

Town of Hampton



PLAN REVIEW COMMITTEE

DRAFT MINUTES

August 28, 2019 – 2:00 PM
Selectmen's Meeting Room

PRESENT: Jason Bachand, Town Planner
Bill Straub, CMA Engineer
Jennifer Hale, Assistant DPW Director
Rayann Dionne, Conservation Coordinator
Cathy Gilman, Unutil (audience)
Laurie Olivier, Office Manager, Planning
Mike Bernier, Aquarion (audience)

Absent: Richard Sawyer, Police Chief
Kevin Schultz, Building Inspector
Tobey Spainhower, DPW
William Paine, Fire Prevention Officer

19-040 699 Lafayette Road (2nd PRC on this Application)

Map: 108 Lot: 66

Applicant: Port City Plumbing and Heating, LLC

Owner of Record: Same

Site Plan & Conditional Use Permit: Demolish existing building and construct a one-story commercial building with associated site improvements. Conditional Use Permit for commercial development/use in the Aquifer Protection District. Waiver Request: Site Plan Regulations Section VII. E - Stormwater Management

John Chagnon, Ambit Engineering appeared with Joe from Port City. They adjusted the impervious chart. They have abated the underground tank. They added evergreen trees. They narrowed the building two feet so they have 16' clear on the driveway. They revised the architectural plans and added gas service. The Stormwater plan was submitted.

Mr. Straub (CMA) liked the resubmittal. He likes the stormwater system; how it works.

Mr. Bachand (Planner) mentioned building elevations. Windows were added to the north and south elevations. The Planning Board will assess it for New England character. On Sheet C3, a Planning Board Chairman signature block is needed.

Jennifer Hale (DPW) appeared. Needs painted arrows on the ground showing two-way traffic. **The driveway application will need Planning Board action as it is within 2' of the property line. It needs to be added.**

The width of the driveway – show that dimension.

Aquarion (Mike Bernier) and Cathy Gilman (Unitil) are all set. Mr. Bachand said it's ready for the Planning Board. The resubmittal date is September 11th. They would then be on for the October 2nd Planning Board meeting. They don't need to re-do plans. They need to do the resubmittal. Give more copies also of the application. Ms. Hale's comments are needed in the resubmittal.

**19-029 Mary Batchelder Rd. (2nd PRC on this Application)
Liberty Lane West & Timber Swamp Rd.**

Map: 102 Lot: 3

Applicant: Chinburg Development, LLC

Owner of Record: Asset Title Holding, Inc.

Site Plan: Multi-family condominium development comprised of 46 single-family dwelling units. Waiver Request: Section V.E.11 (landscaping); Section V.C (application fee).

Attorney Justin Pasay appeared. Chris Rice and Jack McGuire and Steve Pernaw are also present. Attorney Pasay discussed the hand out (plan). Most technical comments, they believe, have been addressed.

Attorney Pasay discussed legal issues – issue of development being scattered and premature and off-site exactions/impact fees.

Initially, the goal was to have 60 to 80 units. Zoning would allow up to 129. After informal discussions, the number was amended down to 52. Forty-one single family in the Industrial and 11 single family lots on Mary Batchelder. Density was discussed. Then, it went down from 41 to 35. 35 in Industrial; the remainder in residential. Eleven frontage lots cannot connect into the private system because it is in its Master Plan; lots are not ideal for septic. Then, removal of 11 frontal lots on Mary Batchelder. They went back to the ZBA in February. April of this year, they got a variance for relief. The number is now 46. They are at 35 percent density.

Scattered and Premature was discussed. This relates if a development is proposing public safety or injury to prosperity to the Town--drainage, transportation, etc. Attorney Pasay said this

proposal / roads are serviced. There's no issue with water; none with sewer; none with drainage. They are not adding storm water to Mary Batchelder or Timber Swamp.

Traffic and roads were discussed by the attorney. At peak hour – 48 additional cars; less than one a minute. Impact fee ordinance in our Town was discussed. We don't have it for road infrastructure. Off-site exactions – has to be rational nexus of what is being proposed and capital improvements required by the Town to serve the Town. Chinburg is happy to continue the conversation (at the Planning Board level). The goal is at Planning Board level to discuss this along with a proposal.

Chris Rice discussed plan changes. Cemetery area –existing fence will be repaired. Gates and gravel path were added. Cemetery area. Deed fee simple 25' buffer and gravel access area. The cemetery will be raked and re-seeded.

They agree to clean out the swale area. An updated drainage analysis has been provided. No increase in run-off. Berm was shown. Condo docs will be provided. They added a landscape plan. They removed waiver request. They added landscaping and planting plans. They show 90 trees are being planted. Each unit will have additional 3 trees. About 220 new trees once it is all done and 1,000 shrubs.

Recreational areas have been updated. Field area was added. Dog park and picnic area was added. Trails were shown. Turning templates were revised.

26' wide roadway and sidewalk throughout development is added.

Boulders have been added for wetland buffers.

Test pits have been performed. Boulders shown delineation of 50' buffer.

They are committed to a 40' buffer if they can. Arborist will be hired to check for dying trees.

LCA was addressed.

Steve Pernaw appeared. He did the traffic impact study for the project. June, 2018 was the first report. Page 15 – trip generation summary is there. He discussed peak hour of traffic. 46 vehicle trips ins and outs and 48 trips. In 2019, they updated estimates. These are condominiums now. Afternoon/evening trips are reduced to 30 since they will be condominiums. They are sticking with 48 trips. 48 trips get disbursed since there are a few different entrances and exits.

Towle/Mary Batchelder – Intersection C – adding 19 to cars to intersection over one hour period. 7 percent impact. It can go up 35 percent/19 cars an hour.

Roadway width – average width of Mary Batchelder is 21'. It's based on speed and volume. Timber Swamp and Mary Batchelder are in 400 to 2000 cars a day. Widths of streets are within where they should be from an operational standpoint. Intersection controls traffic as well.

Mr. Straub (CMA) hoped roadway improvements (Mary Batchelder and Timber Swamp) would be brought to the PRC's attention. Roads are in rotten shape right now. Jennifer Hale (DPW) stated the DPW is in charge of roads and drainage. She has to write a memo to the Planning Board and possibly attend its meeting. The Planning Board may want a recommendation from the DPW on whether the project will be successful. Ms. Hale said she wants a proposal (and has

from Day 1). She is looking at an impact chart. The increase by 35 percent is an impact. Up to checkpoint 5. Not all of Timber Swamp. Up to checkpoint 3. She asked for a recommendation and didn't get it. She feels slighted. They are the technical review department. The DPW did not ask for an impact fee.

Attorney Pasay said there are lots of moving pieces. As a proposal is developed, they will reach out to the DPW. When it gets to the Planning Board level, the DPW is not there. Ms. Hale said otherwise, this project has made significant strides.

Bill Straub (CMA) said the PRC process is a step before taking the project to the Planning Board. There is a big hole left. Impact fees and exactions – we are looking for fixing roads. We're talking about fixing roads.

Attorney Pasay said off site improvements will be characterized and will exceed the magnitude of what is going on. This is a well-vetted process. Mr. Straub asked what the road rehabilitation is. Overlay. Reformation. Attorney Pasay said it was in the applicant's hands. Mr. Straub wants a more constructive way to deal with this.

Ms. Hale said maybe the DPW is willing to do an overlay along frontage of Mary Batchelder. Maybe applicant does overlay; we (Town) does reclaim. Ms. Hale doesn't give the ideas. The Town does not want to speak for developers. Ms. Hale said to be prepared that they may get held up at the Planning Board.

Attorney Pasay appreciates the feedback and they will be in touch.

Mr. Straub discussed 4' or 5' sidewalk. The applicant said 4' sidewalk. They follow ADA regulations. Width of curb and sidewalk were discussed. ADA is okay with 4'.

Mr. Straub discussed test pits for ledge. They have the data, but did not provide it; it was 5 or 6 feet down.

Mr. Bachand noted that he continues to have the same concerns about Mary Batchelder and Timber Swamp Roads that Mr. Straub and Ms. Hale discussed.

Mr. Bachand discussed the landscape plan; the waiver is no longer required.

Sara (Unitil) appeared. Electric lines (reliability program) going on now. Assessing risk of adjacent trees over lines. Some trees have been marked to be removed. They need to cut trees in the no cut buffer zone. There are some significant trees back from the wires. Some trees back 40-60' feet from the road. She needs approval.

Ms. Hale said on right side of plan – there is a 40' no cut at the rear part of a resident's home. Sara said along existing wires on Mary Batchelder Road. Trees are pre-marked per Sara. Applicant has not marked any trees.

Ms. Hale discussed utility exemption; from the Planning Board conditions of a no-cut zone. There is much greater RSA authority for utilities that overpowers. **Mr. Bachand said they (Unitil) should check with the Manager's Office.** Unitil is seeking approval from the owners. Buffers may disappear because of the Unitil work. Ms. Dionne (Conservation) asked about how many trees. Sara said about 193 removals total. Both sides. Ms. Hale asked if any trees will be left. Sara said there are many pines.

Mr. Bachand said he wants to ensure an adequate buffer between Mary Batchelder and the development. There may need to be more trees planted. Sara discussed trees closer to homes.

Ms. Dionne said there could be challenges with the WCD. One can remove dead diseased or dying or unsafe trees. She said they are getting cut at ground surface not removing stumps. **Ms. Dionne wants them to go to the Conservation Commission to say what's going on there. They (Unitil) may trigger a Town Wetlands Permit.**

Ms. Dionne asked them to make an appointment at a minimum.

Unitil could offer a limited number of replacements for tree removal.

Paul Kerrigan said they want to maintain the buffer. They want to see what the impact was on the Mary Batchelder strip. They don't want clear site lines.

Unitil will remove trees before the end of this year. Unitil already flagged the trees.

It was asked to get the number of trees to the Planning Board/Office.

Ms. Hale discussed the maintenance easement – cleaning out swale. Who cleans out the swale was asked. They think it's for the Town. **Ms. Hale asked them to describe the purpose of the easement in a note.**

Ms. Hale said get on with the Planning Board and deal with the DPW. The PRC members agreed. September 11th is resubmittal deadline; on for October 2nd Planning Board meeting.

Adjourned 3:00 p.m.

Laurie Olivier
Office Manager/Planning