

**Official  
As of 8/04/08**

**HOOKSETT PLANNING BOARD MEETING  
MINUTES  
HOOKSETT MUNICIPAL BUILDING  
Monday, July 14, 2008**

**CALLED TO ORDER**

Vice-Chair R. Guay called the meeting to order at 7:04pm

**ELECTION OF OFFICES**

J. McHugh nominated J. Gryval for Planning Board Chair.  
D. Jodoin nominated R. Guay for Planning Board Chair.  
D. Hemeon nominated R. Duhaime for Planning Board Chair.  
J. Gryval nominated J. McHugh for Planning Board Vice-Chair.

*Vote in favor of J. Gryval, Chair, and J. McHugh, Vice-Chair.*

**ATTENDANCE**

Chairman J. Gryval, Vice-Chair J. McHugh, Town Administrator D. Jodoin, D. Hemeon, R. Duhaime, D. Dreffs, R. Guay, D. Marshall, M. Sorel, and Town Council Rep. P. Rueppel  
Excused: B. Ehlers  
Absent: Y. Nahikian

D. Tatem, Stantec Engineer, and Town Planner, Jo Ann Duffy representing the Town of Hooksett

**APPROVAL OF MINUTES OF 6/16/08, 6/19/08 & 6/23/08**

*P. Rueppel motioned to approve the minutes of 6/16/08 with J. McHugh edit pg 2 to omit repeat "clock tower". Seconded by D. Hemeon.  
Vote unanimously in favor. M. Sorel abstained.*

*P. Rueppel motioned to approve the minutes of 6/19/08. Seconded by R. Guay.  
Vote unanimously in favor. R. Duhaime and M. Sorel abstained.*

*J. McHugh motioned to approve the minutes of 6/23/08. Seconded by D. Jodoin.  
Vote unanimously in favor. R. Duhaime and M. Sorel abstained.*

**DISCUSSION**

**1. LOG HOUSE ANTIQUE CENTER**

1158 Hooksett Road, Map 39, Lot 39

Request for Change of Use of Lower Level (basement) to be used as an Auction Hall every Friday 6:00pm-9:30pm (maximum capacity 150) and for Antique Shows every Sunday 8:00am-Noon (maximum capacity 60-70)

Mike Donnell, Log House Antique Center: I am putting the building back to its original use. The lower level (basement) used to be a range for a sporting goods store. Then it was a storage facility. Now I want to bring back the original use (see letter from Log House Antique Center submitted to Board on 7/14/08). I have been working with Mike Hoisington, Fire Dept. (see e-mail to J. Duffy dated 7/10/08 that Mr. Donnell complies with all applicable fire codes). I have asked some members of the Town Council to be here tonight to support local business.

J. Duffy: When M. Bonsteel was still here and the Log House business transitioned over, the Fire Dept. and M. Bonsteel had concerns with using the lower level. They stated change in use from retail to an assembly. A couple of months ago Mr. Donnell appeared before this Board for outdoor use of this property on Saturdays. Now he is coming for use of the lower level. Don's Sports Center had used this lower level. About a year ago, the Fire Dept. had concerns. We have since received an e-mail from the Fire Dept. that they are in favor. This site will have Friday evening Antique Auctions (no more than 150) and Sunday morning Antique Shows. In order for Mr. Donnell to not need a site plan, I recommend this Board needs to make a condition "If the Friday evening Antique Auctions/Sunday morning Antique Shows ever becomes a nuisance as defined by the Planning Board, the applicant will be called back to appear before the Board."

J. McHugh: For your outside use on Saturdays, what about the parking and number of people? You're talking about 150 people?

M. Donnell: Auctions take place at nighttime when the store is not open.

J. Duffy: Everything will be taking place at off times, not all at once.

M. Donnell: We are striping the parking spaces even though we were not asked.

J. McHugh: 40 parking spaces out back?

R. Duhaime: Is it the same entrances, etc.?

J. Duffy: For striping, you would need to comply with current regulations.

M. Sorel: This site was approved for retail, has been used as retail, and is now still retail.

J. Gryval: Do we have a motion to waive the site plan?

***R. Duhaime motioned site plan not required conditional if the Friday evening Antique Auctions/Sunday morning Antique Shows ever becomes a nuisance as defined by the Planning Board, the applicant will be called back to appear before the Board.  
Seconded by M. Sorel.  
Vote unanimously in favor.***

M. Donnell: I recommend D. Jodoin speak to his Department heads that they need to be looking at solutions, not finding problems.

