

**Official  
As of 02/09/09**

**HOOKSETT PLANNING BOARD  
MEETING MINUTES  
HOOKSETT MUNICIPAL BUILDING  
Monday, January 12, 2009**

**CALLED TO ORDER**

Chair J. Gryval called the meeting to order at 7:02pm

**ATTENDANCE**

Chairman J. Gryval, Vice-Chair J. McHugh, M. Sorel, D. Dreffs, B. Ehlers, R. Guay, D. Hemeon, R. Duhaime (arrived 7:10pm), and Y. Nahikian (arrived 7:20pm).  
Excused: Interim Town Administrator, Town Council Rep. P. Rueppel, and D. Marshall.

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

**APPROVAL OF MINUTES OF 12/08/08 & 12/15/08**

Note: Minutes of 12/08/08, and 12/15/08 to be motioned at the 02/09/09 Planning Board Meeting.

**DISCUSSION**

**1. MANCHESTER SAND, GRAVEL, & CEMENT – HEAD’S POND  
Peter Holden, Holden Engineering**

Dave Campbell, Attorney for Manchester Sand, Gravel, & Cement: We have several items for discussion before the Board tonight. Distributed the following to the Board members: a) list of discussion items, b) submittal status spreadsheet, c) revised subdivision plan sheet, d) Common design, e) photos of local Commons, and f) lighting details.

1) Design for the Town Common:

D. Campbell: We just submitted this design to Stantec. It is as much a Planning Board review as it is a technical review. The Common is in phase II of the Head’s Pond project. The Town Common is off Head’s Pond Blvd. The Common itself will be given to the Town. It is 320 ft across by 400 ft in length. We are planting trees in 40 ft intervals. The Common is for choruses, bands, entertainment, etc. There is a grass amp theater around the bandstand. It slopes 1% up to a 6:1 (a gentle slope). The bandstand is closest to the Head’s Pond Blvd. There are concrete pavers on corners that look like brick. There are

handicapped ramps. The Common does not have a lot of sidewalks. The opposite side of the Common, from the bandstand, will have a 60ft American flagpole. We will have donations of granite benches (i.e. schools, residents). Lighting will be built and installed for the Town (pg 3 of handout, small yellow stars indicate bollard posts with lights). We will tie in the lighting fixtures for the public and private sides. Dark gray areas on the handout are sidewalks. They are outside, not on the Common. There are 140 public parking spaces for the Common. Stantec hasn't had a chance to look at all this. We were just looking for the Boards input at this time.

Gryval: Comments from the Board?

Hemeon: What phase is the Common?

D. Campbell: Phase II. Phase I is for the single-family lots and condos.

M. Sorel: I only see one sidewalk on your handout.

J. McHugh: See the dark gray areas on the handout? They are all sidewalks.

D. Campbell: We looked at many Commons around here.

J. Duffy: For benches (plural), the handout states bench (singular) to be installed. Are you just providing one bench?

D. Campbell: See the black areas? These are all benches (total 10) that we will install. In addition, there are designated areas for people to donate benches in the future.

J. Duffy: Since the Common lighting is to be donated to the Town, is the maintenance and bills the responsibility of the Town?

D. Campbell: Yes for the Common. Across the way, however, there will be more lighting that the condos are responsible for.

J. Duffy: There is a lack of sidewalks within the Common. What if it is muddy? There is no place to go (i.e. wheelchairs, walkers, canes); it will be difficult to walk on.

D. Campbell: There is certainly something we can do. If the Common is built right, it will have good drainage with solid grass. We could bi-sect a sidewalk within the Common.

J. McHugh: What is the width of the roads?

Ron Corriveau, Project Manager for Manchester Sand, Gravel, and Cement: Road widths are 26 ft in the neighborhoods.

Bill Rossignol, Holden Engineering: The road width is 28 ft coming in, not counting the

parking spaces, with 2-way traffic.

J. McHugh: I would prefer more sidewalks. So the Common is for the people that live there?

D. Campbell: Yes, and also for the public.

J. McHugh: Where are people going to walk if the Common is muddy? I would like to see more sidewalks.

D. Campbell: We patterned our Common after other Commons.

M. Sorel: The Town Council will ultimately accept a deed for this?

J. Duffy: Yes, and Dale will maintain the Common as a Town park.

M. Sorel: Can this presentation tonight be presented to the Town Council?

Nancy VanScoy, Town Council Rep.: I have also received the information distributed to the Board members this evening. I will inform the Council.

R. Duhaime: There are 2 acres of grass?

B. Rossignol: There are 3 acres of grass.

R. Duhaime: So I can see 2 acres of the Common used for field recreation (i.e. Frisbee, football, etc.). I can't see cutting it up with sidewalks.

J. McHugh: I want the sidewalks around the perimeter.

D. Campbell: The Common has 3 acres of grass and 1 acre for parking.

D. Tatem: If you bi-sect the sidewalk, it becomes a visual barrier to the bandstand for those who want to use the field.

D. Hemeon: Are the streets curved?

D. Campbell: Yes.

M. Sorel: When will the Common be deeded to the Town?

D. Campbell: As soon as the Common is completed, it will be deeded to the Town. We don't have to wait for all of the Head's Pond phases to be complete in order to deed to the Town.

D. Hemeon: How many years before you are starting phase II?

D. Campbell: In a healthy, normal economy, phase II will be within 3 or 4 years of the project start date.

2) Donation of the School Site

D. Campbell: We spoke to Dr. Littlefield, the School Board, and Joanne McHugh was there. They are all in favor of accepting our donation for a school site. There are minor details for the conservation easements to the State of NH. The conservation easement has an additional 40 acres for a total of 80.5 acres.

J. Gryval: Roadway right to the site?

R. Corriveau: University Heights has a 2% road and it arches into the school site.

J. Gryval: How many feet of roadway?

R. Corriveau: 3,000 ft of roadway with 2 means of access.

D. Campbell: Land bank it; not a lot of useable land. Donate school site to the Town SAU vs. just to the Town.

J. McHugh: Does the Planning Board want the School Board to sign-off? They still need to go to the State for the University Heights road access.

Board comments: Yes, get something in writing from the School Board.

J. Duffy: Have you told the University Heights sites that there may be a school site nearby?

D. Campbell: This can be done without any approval by University Heights. It has been in the newspapers, but we have not had a sit down with University Heights.

J. McHugh: For the conservation land, the Town Attorney reviewed the language for feasibility and he suggested going to the State. Steve Couture is willing to go to the State.

R. Duhaime: Daryl, you walked the site with other Board members. There are a lot of dry uplands. If the Town decided to sell the land in lieu of a high school, it would be very marketable.

3) Donation of a Plow Truck

D. Campbell: Dale has had many conversations with us over the years.

R. Corriveau: For the timing of the truck, Dale stated he would want a note on the plan for the donation of a Plow Truck and Town possession prior to plowing the new Head's

Pond Roads.

4) Vesting of the Development Rights Upon Land Donations to the Town

D. Campbell: We will be providing major land donations to the Town. The Parkway is committed for an easement all the way through. We have been back-and-forth with the Town Council. We are donating 212 acres plus extra land for a school site. We are proposing initial Rte 3 phase I improvements and donations of all this land and fees to allow usage earlier (railway bed). I can't give 300 acres of prime land without any guarantee of approval of this plan by the Board.

J. Duffy: I recommend you put in writing what you are donating and the timing. We will then have our Town Attorney review.

D. Tatem: Subdivision lots vs. site plans that don't show a development yet. We had conversations a year ago about that. If the site plan is in 10 yrs, will everything be different or are you going under the current zoning?

R. Corriveau: For individual site plans, yes we would come back for specific reviews. The calculations are in perpetuity. The impact of the whole project is on one wetland permit.

D. Tatem: My concern is the wetland setbacks designated by DES.

D. Campbell: We understand we can't change DES regulations, but we want to assure our Town regulations are set.

M. Sorel: When do you expect to meet with Stantec?

R. Corriveau: We meet with them regularly.

J. Duffy: There should be a Development Agreement signed by both parties.

J. McHugh: Vesting rights?

D. Campbell: Vesting rights will be spelled out in black and white.

J. McHugh: We don't want to assume something and you think something else. We want specifics written down, so we are not caught having to interpret later.

5) Intersection Redesign Concept for Kingswood at Rte 3 – Right Turn Out Only

D. Campbell: There are 3 main access roads: (1) Head's Pond Blvd, (2) Kingswood Circle, and (3) Loop Road. We went to NHDOT and they are OK with the Kingswood redesign. Kingswood is 431 ft apart vs. 500 ft apart. It is not a 2-way road, just right turn only.

R. Corriveau: For ASHTO, Kingswood left turn coming out did not meet the criteria.

Now the roadway will be a left in and a right out. It is 26 ft wide.

J. Duffy: What is the timing of the traffic light installation?

D. Campbell: ½ way through the project, the original Rte 3 light will be complete.

D. Tatem: We met with Holden's, Ron, and Dale. We had comments on the radii for the tractor-trailer access. I don't believe it requires a waiver. I just think the Board needs to be OK with the design.

R. Duhaime: Living on Hooksett Road for the last 13-14 yrs, it is safer to take turns with a traffic light.

D. Hemeon: Raised cobblestone is easy to maintain (i.e. plowing).

6) Selection of Street Lighting Fixtures and Poles (for use at intersections)

D. Campbell: Referred to lighting fixture handout.

7) Outstanding Design Review Issues with Stantec (if any)

D. Campbell: Referred to submittal status spreadsheet. We are at 16 or 17 on the spreadsheet. We are requesting a 120-day extension for review time.

***M. Sorel motioned for a 120-day extension. Seconded by R. Guay.  
Vote unanimously in favor.***

Note: D. Hemeon left meeting at 7:50pm.

## **COMPLETENESS**

### **2. RIDGEBACK SELF-STORAGE (#06-33)**

Thames Road & Hooksett Road, Map 18, Lot 49D

Non-residential site plan for a 49,500 sq ft metal self-storage unit buildings and an 864 sq ft granite block office building

J. Gryval: Staff, is this plan complete?

D. Tatem: Yes.

J. Duffy: Yes, and the Public Hearing is scheduled for February 9, 2009.

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

***Public hearing February 9, 2009.***

**COMPLETENESS AND PUBLIC HEARING**

- 3. SNHU – Southern NH University (#08-42)**  
2501 North River Road, Map 38, Lot 38-1  
Non-residential site plan to change use of existing house from residential to office Space

J. Gryval: Is the wetlands certification OK and the plan complete?

D. Tatem: Yes.

***R. Guay to find the plan complete. Seconded by M. Sorel.  
Vote unanimously in favor.***

Jeff Kevan, TF Moran: We are submitting waivers.

Waiver #1 Drainage Analysis J. Gryval: Received and read the waiver into the record.

D. Tatem: The impervious has almost doubled, however it is such a small area. It will increase runoff on site.

R. Duhaime: This is a 5.3-acre site, you may expand SNHU in the future.

***J. McHugh motioned to grant waiver #1. Seconded by R. Duhaime.  
Vote unanimously in favor.***

Waiver #2 Show the Existing and Proposed Structures on the Subject Parcel J. Kevan:  
Waiver #2 no longer needed, I will provide.

Waiver #3 Existing Vegetation and Landscaping within 200 ft of the Subject Parcel  
J. Gryval: Received and read the waiver into the record.

D. Tatem: We are OK with this waiver.

***J. McHugh motioned to grant waiver #3. Seconded by B. Ehlers.  
Vote unanimously in favor.***

Waiver #4 Lighting Plan J. Gryval: Received and read the waiver into the record.

D. Tatem: There is no lighting for the handicap ramp. Site is changing from residential to commercial use.

J. Kevan: Standard lighting exists.

R. Duhaime: New parking?

J. Kevan: 5 spaces on site. I can look at the existing lights. Waiver #4 no longer needed. I will provide a lighting plan.

Waiver #5 Show Structures within 200 ft of the Subject Parcel J. Gryval: Received and read the waiver into the record.

D. Tatem: They own all the land around the structure. I am OK with this waiver.

***J. McHugh motioned to grant waiver #5. Seconded by R. Duhaime.  
Vote unanimously in favor.***

Waiver #6 Landscaping Plan J. Gryval: Received and read the waiver into the record.

D. Tatem: Trees and stone wall have been removed. We are not suggesting a full landscape plan be provided, but would suggest R. Duhaime review landscaping for something to go in the hole where the house was removed.

J. Gryval: We won't grant the waiver, but we will have Rob review the landscaping to be completed to his recommendation.

***M. Sorel motioned not to waive the landscape plan, but to modify waiver so that R. Duhaime review the landscaping and have it completed per his recommendation.  
Seconded by J. McHugh.  
Vote unanimously in favor.***

Additional Comments SNHU #08-42

J. Duffy: Fieldstone wall was a boundary between lots. This needs to be replaced.

D. Tatem: This was a residential house. What type of fire protection will be needed for the change of use to commercial?

M. Hoisington: Submit plans to the Fire Dept for review of the change of use to commercial.

D. Tatem: We will need to get something from the Fire Dept. in writing.

***J. McHugh motioned to continue applicant to February 9, 2009. Seconded by M. Sorel.  
Vote unanimously in favor.***

***Continued to February 9, 2009.***

#### **CONTINUED PUBLIC HEARINGS**

- 4. HARMONY PLACE (#08-31)**  
1621 Hooksett Road, Map 14, Lot 27  
Residential site plan to create a 63-unit older person development



Jenn McCourt. McCourt Engineering: The main question for tonight is the underground parking. You (Board) had asked Mike Hoisington, Fire Dept. Deputy Chief, to be here tonight to discuss garages and carports.

J. Gryval: Is there no way to come to an agreement for underground garages?

M. Hoisington: A carport type facility is operational.

J. Duffy: If the carport is attached to the building, does it need to be sprinklered?

M. Hoisington: Yes if attached. No, if not attached.

J. McCourt: Your concern is access underground with your vehicles. What if someone has a heart attack on the 2<sup>nd</sup> or 3<sup>rd</sup> floors?

M. Hoisington: Carports have multiple ways in and out. If anything is going on with a vehicle in the underground garage, we have limited access to the patient.

J. McCourt: What if we added more access to the underground garages?

M. Hoisington: Vehicles in underground garages pose issues with fires. We can only access one end of the garage, and would have to lug our equipment 140 ft (and may need to go back and forth).

R. Duhaime: Is there some code in the book for height and distance?

M. Hoisington: There are State and Town codes.

R. Duhaime: The Brookview Sr. Housing development is proposing 10 ft garage ceilings. Why can't that be used for this project? The garage will be sprinklered. Now you are impacting the design and costing this developer money. The building would be ugly with carports, but now we would have to live with it. Can we find a common ground for design and safety?

M. Hoisington: For medical emergencies, the Fire Dept. staff car doesn't go. If it is 3am and there is a medical emergency, an ambulance and rig would go to the site (not me and my vehicle).

R. Duhaime: What is the difference in the length of timing 3 stories up vs. walking down the length of the parking garage? Why can't there be a common ground to work with? We volunteer our time to make projects appealing sites. Can you find some way to make this work?

M. Hoisington: We met with Sonny and gave him our vehicle measurements.

J. McHugh: I have a similar concern. Are Hooksett's regulations so stringent? Are there

other buildings built similar to her proposal? Are you caught in a dilemma, because of our regulations? I don't understand. There must be other buildings similar to her proposal to gain access.

M. Hoisington: Not so much on regulations. The Town of Hooksett does not have any other buildings like this now or in the past. We haven't had to deal with this before.

J. McHugh: Would it be to anyone's benefit to explore these other buildings that have these underground garages?

M. Sorel: It is a height issue? At 3am, most of these garages would be filled with vehicles.

J. Gryval: Our ambulance is too high. Is it the ambulance and/or the fire truck height that is the concern?

M. Hoisington: The height issue is for the Rescue Vehicle (correct name for previously referred to ambulance) and all our vehicles.

D. Dreffs: Access is the issue?

M. Hoisington: Height is the issue. Equipment on the Fire Engine vs. transporting 140 ft back and forth to get the equipment into the building.

D. Dreffs: If there were more access, then you would not need to go back and forth 140 ft.

R. Duhaime: Come parking garages (i.e. Concord, across from the State House) have 7 ft 6 inch clearance. What is their Fire Dept. access plan? I was hoping you can visit other Fire Dept. access plans.

Y. Nahikian: As a member of the Aesthetic Committee, a lot of effort is made to integrate buildings into the landscaping. The other development, Brookview Sr. Housing, now has their building 5-6 ft higher because of the Fire Dept. requirements. What if we don't have garages? Then there is no issue? What if you go through the entrance door vs. using the garage?

J. Duffy: Our regulations state that projects with 24 units or more must have covered parking.

M. Hoisington: You never know what can happen within a garage. I also have concerns with CO emissions. I know there is an exhaust system.

J. Gryval: Do you think there is any way you can meet with the applicant again and come up with a final solution? Either the solution is yes for underground garages or no and you go with carports. Come back to us with your comments. You don't have any other vehicle that would be able to be used? Your staff vehicle would fit in there, but it does not carry the equipment.

M. Sorel: Chief Williams, M. Hoisington, the developer, and a Planning Board Rep. should meet together.

J. Gryval: It is costing the developer a lot of money to go back and forth.

J. McCourt: My concern, if Mike needs to get fire vehicles in there, then we are done with the garage discussion. Would Mike be willing to talk to Concord or Manchester Fire Dept. for their access plan? If no other option for the fire vehicles, then we will have to go with carports.

J. Gryval: Mike, will you have an answer in a couple of weeks?

M. Hoisington: Yes.

J. McCourt: It will be a major redesign if we go with carports. This project has been around for 4 years. We are on huge time constraints.

J. Gryval: Would 2 weeks make a difference or would you rather go with the carports now?

Sonny Sell, owner: We could build 14 ft garage doors. These would be going up and down all day. It will be the ugliest thing in Hooksett.

R. Duhaime: We have another building looking for approval for height issue.

S. Sell: Dollars and sense, it is cheaper to build carports. Feasibly for resell, garages are better features.

J. Gryval: I want to put this thing to bed one way or another. If you think there is no way to get fire vehicles in, then we go with carports.

Y. Nahikian: If carports, can you put more units on the 1<sup>st</sup> floor?

S. Sell: We just lower the building by one foot for the garages.

J. McCourt: I need an answer by the end of this week.

J. Gryval: Mike, timeframe?

M. Hoisington: The applicant will have an answer Monday, January 19, 2009.

J. Gryval: We will know Jan 19<sup>th</sup> if garages or carports.

J. McCourt: On another subject, for the Drainage Study, I thought the study would be completed in 2 weeks. Now I am hearing it will take longer.

D. Tatem: We got the money from Brookview Sr. Housing and then went to the Council a couple of days before Christmas. The fieldwork plan collection will be completed at the end of January. The study will be completed at the end of February.

J. Duffy: We have a regular Planning Board Meeting on February 9<sup>th</sup>. The next meeting after that would be March 2<sup>nd</sup>; this would be the first meeting after the study is complete.

D. Tatem: Our study will not change your design.

J. McCourt: It depends on the Drainage Study for down stream. Put us on the Feb 9<sup>th</sup> agenda; we may have other items to discuss.

***M. Sorel motioned for a 90-day extension. Seconded by R. Duhaime.  
Vote unanimously in favor.***

***J. McHugh motioned to continue applicant to February 9, 2009. Seconded by R. Guay.  
Vote unanimously in favor.***

***Continued to February 9, 2009.***

Stats on 55+ Communities in Hooksett

J. Duffy: There was a recent article in the Union Leader for 55+ communities. Approved plans: Jensens (Brook Ridge) 92 units, Berry Hill 107 units, Stonegate 34 units, Lafond Ave 20 units, and Webster Woods Phase I - 40 units = Total 293 units approved. Proposed plans: Harmony Place 63 units, Brookview Sr. Housing 42 units, and Webster Woods II - 53 units (46 duplex + 7 single family) = Total 158 units proposed.

**5. WEBSTER WOODS PHASE II (#07-37)**

Hooksett Road, Map 6, Lot 114

Residential site plan to improve and develop phase II of "Webster Woods" to include 23 duplex ranch style buildings totaling 46 units and 7 single ranch style units for 55 & older person housing

J. Gryval: Received and read letter from George Vaillancourt and John Hybsch into the record. They do not want the developer/Webster Woods residents to use Bernice Street as an exit from the Webster Woods property. They request a traffic light be installed at Ash Street leading into the Webster Woods development.

Mike Gospodarek, Edward N. Herbert Assoc.: We went through Stantec's comments. We kept the same layout as when we were here the last time. We made drainage changes; was 1 ½ acres and 7 ft deep before. We are down to 5 pages of Stantec comments. In the second design stage review, there is a left hand turn lane. Hopefully we will have the State permit in 2 weeks. As far as Stantec's driveway comments, we are asking the Board to review and, if necessary, grant a waiver. We meet the site distance with the speed limit that we have.

