

**Official
As of 03/09/09**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, February 9, 2009**

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 7:04pm

ATTENDANCE

Chairman J. Gryval, Vice-Chair J. McHugh, M. Sorel, D. Dreffs, B. Ehlers, D. Hemeon, R. Duhaime, Y. Nahikian, D. Marshall, and Town Council Rep. N. VanScoy.
Excused: Interim Town Administrator, C. Granfield, and R. Guay.

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

APPROVAL OF MINUTES OF 12/08/08, 12/15/08, & 01/12/09

*J. McHugh motioned to approve the minutes of 12/08/08 with edits from J. McHugh and M. Sorel. Seconded by N. VanScoy.
Vote in favor. N. VanScoy abstained.*

*J. McHugh motioned to approve the minutes of 12/15/08 with edits from J. Gryval and M. Sorel. Seconded by M. Sorel.
Vote in favor. N. VanScoy abstained.*

*D. Dreffs motioned to approve the minutes of 01/12/09 with edits from M. Sorel. Seconded by R. Duhaime.
Vote in favor. N. VanScoy abstained.*

DISCUSSIONS

**1. ALTERNATIVE ENERGY PROJECT – RAIL SYSTEM
Mark Richardson, CEO of Orbial, Inc.**

Mark Richardson, CEO of Orbial, Inc.: I am from Bedford and President of a non-profit business for infrastructure. There has been quite a bit in the news recently for potential stimulus money. The reason I got involved? There are environmental benefits, and rail benefits (“Red Sox on a Friday night in Boston”). Both answers are missing the point. It is an economic generator. It is a social and environmental benefit. When I got this group going it was on a test basis, and I went to the top businessmen (i.e. Dick Anagnost, Doug

Dean, Comcast, CMC, etc.) They provide testament that there is a good economic case to bring the rail system. The same people are coming out with why we should not do this. Their concerns: 1) there is a big black hole when it comes to funding, 2) what will it mean for Hooksett?, and 3) why should we spend the money for people who want to go to Boston? This is the opposite, we want to bring people to Hooksett. Regenerate the areas crying out for development. It is not just about a train station. It is about office spaces, etc. New Hampshire is the 5th oldest state. Young people will pay the tax bill in the future. If we don't put in infrastructure, the young will pay. Can we get the money? We looked at Maine's Downeaster; cost of 8 million a year. Fiscal conservative, I am one. Why would they want to spend 8 million? Trains are full, but they still can't make a profit. Within the next 15 years, it will cost 7 billion in private investments to build it up. Regenerating could bring 40,000 new homes, and 6,000 new office spaces. That is 160% return on the investment in 15 years. It is part of the business infrastructure to bring in private developers in the future. Arguments together, the private businesses said they get it. I am working carefully with the Rail Transit Authority (Mike), and I also spoke with Commissioner Campbell. The Commissioner is heavily involved with getting the stimulus package money. That is something I am working on. I ask you to think what kind of affect this would have on Hooksett. The rail system would go all the way through to Concord. Nashua and Manchester have already been on the map. If it goes to Concord, it would go through Hooksett. This is clever, smart development. That is why I am here. I am giving you an update on the private sector.

J. McHugh: For a lot of years, the rails were the way to go. Do you not feel a lot of opposition due to adding more lanes to Interstate 93 further North? That is where the thrust of the money will go. I am a firm believer of the rails, especially with the auto accidents lately. How many places can we put the money? How much has the federal government put money into Interstate 93.

M. Richardson: It is not a roads vs. rails argument. I don't think everyone should stop driving his or her cars. It is a question of using resources wisely. Coming from London, the roadways went from 2 lanes to 4 lanes to ease congestion. Then the 4 lanes got congested, because drivers used the extra lanes as another access way to get from point A to point B. It is a mix of roads and rails. Rails are more direct. One in four individuals in NH are not able to drive. Some is fairness. My overall goal, I hear people say they want NH how it was 50 yrs ago. Back then it had centers. This is the way to bring it back.

R. Duhaime: What can we do as planners to bring this back?

M. Richardson: A lot of this is organization. For quite a long time, there were just a couple of guys running around on this. In the end, I created a non-profit (advocates) to get people to start talking amongst themselves on this. Now we have Concord talking about this at their regional planning. The skill is to put a small group (2-3) in a room to determine how to move forward. We need to get someone like myself, and the Mayors of Manchester and Concord to determine how we can move forward on this. The NHDOT, the Governor, democrats and republicans all want to do something. People generally distrust the government. Newspapers may turn this around and say what a waste of

money. Studies show 90% of people in NH are in favor of this. The majority of people say this is the way to go. To answer your question Robert, get the community's opinion.

M. Sorel: Where does the issue of funding come into this? Isn't it true rails are not profitable. Each time a gallon of gasoline is purchased, there is a tax on it.

M. Richardson: The Federal Government paid 66 billion on roads last year. The idea roads are covered by taxes is not true. My argument, if you ask car drivers to pay the real fund of the road, it is a public service. As far as paying for rails, the state has to pay for it. However the capital costs, 100% stimulus or match, we still have to pay for ongoing services. It is a 5-6 million cost a year (for years 3 onwards). I can't speak for the government tax incremental financing, because of the railway system you will get new development (portion to the rail system). People's individual taxes do not go up.

J. McHugh: You were talking earlier when you first made this presentation that you are trying to develop arguments why you should or shouldn't do the rails. What is the impact to the environment?

M. Richardson: 250 people on trains vs. 250 in cars are less of an impact on the environment. I don't think people care about the environment as much as they care about the cost. I think we should look about the value something is. That argument is changing. The value here for economic impact to a community far exceeds the 5-6 million in costs.

J. McHugh: This should be brought forward as information vs. arguments.

2. PARK PLACE – PROPOSED MULTI-FAMILY David Garvey, President of Garvey & Company, Ltd.

Dave Garvey, President of Garvey & Company, Ltd.: Distributed site map and informational packet. I had a discussion with Jo Ann. This is a site that has an existing use producing revenue. The owner would like to change the use and still produce revenue. We would like to change the zoning. Multi-family is not allowed in this zone. The idea is to change the zoning for the back part of the lot. Behind the lot, there is substantial single-family residential. This could become transitional. Multi-family, as far as revenue, can be a little bit better than commercial in some instances. The problem with the site, if you look at the map, it is too small to do anything large, and too large for the smaller guys. Our proposal is better tax wise. You have the packet in front of you. You can take it home and read through it. There is a transition zone, business, multi-family, and single-family residential areas. Multi-family is residential based. The other point you can work towards is workforce housing with the state pushing what they passed. Tonight is just a brief discussion. Exhibit A in your packets has some of the numbers. If you think our proposal is a good idea, we can proceed.

