

**Official
As of 07/13/09**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, June 15, 2009**

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 7:03pm

ATTENDANCE

Chairman J. Gryval, Vice-Chair J. McHugh, D. Hemeon, D. Marshall, R. Duhaime, M. Sorel, Town Council Rep. N. VanScoy, and R. Guay (arrived 7:10pm).

Excused: Town Administrator, C. Granfield, D. Dreffs, and B. Ehlers.

Absent: Y. Nahikian.

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

J. Gryval: D. Marshall will be a voting member this evening in the place of D. Dreffs.

APPROVAL OF MINUTES OF 06/01/09

J. McHugh motioned to approve the minutes of 06/01/09. Seconded by D. Marshall. Vote in favor. M. Sorel abstains.

DISCUSSION & WAIVER REQUESTS

**1 & 2 MANCHESTER SAND, GRAVEL, & CEMENT (MS&G) – HEAD’S POND
(plan #07-05 & 07-42)**

Peter Holden, Holden Engineering

Map 3, Lots 1 through 11, 17, 19 through 24, 26 **AND** Map 14, Lots 2 through 5

M. Sorel: I am stepping down from this application.

David Campbell, Attorney for MS&G: Thank you Mr. Chair. Tonight, here with me, are Ron Corriveau, MS&G Project Manager & Bill Rossignol, Holden Engineering. We have some technical waivers in nature.

Waiver # 15 - Hooksett Development Regulations, Part I – General Development Regulations, Article 11 – General Requirements and Design Standards: Section 11.16 – Electric Power, Telephone, Cable Systems, and Street Lighting, Page I-45 is a technical waiver.

Waiver #18 Hooksett Development Regulations, Part I – General Development Regulations, Article 11 – General Requirements and Design Standards: Section 11.12 – Street System, Page I-28 Street Trees; and Part III, Non-Residential Site Plan Regulations, Page III-6, Front Landscaped Areas solidifies what we said the last time we appeared before this Board. We will alternate 2x trees on the common (Maple and Dutch Elm), 2x on every lot, and the nearest 50 ft of frontage on the lot.

J. Gryval: If they (Aesthetic Committee) are happy, we are happy.

R. Duhaime: There has been no meeting with the Aesthetics Committee. You don't put Maple trees facing west. Five (5) trees will work in that area.

D. Campbell: **Waiver #19** Hooksett Development Regulations, Part I – General Development Regulations, Article 16 – Outdoor Lighting Standards: Section 16.05 – Parking Lot Lighting, Page I-62, item 4a, Joanne McHugh brought up lighting in the parking areas. Jo Ann and Dale have been working very closely on the safety needs at night.

R. Corriveau: Since the last meeting, we have met twice with Jo Ann and Dale. We want to balance the lighting of the common area for what it is, and still not kill the residential people living there. Distributed a photometric plan to the Board. The light transmits, and I wanted to see that on a photometric value of how far the light is traveling out. I know Joanne, that you had asked us what is the dark area, and what is the dark-dark area. On your plan, with the header down, the common area is at the top. The last largest contour line has a .01 ft candle lighting. The red area is zero lighting; no sense of light. We have covered lighting greatly, a good chunk if, but not all of the parking. We have balanced it quite well. There are bollards, and the wall tags on the gazebo are switch operated (these are not on the photometric plan). At the last meeting, we distributed a full packet of Halophane lights and bollards. Each bollard will have a receptacle in it for whatever you choose to use them for (i.e. plug in Christmas Tree lights). Also, the lights have knock-outs for the receptacles. In talking to Dale, at minimum the four (4) corner lights will stay on. The remainder will be timed with the curfew. They will be on a photocell with a timer or manual operation. I didn't throw on a condowit. In a lighting discussion with Dale and Jo Ann, Dale was not in favor of lighting in the common area. He thought it would be in the way. This is what we would like to move forward with for lighting. The double-parking area is covered well, and the single parking area is covered and in good shape. .01 ft candle lighting on the buildings, in lieu of .02 or .03 foot-candles per the ordinance.

J. Gryval: Staff comments?

J. Duffy: I went over this with Ron. He explained that since this (common area) is going to be turned over to the Town, Dale is being cautious of the cost to maintain the common area in the future. I assume the other parks in Town do not meet the lighting ordinance.

