rockingham Planning Commission Annual Meeting would be held on June 12, 2013. The deadline for reservation is May 31, 2013.

C. Brown informed the Board that the Town of Hampton Falls has received a Notice of Appeal for the decision regarding AT&T made at the Planning Board's March meeting. The Town's response to Rockingham Superior Court is due June 4, 2013.

G. ADJOURNMENT

MOTION: To adjourn the meeting at 8:55 p.m.

MOTION: A. TONRY

SECOND: M. KASPRZAK

UNANIMOUS