J. Gryval: The best thing is for us to go through it and have a discussion.

D. Dreffs: What would happen with the current residents?

D. Garvey: If multi-family, they can rent here as well. The long-term plan is to take the back units off-line, and leave the stuff in front on-line. Move the front to the back and make the front commercial.

J. Gryval: Is workforce housing definitely going to be in this unit?

D. Garvey: We have to work all the numbers. It is something we want to work towards.

D. Marshall: What is the acreage?

D. Garvey: 2 acres in back, and 1 acre each for the two front lots.

D. Marshall: 96 units on 2 acres of land? You may have a problem with putting in 48 units with our regulations.

M. Sorel: On your Exhibit A, the “*”, where is this defined?

J. McHugh: The “*” is for tax revenue.

R. Duhaime: You propose putting in the multi-family first. We have enough housing in Hooksett already. I would like to see the commercial lot in front first, and then redevelop the back.

D. Garvey: In this area, commercial is there, but it is not ripe yet.

R. Duhaime: I noticed you have two (2) separate commercial lots. Is one of these lots doable?

D. Garvey: We need to establish cash flow first. We are trying to market something better.

J. Duffy: I suggested Mr. Garvey come in and speak with you. He only has until Wednesday to petition the zoning. I was thinking more of rezoning the back part of the parcel to HDR. If you want, hold discussion until later this evening.

J. Gryval: We are in the process of taking residential out of the PZ.

J. McHugh: We couldn't even begin to do this. If he needs a petition, the Board will have to vote. He is providing options, but no conceptual idea.

D. Garvey: My first step is to go to the Board and ask what you are thinking.

J. McHugh: Right off the bat, you can drop it off the table. The first and second buildings have too many units. Then another issue, would the community be in favor of something like that. That is another question. As far as another, for the commercial area,

what are you talking about for a project?

D. Garvey: No commercial project at this time.

J. McHugh: We don't have enough meat to talk about this.

D. Garvey: Currently there are 46 units.

R. Duhaime: Now you are asking for skirting this?

D. Garvey: We could ask for a conditional use. We have some of our proposals in the seacoast. They are permitted in the zone with just some conditions of use. The question today is where are you on this proposal?

D. Dreffs: I agree with Joanne. We don't have enough meat. This is an opportunity for us to better this site.

M. Sorel: We are going towards workforce housing year after year. We lost many units when Mt. St. Mary's converted to condos, and we lost some Section 8 housing. That part of affordable housing was lost. There is sewer, water, gas, transportation, etc.

J. Gryval: We have to give this a lot of consideration. In no way will the Board be able to give you an answer by Wednesday.

D. Garvey: The Wednesday deadline was for the zoning petition. We just wanted to get your opinion. If it is not this year, it is next year. You have the public hearing about the subdivision in that zone.

J. Gryval: Thank you very much for this discussion tonight.

COMPLETENESS & PUBLIC HEARING

3. THORNTON, LETENDRE & LIEBEL – CONDO (#09-01)

1158 Hooksett Road, Map 39, Lot 39

Amended condominium site plan for proposed changes to consist of the division of the convertible land shown on the previous site plan into common land. For convertible land A and convertible land B, no changes are proposed to the units themselves.

Joe Wichert: I am the surveyor who prepared the plan and I am here on behalf of Hooksett Road condos. We have been in front of this Board 2x in the last year. One time was for a 2-unit condo conversion (unit 1 is the log cabin, and unit 2 is the small building in the ear of the property). In November 2008, we submitted a site plan for improvements to unit 2 for Mark Johnstone's shuttle/courier business. The reason for tonight is similar to a lot line adjustment. During the transaction, Mr. Johnstone's intent is to purchase the property. In November/December, he wants the rights to improve his properties if he

wanted to expand his business. There are minor amendments to the condo docs for the common land and future development. I talked to Jo Ann at the end of December. Hooksett takes condos before this Board. The change this evening was for the plan approved in 2008 for convertible land at the rear of the property and the existing foundation North of the log cabin. We added a strip of common land between the foundation and unit 2. Unit 1 could access this land. Convertible land A is in the front of the property; the area where the foundation is. Convertible land B is where Mr. Johnstone would purchase.

J. Gryval: Questions on completeness? Jo Ann?

J. Duffy: It is complete.

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

Waiver #1 Part IV, Appendix II: Checklist for Subdivision Approval. J. Gryval:
Received and read the waiver into the record.

***M. Sorel motioned to grant waiver #1. Seconded by D. Dreffs.
Vote unanimously in favor.***

M. Sorel: In the Town Planner Comments it states “Staff recommends approval w/condition that condominium documents be approved prior to signing and recording of the plans”. Approved by whom?

J. Duffy: Reviewed and approved by the Town Attorney.

M. Sorel motioned to approve the plan conditional:

- All review fees are paid-in-full
- \$75.00 LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 2 mylars, 8 paper copies (22x34), 1 paper copy (11x17), and 1 digital
- Town Attorney review and approval of condominium declarations
- 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.”

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

J. Duffy: I have received an e-mail from the Building Inspector for the Granite State Shuttle Service. Granite State has occupied the site for storage, etc. What happened was, the Building Inspector issued electrical permits for the 4x lights. The applicant is moving

in and thought he was all set to go. So he moved everything in. Now the Building Inspector is asking if the Planning Board wants to shut the site down. Dan was at the site to check the lighting, but the trucks are in the way. He will go out tomorrow night after the vehicles are moved. We are still waiting for bonds. I think the applicant knows what is required. I think the permit should not have been issued in the first place.

J. McHugh: The only thing that concerns me, the last discussion on this particular site had a myriad of different issues. I hope that if we allow them to continue, that all issues have been addressed. They come here and get our blessing, and they do what they want. You have to do what you agreed to do. You should not have the attitude to bad so sad.

J. Gryval: How long will it take to get the conditions in place?

D. Tatem: We need the bonds.

J. Gryval: Give them a week or shut them down.

Mark Johnstone: If not here in a week, you will shut us down?

