

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

*DRAFT*

CALL TO ORDER by the Chairman at 7:00 PM

ROLL CALL

**Present:** C. Brown, Chairperson; T. Santora, G. Parish, A. Tonry, L. Brown-Kucharski, B. Mutrie, Members; B. Burns, Alternate; M. Kasprzak, Selectmen's Representative; Glenn Coppelman, Circuit Rider Planner, S. Ayer, Secretary

**Absent:** P. Stone, Alternate; M. Sikorski, Building Inspector

ORGANIZATIONAL MEETING

Nomination and Election of Chairman

**MOTION:** To re-appoint Charlyn Brown as Planning Board Chairperson for the 3-year term ending in 2018.

**MOTION:** A. Tonry

**SECOND:** L. Brown-Kucharski

Hearing no further nominations, the vote was called.

**In favor: 6 Abstention: 1 Passed**

Nomination and Election of Vice Chairman

C. Brown noted that the Vice Chair elected must learn the job of Chairman and be prepared to step up if needed.

**MOTION:** To appoint T. Santora as Vice Chairman

**MOTION:** B. Mutrie

**SECOND:** A. Tonry

Hearing no further nominations, the vote was called.

**UNANIMOUS**

Committee Membership, Alternate Membership

Most committees will stand as they are; any changes to committee memberships will be addressed at the April meeting.

PUBLIC HEARINGS

**Case #15-01-01** – Application from Taylor River Farm, LLC for Final Public Hearing for Site Plan Review for expansion to the existing horse barn and gravel access drive for property located at 6 Swain Drive, Map 5, Lot 53-11. Waivers requested. (continued from 1/27/15 canceled meeting & continuance request approved at 2/24/15 meeting.)

Wayne Morrill of Jones and Beach introduced himself and said he would be speaking for owner Jeff Gove (also present along with Jared Gove), and had filed a letter of authority to do so.

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

Mr. Morrill gave the background of the property and outlined the work done in 2004. This included 2 barns, an indoor riding arena, stalls, and an apartment. Approvals were received at that time for subdivision, disposal, and alteration of terrain. Last year, solar panels were added. Mr. Morrill then outlined highlights of the current proposal.

A gravel drive to be added within vegetation buffer will provide stabilization. The addition to the back of the barn will cover what is now a paved surface; total percentage of impervious surface will be reduced from 13.2% to 13%.

Drainage will be as currently exists; there is a small swale on the back side. There will be no changes to utilities, parking, landscaping or lighting.

The addition will provide storage for materials currently stored in tractor trailers on the property. Aside from dumpsters, all outside storage will now be inside.

C. Brown questioned the number of horses to be housed, and Mr. Morrill answered that there will be a net increase of 12 horses.

C. Brown then brought up concerns about parking during an event held at the farm in January. The Goves explained that the show is a one day, once per year event for children learning to ride, sponsored by the United Professional Horsemen's Association (UPHA). Jared Gove is currently the association's president, and agreed to have this winter event at Taylor River Farm this year. It is a charitable event to help professional horse trainers, and it is not for the public, just for those involved.

C. Brown then said that one of the conditions of the approval signed in 2004 was that no horse shows were to be allowed on the property. If that is to be changed, it needs to be addressed by the Planning Board.

There was a lengthy discussion of topic, including that the main issue is that of parking. Even though not a very large event, the snow banks limited parking options.

G. Copleman said that if the condition regarding horse shows is to be changed, the owners would need to reapply with that amendment. Also, it was mentioned that while this is an off-season event, it might be possible to have it in the late fall when conditions could be a little better.

C. Brown also noted a correction to the plans, that Plan Reference #2 has a misprint of the date (reads 1/08/074 instead of 1/08/04). G. Coppelman said that with the new restroom proposed, the adequacy of the septic will need to be verified.

There was a brief discussion about the light being added, that it will be on either side of the back door, with a down-shielded 60-watt bulb. J. Gove noted that because other lighting is being removed, the net wattage of the property will be decreased. C. Brown asked that the lighting be added to the plan.

**MOTION:** To accept the jurisdiction of the plans as complete

**MOTION:** G. Parish

**SECOND:** A. Tonry

**UNANIMOUS**

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

There followed a question and answer period with the Board. Issues discussed included the decrease in impervious surfaces and drainage, which prompted Mr. Morrill to give a copy of a shoreline impact statement to C. Brown for the Planning Board file.

The discussion also included the topic of increased stalls, increased number of horses (mainly the owners' personal horses, as they are currently boarding 8 offsite) and parking spaces (that are not striped, but if they were, there would be 34). J. Gove estimated that during normal activity (lessons), the maximum number of cars is around 20, and that other than during the one day event, parking will not be a problem.

There was a discussion of the winter event, and J. Gove mentioned that if the board wished, they would just not hold it again. C. Brown said that was up to them, but that if they want to continue with it, they will have to come back before the board with an application to amend the site plan for the proposed use of horse shows.

The meeting was opened to the public for comment, but no comment was heard.

The applicant requested several waivers from Site Plan Review Regulations, which were acted upon individually at the suggestion of G. Coppleman.

**MOTION:** To grant a waiver to Article VI, Section 6.2.2 – Requesting 1"= 30' plan scale where Regulations require 1" = 20', in order to eliminate the need for matched maps.

**MOTION:** G. Parish

**SECOND:** L. Brown-Kucharski

**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.2.18 – Requesting relief from the requirement for a drainage control plan, since the proposal is actually reducing the amount of impervious surface.

**MOTION:** T. Santora

**SECOND:** B. Mutrie

**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.2.19 – Requesting relief from needing a lighting plan.

**MOTION:** L. Brown-Kucharski

**SECOND:** T. Santora

**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Sections 6.2.21 & 6.4.4 – Seeking relief from the requirement of a Landscaping plan since this is an existing site with previously established landscaping.

**MOTION:** B. Mutrie

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

**SECOND:** G. Parish  
**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.2.25 – Requesting relief from requirement for test pits since the septic system is already in place.

**MOTION:** A. Tonry  
**SECOND:** G. Parish  
**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.4.1 , the requirement for a Traffic Impact Analysis, since this proposal will not generate new traffic.

**MOTION:** A. Tonry  
**SECOND:** L. Brown-Kucharski  
**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.4.2 – Asking for relief from a full Soil Erosion and Sedimentation Control Plan since minimal site disturbance will take place.

**MOTION:** L. Brown-Kucharski  
**SECOND:** A. Tonry  
**UNANIMOUS**

**MOTION:** To grant a waiver of Article VI, Section 6.4.3 – Seeking relief from requirement to conduct high Intensity Soil Mapping since this was done for the original Site Plan.

**MOTION:** T. Santora  
**SECOND:** G. Parish  
**UNANIMOUS**

A shoreline impact permit has been approved with no conditions, and a copy given to the Town.

**MOTION:** To approve the amendment to the site plan for Case #15-01-01, allowing for expansion to the existing horse barn and gravel access drive for property located at 6 Swain Drive, Map 5, Lot 53-11, subject to 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 building height and sightless objects (pipes, stacks, air conditioners, etc.) not exceed 35 feet.
3. That any and all state permits be obtained and made part of the file before the mylar is signed.

4. That a note reading “No additional use or change of use shall be permitted unless approved by the Planning Board” be added to the final plan.
5. That approval is for an additional 6,912 square feet of enclosed space for 29 horse stalls, tack room, rest room, farrier’s shop and office, and for a gravel access drive.
6. That wetland district placard markers be obtained from the Conservation Commission, at the owner’s expense, and that the placard markers be posted at wetland *buffer* points and corners, with one, or more, additional markers every 50’ prior to any tree cutting for road construction or excavation. Wetland district placard markers are to be certified with a Certificate of Wetland *District* Placard Installation form for the Planning Board file.
7. That all waivers listed be included on the final plan.
8. That all notes existing on the prior approved site plan be carried forward to the amended plan for recording at the Registry.

**MOTION:** A. Tonry

**SECOND:** G. Parish

**UNANIMOUS**

**Case #15-03-01** – Application from Aaron E. Brown for Final Public Hearing for Site Plan Review for parking area reconfiguration/resurfacing, minor regarding, updated utility locations and new septic system for property located in Business District North at 153 Lafayette Road, Map 9, Lot 12.

L. Brown-Kucharski recused herself from the deliberation on this case, as she is an abutter.

Alternate B. Burns was designated as a voting member for this case.

Dennis Quintal of Civil Construction Management, Inc. presented the case for the applicant, the Board having received a letter of authorization for him.

Also present was Michael Fecteau, owner of Lots 12-7, 8E and 8F on the property.

Mr. Quintal gave a history of the lot, saying that in the early 1980’s a condo association was formed by the owner, consisting of 10 units. Ownerships have changed over the years. Originally there was a well under building units 5 and 6, and a small septic in the area. Around 1986 a septic system was approved by the State for building 7, with a pump chamber and leach field, and that has been in place ever since.

Three years ago Mr. Quintal was asked to assist with creating permits for the property, as there were problems with the well and septic. A site plan was submitted 2 years ago showing use of condominiums, and at that time the well had to be done away with and state approval was required for an alternate well or public water supply, and a wetland crossing.

Since that time, it was found there was a septic system approval for building 8 that was never built, along with an additional leaching field that was never approved or built.

Mr. Fecteau owns building 7. A separate septic is needed for Building 8, and an area was located about 100 feet from the wetland. Mr. Fecteau had that area reviewed by the Conservation District. He brought that plan brought before the Zoning Board of Appeals on February 26<sup>th</sup> and received relief from Building Code requirements Article 7.1.1.1, b and c, and 7.1.1 (Septic Reserve Area). He was also given a variance to the terms of Article III, Section 8.4.2 (Prohibited

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

Uses for Wetlands Conservation District) of the Zoning Ordinance, allowing for installation of a sewage disposal system.

Subsequently, the septic plan was sent to the State, and received approval there.

At this time, the applicant is bringing an amended site plan before the Planning Board. New issues with parking have come up, and Mr. Quintal pointed out two new parking spaces added, showing in color on the plan.

C. Brown asked for clarification of parking spaces, noting that 27 spaces were proposed. There was a discussion of the number of spaces existing, formerly approved but not marked, and new. G. Parish said that there should be notations on the plan for totally new spaces, and also for those approved in 2013 but not marked. All but 8 were formerly approved. 53 spaces were approved before, and the applicant is requesting a total of 61.

The parking situation was discussed, with regard to how little space there is for parking and snow storage. The area where the septic is to be installed is rocky and was covered with pines and knot weed. The applicant had been in touch with the owners (Richardson) of that area to discuss tree removal and the construction of a fence. They were agreeable, and this not only made room, but made the area more aesthetically pleasing.

B. Mutrie asked if handicapped parking is necessary, and Mr. Quintal said that it is not, as the units are for storage, not dwelling. B. Burns questioned the need for bathrooms in a storage unit, and it was discussed that the usage could change in future.

In reviewing the plans for grading, C. Brown noted that the drainage swale on page 2 should appear on the signature page.

M. Fecteau told the Board that shrubs in the front of the building will be removed as they are encroaching onto the drive, and also were damaged by the snow.

C. Brown noted that the 2013 plan showed 3 propane tanks, but that on the current plan they are proposed. M. Fecteau clarified that they are there, but had not been used, and are rusting. They will be put on concrete pads, as one has already been.

B. Mutrie questioned the need for truck access to the tanks, and M. Fecteau said that there is access on the grass now, and a gravel path for that and for snow removal is proposed. The ground is hard and there is not a deep swale.

When final plan is submitted, the Zoning Board decisions are to be noted on the recordable sheet.

Other points addressed included:

Underground pipes for the septic will cross. If the usual 4' separation for frost protection is not possible, they will be insulated.

G. Coppelman said that a special use permit will be needed to proceed through the buffer and into the wetlands, and M. Fecteau said that they have a permit, but won't use it unless the well fails and a secondary site is needed.

It was agreed that a special use permit will be needed and should be provided for now, as there is no other place for a well that does not cross wetland.

**MOTION:** To grant a Special Use permit for a gravel road for access to a well site

**MOTION:** B. Mutrie

**SECOND:** T. Santora

HAMPTON FALLS PLANNING BOARD  
PUBLIC HEARINGS & BUSINESS MEETING  
TOWN HALL – Tuesday, March 24, 2015

**UNANIMOUS**, Permit granted as of 3/24/2015

No further questions were heard from the Board, and the discussion was offered to the public.

Attorney Robert Casassa addressed the board, and identified himself as a representative of abutter to the north, Robert Marelli.

Mr. Casassa informed the Board that there is an ongoing dispute about the property line that has gone on for years. Mr. Marelli disagrees with the line as determined by the surveyor.

Mr. Casassa pointed out several differences between previous plans and the one shown on Page 1 of the current plans, such as the depiction of bollards at the property line, and the extent of the area of dispute. He also said that a swale is mentioned, but he has not seen it, and thinks a grading study should be done, as the Marelli property takes on water from the applicant's. He added that the well shields on the plans are not supported by easements from the adjoining property, and these have not been negotiated.

Several changes were proposed to make the front page of the plan complete, including the drainage swale, the existing bollards, and the drain pipe.

Public hearing was closed.

**MOTION:** That all notes appearing on the prior amended plan be carried forward to appear on Page 1 of the amended plan.

**MOTION:** A. Tonry

**SECOND:** G. Parish

**UNANIMOUS**

**MOTION:** To approve the Site Plan for parking area reconfiguration/resurfacing, minor regarding, updated utility locations and new septic system for property located in Business District North at 153 Lafayette Road, Map 9, Lot 12, subject to the following conditions:

1. That any and all state permits be obtained and made part of the file before the mylar is signed.
2. That any and all state permits be obtained and made part of the file before the mylar is signed.
3. That a note reading "No additional use of change of use shall be permitted unless approved by the Planning Board" be added to the final plan.
4. That approval is for a parking reconfiguration, new septic and updated utility locations, and shall be noted as such on the final plan.
5. That wetland district placard markers be obtained from the Conservation Commission, at the owner's expense, and that the placard markers be posted at wetland *buffer* points and corners, with one, or more, additional markers every 50' prior to any tree cutting for road construction or excavation. Wetland district placard markers are to be certified with a Certificate of Wetland *District* Placard Installation form for the Planning Board file.
6. That any and all surveyor and wetland scientist's stamps be included in the final plan.

7. That the Richardson tree removal and fence be shown on the plan.
8. That a special use permit note be added to the plan.
9. That notes #2 and #3 be amended to reflect 53 prior parking spaces and 8 new parking spaces
10. That the drainage swale be moved to show on Plan page 1.
11. That existing bollards be shown on Plan page 1.
12. That the drain pipe shown on Plan page 2 be shown on Plan page 1.
13. That all prior notes from 2013 plan be carried forward to amended plan.
14. That the uses table be redrafted to reflect previous site plan approval.
15. That the encroachment area be better delineated.
16. That the 8 additional parking spaces not previously approved be depicted with a triangle.

**MOTION:** A. Tonry

**SECOND:** G. Parish

**In favor: 6 Abstention: 1 Passed**

L. Brown-Kucharski resumed her seat on the Board.

#### REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

**MOTION:** To approve as written the minutes of the February 24<sup>th</sup> meeting, with the amendment by C. Brown to page 2, paragraph 7: residence in main building is not required.

**MOTION:** B. Mutrie

**SECOND:** A. Tonry

**UNANIMOUS**

#### OTHER BUSINESS

Certificates of Adoption for Site Plan Review Regulations, Section 9.4 Special Flood Hazard Areas and Subdivision Regulations, Section 7.5, Special Flood Hazard Areas were sent around for signatures.

#### COMMUNICATIONS TO BOARD MEMBERS

Members were informed that the NH OEP Spring Planning and Zoning conference is to be held on May 2, 2015. To sign up, members should contact the Town secretary.

C. Brown announced that Alternate Bobbi Burns would be resigning from the Planning Board, effective March 25, 2015. Her letter of resignation was read, and all agreed she will be missed.

#### ADJOURNMENT

**MOTION:** To adjourn the meeting at 10:25 PM.

**MOTION:** A. Tonry

**SECOND:** G. Parish

**UNANIMOUS**

NEXT MEETING SCHEDULED TUESDAY, April 28, 2015 7:00 p.m.

