

PUBLIC HEARING
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;
A. Tonry, B. Mutrie, S. Volpone, T. Santora, Members;
G. Parish, G. Hardee, Alternate Members;
M. Kasprzak, Selectmen's Representative;
K. Croteau, Secretary;
Not Present: P. Stone, Alternate Member; M. Sikorski,
Building Inspector; D. Smith, Circuit Rider Planner

C. PUBLIC HEARING – ZONING AMENDMENT

LEGAL NOTICE OF PUBLIC HEARING

HAMPTON FALLS PLANNING BOARD

Pursuant to NH RSA and 674:16, 675:3 and 675:7, notice is hereby given of a public hearing to be held by the Hampton Falls Planning Board on Tuesday, **January 7, 2014** beginning at 7:00 p.m. at the Hampton Falls Town Hall, 1 Drinkwater Road, Hampton Falls, NH.

The purpose of the hearing is to:

1. Amend the Hampton Falls Zoning ordinance official Zoning Map and district description by replacing the current Business District boundaries. This is a minor Amendment to the proposed changes that were brought to the November Planning Board's Public Hearing whereby Marsh Lane properties that were located in proposed Business District North, that did not have frontage on Route 1, will remain in the current Agricultural/Residential District.

Chairwoman Brown opened the Public Hearing explaining that the purpose of this hearing was to address the request made at the November 26, 2013 Public Hearing to remove the Marsh Lane properties from the proposed amendment.

She continued to explain that because of the number of concerns regarding the proposed amendments, she would continue this hearing for informational purposes regarding the remaining amendments and zoning maps at the conclusion of the Marsh Lane vote. She also noted that further reconsideration has been proposed regarding removal of additional lots from the proposed amendment which will require another Public Hearing to be held January 21, 2014.

Chairwoman Brown asked if there were any questions regarding the removal of the Marsh Lane lots from the proposed zoning amendment.

MOTION: To amend Article II, Section 2.1.3 by removing the following map and parcel numbers from the Business District North as follows: Tax Map 8, Lots 52-2, 52-3, 53, 54 and Tax Map 9, Lots 5, 6, 7, 8, and 8A; these lots will remain in the Agricultural/Residential District.

MOTION: T. FRANCIOSA

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SECOND: A. TONRY
UNANIMOUS

At this point, Chairwoman Brown explained that a suggestion had been arrived at to pull all lots west of Route 95 and all Merrill Road subdivision lots from the proposed zoning amendment to assist with answering some concerns of the public.

MOTION: To amend Article II, Section 2.1.1 by removing the following map and parcel numbers from the Town Village District as follows: Tax Map 2 Lots 18, 19, 19-1, 20, 21, 22, 22-1, 23, 61, 71, 72, 73, 74, 75, and 76; and Tax Map 8 Lots 67, 68, 69 and 70 and to hold a Public Hearing on said amendment.

MOTION: T. FRANCIOSA
SECOND: M. KASPRZAK
UNANIMOUS

Chairwoman Brown explained that it had come to her attention that there was a potential conflict with the term “Town Village District” (later renamed Town Common District) as it did not comply with the New Hampshire Revised Statutes Annotated. She suggested the term “Town Village District” be changed to “Town Common District” throughout the proposed zoning amendment and zoning map.

MOTION: To change all reference to the “Town Village District” to “Town Common District” throughout the proposed zoning amendment and zoning map and to hold a Public Hearing on said amendment.

MOTION: T. FRANCIOSA
SECOND: A. TONRY
UNANIMOUS

Chairman Brown said that a Public Hearing would be held on Tuesday, January 21, 2014 to address the proposed changes.

Chairman Brown reported that the Planning Board had sought to try to inform the residents of the proposed changes and had followed procedures but had not reached the public and had fallen short on getting through to the public. She apologized for that on behalf of the Planning Board. She said she was glad to see 80+ people attending this evening and wished more people had responded to the invitations sent. She said she knew many people felt abutter notices should have been sent and said hopefully a better job will be done to inform the public in the future. She opened the meeting to the public at this point.

R. Wiener, Surry Lane, stated he was happy to hear the lots west of Route 95 were being considered for removal from the proposed amendment. He asked what the Planning Board felt the potential was for increased lots on the Town Police and other services. Chairwoman Brown said the purpose of the rezoning was to help the commercial district and perhaps help the tax base as well while keeping Hampton Falls a rural community with a limited commercial area. Along with the proposals are guidelines which maintain the type of buildings which would be

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allowed around the Town Common; the Board is looking to get economy and vitalization in the downtown area of Hampton Falls. She said the Board did not feel the changes would be happening all at once.

R. Wiener, Surrey Lane, asked why there were different specifications for the Northern and Southern Districts. Chairwoman Brown answered that there are different types of businesses in those areas; whereas the Northern District has wetlands and different acreage requirements. T. Franciosa added that the Northern District has better access to Route 95 and Route 101 keeping trucks at that end while in the Southern District Seabrook is envisioning a similar character.

R. Wiener, Surrey Lane, noted that the Elderly and Multi-Family Housing Districts were being expanded to be the same. T. Franciosa explained these Districts were being addressed to correct them to the original intent.

R. Wiener, Surry Lane also noted that some members of the Planning Board may have financial interest in some of the lots yet he had not seen anyone recuse themselves from voting on these changes. He felt there was a conflict of interest.