B. Ehlers: It is Town liability if we allow you to go forward.

J. Wichert: When we were approved in December 2008, we had a certain model of lights. They are not in stock or are no longer made. Dave Scarpetti, Jen McCourt, and Dan are working on alternatives. It was oversight that we did not call Dan before the building permit. When we pulled the building permit, he was upset. Mr. Johnstone replaced the paneling with sheet rock to paint over it. There is a built in cooler. There were 2x4s on the ground. The Building Inspector thought he was doing work without a permit. He listed the problems (sheetrock without a permit, 2x4s for extra construction, no smoke detectors, face plates to exit signs missing, and 4x4 post currently for electrical service and he wanted this to be a steal post). Mr. Johnstone has agreed to do this. We already posted \$1,900 for Stantec reviews. To get the CO, 1/3 will run into 100% surety. \$4,500 is the only surety not provided. Mr. Johnstone did not change any electrical. He has agreed to change the hard wire.

M. Sorel: The bond issue should come to a final resolution. Bonding is critical.

J. Wichert: The only bonding we didn't pay is the bonding for the CO.

R. Duhaime: Mr. Johnstone is already using the site?

J. Wichert: He is just using the site for storage.

Open public hearing

No comments.

Closed public hearing

J. Gryval: Dan, will a week be enough time to get this done?

D. Tatem: The owner says he could have the money in tomorrow. As far as Peter's issues, I can't comment on that. I don't know if electrical is a safety concern. Are they going to function without a CO?

J. Wichert: Would it be possible to post some kind of bond for the PSNH time?

J. Gryval: We don't have anything to do with the CO. You have to take it up with Peter. I don't like it in operation without the CO.

J. Wichert: We are parking the vehicles there, because the lease where they were ran out on February 1st.

M. Sorel: It wouldn't be a reasonable extension for the safety of the community and the conditions of the COE.

J. Duffy: The COE is asking the Planning Board if he should start enforcement.

M. Sorel: What does he mean by enforcement?

R. Duhaime: Close the site.

M. Sorel: There has to be a balance.

D. Dreffs: I think it is reasonable for them to park vehicles, as long as they are not using them.

D. Tatem: Parking vehicles should be defined.

J. Gryval: If they park them there, they are going to use them. Using them without a CO is what bothers me.

J. Duffy: The CO is to occupy the building, not the parking area. According to the COE, the applicant was not aware he needed a building permit.

J. Gryval: If no CO, you cannot operate a business out of the office. Why are they parking all the vehicles for the business?

M. Johnstone: Yes, vehicles for the business. The vehicles are being used, but not the office. I did not know when we put the sheetrock and painted that we needed a permit to do that.

J. Wichert: When Dan and Jen checked the lighting for the East, South and West sides, they are in compliance with the plan. Dan could not do the North side. It should be

consistent with the other sides.

D. Hemeon: What will the building be used for?

J. Wichert: A dispatch center with business hours 8:00am-6:00pm.

M. Sorel: There is an offer for the additional bond. I don't understand why we can't accept that offer.

J. Wichert: If the Board will allow us to park vehicles with the lighting in place and bonds in place, then the building will not be operational until the CO.

J. Gryval: You are not just parking vehicles, you are running your business.

M. Johnstone: We are not running the business. Employees are just parking their own car and taking a shuttle car.

D. Marshall: Right now, dispatching is out of the Manchester office?

M. Johnstone: That is correct.

D. Marshall: They are using vehicles from this site.

D. Hemeon: Does Peter have an issue with vehicles being parked?

J. Duffy: It is an issue with no CO.

J. Wichert: We haven't paid in advance for the CO.

D. Hemeon: I would hate to pit the Planning Board to the Building Department. It would be nice if Peter was here.

D. Dreffs: Peter is looking for a decision from us.

*M. Sorel motioned for vehicle parking only, a 2-week extension, and the \$4,500 bond due no later than February 10, 2009 to obtain the Certificate of Occupancy. Seconded by R. Duhaime.
Vote unanimously in favor.*

PUBLIC HEARINGS

4. 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

John Wight: I represent Ridgeback Self-Storage. Does the Board have any questions for me?

J. Gryval: Does staff have any comments?

J. Duffy: Stantec reviewed plans and have over 70 comments. We contacted the engineer and suggested a meeting with staff and we are waiting to set that up. This is a public hearing.

J. Wight: We would like to get any public hearing comments, so we can add them into Dan's comments to get the plans updated.

J. Gryval: The only thing we can do is continue this public hearing.

J. Duffy: There is also a Conditional Use Permit (CUP) and they need to make an appointment with the Conservation Commission, which they haven't done yet. We need signage, building, and landscaping for the Aesthetic Committee meeting.

J. Wight: Those things have to be done prior to public input?

D. Marshall: Jo Ann, enlighten us on how they are meeting the frontage requirement.

J. Duffy: It is a lot of record. It is an existing lot subdivided years ago. There is 50 ft of frontage on Hooksett Road.

D. Marshall: How did we create a substantial lot?

J. Duffy: I am not sure.

D. Marshall: The right-of-way for a road, this is being used as a driveway?

J. Duffy: For Rte 3, they got their DOT permit. I spoke with Bart. It doesn't need a variance. That came up a couple of weeks ago.

J. McHugh: Was that in the original plans for Granite Hills? How did that all come to be?

J. Duffy: Does the owner of the shops still own it?

J. Wight: Yes.

J. McHugh: If Granite Hills still owns it, why couldn't you get access?

J. Duffy: It is the Granite Hill Shops, not the condos.

D. Marshall: The original approval was a right-of-way for a road. The intent (1) access is by building a road to Town standards and providing frontage **OR** (2) Thames Road would be the access road, but it is a private road.

J. Duffy: A few years ago when this all started, the condo association would not allow any access from Thames Road.

D. Marshall: You need to build a road to Town standards with a public street and provide frontage. That said, if the Town Attorney rules differently, I will go with the attorney's ruling..

R. Duhaime: Our attorney failed to give us advice a few years ago. How can we make a conforming lot, if the owner owns both lots?

J. Duffy: If the ownership is in the exact same names, then we can make it conforming. If not, then it is split zoning. That didn't go into our zoning ordinance until 2004. This lot was sitting there before then. A non-conforming building lot must merge if it is in the same ownership. If it is not, it is split by the zone line thus creating a split lot.

R. Duhaime: Could you look into the ownership on this?

Open public hearing

Joe Claridge, Granite Brook Mobile Home: You want to erect a 3-story building behind houses on Gary Avenue. How much of a buffer is there?

J. Wight: 40 ft buffer.

J. Claridge: What about the driveway and landscape screen?

J. Wight: We gave them to the higher standard. It is in the PZ.

J. Claridge: For water, 2 yrs ago, there was a bridge through the brook. This is a big concern of Granite Brook Mobile Homes, because we have to replace our culverts right now. How much will this impact the water through the Granite Brook and through Rte 3?

J. Duffy: As of part of the application, they need to submit a drainage study.

Nancy Desrocher, Gary Ave. resident: There are 14x homes his property will back up with a building and lights with just a few trees for noise levels. Could he put up some sort of fence?

J. Wight: Yes, there is a fence on the plan.

M. Sorel: Are we still looking at the letter with 75 issues?

R. Duhaime: Could we have the 1986 approval of the non-conforming lot for the next meeting? And any conditions?

J. McHugh: For follow-up, that particular plan would be needed to see what was approved. Did the Town Attorney have that plan for his review?

J. Duffy: No, he had what is in front of you today. He considered it a lot of record. A condition is to merge the lots.

J. Wight: In addition to the 75 issues, is that driveway access still an issue?

J. Gryval: Yes.

J. Wight: In what regards?

J. Gryval: We have to look up the old plan to see if it was approved as a driveway or frontage.

J. McHugh motioned to continue application to March 2, 2009. Seconded by R. Duhaime. Vote unanimously in favor.

Continued to March 2, 2009.

- 5. 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

D. Dreffs: I am stepping down from this application.

J. Gryval: B. Ehlers will vote in D. Dreffs place.

Jeff Kevan, TF Moran: The house is a change of use from a residence to office space. There are five parking spaces; one is handicapped. We are proposing to add one light. We already have wall-mounted lighting. The Fire Chief has submitted an e-mail to work out details on the inside for extinguishers. The staff comments are to add more than one ADA space. From the college standpoint, one ADA out of five spaces is adequate. Another item is the compaction test for additional pavement around the existing driveway. They didn't do compaction, but they can do a core sample and take a test. Other than that sheet #4 for landscaping is due to the relocation of the house, which caused an open section in front of the yard. Now we will add 4x White Spruce Trees. We will replace the wall in time. There is a piece left and we will replace it in the spring.

J. McHugh: There are two houses now on that site. What is the intent of these buildings? You feel you only need one ADA parking space, however it depends on the usage.

J. Kevan: One ADA will be at the registrar's office.

D. Tatem: How many employees?

J. Kevan: I couldn't say for sure. The Brown Building had a couple of employees.

D. Tatem: A normal site plan would have the number of employees. We thought there should be two ADA spaces, but we did not know how many people would be coming and going.

J. Gryval: Is there plenty of parking in the area?

J. Kevan: Yes.

J. Gryval: Then it would not hurt to put in two ADA spaces.

J. Kevan: There are 1-2 employee parking spaces on site and others as visitor spaces.

J. Gryval: What are the rest of the comments?

D. Tatem: The Fire Chief is working out the details. As for the compacting testing, this is a requirement of the Town. The site work went ahead of the typical monitoring. It would more a principle to do the testing for 50 ft of paving (this is minor). It is your call if it should be done or not.

D. Marshall: It is not necessary for the testing.

D. Hemeon: This is a totally private property.

D. Tatem: Also, there is the stonewall per Jeff's comments.

R. Duhaime: For the landscape design, I prefer to have odd numbers. He gave me 4x trees, and I automatically said, "Can you give me 5x trees?" Place them a little closer to the wall; more in row with them.

D. Hemeon: The house they moved (sub pump from the street), they made a swale on their property. I am waiting for spring for the wall. I don't want water into the road.

J. Duffy: The stonewall is a boundary wall. Where the wall has been removed on the plan, it states to replace with boulders. I would like this note changed to state that the wall will be replaced with "in kind" reconstructed to its original condition.

J. Kevan: We will make the note change.

J. Duffy: The existing house has a CO for an office building. Now the house has been moved over. Now you are looking at the whole thing as the site plan, not just the moved house. This is one site plan for both buildings.

J. McHugh: And these houses/buildings were considered residential before.

R. Duhaime: How many acres are on this lot?

J. Kevan: 5.4 acres.

R. Duhaime: With this many acres, they will be back before us in the future.

Y. Nahikian: Have you checked with the Fire Dept. for sprinklers?

J. Kevan: Yes.

J. McHugh: In the future, they will have to be dealt with in the plan.

Open public hearing

No comments.

Close public hearing

J. McHugh motioned to approve the plan conditional:

- All review fees are paid-in-full
- \$25.00 LCHIP check payable to Merrimack County Registry of Deeds (MCRD) is submitted to the Planning Dept.
- \$750.00 check payable to Town of Hooksett for Stantec review fees (\$483.00 in outstanding fees + \$250.00 estimated to complete reviews)
- 2 mylars, 11 paper copies (22x34), 1 paper copy (11x17), and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction (see letter dated February 4, 2009 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Manchester Water Works stating they have capacity and approve this project
- Revise stone wall note on plan to state "stone wall will be replaced with "in kind", reconstructed to its original condition"
- Landscape plan to state 5x trees
- Revise plan to show 2 ADA parking spaces
- *Applicant agrees to remit \$16,010 in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39 (Impact Fees: Roadways: \$1.54 x 6,562 sf = \$10,105; Public Safety: .90 x 6,562 sf = \$5,905. TOTAL: \$16,010)
- 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."

Seconded by M. Sorel.

Vote unanimously in favor.

OTHER BUSINESS

6. SNHU – DINING FACILITY (plan #08-12)

North River Road, Map 33, Lot 67

Proposed addition of patio area.

D. Dreffs: I am stepping down from this application.

J. Gryval: B. Ehlers will vote in D. Dreffs place.

J. Kevan: We are proposing a 48x25 outdoor patio. We could close it off for private functions. It is walled in at grade. Does this proposal warrant a site plan approval?

J. Gryval: Staff comments?

J. Duffy: No site plan is needed, however a drainage study should be reviewed by Stantec. The Fire Dept. will need to comment on the plan.

D. Tatem: Jeff, one drainage note for impervious.

J. Kevan: We would pick it up and dump it in the loading area.

D. Tatem: Don't submit a full drainage study, just that one spot.

J. McHugh: Dan, do you have any issues or concerns?

D. Tatem: No. As long as comply with the Building Dept. inspections for handrails, etc. And meet the aesthetics, because it can be seen from the road.

J. McHugh: I was asking to see if other colleges or universities have any issues relating to this.

B. Ehlers: There will be a patio and people sitting and eating. Do you foresee people cooking out there?

J. Kevan: The patio is not intended for a barbeque area. If it was, we would have to conform to the Fire Dept. for fire exits, etc.

J. Duffy: There was mention that they may possibly be asking for an outdoor stove/ fireplace unit.

J. Kevan: This would not be for cooking.

J. Gryval: As long as the Fire Dept. does not have issues with this, I am OK with it.

J. Kevan: We came to this Board first.

J. McHugh: Are you saying there will be grills out there?

D. Tatem: The outdoor stove/fireplace unit is attached to the building. As part of the building plans, they would have to go to Peter and Mike, before the revised building permit is issued showing the footings, frost walls, and fire code issues.

R. Duhaime: Referred to the landscape comments. I am OK with this.

M. Sorel motioned that the proposed addition of a patio area does not need review or approval by the Planning Board. However, the drainage must be reviewed by Stantec and the Fire Dept. is to review this proposal and submit their comments. Seconded by D. Marshall.

Vote unanimously in favor.

CONTINUED PUBLIC HEARINGS

7. HARMONY PLACE (#08-31)

1621 Hooksett Road, Map 14, Lot 27

Residential site plan to create a 63-unit older person development

J. Gryval: Harmony Place update, no decision will be made by the Planning Board until the water survey on the hill is completed. We all got a letter from the Fire Dept. with their comments.

Jenn McCourt, McCourt Engineering: Tonight I would like the Board to review the 3x waivers and take public comments. I am leaving the drainage as the last issue. I think we can get everything else completed.

Waiver #1 ADA 1 space every 4 units – request to reduce 16 required down to 12 spaces.

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

J. McCourt: I would be required to have 16 spaces. The ADA requires 2 ADA spaces for each building providing there are van accessible ones. There are 6 more outside. There is building A, B, and C, with a recreation common room. There are 4 spaces, which can also be accessed to building B. The question rolls into the closed parking. This gives us 12 ADA spaces. To add 4 more spaces in there eats into the visitor parking spaces. Each building (A & B) has regular sized parking. If someone wants handicapped spaces, they could have one. Most likely these would be for visitors. We are so far over the ADA requirements. Also building C has 11 extra spaces (2 ADA spaces but only 16 units). My request is to reduce the ADA spaces from your required 16 spaces to 12 spaces.

J. Gryval: Board comment?

R. Duhaime: 12 spaces are sufficient.

J. McHugh: When you said a number of spaces are vacant in the other building, why would don't you have the total of 16 ADA spaces.

J. McCourt: One space per unit in the garages; 2/3 of the total spaces are covered, 1/3 are not (further details in the second waiver request).

M. Sorel: 10% of these units will be built per ADA standards.

J. Duffy: Yes, this is correct.

M. Sorel: How does this apply to the ADA parking?

J. Gryval: Our regulations require 16 ADA spaces (10% of 63 units). She is going to almost double the requirements.

N. VanScoy: Of the 26 spaces in building B, how many of these are ADA?

J. McCourt: 2 ADA spaces are fully accessible to wheelchairs. There are also van accessible spaces in each building. The 10 ft wide spaces are generally wide enough for people with breathing or heart difficulties and they are close to the entrances.

M. Sorel: I need a clarification on the location of the ADA units. Which buildings where these units be accommodated by for ADA parking? She is providing a gross number, but where are the units going to be?

J. McCourt: Every building (A,B, and C) has 2 ADA spaces in the garages and 2 ADA spaces outside the buildings.

M. Sorel: Will there be ADA units in each of the 3 buildings?

J. McCourt: Yes.

N. VanScoy: If there are 3 ADA units required in each building, and only 2 ADA parking spaces, is that going to accommodate the people in the buildings?

J. McHugh: She said there are other ADA spaces outside if needed.

J. McCourt: The requirement for ADA units is 10%. Not all ADA units need these parking spaces.

J. McHugh: If you have an ADA plate/card, the expectation is you are going to use the ADA spaces.

J. Gryval: Are the ADA parking spaces sufficient, yes or no?

J. McCourt: There are 24 units in each of the two buildings, and 15 units in the third building.

J. Gryval: Can you put an extra ADA space in each building and reduce to 25 spaces?

Cindy Lewis, Architect: We do van accessible spaces, if we can get away with 12 ft spaces.

J. McHugh: There are a lot of people that own vans today. Someone who is handicapped will need this space.

J. Gryval: Would the Board like more ADA spaces?

J. McCourt: We will need to ask for a change in the waiver for covered spaces.

M. Sorel: Are these ADA spaces assigned to particular units?

J. McCourt: I would assume if a person warrants the space, then yes.

M. Sorel: Is there going to be a direct link between ADA units and ADA spaces?

C. Lewis: Yes.

J. Duffy: If the parking places are assigned, how many spaces are there per unit?

J. McCourt: 1 ½ spaces per unit.

J. Duffy: 2 spaces per unit is the requirement in our regulations. For older person housing, 6 parking spaces for every 4 units is in the ordinance.

J. Gryval: An enclosed ADA space should be assigned to the ADA unit.

J. McCourt: For the 2x 24-unit buildings, you want 3 ADA garage spaces in each building? And what about the spaces outside?

J. Gryval: Make sure it meets the regulations.

J. McCourt: So you want all 16 ADA spaces. You are not granting me the waiver request for 12 spaces.

M. Sorel: What is the need for this waiver? We require 16 ADA spaces. She is asking for 12 ADA spaces. Don't you have enough property?

J. McCourt: We have enough property. It will take away from the visitor parking. The assumption is there will be 10% handicapped people in each building.

