

**PUBLIC HEARING & 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; A. Franciosa, Vice Chairman; A. Tonry, T. Santora, G. Parish, L. Brown-Kucharski, Members; Bobbi Burns, Alternate Member; M. Kasprzak, Selectmen's Representative; D. Smith, Circuit Rider Planner; K. Croteau, Secretary;
Not Present: B. Mutrie, P. Stone, Alternate Members; M. Sikorski, Building Inspector

The Chairwoman asked to address the appointment of B. Burns as Alternate Member at this time.

MOTION: To appoint B. Burns as an Alternate Member to the Planning Board for a three-year term.

MOTION: T. FRANCIOSA

SECOND: G. PARISH

UNANIMOUS

C. PUBLIC HEARING - CASE #14-04-01 - Application from Unutil Forestry Department for Final Public Hearing for Scenic Road Alteration Permit for utility tree trimming on scenic roads; Brown Road, Old Stage Road and Towle Farm Road; also pruning two spans on Goodwin Road for pole replacement (pole #5).

Board member, G. Parish, recused himself from the Public Hearing at this time.

The Chairwoman appointed Alternate Member, B. Burns, as a voting member for this Public Hearing.

Unutil representatives Chris Moultrou, Forestry Supervisor and Sara Sankowich, System Arborist were present. Mr. Moultrou explained that the purpose of the application was to request permission for line-clearance pruning work on overhead distribution circuit E18x1 that runs along the following Scenic Roads in Hampton Falls: Brown Road, Old Stage Road and Towle Farm Road. He explained that Unutil will reduce the standard ten (10) foot clearance requirement to comply with the Town ordinance requirement of six (six) along with the 15-inch circumference requirement for Scenic Roads. He distributed colored maps of the proposed circuit work.

In addition, he explained Unutil is requesting permission for tree trimming on Goodwin Road for the purpose of pole replacement. He stated the customer has been notified and permission is requested for this since Goodwin Road is a Scenic Road as well.

Mr. Moultrou added that a separate process, permission to cut hazard trees, had already been approved by the Board of Selectmen.

T. Santora asked if the area on Old Stage Road off the substation would be included in the trimming to which Mr. Moultrou responded yes.

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L. Brown-Kucharski asked why Goodwin Road was not included on the map. Mr. Moultroupe explained that the work to be done on Goodwin Road was not part of the circuit trimming.

The Chairwoman asked if there were any further questions from the Board Members and hearing none, opened the hearing to the public.

G. Parish and S. Parish, Towle Farm Road, were present. G. Parish began by stating that what had been done by Unitil on their property had been done with complete disregard. He stated he was concerned that Unitil does what they want despite saying they have talked to the customers. They did not get permits from DES. He said the Board needs to think about this because Unitil does not take the residents into consideration.

Chairwoman Brown asked Mr. Moultroupe why work on Towle Farm Road had been done prior to this application. First, Mr. Moultroupe stated that he disagreed with what G. Parish had said. He said that G. Parish, representatives from Lucas Tree and himself had met to discuss mowing and that what was done was what had been discussed. He went on and answered the Chairwoman's question by explaining that there were two types of lines, one is a transmission line and one is a distribution line. The transmission line is within a right-of-way easement on the Parish property and the Town can't prevent trimming within that easement. The Scenic Road Application Permit is for the distribution line which runs along the opposite side of Towle Farm Road from the Parish property.

At this point, S. Parish referred to an agreement between Unitil and the Parishes from 2002 that had been ignored by Unitil. She also referred to a letter from NH Soil Consultants, Inc. and photographs which she had brought with her this evening and given to the Board Chairwoman. She said that what Unitil had done looked terrible and she was concerned they would leave all their sites on Scenic Roads this way.

Chairwoman Brown said the Board would not get into a discussion about the agreement between Unitil and the Parishes or the easement. She noted this was not the first time Unitil had applied for Scenic Road Alteration Permit and that they had abided by the ordinance in the past with no complaint.