T. Beattie, Drinkwater Road, asked if consideration had been given for well water and how to meet the need for water in the commercial district. She said she was concerned about the aquifer. Chairwoman Brown explained that this amendment did not address the issue of water. She said that sometime in the future discussion would take place with Seabrook regarding sewer and water might become part of that discussion.

K. Maynard, Merrill Road, said she appreciated the Planning Board's reconsideration of the Merrill Road subdivision but had concerns regarding two properties on the corner of Merrill and Depot Roads. T. Franciosa said the Board can look at that.

D. LaMontagne, Drinkwater Road, stated that he did not feel that the term "Route 1 Revision" indicated a change to residential properties. He said he would have attended had he known. He did not feel it was intentional, but felt letters should have been sent out by the Planning Board.

A lengthy discussion took place in regard to notification. Suggestions were made regarding email and better communications. Statements were made in reference to taking more time to consider if one's own property was being affected and how little time it takes to provide notification.

M. Nadeau, Marsh Lane, had a question regarding conservation lands to which Chairwoman Brown answered conservation land did not change.

J. Colliander, Exeter Road, expressed concern regarding the lots adjacent to the Janvrin Drive subdivision and asked if the Planning Board felt these lots should be excluded as a matter of fairness. T. Franciosa replied that these lots were included as they had frontage on Route 84. J. Colliander said they are part of a subdivision. T. Franciosa said the Planning Board would look

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into this. D. Burditt, Janvrin Drive, expressed dissatisfaction with the Planning Board as he felt his rights as a taxpayer who had served his country were not considered.

B. Burns, Marthas Court, asked how many lots were remaining in the proposed amendment to be changed from the Agricultural/Residential District to Town Village District. It was thought to be about 26. B. Burns asked that these property owners and abutters be notified.

Paul Fitzgerald, Toppan Lane, asked if the septic system and reserve areas would remain the same in the proposed amendment. Chairwoman Brown said both would remain the same.

Paul Fitzgerald asked if there was an update on reconfiguration of traffic at the Town Common to which Chairwoman Brown replied that the Town of Hampton had bumped Hampton Falls out of its spot on the 10-year plan with the State and that Chris Sununu had made a motion in support of a \$300,000 study on how to best address the traffic issue at Route 88 and Route 1.

R. Wiener, Surrey Lane, remarked on the availability of the text for the proposed zoning changes and asked if the text could be made available in the voting booths on Election Day. Chairwoman Brown said information is not allowed inside the voting booths but the text would be available at the Deliberative Session on February 1 at the Lincoln Akerman School Gym and at Town Meeting/Election Day on March 11 at Town Hall as well as on the Town website.

R. Maynard, Merrill Road asked a question regarding how a deed would be affected by a change from residential to commercial on a property. Board member T. Santora offered to research this question for Mr. Maynard.

A lengthy discussion took place regarding the Town Website and private email lists. Town Administrator, L. Ruest, reported that currently the Town Website "Subscribe To" feature has only 150+ subscribers and that the private email addresses are not overseen by the Town.

B. Burns, Marthas Court, asked to have colored maps available during the deliberative session and on voting day.

P. Fitzgerald, Toppan Lane, asked whether a new road would be able to be put in on a lot identified as a long skinny strip at the southern end of the Town Common District. The response from the Planning Board was yes, it could potentially be subdivided.

B. Burns, Marthas Court, asked if an in-depth tax study had been done as a part of this project to which T. Franciosa replied that the project had not included an in-depth tax study.

D. Little, Exeter Road, asked when the residents could expect to see the Map and Lot numbers on the website to which C. Brown answered that they would not be considered complete until after the January 21 Public Hearing.

K. Ward, Marthas Court, asked for an explanation as to the purpose of the project and what it was expected to do for the Town. T. Franciosa said the work was done to improve the economic

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outcome within the Route 1 corridor to help broaden the tax base to take some of the tax burden off some of the homeowners.

G. Koch, Drinkwater Road, asked why the Planning Board was changing the wording for the Town Village District to Town Common District. T. Franciosa explained that it had been identified in the RSA's that Boards and Committees do not have the authority to create a village district.

L. Job, Fieldstone Lane, asked why tattoo parlors and gambling appear in the definitions. C. Brown explained that because these items are specifically excluded in the Table of Uses, they need to be defined in the definitions section.

K. Graham, Crank Road, noted that fireworks appeared in the definitions but was not in the Table of Uses. Board Member B. Mutrie said it may have been an oversight.

D. Decosta, Merrill Road, asked if the Board had thought about the traffic impact. T. Franciosa explained that the State controls the studies for changes on traffic impact.

L. Knowles, Marsh Lane, thanked the Board for their work and noted that the continued use of the word corridor did not seem to be pertain to his property.

Chairwoman Brown asked if there were any other questions or comments; after hearing none, she concluded the public hearing at 8:30 p.m. She then reminded everyone of the Public Hearing to be held January 21 and the Deliberative Session scheduled for February 1. She noted that the Planning Board would work on improving communication.

T. Samway, Old Stage Road, complimented the Chairman on the running of the meeting.

D. ADJOURNMENT

MOTION: To adjourn the meeting at 8:35 p.m.

MOTION: A. TONRY

SECOND: S. VOLPONE

UNANIMOUS