D. Hemeon: Our parks do not come close (to meeting the lighting ordinance).

J. Duffy: Now that we have an ordinance in place, if someone went out to the common area and fell, could they claim their injury? Maybe if you approve this waiver, you should give solid reasons why.

J. McHugh: The path in the middle, what is the distance from one end to the next?

R. Corriveau: 300 ft of width, and 200 ft in the red area east to west.

J. McHugh: Bollards, can they have 3-way bulbs?

R. Corriveau: They have 100 watt metal lights; no dimmer option.

J. McHugh: The only reason I bring that up is, exactly what Jo Ann is saying, you have parks in other areas of Town. There should be solar lighting or something on.

J. Duffy: Dale, what are the park curfews?

D. Hemeon: All Town (Hooksett) parks have a curfew 9:00pm to 6:00am. I don't want lights on in a park at 11:00pm at night. That is the reason for no post in the middle. It takes away from the field effect. Another thing, people can wreck and break the posts. It is a park, and I want to keep that look. You don't want people playing Frisbee at 11:00pm. This is a thousand times better than other parks.

J. Duffy: Can you have a curfew from dawn to dusk?

D. Hemeon: That would be up to the Council. Our parks currently are at 9:00pm.

J. Duffy: In winter, it gets darker earlier.

D. Hemeon: Maybe Nancy can bring this subject back to the Council.

J. Gryval: Before the residual, we can act on the waivers. Do you think we need an explanation on the lighting waiver?

R. Corriveau: We did put an explanation on the waiver. Does it need to be amended?

J. Gryval: **Waiver #19** Hooksett Development Regulations, Part I – General Development Regulations, Article 16 – Outdoor Lighting Standards: Section 16.05 – Parking Lot Lighting, Page I-62, item 4a, lets see if staff is OK with your reason.

R. Corriveau: Read the reason for Waiver #19 into the record.

J. Duffy: Our lighting requirements are for parking lots. Your request is for parking and a park.

J. Gryval: My main concern, is the staff satisfied with the way it reads?

J. Duffy: I think it is OK.

D. Tatem: One comment on the guardrail (Waiver #17), I had a conversation with Holden's office last week for a minor change in the waiver. The waiver presented is a blanket waiver on the entire project for slopes steeper than 3:1. When I talked to Bill (Rossignol), it (waiver) should only be in the area where there is the clear safety zone. The way it (waiver) is written now, you are asking for a waiver for the entire site.

B. Rossignol: We put that information in the reason section of the waiver.

D. Tatem: Then the reason should also be up at the top section of the waiver.

D. Campbell: We will take the last sentence to amend **Waiver #17**, so that it is also added to the top of the waiver.

D. Hemeon motioned to grant waivers:

- A) **#17** Guardrail needs, found in the Town's "Standard Specifications for Construction", Part II; page 46, 1.01 Work Included: Guardrail is required on all slopes greater than 3:1 and as ordered by the Hooksett Highway Department. ***This waiver to be amended to add the last sentence (clear zones) of the "reasons" section to the above section of the same waiver request & submitted to the Planning Dept.***
- B) Hooksett Development Regulations, Part I – General Development Regulations, Article 11 – General Requirements and Design Standards:
 - **#18** Section 11.12 – Street System, Page I-28 Street Trees; and Part III, Non-Residential Site Plan Regulations, Page III-6, Front Landscaped Areas
 - **#16** Section 11.13 – Drainage Design Criteria, Item 1 – Definitions, Page I-32 (Forebay)
 - **#15** Section 11.16 – Electric Power, Telephone, Cable Systems, and Street Lighting, Page I-45Article 16 – Outdoor Lighting Standards:
 - **#19** Section 16.05 – Parking Lot Lighting, Page I-62, item 4a

Seconded by D. Marshall.

Vote unanimously in favor.

D. Tatem: Lighting Timers, etc., I assume you will talk to Dale for the final design criteria?

R. Corriveau: Yes, we will discuss the final lighting design criteria with Dale.

D. Campbell: For vesting, we met with Bart and staff. I haven't seen anything back, and I assume we will work on this in the near future.

J. Duffy: We have a draft of the Development Agreement and sent it back to Bart today for review. Then, after Bart's review, we will bring it to the Planning Board.

