

PUBLIC HEARING AND BUSINESS MEETING
DRAFT

- A. CALL TO ORDER:** The meeting was called to order at 7:00 p.m.
- B. ROLL CALL:** **Present:** C. Brown, Chairwoman; T. Franciosa, Vice Chairman;
B. Mutrie, T. Santora, Members;
P. Stone, G. Parish, G. Hardee, Alternate Members;
M. Kasprzak, Selectmen’s Representative;
M. Sikorski, Building Inspector, K. Croteau, Secretary;
D. Smith, Circuit Rider Planner
Not Present: A. Tonry, S. Volpone, Members

The Chairman opened the hearing and designated Alternate Members G. Parish and E. Hardee as voting members for this meeting.

- C. Case #13-09-01** – Application from Bon Amigos of Hampton Falls, Inc., for Final Public Hearing for Site Plan Review to document and confirm existing conditions for property located at 122 Lafayette Road, Map 8, Lot 52-1.

Attorney Stephen Ells and Antonio Morgado, principal of Bon Amigos of Hampton Falls, Inc. were present. Attorney Ells explained that a year ago the applicant appeared before the Planning Board for a Preliminary Consultation where it was requested that an existing conditions site plan be prepared for the property located at 122 Lafayette Road, Map 8, Lot 52-1. The applicant obtained the services of Stockton Services and a site-plan has been prepared showing the current conditions with two buildings remaining; all other structures, sheds and pens have been removed. Mr. Ells further explained that the requested earthen berm has been constructed and that any additional changes of use would require additional hearings.

C. Brown asked if the berm went across the entire property line. Attorney Ells said it did not go entirely across as the applicant has left a small area open to go back and forth between the lots. C. Brown mentioned that in the past another business with a similar situation agreed with the Board’s suggestion to provide a berm to keep vehicles from crossing from commercial to residential lots. She asked if the applicant might want to complete the berm here for that purpose. Attorney Ells said the applicant did not want to complete the berm at this time as there are no tenants there and keeping it open allows him access between the lots. He said he would be willing to consider it in the future and that they were here to establish a baseline site plan of existing conditions. C. Brown said she accepted this but a request to complete the berm should be anticipated with any future proposed change of use of the property.

In response to a question regarding no notations for parking, Attorney Ells stated there is no public activity currently on the property noting it is hard to create a parking scheme when you do not know what the use will be; parking will be addressed if there is a change of use.

C. Brown noted the following to be changed on the plan:

1. The term “Business Zone” as labeled on the lot should be labeled “Business District”;

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2. Note 3, Zoning Board of Adjustment variance granted for non-conforming lot size references date of November 9, 1984; should reference date of October 25, 1984.

Attorney Ells stated that they would not voluntarily comply with the request to show the Right of Way for the State of New Hampshire on Route 1.

Discussion took place regarding the septic system shown on the plan. A. Morgado explained there are bathrooms in the buildings but they are currently turned off. Attorney Ells explained that if there is a change of use in the future the septic would be addressed at that time.

C. Brown asked about the lighting. Attorney Ells stated that whatever shows on the plan is what there is; there has not been any business activity in the evenings and there are no current plans for additional lighting.

B. Mutrie asked about the signs currently at the property. A. Morgado explained that the signs have not been taken down as he does not want to lose the space for the sign.

G. Parish asked if the well was in service. A. Morgado responded that they do not currently use the well.

MOTION: To accept the site plan for existing conditions with the following amendments:

1. The term "Business Zone" as labeled on the lot should be labeled "Business District";
2. Note 3, Zoning Board of Adjustment variance granted for non-conforming lot size references date of November 9, 1984; should reference date of October 25, 1984.

MOTION: B. MUTRIE
SECOND: T. FRANCIOSA
UNANIMOUS

Hearing no other comments the public hearing was closed.

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES – August 27, 2013

MOTION: To accept the minutes of the August 27, 2013 meeting as written.

MOTION: G. PARISH
SECOND: E. HARDEE
6 IN FAVOR, 1 ABSTENTION, PASSES

E. OTHER BUSINESS

1. The Ordinance and Regulations Review Committee meeting minutes from 8/28/13 and 9/11/13 were acknowledged by the Board.
2. Wetland Ordinance – The Board decided to take this matter up at the end of the meeting.

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3. C. Brown explained that the Board of Selectmen was in the process of selling a parcel of tax deeded land on Merrill Road and that one requirement was to obtain recommendation from the Planning Board. M. Kasprzak explained that the Decostas were looking to purchase a small swath of land in front of their property and recommended the sale. She noted the abutters had been notified.

MOTION: To recommend the sale of the parcel of land located at Map 8, Lot 73.

MOTION: C. BROWN

SECOND: T. SANTORA

6 IN FAVOR, 1 ABSTENTION, PASSES

4. Meeting with LAS – School Board – C. Brown explained she had received an email from G. Parish asking for the School Board to be added to the agenda.

G. Parish stated that he had asked to have this meeting to apprise the School Board of the changes to the rezoning on the Route 1 corridor that were being considered by the Planning Board and the affect they may have on the School Board's approach to the sale of the 5-acre property they are contemplating.

There were many residents in attendance. School Board Members R. Ratigan, F. Stifter, J. Stevens and Business Administrator, W. Hickey from School Administrative Unit 21 were asked to come to the table for discussion and review of preliminary plans prepared by J. Fermery.

A lengthy discussion took place with topics including changes in wetland setbacks; zoning changes; easements; types of uses allowed and whether or not the 5-acre parcel could be subdivided or sold as a whole.

C. Brown thanked the School Board for their input and explained that there would be a public hearing in November on the proposed ordinance changes.

F. COMMUNICATIONS TO THE BOARD

C. Brown noted that there were copies of the Town and City publication and the 2013 Comprehensive Economic Development Strategy prepared by the Regional Economic Development Center of Southern New Hampshire available to Board Members in the Town Offices.

P. Stone left the meeting at 9:00 pm

Wetland Ordinance

A lengthy discussion took place with regard to the proposed changes to the Wetland Ordinance. Some of the changes discussed included definitions for the vegetative buffer and surface water and a noted concern in Section 8.5.

The Board concurred that D. Smith would draft changes for the Wetland Ordinance for review and discussion at an upcoming Ordinance and Regulations Committee meeting.

PLANNING BOARD
September 24, 2013

7:00 PM
TOWN HALL

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G. ADJOURNMENT

MOTION: To adjourn the meeting at 9:50 pm.

MOTION: M. KASPRZAK

SECOND: T. FRANCIOSA

UNANIMOUS