### **CONTINUED DISCUSSION**

**2. AMBROSE REALTY, LLC (07-43)**

1399 Hooksett Road, Map 18, Lot 13

CUP for site improvements associated with the creation of a display area and a gravel equipment storage area within wetland impacts

Peter Holden, Holden Engineering: We are back before this Board to report on what we have worked out from meeting with property abutters for the Gary Avenue access. We agreed to gate at a driveway; to be opened only for emergencies and snow removal. We will direct traffic to the Rte 3 entrance. No heavy trucks can enter Gary Avenue. Anything with a trailer attached would need to exit using Gary Avenue. I suggest an Easement be written.

J. Duffy: We would also like to see an Easement written for the use of Gary Avenue.

M. Sorel: Staff is asking for an easement, why? What is the argument?

J. Duffy: That is how this whole thing started in the first place. Half the road owned by Ambrose Realty and the other half by G&M. Each would be using the other's road.

M. Sorel: It is about 1/3 of Gary Avenue, not half. The marker by the surveyor does not start out in the middle of Gary Avenue.

R. Duhaime: There is enough frontage. I recommended last time to move the entrance. The whole idea is to get them to compromise.

Kathy Sullivan, G & M Cooperative Attorney: We do not have a signed agreement yet, therefore I ask the Board not to take action tonight. Is there a necessity for an Easement per 11.10 of the Development Regulations? Where Gary Avenue narrows, Ambrose is using this for an in and out. This is a definite encroachment onto G & M Coop. property. This is an opportunity to get both parties to have a written agreement.

*Continued to August 18, 2008.*

### **DISCUSSIONS**

**3. GRANITE PLAZA (07-20)**

1778 Hooksett Road, Map 6, Lot 23

Amendment to site plan

Paul Mansback, Applicant: This site was approved June 2007. The building wasn't right, and I had issues with the Town at that time. Also, a lot of trouble with the neighbors. Now, when I went to see the neighbors, they were hoping this site would be developed. The Southside of the property is closest to Terry Plumbing and Heating. Site is at the corner of Granite St and Hooksett Rd. A smaller building will leave 32 ft. I will remove the existing building. I will stay within the existing envelope of the approved building. I will change the sign name, and add a double-faced stockade fence. The way to go is an 8 ft vinyl stockade 7/8<sup>th</sup> thick to help with sound. The parking is the same; just shifted around. This will be a 60-seat quick service restaurant.

J. Duffy: We met and agreed this is a good idea. I just wanted the Board's opinion.

R. Duhaime: This is a great idea; just across the street from me.

D. Jodoin: There is black PVC pipe in back of the building.

P. Mansback: It is an inspection pipe.

D. Tatem: I could look at this pipe.

D. Hemeon: I think it is good for the Town.

J. McHugh: Is there still no parking in the front as presented in the previous plan?

P. Mansback: Yes, no parking in front.

J. McHugh: Everyone park in the back; what are the hours?

P. Mansback: The hours are 11:00am-9:00pm, maybe until 10:00pm.

D. Tatem: From a safety standpoint, there is no access onto Rte. 3 now. We talked about only exiting, no left turn. I recommend our traffic engineer review.

P. Mansback: This will be an exit only.

D. Jodoin: Will there be an entrance onto Granite?

P. Mansback: Granite will have an in and out. Rte 3 will have a new exit only.

#### **4. NORTHWOOD POWER/PMT REALTY TRUST**

Rte. 3A, Map 17, Lot 10

Harold Towne, Applicant/Owner of Northwood Power Equipment: I came before the Board over 2 yrs ago for a 5,000 sq ft retail showroom. To the North of this site is Palazzi (proposed Cabela's). This has a mined out excavation permit, therefore I want to raise the grade 10 ft. I want to align the driveway with the condos across the street. The

State maximum is 150 ft intersecting. Topography for Rte 3 A would be a 40 ft cut. I would need to build a retaining wall to meet this. There is potential for run off, therefore a retaining wall is not a safe option. At the 75 ft face of the excavation, there is water from the culvert of the turnpike. Could use cross cut on face, cut slope elevation, and use for 10 ft. fill under building. I would need to create a retention pond for 1:1 slope. Originally the building was 10,000 sq ft, now 5,000 sq ft with 21 customer parking spaces and 7 employee parking spaces.

D. Tatem: From a Geotechnical Engineer, it is possible for a 1:1 slope.

H. Towne: We have to maintain access on top of elevation.

J. Duffy: I met with your surveyor. You want to display your equipment?

H. Towne: Yes.

D. Tatem: Are you paving the display areas?

H. Towne: Was not planning to do so.

R. Duhaime: Is there a pipe that goes across the street?

H. Towne: Yes, across 3A to small brook, perhaps wetlands.

M. Sorel: Turnpike Authority requires a slope easement for any properties that abut.

D. Marshall: Check with the Turnpike Office for the slope easement. As part of your approval, you would probably need to get something in writing from the State that they do not hold the slope easement on this site.

D. Hemeon: The Town is willing to work with you, however we have no control over the State. You would need something from them.

D. Tatem: Is there municipal water and sewer? Have you talked to water department on capacity?

H. Towne: We have a 10,000 sq ft maintenance facility in Northwood.

J. Gryval: Work with the engineering staff before you come back to the Board.

**COMPLETENESS**

5. **Applicant withdrew this application, no hearing**  
**FAULKNER LANDSCAPING & NURSERY (08-23)**  
1348 Hooksett Road, Map 25, Lots 4 & 5
- Lot Consolidation
  - Non-Residential Site Plan for a Proposed 2,792 sq ft Building and Use of Existing 1,816 sq ft Building for Storage/Sales & Display

**COMPLETENESS AND PUBLIC HEARINGS**

6. **MANCHESTER SAND, GRAVEL & CEMENT CO. (08-24)**  
1 & 9 Post Road, Map 6, Lots 22-39 & 22-72  
Lot Line Adjustment

R. Duhaime: I am stepping down from the Board on this application.

J. Duffy: Plan is complete.

D. Tatem: Complete with waivers.

Peter Holden, Holden Engineering: Map 6, 22-39 lot owner, responsible for maintaining fence. In order for all of fencing and rocking in open space, we need a boundary line adjustment. The waivers were reviewed by D. Tatem. He suggested adding in other waivers. We had 6 waivers, now we have 16 waivers.

D. Marshall: Are the waivers critical for completeness?

***D. Dreffs motioned to find the plan complete. Seconded by J. McHugh.  
Vote unanimously in favor.***

J. Gryval: Received and read the 16 waivers into the record. Do we have a motion to grant these waivers?

***R. Guay motioned to grant 16 waivers. Seconded by D. Hemeon.  
Vote unanimously in favor.***

**Open Public Hearing**

R. Duhaime: This is a great idea.

**Closing Public Hearing**

J. Gryval: Do we have a motion to approve the site plan with conditions?

***R. Guay motioned to approve plan conditional:***

- All review fees are paid-in-full
- 2 mylars, 11 paper copies, and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested pursuant to RSA 674:39."

***Seconded by P. Rueppel.***

***Vote unanimously in favor.***

P. Holden: Stantec's letter #5 talks about a conservation easement; there is none.

J. Duffy: Open space is still under Manchester Sand & Gravel, will there be a homeowner's association?

P. Holden: Yes, there will be.

**7. RONALD AND JODIE LUCCI (08-25)**

52-54 Merrimack Street, Map 9, Lots 67 & 68

Minor Subdivision – Proposed 5 Lots: Subdivide Lot 67 into 3 Lots Each Having Water Frontage on the Merrimack River AND Subdivide Lot 68 into 2 Single-Family Lots

P. Holden: Presented overview of Ron Lucci property located on the East side and West side of Merrimack Street. We went to the Zoning Board of Adjustment (ZBA) and previously came to this Board for guidance. Ron has been trying to sell these two houses for years. We are proposing to subdivide onto separate lots and we got a variance from the ZBA. Presently on Merrimack Street, cars are parked on the sidewalk. If there is a snowbank, then parking is on the street. These residents park on Ron's land across the street. Ron wants to sell individually, but wants each house to have 1,900 sq ft and 2,300 sq ft for parking of these two sites. Also a lot for another resident to park their vehicle(s). I requested 13 waivers and D. Tatem added 5 more for a total of 18 waivers. The worst thing is selling these 2 homes with no place for parking. Currently there is undefined parking. Once owned, then parking would be defined. If paving, this fall under the Shoreline Protection. Ron has no intention of paving.

J. Duffy: Only thing missing for completeness, is the use of abutting properties is not listed on the plan. We would ask the Board to find complete with condition to add use of abutting properties on the final plan before the Planning Board Chair/Vice-Chair signs.

J. Gryval: Do we have a motion to find the plan complete with condition from J. Duffy?

*J. Mc Hugh motioned to find plan complete with condition to add use of abutting properties on the final plan before Planning Board Chair/Vice-Chair signs.  
Seconded by D. Dreffs.  
Vote unanimously in favor.*

J. Gryval: Received and read 18 waivers into the record.

D. Tatem: I recommend approving all waivers except for use of abutters. This needs to be on the final plan.

J. Gryval: Do we have a motion to approve 17 waivers?

*D. Dreffs motioned to approve 17 waivers, excluding waiver for use of abutters.  
Seconded by M. Sorel.  
Vote unanimously in favor.*

R. Duhaime: I read in the paper about changing lot use (67-1 non-conforming lot) and this will require State approval.

J. Duffy: Shoreline Protection, apply with State for a dirt driveway.

P. Holden: There is no delineated parking.

R. Lucci: I took out railroad ties.

D. Tatem: Don't you think railroad ties are a good idea?

R. Lucci: There is 232 ft of frontage along Merrimack street. My neighbors park on my property.

D. Tatem: Is the intent of your plan to designate parking?

J. Gryval: What is the Board's comment on the applicant delineating parking spaces?

### **Open Public Hearing**

Jeanette Gagne: As an abutter, I have been parking my vehicles in this area. It would create more problems if parking was delineated.

### **Close Public Hearing**

D. Tatem: Does this require DES subdivision approval?

P. Holden: I will check on this.

R. Duhaime: I am concerned with the future use of the existing barn.

Gryval: Do we have a motion to approve the plan?

J. Duffy: I recommend approving with 3 conditions: (1) add use of abutting properties on plan, (2) remove railroad ties, and (3) submit State DES subdivision approval, if required, prior to plans being signed.

***J. McHugh motioned to approve plan conditional:***

- All review fees are paid-in-full
- 2 mylars, 11 paper copies, and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction
- Add use of abutting properties on plan
- Remove railroad ties
- Submit State DES subdivision approval, if required
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested pursuant to RSA 674:39."

***Seconded by R. Duhaime.***

***Vote unanimously in favor.***

D. Hemeon: Any issue with conditions.

P. Holden: No.

**8. CONGREGATIONAL CHURCH OF HOOKSETT (08-26)**  
5 Veterans Drive, Map 9, Lot 35  
Non-Residential Site Plan for a Parking Lot

D. Marshall and R. Duhaime: We are stepping down from this application.

P. Holden: Presented overview of plan. We want to add spaces to the existing parking lot, create underground retention areas. Presently all drainage goes through an old pipe. We have had meetings with the abutter who is present tonight. We agreed that we would revisit the parking directly adjacent to their house. Making the parking lot veer towards the Memorial site. I ask you do not approve this plan tonight. We would like to revise the plan based on the abutter meetings. Waivers 1 & 2 need to be addressed. I recommend having the completeness and public hearing, then we will be back before the Board for our waivers and a revised plan.

J. Gryval: If you are changing the design of the parking, then it is not complete in my mind.

J. Duffy: People who are attending church on Sundays are parking on the street. By increasing parking to 62 spaces, this is impacting the abutter. The Board may want to amend the need for 62 spaces.

J. McHugh: For 62 parking spaces, you have been working with abutters to lessen the impact; place parking on the Memorial side.

M. Sorel: I would like to see a completed plan.

D. Hemeon: Would the Church consider talking to the Town about the Town owned property at the cul-de-sac?

P. Holden: The applicant is making improvements to his own property. Once the State has completed College Park Drive, the applicant may purchase a chunk of this.

D. Hemeon: I spoke with the State and they did not have a problem. The Church just needs to move forward.

J. Duffy: D. Tatem and I met with the abutter. The large trees belong to the Church. The design as is has the Church taking down these trees for the parking lot. Our suggestion, have further discussion with the church to lessen the impact to the abutter.

D. Hemeon: How far is this parking lot from the abutter?

P. Holden: 5 ft from property line on the current design.

D. Hemeon: Top piece and across the street would be better. If the Lilac Bridge ever opened, you would need to check with the Heritage Commission.

J. Gryval: Too many changes, I recommend applicant be continued to August 18th.

***M. Sorel motioned to continuance to August 18, 2008. Seconded by D. Jodoin. Vote unanimously in favor.***

### **CONTINUED PUBLIC HEARINGS**

- 9. 1134 HOOKSETT ROAD LLC (08-18)**  
1134 Hooksett Road, Map 39, Lot 33-1  
Non-Residential Site Plan for a Clock Tower and Walkway – design of landscaping and monument sign

George Chadwick, Keach-Nordstrom: On June 16, 2008, the Board approved this plan conditional for the approval of landscape and sign design. I met with the Aesthetics Committee.

R. Duhaime: I did meet with the applicant.

Patrick Houghton, applicant: We did not have a chance to meet with Y. Nahikian, but did submit our sign design to him. The building addition and sign design will tie into the existing building. The property is named "Clock Tower Plaza". We believe 6 tenants will occupy. We have gone from a pylon sign to a monument sign.

D. Tatem: Do you have a plan submitted in color. This design must be incorporated into the plan set. Conform if the sign has a dark background with letters that shine through it.

J. McHugh: How many tenants on each floor?

P. Houghton: The tenants are: 3 tenants on the street (top floor), and 3 tenants in middle floor. One of the tenants in the middle floor is also taking space on the bottom floor. No more than 4 tenants on middle or top floor.

J. Gryval: What will happen to the granite slabs that are outside?

R. Duhaime: On the plan, there is a designated area for the granite slabs.

J. McHugh: Does the middle floor have a separate entrance, or does everybody enter through the same door?

P. Houghton: The proposed addition shows the middle floor can access separately.

J. McHugh: What about the access to the bottom floor?

P. Houghton: This access is on the side of the building, because the grade drops from the front to the back.

### **Open Public Hearing**

No public comments.

### **Close Public Hearing**

J. Duffy: I recommend approval of the landscape and sign design plans conditional that they be made part of the plan set and comply with Article 10a.

J. Gryval: Do we have a motion to approve the landscape and sign design plans?

***R. Duhaime motioned to approve the landscape and sign design plans conditional that they be made part of the plan set and comply with Article 10a. Seconded by M. Sorel. Vote unanimously in favor.***

- 10. FRANK MAGDZIARZ (07-32)**  
25 Jacob Avenue, Map 48, Lot 47  
Lot Line Adjustment and one (1) Lot Subdivision

Jrai Hajek, Sr. Project Mgr - Eric Mitchell Associates: We have been going back and forth over a year for the right-of-way. Who owns the road and who has the right to use it. We received a letter today from Stantec with two comments. We are requesting a waiver for the survey. The second waiver is for the setbacks. The Town right-of-way to maintain Jacobs avenue. Stantec provided 35 ft future frontage and another property that is not ours.

J. Duffy: The issue did not come up today. It has been in Stantec's comments for awhile. For the abutter Kenneth Magdziars, the right-of-way will not require him to have two setbacks. There is a possibility his property will not be conforming. My suggestion is to give him at least 15 ft of land.

D. Tatem: The plan note #5 states "may be future right of way". If it becomes a right-of-way, here are your options (pointed out options on plan).

J. Hajek: We are not moving the lot. We are showing no easement closer than Stantec's recommendation.

J. Duffy: If you give 15 ft and keep the right-of-way to the North, now Kenneth's lot is not abutting. It is better to just give the land to Lot 38 and have the right-of-way come through. For the 115 ft of road frontage on Jacob Ave., did the ZBA say 115 ft or you don't meet the 200 ft? If ZBA did not specify a number, put a 50 ft reserve strip and anything in excess to Lot 38.

J. McHugh: How is the ZBA going to pursue this?

J. Duffy: The applicant needs to extend 65 day to another 30 days and be continued to August 18, 2008. The applicant needs to come back with revised plans. Also the abutters need to be renotified.

J. Gryval: Do we have a motion to extend the application and continue to August 18, 2008?

***M. Sorel motioned to extend 65 day to another 30 days and continue to August 18, 2008. Seconded by D. Jodoin.  
Vote unanimously in favor.***

### **Open Public Hearing**

Michael Pinard, abutter: I want to be assured that when they ease this land to the Town, it will not affect my monuments or land. When they dedicate, is this from the center line or the boundary line? It should be only from his boundary, not from the center line.

R. Duhaime: I think D. Hemeon would want it from the edge not the center.

M. Pinard: Boundaries have been settled.

D. Hemeon: The Easement should start from the boundary and not the center of the road.  
J. Duffy: Change note on the plan?

D. Tatem: There are monuments everywhere. Remove the note on the plan and go by the monuments.

**11. RK ASSOCIATES – K-Mart Plaza (07-30)**

1271 Hooksett Road, Map 31, Lot 2

- CUP to expand the existing on-site drainage basin
- Site Improvement – Parking Lot & Drainage

Lou Caron, Caron Engineering: I represent RK Associates. Since the last meeting, we have gone through completing the Drainage Report. It has been reviewed by Stantec. A copy has been given to the abutter, TF Moran. I met with D. Tatem and resolved comments from his letter.

D. Tatem: For the drainage culverts that go under the building, David Baker could not upgrade the pipes, because they are not under his property. John Sokal, Attorney, submitted the Easement to the Board. The Easement states RK is to install pipes. If two culverts that are in disrepair now are fixed, the area will still flood. Box culverts are from 28 bypass to a new box culvert to Benton Road. Drainage is on the Southerly side (McDonalds) and has damaged culverts. State DOT permit, there is a condition that those culverts will be repaired on State property. This is not on the current plan. It is on the RK DOT curb cut permit.

L. Caron: There is a note on the plan.

J. Duffy: The State says you have to complete repairs. I recommend this be added to the plan. The permits can get lost.

D. Tatem: Our letter recommends conditional approval that they have all permits, approval from water precinct.

D. Hemeon: The Town needs to complete their roadwork.

M. Sorel: The Easement is for sewer drainage pipes, not for any other.

J. Sokal, Attorney representing Merchants-Singer Family: There is hand written language to the left of the typed easement and it was recorded with this written note “storm water or”. 10% of the water contribution is from Merchants, 90% is from RK. We are willing to pay for our 10%.

L. Caron: The Farmer Road acreage through culverts is where water comes from and then goes through the RK site. RK does not generate the 90%. We modeled a system using a 36” pipe. After a 5 yr storm event, RK will all be flooded. I can’t speak for David Baker on behalf of the cost sharing.

McHugh: We are anticipating for only a two year flood. I appreciate that Merchants is willing to do the study. I would like it to be resolved once and for all.

D. Hemeon: The State is not doing anything on the road until they redesign.

J. McHugh: Can we put some pressure on the State? We have an opportunity here to improve the area.

D. Hemeon: RK is here with a plan, they are only responsible for their site. Merchants wants to see the outcome of the improvements to Benton Road.

J. Sokal: We are willing to contribute 10% as a courtesy.

R. Duhaime: When the building was designed, it was an open brook.

D. Hemeon: The owner of the Merchants property originally gave the easement to K-Mart. You bought the inherited pipe.

M. Sorel: We are here to review the RK plaza application. It would be nice to expand to include Merchants on this application, however that is not what is before this Board. I agree with D. Hemeon and we need to act upon this plan.

D. Tatem: I just reread the easement. Am I correct there is no allowance to clean the culvert.

J. Sokal: It is not Merchants responsibility to clean the culvert.

M. Sorel: All rights, title and easement went to Merchants when they purchased.

J. Gryval: We should have our Town Attorney review the Easement.

L. Caron: If the pipe were perfectly ok as modeled, a 4 yr storm event would flood over Merchants Plaza, Merchants Motors and Rte 3. Nothing in our project has an affect on the Merchants property. We have been meeting for a year on this area with Merchants, Town, and DOT. My client knows the risks to make improvements on his site.

J. McHugh: In your opinion, is this the best solution?

L. Caron: The original issue was sink holes in the parking lot.

D. Hemeon: Town Attorney review of the Easement should be completed by the next Board meeting.

J. Sokal: We have been in dialogues with RK, the Town and Senator Gatsas and DOT. The only thing for the difference of opinion is that RK should wait until the Benton Rd culvert outcome. RK, however, wants to complete improvements now.

J. Gryval: Do we have a motion to continue?

***D. Hemeon motioned to continue application to August 4, 2008, after Town Attorney review of Easement. Seconded by M. Sorel.  
Vote unanimously in favor.***

**12. SOUTHERN NH UNIVERSITY (08-12)**  
North River Road, Map 33, Lot 67  
Non-Residential Site Plan for a Dining Facility

D. Dreffs: I am stepping down from all 3 SNHU applications.

Jeff Kevan, TF Moran: Presented an overview of this site. We worked out comments from Stantec. The University has a decorative style for lighting of sidewalks that does not meet Town specifications. We would like to use this type of lighting for the interior of the project. The North River Rd lights would have a shield to comply with Town standards.

J. Gryval: Received and read the waiver for lighting into the record.

R. Duhaime: Are you changing the parking lot lighting too?

J. Kevan: No, just the interior of the campus.

J. Gryval: Do we have a motion to grant the waiver for lighting?

***R. Duhaime motioned to grant the waiver for lighting. Seconded by D. Hemeon.  
Vote unanimously in favor.***

J. Duffy: Chief Agrifiotis has a concern for students crossing North River Road. How many meals per day will be served?

D. Hemeon: Is the crossing geared more towards students or cars?

J. Kevan: Don't know the cycle timing.

D. Tatem: In a previous meeting, we recommended a Maintenance Agreement between SNHU and the Town to maintain the roadway in winter months. If plan is approved, this should be a condition.

D. Jodoin: Town attorney should review and approve the Maintenance Agreement.

M. Sorel: Maintenance should be defined.

**Open Public Hearing**

No public comments.

**Close Public Hearing**

R. Duhaime: What about the waiver for drainage design?

J. Gryval: Received and read the waiver for drainage design into the record. Do we have a motion to grant this waiver?

***D. Jodoin motioned to grant the waiver for drainage design. Seconded by M. Sorel. Vote unanimously in favor.***

J. Gryval: Do we have a motion to approve the plan conditional?

***D. Hemeon motioned to approve the plan conditional:***

- All review fees are paid-in-full
- 2 mylars, 11 paper copies, and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction
- Roadway Maintenance Agreement is submitted and approved by Town Attorney
- Applicant agrees to attend a required preconstruction meeting after all bonds are submitted and approved, site plan compliance monitoring escrow is in place and the plans are signed and recorded
- All outstanding Federal, State, and local permits are obtained
- Stantec and the Town receives the required approval letter from the Hooksett Sewer Commission
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested pursuant to RSA 674:39."

***Seconded by D. Jodoin.***

***Vote unanimously in favor.***

**13. SOUTHERN NH UNIVERSITY (08-13)**  
North River Road, Map 33, Lot 67  
Non-Residential Site Plan for a Parking Lot

J. Kevan: Waivers are needed for lighting and drainage design criteria.

J. Gryval: Received and read the waivers into the record. Do we have a motion to grant the waivers?

***M. Sorel motioned to grant the waivers for lighting and drainage design criteria.***

***Seconded by P. Rueppel.***

***Vote unanimously in favor. J. McHugh abstains.***

J. Gryval: Do we have a motion to approve the plan with conditions?

***D. Hemeon motioned to approve the plan conditional:***

- All review fees are paid-in-full
- 2 mylars, 11 paper copies, and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction
- Roadway Maintenance Agreement is submitted and approved by Town Attorney
- Applicant agrees to attend a required preconstruction meeting after all bonds are submitted and approved, site plan compliance monitoring escrow is in place and the plans are signed and recorded
- All outstanding Federal, State, and local permits are obtained
- Stantec and the Town receives the required approval letter from the Hooksett Sewer Commission
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested pursuant to RSA 674:39."

***Seconded by D. Jodoin.***

***Vote unanimously in favor.***

**14. SOUTHERN NH UNIVERSITY (08-14)**

North River Road, Map 33, Lot 67

Non-Residential Site Plan for an Academic Building

Dana Adams, Opechee Construction: Presented overview of two story 33,500 sq ft academic building. All comments from Stantec have been addressed except sewer.

J. Duffy: I recommend conditional approval.

**Open Public Hearing**

No public comments.

**Close Public Hearing**

J. Gryval: Do we have a motion to approve the plan with conditions?

***P. Rueppel motioned to approve the plan conditional:***

- All review fees are paid-in-full
- 2 mylars, 11 paper copies, and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction
- Roadway Maintenance Agreement is submitted and approved by Town Attorney

- Applicant agrees to attend a required preconstruction meeting after all bonds are submitted and approved, site plan compliance monitoring escrow is in place and the plans are signed and recorded
- All outstanding Federal, State, and local permits are obtained
- Stantec and the Town receives the required approval letter from the Hooksett Sewer Commission
- All waivers noted on plan
- Note on plan “Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested pursuant to RSA 674:39.”

*Seconded by D. Hemeon.  
Vote unanimously in favor.*

**NON-PUBLIC SESSION – RSA 91-A:3 II (e)**

J. Duffy: D. Jodoin stated this does not qualify for non-public. Mr. Rondeau came to the Board for an amendment to his site. The last approval before the sale of used car application was for a Dunkin Donuts. The former Building Inspector stated it was a change of use to now have the sale of used cars. Mr. Rondeau would prefer not to complete some items as approved by the Board for the sale of used cars (plan #08-03 approved May 5, 2008). These items include a landscaped buffer, and moving a chain link fence. After hearing more, I spoke with the Town Attorney, and he stated that Mr. Rondeau did not need a site plan and come before the Board. He has submitted an as-built minus the two items noted above.

Gary Rondeau: The width of the front curbing is another item. The Board approved a version that cannot be maintained for snow removal.

J. Duffy: After speaking with the Town Attorney, Mr. Rondeau can continue to use his site. The as-built plan should be signed for the file. I had a call a couple of months ago by Michael Sydney for flag banners at Merchants. Technically, Merchants was there before the Performance Zone, therefore they can do what they want with banners.

J. Duffy: Change of use has been an issue with other sites (i.e. Log House Antiques and the Clock Tower). I think we need to modify our requirements and staff needs to be on the same page. When is it necessary for a change of use to come before the Planning Board?

R. Duhaime: The landscape requirements in the performance zone are up for negotiation. I just want some landscaping, there is nothing at many of the performance zone sites now. For example, at the Log House site, Ed Walter said he was going to landscape his section, however he never completed.

D. Marshall: Staff is finding it difficult. We have our Town Attorney opinion and the two visiting attorneys opinions.

J. Duffy: The Building Dept. is stating one thing and the Planning Dept. has a different opinion.

M. Sorel: Is this gentlemen here as a courtesy or because he has to be here?

J. Duffy: He has modified his plan, and he does not want someone later to question this.

***M. Sorel motioned to have the Rondeau as-built plans signed. Seconded by D. Jodoin. Vote unanimously in favor.***

D. Hemeon: I would like a set of rules for the Performance Zone.

### **OTHER BUSINESS**

#### **SAU – High School Site Committee**

J. Duffy: J. McHugh has offered to represent the Planning Board for this committee.

***D. Jodoin motioned for J. McHugh to represent the Planning Board for the SAU – High School Site Committee. Seconded by M. Sorel. Vote unanimously in favor.***

#### **Developer Concerns**

J. Duffy: I made a list of developer concerns from the 6/23/08 Developer Meeting. I will review them as best I can, however I would like Stantec to review. I would like to go in non-public for this item scheduled for Monday, August 11, 2008. The ZBA, Conservation Commission, and Town Council are invited.

P. Rueppel: I would like a plaque made for Bob Sullivan for the years her served on the Planning Board.

***R. Duhaime motioned to adjourn at 10:40pm. Seconded by D. Hemeon. Vote unanimously in favor.***

### **ADJOURNMENT**

Chairman J. Gryval declared the meeting adjourned at 10:40 PM. The next meeting is scheduled for Monday, August 4, 2008, 35 Main Street, Hooksett, NH Town Hall Chambers.

Respectfully submitted,

Donna J. Fitzpatrick  
Planning Coordinator