D. Campbell: And Jo Ann, we will meet before the Planning Board about the painted crosswalks.

R. Corriveau: Dale, show all the crosswalks painted; I am neutral on the issue. We are going to show them all on the plan set. What the Town chooses to do with them, is up to you.

D. Tatem: It is a budgeting issue to repaint crosswalks. We recommended to at least get them painted the first time so that they could last a couple of years. If the Town chooses not to paint it first, then don't show them painted on the plan.

J. Gryval: There is nothing unreasonable for us to ask you to paint them.

D. Campbell: We have no problem to do that.

D. Hemeon: The big picture is that it is costly to repaint. Once it is painted, we are obligated to have it redone. This Board approves things like this, but the Town doesn't give me the money to maintain.

D. Campbell: We can show them on the plan (which ones are up to the Town body at the time of construction).

D. Hemeon: I suggest you put them on plan, and then we can pick through them and decide.

R. Corriveau: Put them on the plan, and then we can do a field change if necessary.

J. McHugh: I have a question for Dale, I understand where you are coming from, but if that is the way you are approaching that, what I am saying, if crosswalks are needed, we should indeed put them in. As far as the budget, I know what you deal with, and it is frustrating. The Budget Committee needs to factor this in.

D. Hemeon: Previous Town Councils have told you what they thought about crosswalks. If you are going to have all this stuff, then you should go before the Council to fight for it. I have no problem plowing sidewalks. How many crosswalks are there?

B. Rossignol: There are 30 crosswalks through this development.

J. Gryval: How many are necessary? Could you put something more permanent that paint?

B. Rossignol: A ½ dozen located at the bus stops.

R. Corriveau: Showed the cross walks on the plan. I don't know what you are talking about for something more permanent, however it would cost more money than painting a crosswalk. Sidewalks are requirements to have a tip down with painted crosswalks.

D. Campbell: With your permission, we will put them (crosswalks) on the plan.

D. Tatem: Who makes that decision?

R. Corriveau: We will work with Dale.

D. Campbell: If we take them off, then we would have to go back to the Planning Board and request a change.

D. Hemeon: If you want them all, show them all.

D. Campbell: If we put them on the plan, whom should we reach out to?

D. Hemeon: If the Planning Board is approving this stuff, this Board needs to go to the Council to fight for this.

R. Duhaime: I will try to help you Dale.

D. Marshall: I agree with Dale to show the crosswalks on the plan, but before you show them, someone (applicant) needs to go to the Council and explain the need for them. If they don't want to do that, then let the Planning Board know.

D. Campbell: Do you want us to handle it internally?

J. Duffy: If there is no crosswalk, and someone gets hit by a car, who is liable?

D. Marshall: If there is no crosswalk, we are not liable. If there is a crosswalk, and it is not maintained, then we are liable.

D. Tatem: METCD Standards are striped crosswalks for traffic control, and at every sidewalk a tip down is needed.

R. Duhaime: Leave them up to Dale.

D. Marshall: The crosswalks should not be approved, without Council input. Do all 30 crosswalks meet that requirement?

D. Campbell: If not, it is in the Town ordinance.

D. Tatem: They are not in the ordinance. There is a statement that all roads meet standard road criteria. I don't know the answer for ASHTO requirements.

D. Hemeon: Can you send me where the requirement is for the tip down?

D. Tatem: Sure.

D. Marshall: State accepted METCD, has the Town ever adopted METCD. If not, my suggestion is you don't. There are a lot more in the METCD that can cause you grief.

J. Gryval: There is a little more work needs to do on that one.

D. Campbell: We will put crosswalks on the plan, and, Mr. Chair, you will reach out to the Council and if you need our help, let us know.

R. Corriveau: There are underground outlets in the common.

D. Hemeon: Outlets on the bollards.

D. Campbell: There are two items remaining: 1) vesting, and 2) school site. The State DES and Fish and Game want letters of support from the different Boards. To refresh you, I am pointing out the areas on the plan. The 3A Development Easement can be relocated with the approval from DES. We are asking the State to have the easement relocated, and take out 4.2 acres of the conservation easement for another 4.2 acres on the site. Collis said the land is more valuable as it gets closer to the wetlands. The land to the School Board is for an exit out. Someday the lot should be moved for ER access without going through the wetland. To seal it up, we didn't want conservation. We offered the State and Town another 25 acres in the triangle. Now you have a school site and Conservation land. Also, we need another extension, 60 or more days. I think we could have a final vote in August for our project. Dan, do you agree those are the only outstanding issues?

D. Tatem: Bill, do you think 60 days will be enough? What is the status of sewer and water?

D. Campbell: Let's go 90 days.

R. Corriveau: Sewer needs to review the final pump station design.

D. Marshall motioned to grant a 90-day extension. Seconded by R. Duhaime. Vote unanimously in favor.

D. Hemeon: What about access?

D. Campbell: Do you want wetland crossings, or would intersections work here? We would need to talk to the Town about access. It is all part of our vesting.

J. Gryval: Staff questions or comments?

J. Duffy and D. Tatem: No.

J. McHugh: Do we provide you something on this letter (DES and Fish and Game)?

D. Campbell: We will direct you with something this week.

J. Duffy: We will await receipt of the letters from the School Board and Conservation Commission to DES and Fish & Game supporting this project, prior to the Planning Board generating a letter for the same.

3. AUBURN HEIGHTS LLC (#09-14)

180 Londonderry Turnpike, Map 43, Lot 4

Waiver of site plan – The plan was previously approved by the Planning Board. The additional use change will be the use of 3 of the extra 22 parking spaces for a specialized auto dealership. No construction is proposed including advertising signs.

Jennifer McCourt, McCourt Engineering: I am here tonight to request a site plan waiver for Profile Storage. The site has previously been approved for storage and other commercial uses. This plan was approved, amended, and approved by the Planning Board. What we want to do is put in a specialty car dealership. Dave Scarpetti is a licensed car dealer. There may be three (3) cars he gets from people. They will sit for a few days, then they will go back. There is no signage, except for one directional sign. There are 22 extra parking spaces on the site, three (3) of them for the specialty car use. It is a very minor change in use for the property.

Dave Scarpetti, owner: I have been a bonded dealer with the State of NH since 1997. I propose muscle cars and specialty things (cars). I used to have them at my old Auburn office, however now I am leasing that building. I want three (3) cars outdoor only. No mechanical work, just marketing and selling specialty things (cars).

J. Gryval: Will you have dealer plates?

D. Scarpetti: No dealer plates. Through the State of NH, there is a service agreement. I have had my bonding since 1997. I moved my old office from Auburn to Hooksett. I sell them on the internet. There are no signs on the cars.

J. McHugh: You won't be doing anything to revive them? It is just storage?

D. Scarpetti: The State requires only one space, I would like three (3) spaces. Some (cars) may go into a storage unit at night.

R. Duhaime: You are not specifying which three (3) parking places they are.

D. Hemeon: These cars are not yours?

J. Duffy: Two notes should be added 1) show where the directional sign is and its dimensions, and 2) phase I - one of the storage buildings has not been built, but they are using the area for outside storage; there needs to be some note for outside storage until such time the last building is built.

R. Guay motioned to grant the site plan waiver at Profile Storage for a change in use to a specialty car sales for three (3) of the existing parking spaces conditional:

- ***One mylar***
- ***Eight paper copies***
- ***add two notes to the plan 1) show where the directional sign is and its dimensions, and 2) phase I outside storage until such time the last building is built.***
- ***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.***

CONTINUED PUBLIC HEARINGS

- 4. 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.

CONTINUED TO JULY 13, 2009.

- 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

CONTINUED TO JULY 13, 2009.

- 6. 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

M. Sorel: My relationship with John Wight has no monetary interest or other wise in this project.

Karen O' Rourke, Brown Engineering: We were here June 1st for a continued Public Hearing. We have made a resubmission on June 4th. June 12th was the second set of review comments from Dan Tatem. I spoke with Dan briefly on the comments. There is one comment that refers back to the Planning Board. That is something we should talk about.

J. Gryval: There are 82 comments from Friday's (June 12th) letter from Stantec. Why should we review this with this many comments?

D. Tatem: They knocked off some comments and are now at twenty (20) or thirty (30) remaining.

J. Gryval: Why are they here?

R. Duhaime: We wanted to see elevations.

D. Tatem: They have thirty (30) comments remaining.

J. Gryval: Why should we review with thirty (30) comments?

D. Tatem: Karen had a big ticket comment, and Yervant's aesthetic comments are significant.

J. Duffy: And I have a couple of things to go over with you.

D. Tatem: For drainage, the letter I e-mailed to you, comment #82, the total volume of runoff leaving the site is for a 10 yr storm event. Abutting residents have made the Board aware of the Gary Ave culvert. We recommend a total volume reduction. We recommended this based on Harmony Place and Brookview Sr. Housing projects. The total runoff, not just at peak, and another downstream. This (Ridgeback) is the exact same scenario as Harmony and Brookview. Gary Ave. had a plan approved to fix those culverts, and they ran into an issue. I believe it is a 30 in culvert and it should be 40-42 inch culvert. Increase that culvert, then another before Route 3. They didn't have enough money for a study on that.

N. Desrocher: Ours is 36 in, and by Route 3 it is 30 in.

D. Tatem: It was brought to this Board's attention at a prior meeting. We have been reviewing more.

D. Hemeon: Gary Ave. to the old mini-golf place has always had flooding issues. The Brickhouse has always asked for the pipe across the road to be upgraded. There is a ton of water in the Spring.

D. Tatem: I just wanted to bring this to the Board's attention.

J. Gryval: We can't allow more water. The Town can't afford to pay for that. So there is no more runoff, than what is coming down now.

K. O'Rourke: One issue, in the regulations it states not to increase the peak runoff, but Dan is talking about the volume. I understand there is an existing problem. We have not increased the peak runoff.

J. Gryval: We can't create it.

K. O'Rourke: The problem is existing, we are not causing it. They want us to fix an existing problem. We are increasing the volume, but not the peak.

D. Hemeon: You are increasing water.

K. O'Rourke: Theoretically, yes.

D. Hemeon: Mr. Chair, we never walk the sites. We need to go further up and see where water is coming from, or we are going to have something like the Beaufort Development. We either change our rule, or they follow what we have.

R. Duhaime: A question for the engineer, what percentage is impervious.

K. O'Rourke: Just under 50%.

R. Duhaime: In-ground filtration?

K. O'Rourke: There are 100 storage chambers underground.

R. Duhaime: It is not a large enough site for detention.

K. O'Rourke: You are right. The overall volume increases.

R. Duhaime: Any site lines? Which structures are 3-story?

K. O'Rourke: There are 2x 3-story buildings and a 1x story building. The building is 32 ft in height.

J. Duffy: The regulations address beyond what was said; a problem with the site.

D. Tatem: Referred to Development Regulations, Section 11.13 Drainage Design Criteria, I-41, 4.2 Off-Site Drainage Considerations "Where the Board anticipates that additional runoff incidental to development . . . the Board may not approve the development until adequate provision is made, at the applicant's expense, to remedy the downstream drainage." I think you are within your own regulations to approve with this condition.

J. Gryval: I don't see how we can approve this project with it adding water downstream.

D. Hemeon: These underground storage chambers, you are not getting rid of the water. I don't know the answer. Sometimes we need to go beyond.

J. McHugh: Dan, the last time we talked about this, you were in contact with a Hydrologist. It used to be the set plan was for a 20 yr storm, and a 50 yr storm. Now it is about a 100 yr storm. The water table is so high in this whole community. I am sure we are not the first community. How to address that?

D. Tatem: Typically, most towns are concerned with surface flow. Groundwater tables are not immediately affected by projects. We recently had a Hydrologist look at Brookview, to determine it would not affect the groundwater on that site. I believe Ridgeback is surface water. There is a stream (at the site). That is something that can be looked at.

J. McHugh: I have heard a lot of people comment lately about water tables.

M. Sorel: There are experts in the field of water. They are Hydrologist, Hydrogeologist, Soil Scientists, and Landscape Designers. Google what they can do, and what they can do for the Town of Hooksett. All courtesies, but the bottom line is we must be an advocate for the Town of Hooksett. A study may be necessary from a Hydrologist. There are experts, the knowledge is available, but it is not inexpensive.

J. Gryval: All we need is a motion for the study.

R. Duhaime: Can you reduce the volume? Like Dan said, it ultimately goes into the groundwater.

D. Tatem: Calculations of the volumetric increase are 5,880 cubic feet. The reason behind that, is now the site is grass and woods. If you pave it, the water goes out. By making it zero, like Brookview Sr. Housing, there is a concentrated amount of water in one area. If it (water in one area) is next to the abutters' houses, they may have an issue. But for this site, the water is under their parking lot. They wouldn't be proposing more water going into the ground. It would be the same as it is there now.

M. Sorel: Not to disrespect the engineer, but every tree cut down creates less absorption. A Landscape Architects opinion and overall analysis is needed. Water just doesn't go away, it goes somewhere. A retention pond is good, but then it goes somewhere, now and in the future.

J. Gryval: You are the Board, not me. If you want to have a study done, then make a motion.

M. Sorel: Is it time for the motion, or should we have the applicant go back and rework the drainage? Do you want to go down that road, or have the applicant come back?

D. Tatem: If the Board would like, we can have this plan reviewed in a couple of hours by our Hydrogeologist who can give you an opinion. If the Hydrogeologist says yes that it may

affect the abutters, then the Board may motion for a study. We do not have a Hydrogeologist look at every project.

J. Gryval: We don't want this to be a problem and have to go back to the Council.

D. Tatem: Do you want us (Hydrogeologist) to look at the revised plans?

J. Gryval: Yes. And what was your second issue?

D. Tatem: The other one is that a section of the parking lot does not meet the .03 ft candle lighting requirement. We have a letter from their lighting engineer that it will be difficult to make the lighting .03. Most of them are close. This is a row, if we bring the lights up (Vick Reno), they may spill over the property line. .03 foot candle is the requirement. The site may be just too tight. Maybe the lighting can be pole mounted and angled in. I don't think a letter stating they can't do our lighting requirement, without an alternative, is adequate.

M. Sorel: Referred to comments #56 & #57 in Stantec's letter.

J. Duffy: The signature block, there should be one line for the date of approval, and another line for the date of signature. We did receive drawings for the sign, however it doesn't meet our requirements. The lettering is 32 sq ft, but the area below also counts in the square footage. It needs to be a monument sign (Performance Zone requirement). That was all I have for comments.

J. Gryval: Anything else from the Board?

R. Duhaime: The length and height of the building.

J. Gryval: Did you meet with the Aesthetics Committee?

John Wight: I would like to have another (2nd) Aesthetic Committee meeting between now and the next Planning Board meeting (July 13th).

J. Duffy: Donna can schedule that with you.

Open Public Hearing

Philip Fitanides, 1407 Hooksett Rd.: I am an abutter. Coming off Rte 3, my sign is at the end. How are they going to turn, when they go North? What is the access and egress? We have a lot of traffic at our site (Fireworks) too. If they think someone is slowing down for the traffic light vs. the access road, this can be a safety issue.

D. Tatem: There is no sight distance plan yet.

P. Fitanides: Do you have an engineer's study for the 50 ft curb cut?

K. O'Rourke: The access way is 24 ft.

P. Fitanides: You need 25 ft of approach just to turn in. How is a tractor trailer going to turn right?

J. Gryval: Do you have an approved DOT Permit?

J. Wight: Yes.

D. Tatem: We look for sight distance, the State DOT looks at approaches.

D. Hemeon: Phil's sign, how close is it?

M. Sorel: For the answers, Richard, would he go through Division 5 or through Concord?

D. Marshall: It depends if Division 5 bumped up the project to Concord.

M. Sorel: Division 5, start there for the curb cut or they can tell you where to go in Concord. Your answers and concerns are in that permit.

J. Duffy: I have a copy of it.

M. Sorel: I am suggesting the gentlemen can go get his own copy.

J. Gryval: When the State gives a curb cut, is it different for residential vs. commercial?

D. Tatem: For the trip count and use, yes.

J. Gryval: What about the size, and width?

D. Tatem: Yes, and the radii, acceleration, & traffic on main road, are all indicators and criteria to design the entrance.

J. Gryval: The DOT approved 24 ft.

J. Duffy: The permit was approved as a commercial driveway.

D. Tatem: If Phil's (abutter) sign is outside of the pavement, it is on his own property. The property lines and signs should have been shown on the plans to DOT.

D. Hemeon: When DOT issued the permit, did they look at the site?

J. Wight: Yes, the DOT was at the site twice.

J. Gryval: Any other questions Phil?

P. Fitanides: Just the approach to the road.

J. Gryval: From Rte 3, where is the entrance to the storage facility?

J. Wight: At the North point of Phil's property, between the rock wall and his property.

D. Hemeon: I think Phil has a legitimate question regarding the trucks.

J. Wight: Trucks will only be entering and exiting just for construction.

J. Gryval: You can't control vehicles.

J. McHugh: What about someone with a U-Haul?

D. Hemeon: Tractor trailers?

P. Fitanides: How long is it from the highway, 400 or 500 ft?

J. Wight: 400 ft.

J. Gryval: Do we need an extension on this?

J. Duffy: No.

Joseph Claridge, 45 Gary Avenue: The bridge was repaired from the last two floods. There was a tremendous amount of water. Anytime you pave, water has to go somewhere. I would like to see a professional peak and volume review. Secondly, the height of the building and the lights; Granite Brook would have 24 hr day lighting. What kind of lights are they? With a 3-story building, you will see the building from Dartmouth Street. I live at Gary Avenue and this is in the back of my house.

J. Wight: We have limited lighting hours in consideration of them (abutters).

J. Claridge: The metal lighting is pretty bright.

J. Gryval: We have a pretty good lighting ordinance and they will have to abide.

D. Hemeon: What are the upper two levels for?

D. Marshall: Are there elevators?

J. Wight: All levels are for storage and they will have a hoist.

R. Duhaime: To address the abutter, that is one of the things the Aesthetic Committee reviews; roof line in the back to terrace down.

J. Claridge: It would be a 3-story building on a hill. Right now the site is a bird sanctuary.

J. Gryval: Anybody else from the public? We have to extend the hearing once again.

D. Tatem: We need the site line plans.

R. Duhaime: And for the back building on Gary Ave., a cross section cut.

D. Tatem: It is not in your regulations, but you can request it (cross section cut to Gary Ave.).

J. Wight: We can do that.

N. VanScoy: Were we going to have Stantec have someone look at the drainage for water runoff?

J. Gryval: They will have their Hydrogeologist review the drainage for a couple of hours. Then if he suggest a whole study, the Board can motion for it.

J. Duffy: The 65-day deadline expires August 2nd.

N. VanScoy motioned to continue the applicant to July 13, 2009. Seconded by J. McHugh. Vote unanimously in favor.

CONTINUED TO JULY 13, 2009.

OTHER BUSINESS

JENSEN'S ADA – TOWN ATTORNEY LEGAL OPINION

N. VanScoy motioned to go into a non-meeting status at 8:40pm. Seconded by R. Duhaime. Vote unanimously in favor.

N. VanScoy motioned to come out of the non-meeting at 9:25pm. Seconded by R. Duhaime. Vote unanimously in favor.

DOT - BERRY HILL

J. Duffy: Referred to a letter from the DOT, bottom of page 1, that no building permits or COs should be issued to Berry Hill until the required roadway modifications are completed. I would suggest this Board send memo to the CEO with a copy to Richard Radwanski at the NHDOT.

R. Duhaime motioned to send a memo to the CEO that no building permits or Certificate of Occupancies should be issued to Berry Hill, until the required roadway modifications are completed (cc: Richard Radwanski at NHDOT). Seconded by N. VanScoy.

Vote unanimously in favor.

SPACE CENTER

J. McHugh: I read in the paper about an incident (rave party) at the Space Center. Does the State Liquor Commission work with the Police Dept. and that is it?

J. Duffy: Typically the Planning Board doesn't get involved if someone is serving liquor. I do remember with the Space Center that was a concern at time of Planning Board approval, that the site would become a teenage hangout. The project was supposed to be for younger children. When the Planning Board approved the site, there was no discussion for alcohol.

J. Gryval: The applicant has to apply for a certificate for liquor. Is the Police Dept. notified?

J. Duffy: I don't know?

D. Marshall: Clubs used to have to notify the Police Dept.

J. McHugh: I am just curious, if that was never the intent of that establishment. I am not saying we should have necessarily known, but the Police should have been contacted.

R. Duhaime: Is that something staff can look up the minutes to see if there was anything about alcohol?

N. VanScoy: It sounded to me at the Council meeting that was addressed. There were letters of violation.

J. Gryval: They are suppose to close at 11:00pm.

JENSEN'S ADA

*M. Sorel motioned for a continued discussion to July 13, 2009 and a letter to the ZBA to attend the next scheduled Planning Board Meeting on July 13, 2009 to discuss 1) Jensen's ADA vs. Easy Living requirements, 2) if the applicant can meet the legal requirement for a variance, and 3) that they will construct an ADA compliant home, if requested by a home purchaser (Maureen Stimpson, Governor's Commission on Disability will also be invited to attend). Seconded by D. Marshall.
Vote unanimously in favor.*

D. Hemeon: The ZBA can have a discussion with the Planning Board on July 13th.

J. Duffy: If it is a joint meeting, abutters need to be notified.

D. Marshall: Only do a non-meeting for the Town Attorney Legal Opinion.

J. Duffy: The July 13th agenda should stated "Non-Public".

CONSERVATION COMMISSION UPDATE

M. Sorel: I was ill and missed the last Conservation Commission Meeting. I went to the site walk for Green Mountain. I saw a lot of red flags on that site. The Conservation Commission Chairman asked if I could make the site walk, because he could not. The site is in a hole, and there is a water quality issue. There is a letter from the Conservation Commission to the ZBA. I am not comfortable with the content of that letter (language), and I stated my concern. At the ZBA, as a member of the public, I stated there was a conflict in the letter from the Conservation Commission to the ZBA, and it was not what the applicant was asking for. I watched the ZBA get the message and being pressured. Before the end of the meeting, three (3) variances and a special exception were issued. Some people perceived this as problems. He (applicant) left with variances and a special exception. What about the open space plan. Just before the meeting, no discourtesy to the CEO and ZBA, but they were not aware the site was in an aquifer. It didn't even come up in the TRC. It refers to aquifer and water quality and I mentioned it quietly to Peter and the Chairman. I gave this gentlemen a call yesterday morning, because there was water flooding this area. The Conservation Commission kicked it down to the ZBA and the ZBA kicked it down to the Planning Board. There are possibilities it could be a good site. It is only 4 acres, however no one has walked it up to the interstate. I wanted to give a committee report and inform this Board. Rte 3A closed down in the past due to water sheeting across Rte 3A all the way to a subdivision. We saw water ponding there yesterday. I just point that out. I don't know how we are going to deal with that.

J. Duffy: Mike, do you know if Stantec was involved in reviewing the plans, before the ZBA made their decision? I know when Michelle (Bonsteel) was here, she would ask Stantec to review. But I don't know if that is happening anymore.

M. Sorel: There is no balance of opinion. Nobody is acting as an advocate for the Town.

J. Duffy: When Michelle was here, she would have Stantec attend the ZBA meeting to answer any questions that may come up.

M. Sorel: I don't think it is the CEO's call or in his job description. He is not on the ZBA.

J. Duffy: He is an advisor to the ZBA, and that is in his job description. Stantec can't take that roll.

D. Marshall: There was no engineering from Stantec. Jim Gorton said it is going to be in your lap (Planning Board), and you will need to make a decision.

M. Sorel: The ZBA is a judicial body, and deals with a lot of attorneys. Someone not on the ZBA cannot offer an opinion.

R. Duhaime: The wetlands, their engineer said quickly, "you will see at the Planning Board, and they will handle it then". It was pushed under the carpet.

M. Sorel: It is a seasonal brook, per the expression by the engineer. It is actually flowing like gangbusters. The brook is 4-5 ft higher than the site. The building is in the hole.

R. Guay: What is the site location?

M. Sorel: It is a huge 42-acre site. There is a huge wetland, and then there is the interstate. It is going to be ours (Planning Board issue).

D. Hemeon: The interstate has many culverts.

R. Duhaime: When the Board approved the NERR site, they were just adding a little gravel. We allowed him wetland impacts onto the other lot. They are working this game already.

M. Sorel: I am not saying it is not a viable site. It is just going to take good engineering, and a lot of money.

J. Gryval: You have power.

J. Duffy: Peter's notes to the ZBA on that application stated that this lot is not yet subdivided. I will get you a copy of Peter's notes.

M. Sorel: I agree with all of that, but I am not talking about that. I am talking about surface water and groundwater issues all going into one 24 in. culvert. Yesterday morning, the culvert was 50% (half full) at about 9:00am.

***D. Marshall motioned to adjourn at 9:45pm. Seconded by R. Duhaime.
Vote unanimously in favor.***

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 9:45pm. The next Planning Board Meetings in June at the Hooksett Town Hall Chambers @ 7:00pm:

- June 23rd – workshop meeting (Development Regulations)
- June 30th – workshop meeting (CIP Roundtable)

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator