

**HAMPTON PLANNING & ZONING COMMISSION  
MINUTES  
FEBRUARY 27, 2012**

**PUBLIC HEARING:**

Application for a 1 lot subdivision composed of 10 acres to be split from a 200 acre parcel on the north side of Windham Road at the Canterbury Town line, property of Robert J. and Deborah A. Darigan. Parcel is identified by the Hampton Assessor as Assessor's Map 4-12 Block 27 Lot 13, RA-80 Zone.

Chairman Grindle opened the Public Hearing at 7:32 p.m. Members present were Grindle, DeCesare, Hyde, Langer, and alternate Thompson who was appointed to act in DeCarli's absence. Grindle read the legal notice as it appeared in The Chronicle on 2/15/12 and 2/22/12 and noted a communication sent to NECOG.

Terry Chambers, Engineer with KWP Associates, reviewed the proposed 10-acre, 1-lot subdivision located on the north side of Windham Road adjacent to the Canterbury Town Line, which is being split from a 200 acre parcel owned by Robert J. and Deborah A. Darigan. He noted that: the Northeast District Department of Health has approved the plans; the wetlands have been delineated; and on 1-10-12 the Hampton Wetlands Agency unanimously approved to "grant Administrative Approval" to the applicants. Chambers discussed the significant features of the property that they are working to protect, encompassed in a 2 acre dedication within the 10 acre parcel, noting the unique stonewalls, ledge and a significant white oak tree. Chambers identified the neighbor who is interested in purchasing the parcel as Patrick Sullivan. He believes this is a traditional subdivision and not a conservation subdivision, but noted that Sullivan has no intent to develop the land at this time, only to preserve the land.

Upon request by Chairman, Chambers reviewed the site development map with the Commission.

Alternate Thompson questioned why the applicant removed the 2<sup>nd</sup> parcel from the proposal. Chambers related that after a discussion with the Zoning Official regarding the complexity of a lot that straddles two towns and the requirements that the setbacks and frontages must be met in both Towns, the applicant decided he would remove the proposed parcel closest to the Canterbury line. Thompson questioned the test pit results, and where the most suitable soils are located on the lot, to which Chambers responded that the best soils are located at the rear of the lot.

Chairman Grindle read sections from Article 3 and 4 of the Subdivision Regulations, noting that the Commission's next step is to identify for the applicant whether they feel this is a Traditional or Conservation Subdivision.

Thompson noted that the proposed easement area encompasses much of the valuable characteristics of the land.

Langer said the amount of land they propose for protection is adequate, noting no real gain to the neighbors or Town in asking for more.

DeCesare would like to hear feedback from the Conservation Commission before closing the Public Hearing. He stated that he feels the 2 acre dedication that the applicant proposed is sufficient.

Hyde feels the dedication should relate to the valuable land-use features and would like to account for the other features outside of the 10 acre parcel, questioning why the parcel couldn't extend to the Canterbury line, encompassing more of the ravine and wetland habitat.

Patrick Sullivan, potential property owner, noted that they have no plans to develop the land but to preserve until their children might want to build in the future.

Chairman Grindle stated that everyone has now heard from the PZC, he would like to wait until they receive responses from the Conservation Commission. He asked for public comment at this time.

Penny Newbury, South Bigelow Road, would like the Conservation Commission members to identify large parcels in Town that have significant features worthy of conserving, adding that random, non-contiguous easements are not as valuable for protecting resources.

Grindle MOVED, Hyde seconded that the Planning and Zoning Commission direct the applicant to submit to the Commission a Conservation Subdivision for the proposed project. MOTION PASSED UNANIMOUSLY.

Fraenkel suggested that the applicant consider the rear, the east side along the wetlands and ledge, and the frontage as areas best suited for the easement.

At 9:00 p.m. Chairman Grindle declared the public hearing continued to the next meeting on March 26, 2012.

### **REGULAR MEETING:**

#### **Call to Order:**

Chairman Grindle called the Meeting of the Hampton PZC to order at 9:05 p.m.

#### **Roll Call:**

Members Present: Gary DeCesare, Kevin Grindle, Everett Hyde, Gloria Langer and Alternate Randy Thompson.

Absent: DeCarli

**Staff Present:** Martha Fraenkel, Zoning Official

#### **Seating of Alternates:**

Randy Thompson was appointed to act in Wayne DeCarli's absence.

#### **Additions to Agenda:**

None.

#### **Audience for Citizens:**

Marcia Kilpatrick asked the PZC for the Regulations to be clarified in regards to the Conservation Commission's role, stonewall preservation and to specify who/what organization is responsible for maintenance of easements.

#### **Approval of Minutes:**

1-23-12 Meeting Minutes: Hyde MOVED, DeCesare seconded, to approve the minutes of the 1-23-12 meeting. MOTION PASSED UNANIMOUSLY.

1-26-12 Meeting Minutes: Hyde MOVED, DeCesare seconded, to approve the minutes of the 1-26-12 meeting. MOTION PASSED UNANIMOUSLY.

2-6-12 Meeting Minutes: Hyde MOVED, DeCesare seconded, to approve the minutes of the 2-6-12 meeting. MOTION PASSED UNANIMOUSLY.

**Old Business**

1. Application for a 1 lot subdivision composed of 10 acres to be split from a 200 acre parcel on the north side of Windham Road at the Canterbury Town line, property of Robert J. and Deborah A. Darigan. Parcel is identified by the Hampton Assessor as Assessor's Map 4-12 Block 27 Lot 13.

Public Hearing continued, item tabled to 3/26/12.

2. Pre-application: property of Ben and Jane Cornell, 75 Lewis Road, RA-80 Zone, for a possible 1 lot subdivision, with the new parcel to be composed of 5.83 acres.

Fraenkel encouraged the PZC Members to make a recommendation regarding what type of subdivision they believe is most appropriate for this proposal. Fraenkel suggested the applicant: provide another 50 feet to the original lot to widen its yard on Lewis Rd.; obtain an easement over Scott Cornell's property to avoid having a curb cut where the land is steep, preserving the agricultural soils; and contacting the DEEP Natural Diversity Data Base division to inquire about what species of concern are on the property. She noted that the family would have 3 consecutive parcels adjoining each other.

Ms. Cornell, daughter of the property owner, noted that for potential future re-sale they would need to have a driveway and not access via another lot, so would like to include this option on the plans. She agreed to work with the Zoning Official prior to submitting an application.

Hyde MOVED, DeCesare seconded, to recommend that the subdivision application be submitted to the PZC as a traditional application because it best meets the intent of Section 3.1 of the Subdivision Regulations. MOTION PASSED UNANIMOUSLY. Langer added that size is a factor in this case, noting this is a small lot and requiring a 40% set aside is not the intent of the regulations.

**New Business:**

1. Budget FY 2012-13

Fraenkel reviewed last years budget and potential changes to the upcoming budget, which included supplies at \$900, an increase in her hours to cover meeting preparation, and reducing the line item for professional affiliations. Grindle would like to request from the Board of Selectman that it budgets for a refurbished plotter, noting that many of the maps available to the Commission cannot be used because the Town doesn't have adequate printing capabilities. Fraenkel will bring a proposed budget before the PZC at the next meeting.

**Report from Zoning Official:**

Fraenkel updated the Commission regarding the Draft State POCD and referred members to her notes included in the packet. She noted that POCD maps have not yet been produced, stating that the State wants to get everyone on board with the general principals first.

**Communications:**

Noted.

**Adjournment:**

Noting no further business DeCesare, MOVED, Grindle seconded, to adjourn the meeting at 10:00 p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Jessie L. Shea  
Planning and Zoning Commission Clerk