L. Brown-Kucharski asked why the cutting that had been done on Towle Farm Road was left at 2-feet. Mr. Moultroupe said it was because the cutting had been done when there was snow on the ground.

Ms. Sankowich explained that there is a difference between the transmission lines and the distribution line. The transmission lines provide higher power that feeds the substation and is regulated strictly by the federal government with easements for the transmission right of way and requires more of a box-type cut. She said Unitil does have an issue with the Parish property and they are trying to come to an agreement with them. She explained that unfortunately, both she and Mr. Moultroupe had only been at Unitil for three years.

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Chairwoman Brown asked if the representatives from Unitil would provide the Board with a list of all the easements for transmission lines in Hampton Falls. She said she will follow up with the Board of Selectmen regarding tree trimming for transmission lines with easements on Scenic Roads and whether or not a process for permit for trimming in these areas should be considered.

D. Smith noted that although it is not up to the Planning Board to adjudicate a private agreement, the Selectmen could be asked to see if any federal guidelines exist pertaining to the maintenance for trimming on Scenic Roads with transmission line easements such as a rule or guideline that would supersede a town ordinance. This may help to prevent confusion in the future.

Hearing no further questions, the Chairwoman closed hearing to the public.

MOTION: To accept the application from Unitil for Scenic Road Alteration Permit as complete.

MOTION: T. SANTORA

SECOND: L. BROWN-KUCHARSKI

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MOTION: To approve the applicant's request for Scenic Road Alteration Permit for utility trimming on Scenic Roads: Brown Road, Old Stage Road and Towle Farm Road and for pruning 2 spans on Scenic Road Goodwin Road for pole replacement.

MOTION: T. FRANCIOSA

SECOND: L. BROWN-KUCHARSKI

UNANIMOUS

T. Franciosa asked the Unitil representatives about the large pine tree that had fallen into the Taylor River near the bridge on Towle Farm Road and asked if that tree was within the easement. Ms. Sankowich responded that Unitil did not own the tree, Unitil's responsibility is the maintenance of the trees, the tree belongs to the property owner. Ms. Sankowich further stated that Unitil is working toward moving forward to be better stewards of the land with the carrying out of integrative vegetation practices. She also said Unitil has recently implemented a new GPS which identifies customer concerns which will hopefully help in a situation such as this in the future.

Chairwoman Brown thanked those attending the public hearing and said she looked forward to receiving the list of transmission line easements from Unitil.

D. ARCHITECTURAL DESIGN GUIDELINES REVIEW FOR TOWN COMMON DISTRICT IN PREPARATION FOR PUBLIC HEARING AT MAY MEETING –

Jennifer Ramsey

D. Smith introduced architect Jennifer Ramsey. He explained that as part of the grant Zoning changes, she helped facilitate in the process of developing the architectural guidelines for the Town Common District with the Ordinance & Regulations Review Committee and was present to answer any technical questions. He said these guidelines might be added as an appendix to the site plan review regulations.

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Chairwoman Brown said it was her hope to get this document into a format suitable for a Public Hearing at the next meeting. She said this had been developed at the Committee level and asked that the Board go through the document for the benefit of Members not present at the Ordinance & Regulations Review Committee meetings.

L. Brown- Kucharski said she thought the guidelines might be considered to be micromanagement. She referred to a decision made a few years ago when the town voted down a specialized historic district. A lengthy discussion took place where it was clarified that these were guidelines developed to offer applicants an idea of what the Town is looking for in the Town Common District, not regulations.

B. Burns asked if these ideas had been shared with the school. T. Franciosa said School representatives had been invited and encouraged to participate a number of times with no response. G. Parish said the school's focus may have been on trying to get the project passed. He said he would advocate for their involvement with these guidelines at the School Board meeting on the 29th.

A page by page review of the proposed guidelines resulted in the following suggestions:

All references to Town Village District change to Town Common District including the document header.

Page 1

First paragraph – Change last two lines to read as follows:
be put forth to provide an attractive, relevant destination.

Sixth paragraph – Change last two lines to read as follows:
design, to address the question of “What is Hampton Falls looking for ?”

Fifth and Sixth Paragraphs should both be done in bold print

Page 5

Typo – first bullet o in orientation – should be lower case

Page 9

Omit picture on bottom right

Page 17

Remove 4th bullet from b) Street Corner Buildings and Corner Entries which reads
~~*No parking, vehicular travel ways, or service areas should be located between the building and property lines along both streets.*~~

OR in second bullet from bottom of page should be lower case

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Page 20

Remove photo from bottom left

Page 21

Add the word “may” to the third line – *Encouraged materials may include:*

Remove the following bullets from the “discouraged materials include list”

Manufactured Stone . . .

PVC . . .

Vinyl or Aluminum . . .

Typo for the word chose on 5th line down – should be “chosen”

From the last paragraph, remove the entire sentence “*Where trim is used, it should be painted . .*”

Page 35

To the last bullet under lighting delete the period and “, while maintaining ‘Dark Sky’ compliance.”

Page 42

Remove the apostrophes from cafes and peninsulas.

Chairwoman Brown asked the Board if there were any more questions regarding the guidelines, hearing none she asked for a motion.

MOTION: To bring the Architectural Design Guidelines to public hearing as amended.

MOTION: G. PARISH

SECOND: T. SANTORA

UNANIMOUS

D. Smith distributed a suggested repeal and replacement for Site Plan Review Regulation 6.2.27 found in Article VI. The Board made the following comments:

1. Town Center District be changed to Town Common District
2. The word “standards” be removed from line 8
3. To leave in the stricken sentence
4. To replace the word standards in the 11th line with recommendations.

MOTION: To amend section 6.2.27 as follows and bring to Public Hearing at the May meeting.
6.2.27 Architectural Review: In order to permit the Board to render a site plan approval, which takes into consideration consistency with the architectural character of the surrounding area, the Planning Board shall require architectural drawings and material schedules indicating design, color and exterior finish materials’ specifications for new construction and alterations to existing buildings within the Town Common District, Business Districts North and South and the Multifamily Overlay, in addition to other studies deemed necessary under the Town of Hampton

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Falls Site Plan Review Regulations. Further, the Hampton Falls Planning Board requires that all commercial site plans and multifamily developments comply with the guidelines located herein as an official appendix to the site plan review regulations titled, "Design Guidelines for the Hampton Falls Town Common District, Hampton Falls, New Hampshire," and "Design Guidelines for Hampton Falls Business District North and Business District South, Hampton Falls, New Hampshire." The Guidelines are meant to illustrate site and building design recommendations in the Site Plan Review process and other design regulations located in various sections of the Hampton Falls' Zoning Ordinance by articulating as well as illustrating the Town's expectations for development that is harmonious and aesthetically pleasing.

MOTION: T. FRANCIOSA

SECOND: A. TONRY

UNANIMOUS

E. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES – MARCH 25, 2014.

MOTION: To approve the minutes of the March 25, 2014 meeting as written.

MOTION: T. FRANCIOSA

SECOND: G. PARISH

UNANIMOUS

F. OTHER BUSINESS

1. The Board acknowledged the minutes of the Ordinance & Regulations Review Committee from April 9, 2014.
2. Alternate Member Appointment – see above
3. The Board acknowledged the Updated Member listing; Chairwoman Brown announced the members of the Master Plan Committee as follows: Larry Smith, Lisa Brown-Kucharski, Bobbi Burns, Todd Santora and Charlyn Brown.

G. COMMUNICATIONS TO BOARD MEMBERS

The Board acknowledged the following

1. The Request for Project Review from NH Division of Historical Resources for Applecrest Farm Orchards, LLC
2. 4 Lafayette Road – Assessment of current rental business
3. NHDES Wetlands Program Rulemaking & Process Improvement Effort – Spring 2014 Listening Sessions

H. ADJOURNMENT

MOTION: To adjourn the meeting at 10:00 p.m.

MOTION: A. TONRY

SECOND: M. KASPRZAK

UNANIMOUS

NEXT MEETING SCHEDULED TUESDAY, May 27, 2014 7:00 p.m.