J. Gryval: What is the Board's decision?

***R. Duhaime motioned to grant waiver #1 to reduce the 16 ADA spaces to 12 spaces (applicant agreed to add three additional handicapped parking spaces, one in each garage). Seconded by D. Dreffs.
Vote in favor. M. Sorel opposed.***

Waiver #2 enclosed parking (64.7% enclosed) . J. Gryval: Received and read the waiver into the record.

R. Duhaime: What is the height?

J. Gryval: Lets stick to the garages.

***M. Sorel motioned to extend this Planning Board Meeting to 10:30pm. Seconded by J. McHugh.
Vote unanimously in favor.***

J. McCourt: Referred to the Fire Chief's comments to require 8 ft doors, pipes, and additional hydrants.

D. Hemeon: The hydrants are on a private site, who pays?

J. McCourt: The private site pays.

J. McHugh: What is the fire commander?

J. McCourt: Where the panels are and locked. He (Fire Dept.) inspects it every once in awhile.

J. Gryval: I am glad you came to a conclusion on this.

***M. Sorel motioned to grant waiver #2 for enclosed parking (64.7% enclosed). Seconded by R. Duhaime.
Vote unanimously in favor.***

J. McCourt: For the Grading plan, we lowered the buildings down. We worked with the water department to add a driveway to the water tower. The water line goes into the site, and it shows hydrants. The only other building below will be a very small mailbox area. We are landscaping to the existing tree line. Other change, there is less landscape in the middle, because we flattened out that section for a park area for activities by the residents. We moved buildings and this allowed us to save more vegetation. Cindy can talk about the buildings more.

C. Lewis: As you are driving up, building C is no longer a 3-story building. Building C is a 2 stories, and building A & B remain 3 stories.

R. Duhaime: What is the exterior?

C. Lewis: Shingles in earth tones.

J. McCourt: We have architectural lighting with the bulbs hanging down with a full cut off.

J. McHugh: I am referring to the Town Planner comments for sidewalks. If the easement is there, it doesn't give us the sidewalks. I know Dale is not going to run out and build sidewalks.

J. McCourt: I didn't understand we are building the sidewalk. We will give you easement so you maintain them?

M. Sorel: In the minutes we approved tonight, we stated we would discuss sidewalks at a future meeting. I am in favor of the sidewalks being built now.

J. McCourt: I spoke with my client and he said since the sidewalks would be on our property, we would have to maintain them.

Sonny Sell, owner: The State law says anything in front of a property is the property owner's responsibility to maintain it.

Waiver #3 lighting scale 1"=40' vs. the required 1"=20'. J. Gryval: Received and read the waiver into the record.

J. McCourt: The lighting scale should be 20, however I provided 40 scale.

***M. Sorel motioned to grant waiver #3 for lighting scale of 1"=40'. Seconded by N. VanScoy.
Vote unanimously in favor.***

Open public hearing

Mary Farwell and Jane Ferguson, Beachesne Development residents: What we are passing out for the record is information from the residents on the water titled Water Problem Issues, Beachesne Development, February 2009.

M. Farwell: We were asked by the Town engineer to gather this information. There are very interesting patterns. We did it (packet) in order of the tax map and lot. The first things are feedback from the residents (i.e. Mark Glisson talks about water on his property). There are notes from individual residents on what has been going on with their lots. Then we have the rest in order of the tax maps and lots. Some residents have been there very long (i.e. 1960s). I hope the Town engineer will find this information valuable. There is a surface water study being completed. Can the Town engineer recommend a ground water study be completed?

D. Tatem: We have a proposal for the ground water study. There are several gravel-packed wells. An example is in Nashua, the water table has gone up 18 inches with no development

near it. The water issues could be because of all the rain and not the developments. On the surface, it doesn't appear the properties closest have issues for groundwater.

M. Farwell: Granite Heights was mentioned as grandfathered. Engineers were going to go out to see if they did what they were supposed to per the approved plan. Is this part of the surface water study?

D. Tatem: Within the NPTs permit for the Town, catch basins are to be located. We contacted Holden Engineering for the Granite Heights Drainage Study.

M. Farwell: Someone has been there from the 1960s, and only within the last couple of years has had water issues.

J. Gryval: Check to assure the ponds approved were built per the plan.

M. Farwell: If the ponds were not built per the plan, can you make them?

J. Gryval: We have to ask the Town Attorney on that one.

M. Farwell: If someone comes in with a plan and it is not completed as approved, that is a problem.

D. Tatem: We also looked at change in volume "total water". This site (Harmony Place) decreases in every area except for the Beauchesne area. The Beauchesne area has a 105%+ increase. Jenn and Sonny will detain water at a said cost on their site (preliminary comment). We feel money would be better spent to upgrade off site. Maybe another developer coming in can contribute or use Town money. The groundwater study is more than 1/2 done. We are shooting for the end of February for completion. The preliminary groundwater estimate is \$25,000-30,000. We do not have a proposal on this yet.

J. Duffy: We only have \$5,000 that comes out of my budget for the surface water study. There is no other budget to pay for a groundwater study.

J. McHugh: Is the surface water study going to say anything for recommendations that a groundwater study should be done?

D. Tatem: I am not positive on that. I believe there is a statement. I can look into that and get back to you.

J. McHugh: Jo Ann doesn't have any more money. Where do we go from here for the groundwater study?

D. Tatem: Usually there is a test well. There is not one on these sites. What does a groundwater study achieve? I don't think you can say where the water is coming from. The surface water will show where the water is coming from.

M. Farwell: There are pockets in the neighborhood that are not fine and others that are fine.

D. Tatem: If there was consistency, then it is easier to point out where the failure is. There could be failure in the underground drainages; those need to be replaced.

J. Ferguson: A plug popped out and filled my basement. The house next door to me was built on a spring. My theory is that the spring expanded. It just happened since the big floods. Before that, we had no water. Now we have water. A couple that just moved in on the site with the spring, 2 days later had 12 inches of water.

D. Tatem: Granite Heights has been under construction since 1996. Houses are being affected almost 1,000 ft away. How can Granite Heights affect the Beauchesne Development?

J. Ferguson: One neighbor's land value reduced by \$20,000, because of the water in the backyard. Reevaluating all these homes in the block would cost more than \$25,00-\$35,000 to the Town.

M. Sorel: This would be a Town Council issue.

J. McCourt: We understand there is a drainage problem. We want to know if there is anything else for the rest of the plan.

D. Tatem: Rob, is the landscaping OK.

R. Duhaime: Yes, they added trees from the last time.

D. Tatem: So you are all set?

R. Duhaime: I am all set.

J. Duffy: I can't get an answer from the Building Dept. on the road name.

J. McCourt: We also asked Lee Ann and did not get an answer yet.

J. McHugh: For the ADA units, does there have to be a handicapped person in those units?

J. McCourt: No, your regulations just state the ADA units must be available, but a handicapped person doesn't to have live in them.

J. McHugh: Will the Harmony Place units be for sale or rent?

S. Sell: Right now they will be for sale.

J. Duffy: There are several projects out there with the 10% handicapped requirement. When the time came to review for compliance, no one followed through from the Building Dept.

An example is Jensens who has no handicapped units provided. They are almost done building and they don't want to build the ADA units. The Building Inspector wanted this brought before the Board again, however it is a building issue. I recommend this now be added as a note on the plan.

J. McHugh: The 10% ADA requirement should also be in the condo docs.

M. Sorel: It has to be recorded somewhere, noted in the plan or in the documents.

J. Duffy: It is in our regulations for the 10% ADA. It is not that we are going to add all of our regulations on the plan. I just think, because this is an issue, we should add a note on the plan.

J. McHugh: We had a discussion way back when.

J. Duffy: It is clearly written in the regulations.

J. Gryval: You can't put all the regulations in our plan. It is in the regulations.

J. Duffy: For the CEO, in the future, will the Planning Board say which units will require ADA? The Planning Board doesn't review the floor plans, it is the CEO's responsibility.

Y. Nahikian: Can we sell the handicapped units?

***M. Sorel motioned to continue to March 2, 2009. Seconded by B. Ehlers.
Vote unanimously in favor.***

Continued to March 2, 2009.

8. RAVENWOOD (#06-23)

Laurel Road & Spruce Court, Map 21, Lot 15

Subdivision plan to create a 39-lot open space subdivision. In addition, lots 15 and 15-41 are open space lots.

J. Duffy: I am scheduled to meet with the applicant tomorrow. He hasn't been before the Board in 2 yrs. He has eliminated 6 lots.

George Chadwick, Keach-Nordstrom: This is a 39-lot subdivision. As the Board can see, the road alignment is still the same. There will be 3 phases; Laurel Road to Spruce Court. An outcome of the TRC Meeting(s) was to put in a cistern in the first phase. A cistern will be put in each of the 3 phases). We have all of our State permits. The open space is 70.4 acres (we added 9.3 acres).

D. Tatem: How did you add more open space?

G. Chadwick: We reduced the lots down to get more open space. We eliminated lot 13-3.

We added a 100 ft buffer around the vernal pools and prime wetlands.

D. Tatem: Where are the vernal pools?

G. Chadwick: Pointed out vernal pools on the plan. There is a 100 ft no disturb buffer on the lots. Also 100 ft buffer around that as well. There are a couple of drainage issues to resolve, and we have a meeting scheduled tomorrow to go over these. Any questions or thoughts you want to put in the final plans?

J. Duffy: The Conservation Commission would like to meet again. George has been in contact with Steve Couture. The plans need to show driveways and houses.

G. Chadwick: For this separate 4 sheet set, I can provide this in the plan set.

J. Duffy: The wetland permit says 40 lots. This should say 39 lots. The wildlife study was completed in 2005. I recommend it is updated.

G. Chadwick: The wetland permit 40 vs. 39 lots, does not have an impact. It is only semantics. The wildlife study was reviewed by Stantec. Staff could not find a copy, and we supplied the copy done in 2005. Does the study have to be updated for this project, because of the number of lots we reduced? The road shifted further away from the prime wetland. The location of the main through street has not changed. We eliminated a lot for the wildlife passage. Do we need to go through the exercise to update the report for the lot #s and quantity of lots?

J. Gryval: I assume yes.

D. Tatem: I spoke to the wildlife specialist. He came up with 4 items that need to be updated. I recommend updating just a page, not the full study. Your original wildlife study did not mention vernal pools. It is a simple procedure. It may be semantics, but it is a good thing to update.

G. Chadwick: We will talk more at the meeting tomorrow.

J. Duffy: For Lot 15 open space protection, I think Charles had a conversation and the applicant said the Town should purchase it. Also, the 65-day deadline has expired. This project falls under the old ordinance (similar to Beaver Brook). There are several flag lots with long driveways and 2 lots that share driveways. We should pay attention to the configuration of these lots.

R. Duhaime: Is the open space for the community for a field and kids to play?

G. Chadwick: I believe for Beaver Brook it was asked to have a community area, but not for this project. This plan does not have a playground.

R. Duhaime: Is it required for this subdivision?

J. Duffy: Based on memory, I believe it is a requirement. They negotiated with Beaver Brook. We will have to check the old zoning ordinance.

M. Sorel motioned to extend the 65-day deadline for 90 days. Seconded by J. McHugh. Vote in favor. D. Hemeon and R. Duhaime opposed.

Open public hearing

Matthew Mijal, 120 Farmer Rd, Map 26, Lot 42: Jo Ann, you mentioned the Town should buy Lot 15.

J. Duffy: There is an open space plan in Town for land to be protected. It was the former Town Planner who recommended it be protected.

M. Mijal: Usually a wetland has dead trees. There are a lot of dragonflies and tree frogs on this property. The lower portion of the site plan has more wetland impact. Years ago this project was for 48 homes, now it is for 39 homes. I have a 40 ft well. This past year we had a lot of rain, but the year before that was a dry summer. With all these homes, what is it going to do to the water table, not to mention my well? Most homes will exit out Laurel Road. You have to get out quick to cross onto Rte 27. I am trying to discourage this development. You are going to have a lot of additional homes coming out onto Rte 27. My main concern is the wildlife and my well. I enjoy having the wildlife coming into my yard. What are all these wells going to do to all this land (artesian, dug wells)? If the wetlands dry up, what will happen to the dragonflies and other animals? My neighbor last year sent a petition for the turtles that laid eggs.

Jennifer Kippan, 126 Farmer Rd, Map 26, Lot 43: I agree with everything Matt said. My biggest concern is the water. My basement floods out. My well is not very deep, because of the granite. Then in the summer, really hot summers like last year, sand, and grit go in my filter. If you build these homes, what will happen with the water? Also the wildlife, moose, deer, turkeys, etc.? This area is always filled with hunters. This land has been used for recreation, and hunting. There are trails back there. My issues are water, water drainage, and water levels, unless the Town wants to put water through to Laurel Road. We spent \$1,500 for pump for water pressure.

J. Gryval: Applicant should meet with Stantec and the Conservation Commission.

J. McHugh motioned to continue to March 16, 2009. Seconded by M. Sorel. Vote unanimously in favor.

Continued to March 16, 2009.

N. VanScoy motioned to extend this Planning Board Meeting to 10:40pm. Seconded by M. Sorel. Vote unanimously in favor.

OTHER BUSINESS

9. **WALMART (plan #08-16)**
Commerce Drive, Map 37, Lot 43
Proposed changes to building façade.

Emi Gwen, Architect: I come before you tonight, because we would like to present a color change of the building under construction. We met with the Aesthetic Committee earlier, and the color changes are acceptable. One thing I want very clear and up front is that the 11x17 prints are distorted. The 22x34 example I am presenting tonight are the Sherwin William actual color examples.

J. McHugh: Why are you changing it?

E. Gwen: It is part of Walmart's national initiative that they have established a branded look for their buildings. Originally we came before you with two elevations #1 for the branded elevation, and #2 one elevation that was not branded. You approved the #2 elevation that is not branded. Walmart has really been trying to identify a brand and be consistent across the Board. Examples of branded stores are Lowes, Target, Home Depot.

J. McHugh: The last time you came in we had two building examples.

J. Gryval: What are the Aesthetic Committee comments?

Y. Nahikian: I think it is OK.

R. Duhaime: We (Aesthetic Committee) did see the color changes, it is lighter.

E. Gwen: None of the architectural detail has changed. Only the color has changed.

M. Sorel motioned to approve the color changes to the building façade. Seconded by D. Hemeon.

Vote unanimously in favor.

SNHPC CTAP OPEN SPACE

J. Duffy: The Conservation Commission to looking for volunteers. Refer to your e-mail from Jodi Pinard and contact her if you are interested.

LEGISLATIVE BILLS

J. Duffy: There are bills pending in the legislature that affect planning:

- 1) Wed @ 9:15am = vesting from 4 yrs to 8 yrs
- 2) Last week = impact fees hearing. The same people are fighting this. David Hess is working on this. It is at the House - local and revenue

J. McHugh: Can we get someone to go to the vesting bill?

J. Duffy: I can find out if our representative can attend.

D. Hemeon: What is the impact fee bill #?

J. Duffy: HB 212. there is also another house bill:

- 3) HB156-L Planning Board third party review = have 3 bids, and the applicant needs to solicit written proposals from all 3 parties and have detailed invoices

D. Marshall: Dan is not a third party reviewer.

D. Tatem: For example with this bill, for Town's we work with such as Hooksett, Londonderry, etc., each Town would need to have 3 qualified engineers. The applicant gets a list of these engineers, and requests an RFP. The applicant chooses which engineer they want. The Town has no choice. This would become an RSA.

D. Marshall: Is there anything that says these RFP engineers can't work in Town for other projects?

J. Duffy: It just said "no conflict of interest with the applicant. It doesn't say they can't do work in the Town. This HB156-L was proposed by Representatives Cooney from Grafton, and Patton from Carroll Counties.

MTS SURETY

J. Duffy: Dave McCurdy gave Dale a letter last week for the Planning Board. When the site plan was approved for the MTS golf cart site, he posted a bond at the end because of winter. He had a stockpile of materials to be removed by the end of the building season last year. That didn't happen. He has now taken the materials off the MTS parcel, and moved it to where the house is.

D. Hemeon: He said he doesn't own the property with the house.

J. Duffy: He had an agreement, and he didn't remove it. He walked in the other day after a conversation with Dale. The bond was posted by Continental paving (they covered the bond). He would like the bond returned. The site work is completed, and the fill has been removed from that lot. The remaining fill is not on property owned by him or MTS associates. I believe it is in a trust. Equipment needed; one tri-axel dump truck. Peter said "MTS was to have this removed by winter. To date it is 50% removed. I busted him because they filled the wetland on Hackett Hill Road". The material has no value. Maybe he could flatten the pile and seed. Per Stantec letter, the bond should not be released.

D. Hemeon: The bond that he sent to the Town is illegal. It has something in the bond language that he could cancel it when he wants to. I feel bad for Continental. They put up

the bond. One guy hauling material up Hackett Hill Rd, what if he halls the material down Cross Road? One truck every “x” time?

J. Gryval: Don’t we have a COE to take care of this. Keep the bond in place.

M. Sorel: I am not in favor to make a decision tonight.

M. Sorel motioned to continue the MTS Surety to March 2, 2009. Seconded by R. Duhaime.

Vote unanimously in favor.

SCHOOL BOARD – MSG

J. Gryval: Recently, I read an article in the paper about the School Board and Manchester Sand, Gravel & Cement Co.

ARLEIGH GREENE – FUTURE FIRE DEPT. SITE

J. Gryval: We should send a letter to the ZBA that we are supportive of their follow through with Arleigh Greene for the future Fire Dept. site.

M. Sorel: This is the Town Council responsibility.

R. Duhaime motioned for a letter to the ZBA that the Planning Board is supportive of the ZBA follow through with encouraging Arleigh Greene to provide land for a future fire station as he agreed to do per his Planning Board approval for the Exit 10.

Seconded by D. Dreffs.

Vote unanimously in favor.

MAURAIIS LETTER

J. Gryval: Received and read the Maurais letter.

ZBA CONCEPTUAL PLANS

M. Sorel: The January 13th ZBA Minutes, there was a motion to continue to a date uncertain for the Nancy Lane special exception. Peter Rowell suggested a joint meeting with the Planning Board and the ZBA to encourage the applicant’s conceptual plan. I don’t think the applicant has been made aware.

J. Duffy: I don’t think the ZBA should meet on a conceptual plan. The ZBA should not be sitting down as a judicial board on a conceptual.

ADJOURNMENT

M. Sorel motioned to adjourn at 10:40pm. Seconded by B. Ehlers.

Vote unanimously in favor.

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 10:40pm. The next Planning Board Meeting:

- public hearing for zoning amendments, Monday, February 23, 2009
- regular meeting, Monday, March 2, 2009

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator