



*Department of Resources and
Economic Development*



**Hampton Beach Area Commission
100 Winnacunnet Road
Hampton, New Hampshire 03842**

**Hampton Police Station-Training Room
7 Monthly Meeting –November 21, 2013
PM**

DRAFT MINUTES

In Attendance:

John Nyhan, Chairman, Town of Hampton
Fran McMahon- Rockingham Planning Commission
Bob Preston- Hampton Chamber of Commerce
Bill Watson, Vice Chairman-NH Department of Transportation
Rick Griffin, Hampton Representative
Chuck Rage, Hampton Beach Village District
Michael Housman, Operations Supervisor, DRED (Seacoast
Parks/Recreation)
Dean Merrill, Citizen at Large
Rich Reniere, Hampton Beach Village District Commissioner

Excused: Bill Watson, DOT

Absent:

Other: James Steffen – Town Planner
Anne Marchand, Secretary

Call to Order: The meeting was called to order at 7:02 p.m.

PUBLIC COMMENT – Related to Agenda Items

REVIEW AND APPROVAL OF October 24, 2013 MINUTES

Mr. Nyhan suggested that on page 4, paragraph 4, the “ (sp)”, following Dr. Thibault’s name, shall be edited from the minutes.

MOTION by Mr. Preston to approve the October 24, 2013 Minutes. as edited

SECOND by Mr.McMahon

VOTE: 8 – 0 – 1 Excused

MOTION PASSED.

Mr. Nyhan reported that many of the Commission’s minutes are missing from the Town’s Web Site. He requested Ms. Marchand ensure that the 2012 and 2013 omitted minutes are provided to Ms. Ostman, Town Hall, for posting on the Web Site.

APPOINTMENTS:

1. Cathy Silver – Blue Ocean Society

Ms. Silver spoke to the plans for a nature center in the Seashell three to four years ago; however, this did not work as planned. Once Ms. Silver partnered with the Blue Ocean Society, they sought space, were successful, and the Blue Ocean Discovery Center moved into the former NH Store on June 29, 2013. She reported that after a late start, they had 6600 visitors, with more anticipated for next year. The BODC is now open on Fridays at 10:30 am for children’s story hours. They also offer plans for birthday parties at a cost of \$125.00, by appointment. Planned activities are offered at the parties. The BODC has a Web Site which explains their programs and hours.

She also noted that the BODC will be open at 6 p.m. on New Year’s Eve offering coffee, and other refreshments before and during the Fire Works display. Ms. Silver provided the Commission with brochures for their information. Admission to the Center is \$1 per person for those above the age of 5. She commented that the Center is dependent on grants, gifts, and donations and the largest expense is payroll. The Center employs professional Marine Biologists as well as interns from UNH; and, is currently working on partnering with a program through Winnacunnet High School. It should also be noted that the marine biologists on the Whale Watch boats are employed by the BODC.

Lastly, Ms. Silver presented the Commission with a Certificate of Appreciation for their continued support of the Center

Mr. Reniere stated that people will appreciate the New Year’s Eve plans by the BODC. Mr. Griffin commented that the BODC has a good location at the beach and is impressed with the numbers of people who have visited the Center.

CHAIRMAN'S REPORT:

1. Update on TCSP grant/Update from grant project manager.

Mr. Nyhan reported that he received an e-mail from William Rose, DOT, which will be forwarded to the Commissioners. In summary, Mr. Rose is the project manager for the TCSP grant and stated there is a short list of consultants, with three firms being sent to the front office for approval. They were reviewed and sent back to the committee. The committee then met and revised the original listing, after which, it was sent back to the front office. The next step is to request a full proposal from the three short-listed firms, while tracing DOT hours for matching purposes. Mr. Nyhan stated this may be on the January meeting agenda for discussion and development of scoring criteria.

2. Update – Meeting with Executive Councilor Sununu – ten hear transportation plan– HBAC recommendation – Inclusion of Ocean Blvd reconstruction project.

Mr. Nyhan reported that he called for a Special Meeting of the Commission on November 11th at the Galley Hatch Restaurant. Mr. Griffin, Councilor Sununu, and Senator Stiles were in attendance. They agreed that it is important that the Ocean Blvd. project be on the 10-year Master Plan, especially when applying for Grants. At the end of the 45 minute meeting Councilor Sununu indicated he was comfortable with the plan and was going to support, in some format, the inclusion of Ocean Blvd. He will be meeting with DOT and the Rockingham Planning Commission and promised that Ocean Blvd will be included in the 10-year Transportation Plan.

Mr. Watson provided an update stating that the Executive Council met this date to discuss recommendations. Councilor Sununu was very emphatic about things people wanted in the plan which had not been included; however, when something goes in, another has to go out. Councilor Sununu recommended to the other three Councilors, that the Ocean Blvd Plan be one of the priorities.

Councilor Sununu also talked about his recommendations/suggestions regarding the Hampton River Bridge, and removing the US1 in Hampton Falls project. Added to the plan would be an engineering study for Ocean Blvd. and a project in North Hampton. On December 4th, all recommendations will be put back into the 10-Year Plan, and Councilors will meet and make a Motion. Changes will be approved and the Motion will be forwarded to the Governor, stating this is the recommendation of the Councilors. Mr. Watson is confident Ocean Blvd will be in the 10-Year Plan.

3. Update on the “Right to Know” request

Mr. Nyhan had a “Right to Know” request, which included all e-mails sent to the Commission going back to December 26, 2012. On November 1, 2013, a response was sent confirming receipt of the request with 30-days to forward the decision. Under RSA 206, The Commission is a state (not local) organization; therefore, assistance of the Attorney General’s office was requested. Mr. Nyhan has been working with Attorney Patrick Queeney of the AG’s office on this request for the past months. Mr. Nyhan explained that the e-mails were not easy to get to AG’s office in that some e-mail services are different. There were 494 e-mails regarding HBAC correspondence and the forwarding of these was completed at the beginning of this week.

In accommodating the requestor, we are responsible to put this petitioner in a situation where he can review the documents. If he chooses to have a hard copy, there will be a charge of 50 cents per page. If choosing electronic copies, it will be 20 cents per page.

As an example, if Mr. Nyhan sent an e-mail to Ms. Oliver asking her to find a meeting space. It was questioned whether or not this should be considered a public record or a formal document. Attorney Queeney's office is going through e-mails and putting together a binder of what the Attorney General is determining should be considered a public record.

It was recommended that Mr. Warburton be contacted when the documents are ready for review, and he would be allowed to look at the documents in the AG's office or DRED. And, if he requests copies, would be charged appropriately.

The thirty day deadline is November 25th. Mr. Nyhan has a meeting with Attorney Queeney and will get an update as to whether the documents would be ready by November 25. If not, a letter will be sent to Mr. Warburton, stating that an additional 20 days may be needed. A decision will be made in the next week on how to handle this process, going forward. Mr. Nyhan requested a motion and vote to give him authorization to represent the HBAC. Further, Attorney Queeney did not understand why the requestor did not ask for all Commissioners' e-mails; however, this is his right as a citizen to request above. The package developed will be considered a public record.

MOTION: Mr. Griffin moved to authorize the Chair to represent the Hampton Beach Area Commission during the next week to work out logistics and time frame for dealing with the Right to Know request.

SECOND: Mr. Rage

VOTE: 8 in favor – 1 excused

MOTION PASSED

TREASURER's REPORT: - Mr. Houseman

Mr. Housman gave a Profit/Loss Statement. There is no change and the balance remains at \$20,619.75.

OLD BUSINESS:

1. Rte. 1A and Ashworth Ave update (Nyhan)

Mr. Nyhan spoke to Mr. Sawyer regarding the Rt 1A/Ashworth Avenue intersection and learned that Dr. Porter, DOT, was going to ride out to the intersection; however, no report has been received.

2. DRED Updates (Houseman)

Mr. Houseman reported that the hiring for the Seacoast Regional Manager position will be approved, then posted. This, he stated, is a time consuming process; however, a full time Administrative Assistant position has been filled and will start on December 13, 2013.

He also reported that three bathrooms at the beach remain open. They are North Beach, Marine Memorial, and Seashell. The hours are 8 a.m. to 8 p.m., although hour signage at North Beach and Marine Memorial state 8 a. m. to 6:30 p.m. in error. Mr. Merrill suggested the pay range for the Regional Manager position may be a detriment.

Mr. Reniere asked if it would be possible to keep the bathrooms open to a later time the night of the fireworks. Mr. Houseman will check on this.

3. Economic Impact Study – funding sources – (Preston)

No report this evening.

4. Individual goals and objectives for the next nine months (All)

Mr. Nyhan asked the Commissioners if there are any activities they would like to bring up for the HBAC to recommend or study. The following were suggested:.

Mr. Preston spoke to Fire Department Inspections, noting that builders do not know what the Department expects and wait months for permits to be signed off. He has spoken with the Chief and learned that it costs \$5000 to hire a fire inspection company. He would like to invite the Chief to a HBAC meeting to explain how the inspection process works, which might be helpful. There should also be a Q and A period. A more efficient inspection process is needed, and in addition, big buildings take so much time, everything else is put aside. Another way should be found to help the little guy opening a small store.

Mr. Houseman stated DRED wants to work with the Master Plan.

Mr. Rage stated that building engineers do not want to deal with people in Hampton. He questions what is happening that they do not want to be involved. Additionally, he spoke to the Selectmen's meeting on Monday regarding commercial trash removal. He is speaking for the Hampton Village Association and is hoping there will be public hearings involving businesses, Chamber of Commerce, and the whole town to voice concerns.

Mr. Reniere stated that the trash issue involves the whole town, not just at the beach. Mr. Nyhan questioned how this relates to the Master Plan. Mr. Rage stated that it is necessary to keep the beach clean and inviting. Further, this is a unique situation in that one million people visit in 12 weeks. No other town has this influx and has to deal with moving this amount of trash. Mr. Preston noted that the DPW does a good job up and down the streets; however, it is a serious problem. Further, the business part is a small part of the problem and many businesses are not making a lot of money. New people are going summer to summer.

It was recommended that the HBAC become involved in this issue, and when the time comes, work on a campaign to involve the voters in town.

Mr. Merrill stated that the facts have to get out to the public.

Mr. Reniere said that Portsmouth's downtown is a mess, which is not needed here. He also spoke of visual pollution which has been addressed in the past. There is a mixture of signage and color without uniformity. Business owners should make an effort to clean up signage.

Mr. McMahon said there should be a discussion about trash and there should be a relationship between the town and various state agencies as to who is picking up what. He also spoke to fees at the Transfer Station, as well as redevelopment, drainage issues, etc. There should be on-going sessions, putting the issues on the table.

Mr. Griffin commented on the sidewalks where buildings are being redeveloped. Further, he noted concerns with flood insurance rates and property values. He is unsure how this would relate to the HBAC; however, there would be problems in Hampton.

Mr. Merrill stated that the new flood zone maps are not yet published. He has not seen much of an increase in flood insurance, and will not until the maps come out in December. Mr. Griffin stated that flood insurance premiums are expected to go up 25% for the next four years.

Mr. Nyhan questioned if there would be a change in legislation involving the mapping. Mr. Merrill stated that the National Flood Agency designs the rates; however, the program is not working. An adequate rate is necessary to make it work. He reported that ten states are suing the federal government. There is a law and it has to be amended, but will not be amended overnight.

Mr. Griffin stated the Board should be in touch with legislatures and let them know how the rates affect businesses and homes.

Mr. Merrill suggested putting together education programs to inform and explain to people about flood insurance. Also, he recommended a report to show, through DRED, how economic revenue comes into the Town through events such as road races, etc. There should be information available to the various Boards in Hampton to substantiate the revenues.

Mr. Nyhan spoke to the Master Plan. He would recommend a section be inserted into the Master Plan under "Recommendations". There are currently seven areas in the Master Plan that deal with recommendations. He will propose that the above Commissioner's comments be identified and put into one of the seven categories. Once the categories are identified, that section of the plan would be sent to the Commissioners for their thoughts and concerns, which would then be incorporated into the plan. Additionally, at each monthly meeting, the Commission would talk about one recommendation, which will allow the Commission a responsible way to make sure, when looking at the Master Plan, that issues are still applicable.

5. Other old business.

Mr. McMahon reported that a news item in the Hampton Union was incorrect in stating that the increased height to 70 would continue to M Street. This height increase goes only to F Street. There is to be a Planning Board Public Hearing on December 18th; and, changes may still be made, which would require an additional Public Hearing on January 15, 2014. If no changes are proposed, there would be just the one hearing on December 18th.

Further, he reported that the Conservation Commission is working on a proposed Zoning Amendment to reduce lot coverage to 85%. Further, the Conservation Commission is sponsoring two Warrant Articles which are to (1) define impervious surfaces and (2) Lot coverage being reduced to 60% in residential zones and 75% in business zones. These would not be amendable and will be on the ballot. Mr. Steffen stated that 40% is low impact, and that there are techniques used that are not impervious.

Mr. Nyhan stated that voters on election day have a difficult time trying to read and understand Warrant Articles. Mr. McMahon noted that the ballot is readable in that Warrant Articles can now be summarized on the ballot.

There was discussion on the 70 feet of living space, 10 additional feet for mechanical, with first floor being commercial from Ashworth to F Street.

Mr. Rage asked if the Commission would have to go through the Rockingham Commission, given the Commission is a State agency. Mr. Nyhan said Mr. Watson would address this.

NEW BUSINESS:

1. Mr. Nyhan reported that in January or February, there will be a half-hour “Right to Know” training seminar in a closed part of the regular meeting. Further, Attorney Patrick Queeney would be attending to give a presentation, ensuring the Commission has an understanding of the Right to Know. This will not be considered a public meeting.

2. Other new business

Mr. Preston reported that on Monday, December 2, 2013, the Selectmen will be discussing the road races proposed to be held in February and another in the Fall of 2014. Some residents are upset about the proposed races, citing inconveniences and traffic issues. Mr. Preston stated that the runners and supporters come into town the day before the race, stay in local hotels/motels and visit the restaurants. Further, these races are a part of the Boston Marathon qualifying races. These races, he said, are a chance to bring people here during off months, and Hampton is gaining a good reputation as an interesting place to run. He will be attending the Selectmen’s meeting to speak in favor on behalf of the Chamber of Commerce and encourages those who support the races attending the meeting.

Mr. Nyhan stated that Locco Sports, which sponsors the races, have been substantial contributors to local charities (\$88,000), food pantries, and a \$30,000 donation to the Winnacunet HS Track Team. They also sponsored “Chem Free” at WHS. Further, they donated \$5000 to the Rotary Club for food pantries. Many people are unaware of these generous donations, and the Selectmen’s meeting would be an opportunity for the general public to speak in favor of the races.

THERE WILL BE NO MEETING IN DECEMBER

ADJOURN:

MOTION by Mr. Houseman to adjourn.

SECOND by Mr. Griffin

VOTE: 8 – 0 - 1 Excused

MOTION PASSED.

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,
Anne Marchand, Secretary