J. Gryval: You can submit a waiver and then the Board can decide whether or not to grant it.

Waiver #1 11.09 Driveways, Entrances and Exits – Distance Between Driveways

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

M. Gospodarek: Regulation “no driveway within 50 ft of another driveway . . .” appears to have been written for speeds between 30 and 35 mph. We have 20 mph posted and it is our opinion that the project as designed provides for adequate sight distance at all driveways.

R. Duhaime: I don’t think we have ever granted a waiver for the distance between driveways. How many driveways do you have that are less than 50 ft in distance?

M. Gospodarek: Referred to driveways on plan.

J. Gryval: Why can’t you conform to our regulations?

M. Gospodarek: Your regulations are for driveways off major roadways and they are based on 30-35 mph speed.

J. Gryval: I think it is a safety concern no matter what the speed.

M. Gospodarek: Technically, the access is a driveway off Rte 3.

R. Duhaime: The roadway is common area, but they don’t park in each other’s driveways.

J. Gryval: You should reconfigure the plan to meet our requirements.

R. Guay: In my opinion, this is a private roadway within a condo development. This is no different than condo driveways that are side-by-side-by-side.

R. Duhaime: Do these have garages?

M. Gospodarek: Yes.

R. Duhaime: Why 50 ft distance requirement?

M. Gospodarek: There is 35 ft of space between buildings. We do this design often. We don’t think it is a safety issue at all. There is plenty of site distance.

R. Guay: These units resemble single family houses, however we should not treat this project any different than any other condo development.

M. Gospodarek: Webster Woods Phase I design was done this same way.

Phil LoChiatto, Miacomet Development Project Manager: We appreciate your safety concerns. We are 90% occupied in Phase I, and that phase never had an issue opposing the driveway distances. Most residents have one car in their garage. They usually do not have another car in their driveway. There is low speed, and long visibility.

J. Gryval: Phase I was under different regulations than today.

P. LoChiatto: Under practical use, the driveways have not been an issue.

***R. Guay motioned to grant waiver #1. Seconded by B. Ehlers.  
Vote 5 in favor, 2 opposed = waiver granted.***

M. Gospodarek: In process of obtaining State Alteration and Terrain Permit.

J. McHugh: You have one community center for both phases? How large is it?

P. LoChiatto: 1,600 sq ft.

J. McHugh: You submitted your Traffic Study and were working with 3x abutters for an easement?

M. Gospodarek: We had no success with these abutters. The 3x direct abutters to the right hand side of the roadway on Rte 3 heading North; we would have to dive into their slopes. We need a temporary construction easement. We would have to take out trees. We propose giving them driveways. We would go with a 2:1 and 3:1 slope to blend into the existing ground. It is at the edge of the Ice cream stand/Nursery stand pavement. We would need a State Driveway Permit.

J. Gryval: Dan, do you have a lot of outstanding items?

D. Tatem: Drainage, and the traffic (turn lane is the biggest issue).

J. Duffy: You need to show the turnaround at the end of Bernice on the plan.

P. LoChiatto: There is a hammerhead already on the plan.

M. Gospodarek: We met with the Fire Deputy Chief for hydrants. He asked for additional hydrants. Also asked us to widen the roadway. We have almost a 30 ft drop off on either side of the roadway.

R. Duhaim: What is the retaining wall height for the back of the units? There is not enough room between the back of the building and the wall. The first 3x buildings facing Burt Street, there is a large ravine and no access with the terrain. It would be nice to see some landscaping.

M. Gospodarek: We raised it 10 ft for access and fencing, so people could walk out of their unit.

D. Tatem: They will have a company mow their yards. Some company mowers are 2-3 ft wide, then you have the 2:1 slope.

R. Duhaime: A minimum 4 ft - 6 ft would be best.

M. Gospodarek: Our items left are State permits and Stantec's comments. The Board could make a conditional approval.

J. Duffy: Conditions to include:

- 1) At end of Bernice, there is no hammerhead on the plan, this needs to be added
- 2) Condo docs from 2006 allowed for convertible land, we will need updated condo docs to be sent to our Town Attorney for review
- 3) Trail, still don't see noted anywhere, this needs to be added "Historically, there has been a hiking trail that leads from the most western point of the new development to the confluence of the perennial stream and Brown's Brook. Developer to provide an easement for continuation of this trail system." You were going to get together with a member of the Kiwanis Club and Steve Couture from the Conservation Commission – refer to Town Planner comments for verbiage for easements and note on the plan.
- 4) Trash removal not yet shown on plan (M. Gospodarek: There will be private trash curbside pick-up.)
- 5) Off site improvements, no CO's issued until completed.
- 6) Buffer - regulations for elderly housing must be equal to 50 ft. You have land, but the buffer is not noted.

J. McHugh: Water?

J. Duffy: We have the water capacity letter in hand, however the actual water approval and sewer approval would be a conditional approval to receive prior to John signing the plan for recording.

D. Tatem: Water is by the Village Precinct.

J. Gryval: Why was the Alternation of Terrain permit denied?

M. Gospodarek: It is site specific within 120 days. During this process, we made many changes and let the 120-day time lapse.

### **Open Public Hearing**

John Cronin, Attorney for the applicant: This is a convertible condo. There is no different set of condo docs. We can provide an amendment to the existing condo documents.

J. Duffy: Can we at least get an amendment?

J. Cronin: Yes, floor plans and other documents. Just not a complete condo set.

M. Sorel: Can we get this in writing from Mr. Cronin?

J. Cronin: It is in the original condo docs.

J. McHugh: Do the original condo docs have 55+ wording? I thought they read as 62 yrs and up. Attorney Cronin, can you please look into this?

P. LoChiatto: 55+ is in phase I. We will have to research.

M. Sorel: They went to zoning, but they don't know if 55+ is in the condo docs.

***R. Duhaime motioned for a 60-day extension. Seconded by D. Dreffs.  
Vote unanimously in favor.***

***J. McHugh motioned to continue applicant to March 2, 2009. Seconded by M. Sorel.  
Vote unanimously in favor.***

***Continued to March 2, 2009.***

## **OTHER BUSINESS**

### **6. AV HOOKSETT – REQUEST FOR BOND REDUCTION (#07-44) Hooksett Road, Map 25, Lot 19**

J. Duffy: The applicant is no longer asking for a field change to the granite curbing. Dan, myself, Alex Vailas, Dick Anagnost, and M. Sorel talked today about the bond reduction. \$325,449 is the original bond in place. The amount completed totals \$452,000. The total site work is \$976,000. We take a bond for 1/3 of the \$976,000 to equal \$325,449. When they came in November for change in plan for proposed parking, that bond requirement was for \$26,000. They are asking, rather than reduce the original bond, to now just leave it in place for the amount of \$325,449 and not get another bond of \$26,000 for the parking lot expansion.

J. Gryval: Is the Town satisfied with this?

J. Duffy: Yes.

***M. Sorel motioned to keep original bond of \$325,449 in place (plan #07-44), and that there is no longer the condition on the parking lot expansion (plan #08-40) to have another bond in the amount of \$26,000. Seconded by R. Duhaime.  
Vote unanimously in favor.***



**Code of Ethics/Conduct Affidavit**

J. Duffy: Each Board member needs to sign and return the cover sheet acknowledging receipt of the Code of Ethics and that you will read the contents.

M. Sorel: I don't see how the Town Council is involved in this.

N. VanScoy: I was under the impression it covered the Town Council. I can clarify this at Wednesday's Town Council Meeting.

J. McHugh: Who's code of conduct is this, the State's?

J. Gryval: I know at the Council meetings, they had spent a lot of time coming up with the wording.

**CIP Plan**

J. Duffy: In your packet, you have the CIP Plan voted by the CIP Committee and Planning Board. The CIP Committee has a meeting on January 26, 2009 @ 6:00pm for a self-audit.

**ZBA & Planning Board Joint Meetings**

J. Duffy: The ZBA has not been receptive to joint meetings with the Planning Board. They are not comfortable with the set-up (Planning Board at table with name plates and ZBA in audience). It has been recommended to have the Town Council Chair, David Dickson, moderate a joint meeting. I haven't heard back yet.

J. Gryval: If you get a chance to read the last ZBA minutes, read their comments regarding the Planning Board.

M. Sorel: They (ZBA) are not comfortable with some of the comments the Planning Board members have made about them in public.

J. Gryval: If they (ZBA) are uncomfortable, the best thing to do is to sit down with them.

J. McHugh: Have the Planning Board and ZBA members all at the table with name plates.

M. Sorel: Our opinions about the ZBA should not be to publicly criticize them. At seminars I have been to, Chairman of both Boards need to agree to a joint meeting.

J. McHugh: The interim Town Administrator should bring this forward to have the Town Council Chair run a joint meeting between the ZBA and Planning Board.

J. Gryval: The RSA states the Planning Board Chair must run joint meetings with the ZBA.

M. Sorel: At the last ZBA meeting, I asked the ZBA Chair for a detailed written list of concerns on the Nancy Lane 36-unit 55+ site. To date, the Planning Board has not received this.

J. Gryval: We received the ZBA minutes via e-mail. Maybe the ZBA believes this is the detailed written list.

M. Sorel: But if the answer from their side is you received the ZBA minutes, then that is not good enough.

J. Gryval: How does the Board feel about Mike asking the ZBA for the detailed written list?

Board general comments: We are OK with this.

J. McHugh: I think the idea of a joint meeting/workshop with the ZBA is a good idea.

J. Gryval: I would like to see the Council Chair mediate a joint meeting between the Planning Board and ZBA.

J. McHugh: Non-public sessions, when are they appropriate?

J. Gryval: Planning Board has regulations to go by that are cut and dry. The ZBA has 5 criteria to go by and the members can look at them in different ways.

M. Sorel: The Board is in the loop for ZBA special exceptions. That is why I asked for the detailed written list on Nancy Lane.

J. Gryval: For special exceptions, we give the ZBA our opinion, but they don't have to agree with it.

### **Ridgeback Self-Storage**

R. Duhaime: Do they have enough frontage?

J. Duffy: Not from Thames Road. I believe there is frontage on Rte 3. There is a 50 ft utility easement. I can get back to you tomorrow to confirm the frontage.

### **Funding CTAP – Open Space Planning**

J. Duffy: The Conservation Commission would like to apply for this money and wanted to assure the Board had no comments.

Board general comments: We are OK with this.

### **2<sup>ND</sup> Version of the Proposed Zoning Articles for 2009**

J. Duffy: I recommend having a Planning Board Workshop Meeting and inviting the ZBA and Conservation Commission. The zoning articles need to be in place on Feb 5<sup>th</sup> to

get into the newspapers. Look over these changes and inform me if you have any comments and concerns. Discussion on changes to include workforce housing – formula where allowed, how much acreage, etc. I will schedule the workshop for Thursday, January 29, 2009 @ 6:00pm.

J. Gryval: Workforce housing gets involved.

J. Duffy: We could write workforce housing similar to 55+ communities (i.e. 6 units on an acre). Workforce housing has so many more units within that zone.

J. Gryval: We will have to be careful with workforce housing.

M. Sorel: I printed info. out from the one day seminar in Lincoln. This raises the question about senior housing. You don't say no. It is a Federal Law. You can't discriminate due to age.

### **Fire Dept. Vehicles**

Y. Nahikian: Fire Dept. has parking issues. I think they are interpreting the regulations their own way.

J. McHugh: That is why I was half torn, are the regulations too strict?

B. Ehlers: They are the first responders and it is their point-of-view. We don't have a vehicle that can go under. If more access?

M. Sorel: It is an arbitrary decision.

Y. Nahikian: What if the Fire Dept. is not convinced on parking garages?

***D. Dreffs motioned to adjourn at 9:50pm. Seconded by R. Duhaime.  
Vote unanimously in favor.***

### **ADJOURNMENT**

Chair J. Gryval declared the meeting adjourned at 9:50pm. The next Planning Board Meeting is scheduled for Monday, February 9, 2009, at 35 Main Street, Hooksett, NH Town Hall Chambers (room 105).

**Note:** A Planning Board Workshop is scheduled for Thursday, January 29, 2009 @ 6:00pm to discuss zoning articles for 2009. Location is at 35 Main Street, Hooksett, NH Town Hall Chambers (room 105).

Respectfully submitted,

Donna J. Fitzpatrick  
Planning Coordinator