

Town of Hampton



PLAN REVIEW COMMITTEE DRAFT MINUTES June 23, 2021 – 2:00 PM Selectmen's Meeting Room

PRESENT: Jason Bachand, Town Planner
Bill Straub, CMA Engineer
Jennifer Hale, DPW Director
Cathy Gilman, Unutil
Mike Bernier, Aquarion
Mark Gearreald, Esquire
Jim Marchese, Building Inspector
Laurie Olivier, Office Manager, Planning

Absent: **David Hobbs, Police Chief**
William Paine, Fire Prevention Officer
Tobey Spainhower, DPW

21-034 212 Lafayette Road

Map: 189 Lot: 14

Applicant: Tony Olbres

Owner of Record: Yankee Faust Trust, Tyler Olbres, Trustee

Subdivision and Site Plan: Subdivide Lot 14 into two conforming frontage lots and construct one condex on each lot with common driveway and utilities from Drakeside Road.

Joe Coronati, Jones & Beach and Dan Mettis (sp) from J&B were present along with Tony Olbres. Mr. Coronati discussed the history. This is for two duplex lots meeting all the zoning for frontage and size and no variance would be needed.

This is a two-lot frontage subdivision. Each side will have a duplex that would be a condex; each side would be sold separately. The location is on a corner – they don't think they can get two driveways so they did the development with one curb cut. Each lot will have a condominium, maintained privately. Utilities and driveway are private. Each lot will have two individual units for sale. The pavement between the buildings is porous pavement. Eco pavers for infiltration. Good soils for infiltrating stormwater. Utilities are more complicated than drainage.

The sewer manhole was discussed (Drakeside Road). Utilities were discussed. Changing the electric design was mentioned.

Landscaping was discussed. There are mature pine trees. They want to save as much landscaping as they can. Lower trees will be installed.

Buildings were shown and discussed. Different looks and similar style.

Mike Bernier, Aquarion, asked about the existing water line. Will there be an easement was asked. Yes, per Mr. Coronati. He spoke with Carl M (Aquarion)– he asked if they could do two, one-inch water lines going into the back of each building so, so 4 individual services. This would be for water quality purposes. Joe stated “yes”. It would be four taps. Two on each side per Mr. Bernier. He said the force main section is tight. It can go under the deck portion.

Mr. Bernier discussed 2 holes with two taps in each hole. The line is on the edge of the pavement on one and the other one comes across diagonal before it goes to Lafayette. Water main goes to an angle. Jennifer Hale said that may need to be modified.

Mike Bernier wants two, one-inch services on the east side and two one-inch service on the west side of the building. One hole on each. It should be on the edge of the pavement.

Jennifer Hale said they will need BOS approval to cut into Drakeside Road if before 2022. The repair that was done does not count. BOS permission; not Jennifer Hale (DPW) permission. Jennifer does not support numerous cuts into the roadway. She does not want four separate cuts.

Joe asked about 4 services down the middle. Mike B wants him out of the driveway.

Jennifer asked how far away is the second house. From the edge of the pavement it is about 70' and 85'. Mike Bernier needs to find out where the diagonal comes out to.

One valve is located at the intersection per Joe C.

No fire suppression.

Cathy discussed placing another pole on Drakeside. The pole on the corner of the driveway has transformers. Anywhere along there back 25' as long as it is in line. Two meters on each side of the building – near walkways. Disconnect will be under one of them. No padmount is needed.

A pole license and excavation permit is needed. It will go to the East.

It looks like a lot of trees are going to be taken down.

Trees along the fence on the east side – closer to Drakeside. Many trees are flagged. White pines; not spruces.

Attorney Gearreald asked about three underground utilities servicing two duplex buildings. Gas, water and electric. All are on the plan and conceivably underground. Where is ownership interest was discussed. Will they want easements was asked. Cathy Gilman (Unitil) said no. They will get the Town permit for the pole. No easements for underground units. Service from the pole is going to cross over the property lines. The west duplex is going to have a service line that runs on the east's duplex property; they will need them for themselves, but through Unitil.

Ms. Hale discussed the duplex on each lot; then they will be condominiumized; two units on each lot. How many associations will there be? It's possible there will be a Master Association with two sub-associations. The Master would take care of everything outside the building.

Common area is everybody's responsibility regarding easements, etc. That is fine between two parcels per Jennifer Hale. Services for 18 – one is going to run through the west property and one through the west and east and the Master Association's common area. That is complicated – who owns what. Who's responsibility. Who is responsible when something fails.

Jennifer Hale needs this clearly explained.

Joe Coronati said they will look at that. Maybe at least the water line should be taken care of now. Jennifer said in the original documents, the idea that there is that center of the line. So many different owners.

There could be a shut down; yank the meter out. Trace the line per Mike Bernier. Get a wire up there.

Jim Marchese said it looks fine to him.

Joe Coronati will receive comments from everyone.

Attorney Gearreald discussed the subdivision and immediately having two condominium units on two lots. They may need two Associations. The Master Association, Attorney

Gearreald said, may be complicated. Access easement is shared and may be sharing water line, gas line and force main line and electric. Other than water, yes, per Joe Coronati.

The Stormwater Management plan was discussed by Attorney Gearreald. Each of the Associations will have to be responsible for that. Joe Coronati has heard Attorney Peter Saari say those words – Sub-Association and Master Association. It's how we talk about other developments. Witch Island Way, per Joe Coronati, is an example. All lots are individual lots; some have duplexes and some have single; they all maintain the road. Sub associations deal with the buildings themselves. Lawn care is sometimes included.

John Sokul (sp) (Attorney in Manchester) is Tony Olbres' Attorney.

Attorney Gearreald discussed the condo site plan; the division between two lots. No delineation of limited common area. There would be per Joe C. It can be added. Attorney Gearreald said yards are divided usually in some way.

Attorney Gearreald discussed the documents. There may be three different declarations with by-laws. Stormwater management for one, maybe two. If it is the Master, stormwater one entity managing it was discussed.

If utilities do not want easements, if they do, the utility companies should be notified. Joe said Unitil, Aquarion and Northern Utilities. If they are not going to have easements they probably do not need to be notified.

Sewer force main was discussed. Attorney Gearreald discussed a residence that (between residences) a hold harmless and indemnification agreement will be needed. New ones are gravity per Jennifer. New sewer services to two lots will go to gravity to gravity is part of the system. They don't need a Hold Harmless. The existing force main should have one for the existing force main. A Hold Harmless would be between the two Associations and him; not the Town.

Mark Gearreald asked about the title. It's not Tony. It's the Trust. Tyler is the Trustee. The application lists Tony as the owner, but he is not. We need separate authorization from the Trust saying Tony is the Agent. It is Yankee Faust Trust. Tony is the applicant. Plans are correct; fix the application.

Mark Gearreald discussed Note 15 on the subdivision plan. There was a LLA in 1978, but there were never documents to consummate that. The area next to Lafayette is still part of the other lot. The plan was recorded, but deeds were not prepared to carry it out. Mark Gearreald said the area to be added – that's connected. **Two different lots are involved. Not just Map 14. It should say Lot 18 and 14 or they have to finish the deeding It would be 18 and 14 as part of the application.**

Joe said John (attorney) thought differently. If 18 is part of it, they need a waiver of the subdivision regulation to show the entire area of all lots on the plan. Lot 18 is

part of this because of the water line. Force main crossing over also. Easements running to Lot 18 was discussed.

Joe said do we need to look at abutters on other side of the interchange. It is all State was discussed. Joe asked do we have to go across the road was asked. Mark Gearreald said potentially.

Mark Gearreald discussed deed restrictions. All three of the lots are affected by deed restrictions (deeds in a Trust). They originated by Probate. Historic New England – two addresses. Each needs additional notice. **Otis House is what it should be. Lyman Street – it is actually Lyman Estate.**

Hampton Historical Society should be notified also.

Mark Gearreald discussed notifications to the utility companies. Mike Bernier (Aquarion) and Cathy Gilman (Unitil) said they do not need to be notified on projects via certified mail.

Bill Straub (CMA) discussed the legend, cover sheet. Many don't apply to this project.

Force Main and utility plan should be shown on C2 and A1. Joe said normally they don't show utilities on those sheets. C1 shows both – that's ok. Bill will provide his comments directly to Joe Coronati.

A1-Note 17 – easements and location. Mutual easements. List out three lots.

Bill asked about roof drainage. No gutters per Joe.

As-builts should be more detailed. 32 on C4- town water comment needs revising.

Stormwater and drainage says 6 condominium buildings. It is an executive summary of the drainage plan. Incorrect number of units is stated.

Test pit locations need to be added. It's on C1 and C3. They are all set.

Mr. Bachand said it is tricky visualizing four units in this location. Traffic in that area is challenging. Jason asked about the intersection. He asked if tenapplicant should provide a traffic analysis in the form of a memo. Bill and Jennifer said four units is not a lot with a single driveway. Jason is fine with that, but thought the question should be raised for the record as it was a prior concern under the previous (more intense) proposal.

Mr. Bachand discussed the landscape buffers. Plan sheet L1 – Lafayette Road seems to maintain an adequate buffer, but this should be ensured. He also suggested a denser buffer between the 212 Lafayette house and this proposal to separate the two. Same also from the abutter on Drakeside.

Ms. Olivier asked about recreational area; (location) gas grills for units. It may need to be added per Mr. Bachand.

No sheds; no above ground pools or underground pools per Jennifer Hale.

Jennifer said on the existing plan; make it an existing demo plan. Sawcuts into roadway were discussed. She will provide comments. Trees (not Unitil). Board sees trees and it thinks they're staying and then two units are over them. Trees to remain vs. trees to remove – this should be noted.

Jennifer discussed where the easement is now – mutual access easement, a sliver between the easement and the property line – she noted the surveying can be a pain in the butt. Look at where the driveway goes; where the property line goes; sliver falls outside of the easement. It could be cleaner. Have it follow the property line.

Snow storage was asked about. Don't impede site distance. A stop sign is not needed for the driveway. It will not get a street name. Ms. Hale thinks it will be a Drakeside Road address. Frontage is Drakeside.

The Postmaster put out new guidance. They do not want individual mailboxes anymore. They should call the Postmaster.

Garbage cans – The Town can do recycling and trash. Make sure there is room for 8 barrels on Drakeside. It is a pick-up on Drakeside (at the street) per Ms. Hale.

Again, per Jennifer, the BOS approval is needed for road cutting.

The stub at end of the water line was asked about. Including it suggests future expansion.

Sewer force main at street; needs to be plugged at the main.

The DPW does not have a card on file. Force main has to be capped if taken out of service. Jennifer will edit her comments and forward her notes after talking with Tobey Spainhower.

Cutting into the roadway in 2022 – what month in the year was asked. It would be for spring construction. If sewer service happened after spring of 2022. They have a gas connection per Jennifer. It is a 'yay' or 'nay'. The project would be delayed. Jennifer said go to the BOS after this process.

Snow storage was discussed. **We need a final O&M Plan.** Responsibilities for the O&M needs to depict whose responsibility is what.

Attorney Gearreald said C2 shows snow storage. LCAs were asked about. Snow storage is on LCA. It could be per Joe C. Two of six snow areas-are they into the sidewalks was asked.

No 2nd PRC meeting is needed. The resubmittal deadline is July 7th. The application would be on the August 4th agenda for the Planning Board. However, if something major is still outstanding, it should be continued to a later Planning Board meeting date.

Adjourned 3:30 p.m.

Laurie Olivier
Office Manager/Planning