

# HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

## Minutes 4 November 2013

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Chairman Randy Clark opened the meeting at 7:00 PM. Members present were Randy Clark, Chairman, Paul Carideo, Vice Chairman, Neil Emerson, Chad Bennett and Priscilla Lindquist, ex-officio voting member. Bill Weber and Chris Dane were absent. Members of the public were Kim Colbert and Penny Williams, Media. The Publishing and Posting Affidavit and the correspondence are part of these minutes.

### **CHAIRMAN'S REMARKS**

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Randy Clark announced the next meeting would be on December 2, 2013. Plans for a public hearing at the next meeting must be submitted by 11 November 2013.

### **BOND - 07-022 Irongate Bond Time Extension**

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Chairman Clark informed Board members the Letters of Credit posted by Trendezza are coming due. They are Letter of Credit #98-88 for \$90,035.00 and Letter of Credit #98-89 for \$26,800.00. The expiration date is 11-30-2013. Pentucket Bank was contacted on 9/13/2013 but they have not responded yet.

### **PUBLIC HEARING - 06-046 Tropic Star, 235 Stage Road**

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The Chairman announced that there was a request from Wayne Merrill to continue the hearing to the next meeting. They responded to the States requests and are waiting for the State response. They believe they will be ready for the next meeting in December.

### **MOTION**

**Neil Emerson made a motion to continue the Public Hearing for 235 Stage Road Site Plan, Tropic Star 06-046 to the next meeting on 2 December 2013. Priscilla Lindquist seconded the motion and it was approved. VOTE YES - Neil Emerson, Paul Carideo, Chad Bennett and Priscilla Lindquist; ABSTAIN - Randy Clark.**

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### **PUBLIC HEARING - 10-005 S. Hatem LLC Site, 15 Owens Court**

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Randy Clark, Chairman said there is a letter from Steve Hatem requesting the hearing be continued to the next meeting to , Attachment # 1. They are still working on some issues with the Fire Department

#### **MOTION**

**Neil Emerson made a motion to continue the Public Hearing for Steve Hatem's Site Plan, 10-005 to the next meeting on 2 December 2013. Priscilla Lindquist seconded the motion and it was approved. VOTE YES - Paul Carideo, Chad Bennett, Neil Emerson, and Priscilla Lindquist; ABSTAIN - Randy Clark.**

Mr. Emerson had a question about continuances. Mr. Clark stated that they ask for a 90-day extension and the Planning Board votes to grant it. A continuance is usually granted from Public Hearing to the next Public Hearing. A specific amount of time must be requested for either a time extension or a continuance.

### **OTHER Recreation Commission**

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Recreation Commission and Veteran's Way ball fields-Mrs. Colbert noted that the Commission is trying to locate the drainage at the ball field. She is looking for the drawings of the drainage pipes. Mr. Clark responded that Mr. Cricenti would be the best person to contact. Mrs. Colbert stated that she has asked for Mr. Cricenti to get the information and has had no response. Mr. Clark noted that Mr. Cricenti has been away from the office for about 2 or 3 weeks. Mr. Clark stated that he could do a sketch himself if that was needed. Mrs. Colbert asked if she could come back at the next meeting to get the information. The Planning Board agreed that they will get that information for her. Mr. Clark stated that it is in an underground drainage system. Mrs. Colbert asked if it should be done on a plan. Mr. Clark and Mr. Carideo both stated that it should. Mrs. Colbert stated that they had a company come out and walk it but they asked questions that she doesn't have the answers to. It was stated that the drainage was not sufficient when the fields were built so it may have been an after plan process and never put down. Mrs. Colbert stated that they need to know to move forward with the possibility of a basketball court there.

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### OTHER Recreation Commission

#### Cont'd from page 2

Mr. Clark said that they would make sure they get in touch with Nick Cricenti to get this squared away. P. Lindquist noted that the Commission is looking to bring a warrant article forward.

### BOARD BUSINESS Planning Board Zoning Proposals.-

- Proposal #1

**"To see if the Town will vote to move the construction fees and fire department fees (except for the violation penalties) to the Board of Selectmen by deleting them from Article 1-3:0 of the Zoning Ordinance and authorizing the Board of Selectmen to adopt a new schedule per provisions of RSA 41:9 a."**

It was discussed as to why the Planning Board needs to review the fee increases when the Selectmen have the ability to do so instead of waiting until annual meeting. RSA 41:9-a allows the Selectmen to set the fees for Construction and Fire Department fees. The RSA does not allow the Selectmen to set violation fees. This will remain with the Planning Board. The RSA will require a public hearing to change the rates, but the Selectmen can set the schedule.

The list of fees does not need to be listed in the zoning article but Priscilla Lindquist noted that it would need to be listed in the warrant.

The Board will bring Proposal # 1 forward at the December 2, 2013 meeting and have a Public Hearing on the proposed zoning articles.

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### BOARD BUSINESS Historic Commission Zoning Proposals

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#### Cont'd from page 3

- Proposal #3

**"To see if the town will vote to amend the Zoning Ordinance to include the complete parcel of Map 7, Parcel 47 which includes the Town Office Building or former Hampstead High School, and the Cobbler's Shop, in the Historic Zone, Zone E. Part of the parcel including the Meeting House was the first Historic District, voted in the 1975 warrant."**

Mr. Emerson asked if someone wanted to do anything with the Civic Club, they would need to go to the Historic Commission. There is a contract with the Civic Club for 99 years. Mr. Emerson asked if they wanted to put vinyl siding on the Civic Club building, they would need to see Historic Commission. Mrs. Lindquist responded, but it wasn't clear.

They will bring Proposal # 3 forward at the December 2, 2013 meeting and have a Public Hearing on the proposed zoning article.

The Historic Commission proposed the following Proposal # 4 Stone Wall Preservation Ordinance to the Planning Board.

#### Proposal # 4

**"To see if the Town of Hampstead will vote to amend the Zoning Ordinance to adopt the following Stonewall Preservation Ordinance that would retain stonewalls along town and state roadways to preserve the rural character of the town and to retain one of the town's important cultural resources.**

1. **Purpose**

**It is the intent of this ordinance to protect one of the town's important cultural resources-historic stone walls. It is not the intent of this ordinance to deprive any citizen use of their property's value or cause financial hardship.**

**Provisions of this ordinance shall apply to stone walls flanking or abutting town and state roads within the town.**

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### BOARD BUSINESS Historic Commission Zoning Proposals

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#### Cont'd from page 4 Proposal # 4 Stone Wall Preservation Ordinance

#### 2. Definition

**Historic Stone Wall – A vertical structure of aligned natural stone, originally constructed in the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> centuries, to designate a property boundary with a public roadway.**

#### 3. General Provisions

- a. **Alteration or removal of stone walls flanking or abutting town and state roads within the Town shall require prior review of the Hampstead Historic/Heritage Commission.**
- b. **When relocation of a stone wall is necessary, any reconstruction shall match that of the original wall.**
- c. **New stone walls should closely approximate the appearance of the adjoining stone walls with respect to coursing, stone type, joint width, construction and distribution of stones by size.**
- d. **The alteration, relocation, or demolition of a stone wall along a public roadway as part of any subdivision or land development project must be reviewed by the Heritage/Historic District Commission and approved by the Planning Board.**
- e. **Any variance from these standards shall be heard by the Board of Adjustment, based upon the standards of a Special Exception.**

After a long discussion, the Board members the following **Article # 4** was proposed. The provision for a variance from **3. General Provisions "e"** was removed. The proposed **Article # 4** amended version reads:

#### **Article # 4** (amended version)

**"To see if the Town of Hampstead will vote to amend the Zoning Ordinance to adopt the following Stone wall Preservation Ordinance that would retain stonewalls along town and state roadways to preserve the rural character of the town and to retain one of the Town's important cultural resources.**

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### **BOARD BUSINESS Historic Commission Zoning Proposals**

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**Cont'd from page 5 Article # 4 (amended version)**

#### **1. Purpose**

**It is the intent of this ordinance to protect one of the Town's important cultural resources-- historic stone walls. It is not the intent of this ordinance to deprive any citizen's use of their property's value or cause financial hardship.**

**Provisions of this ordinance shall apply to all stone walls flanking or abutting town and state roads within the Town.**

#### **2. Definition**

**Historic Stone Wall – A vertical structure of aligned natural stone, originally constructed in the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> centuries, to designate a property boundary with a public roadway.**

#### **3. General Provisions**

- a. Alteration or removal of stone walls flanking or abutting town and state roads within the Town shall require prior review of the Hampstead Historic/Heritage Commission.**
- b. When relocation of a stone wall is necessary, any reconstruction shall match that of the original wall.**
- c. New stone walls should closely approximate the appearance of the adjoining stone walls with respect to coursing, stone type, joint width, construction and distribution of stones by size.**
- d. The alteration, relocation, or demolition of a stone wall along a public roadway as part of any subdivision or land development project must be reviewed by the Hampstead Historic/Heritage Commission and approved by the Planning Board.**

The Board agreed to bring the amended version of **Article # 4** and forward it to the December 2, 2013 meeting. There will be a Public Hearing on the proposed zoning articles on 2 December 2013.

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### **BOARD BUSINESS -**

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- **19-009 Winchester Heights** Neil Emerson asked to have the correct name for the road in Winchester Heights corrected at 911. The Chairman asked S. Hastings to research and resolve the request.
- **Minutes 16 September 2013** – The following changes were made to the September minutes: Page 2, Paragraph 1, Line 2: change “question” to “questions”; Page 3, Paragraph 4, Line 1: clarify to read “question from the last meeting”; Page 4, Paragraph 4, Line 1: change to read “Hampstead School Board”.

**MOTION**

**Chairman Clark asked for a vote to approve the minutes as amended. VOTE YES - Neil Emerson, Paul Carideo, Chris Dane, Chad Bennett and Priscilla Lindquist;  
ABSTAIN - Randy Clark.**

- **Adjourn**

**MOTION**

**Randy Clark, Chairman, declared the meeting adjourned at 8:10 PM.**

Respectfully submitted,

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Tina Harrington, Clerk, Hampstead Planning Board