

Official
As of 09/14/09

HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, August 17, 2009

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 7:10pm

ATTENDANCE

Chairman J. Gryval, Vice-Chair D. Marshall, Town Administrator, C. Granfield, R. Guay, Y. Nahikian, D. Hemeon, M. Cannata, F. Kotowski, R. Duhaime, and Town Council Rep. N. VanScoy.
Excused: B. Sullivan.

REPRESENTING TOWN OF HOOKSETT

Town Planner, Jo Ann Duffy, and Stantec Engineer, Dan Tatem.

APPROVAL OF MINUTES OF 06/23/09, 06/30/09, & 08/03/09

MOTION FROM 08/03/09 PLANNING BOARD MEETING STANDS, MINUTES APPROVED: R. Duhaime motioned to approve the minutes of 06/23/09. Seconded by N. VanScoy.

N. VanScoy in favor. J. Gryval, R. Duhaime, D. Marshall, M. Cannata, B. Sullivan, and F. Kotowski abstain.

MOTION FROM 08/03/09 PLANNING BOARD MEETING STANDS, MINUTES APPROVED: N. VanScoy motioned to approve the minutes of 06/30/09. Seconded by R. Duhaime.

N. VanScoy, J. Gryval, R. Duhaime in favor. D. Marshall, M. Cannata, B. Sullivan, and F. Kotowski abstain.

D. Marshall motioned to approve the minutes of 8/03/09. Seconded by N. VanScoy.

C. Granfield: Verbatim minutes not necessary; just need summary.

Vote in favor. C. Granfield and D. Hemeon abstain.

MINUTES

C. Granfield: Verbatim minutes not necessary; just need summary.

R. Duhaime: She does edit quite a bit. As long as the facts are there they are OK.

J. Duffy: Do you want the abbreviated minutes?

J. Gryval: Yes.

ALTERNATE VOTING

J. Gryval: Martin will you vote tonight in place of B. Sullivan?

M. Cannata: Yes.

AUSTIN WOODS

D. Hemeon: There are a couple of abutters for Austin Woods in the audience.

J. Gryval: Austin Woods will not be heard tonight, the public hearing is on September 14, 2009.

J. Duffy: Abutters will be renotified.

DISCUSSION

1. **PAUL A. MAURAS**
49 Mammoth Road, Map 45, Lot 33
Site layout for multi-family development

M. Peterson: I was here a couple of months ago for a lot line adjustment. In 1988 Paul Maurais received approval for 22 lots on his property and sold it to a developer. The developer went out of business and he took it over. He paid taxes for 13 yrs on the 22 lots. In 2003 the Town went back and made one lot. He is trying to do a development on his property that makes sense. We have sewer and water. We have frontage for 16.9 acres.

- **conceptual #1** - standard 10-lot subdivision. Road from Mammoth is 1,616 ft. The Board could OK a longer cul-de-sac. Lots to North are long and narrow. The connector road will tie into the secondary loop road for a future development.
- **conceptual #2** – eight (8) 4-unit building multi-family condos. Cul-de-sac is 600 ft (over 500 ft from TRC). The 5 acres in the back protects the 5 abutters. The connector road off the main road makes sense.

D. Marshall: Map 45, Lot 33 has an existing home?

M. Peterson: Yes, this is where Paul lives today.

D. Marshall: The 10-lot subdivision includes the existing house. The design for the multi-family is for 32 units. Is it the 32 units plus this existing house?

M. Peterson: For 18 acres, we are allowed 36 units. It is 32 units plus the existing house.

D. Marshall: The 32 multi-family units, will these be workforce housing?

M. Peterson: We are not that far in the layout.

D. Marshall: If workforce housing, I am fine with the 32. If no, I would go with the 10-lot subdivision. 32 units has a higher impact on the community.

J. Gryval: What is the status of the road?

M. Peterson: The road is just a driveway now. It has never been accepted as a road. Our goal is to have it be a Town road, and have the rest private.

R. Duhaime: What is the difference in wetland impacts?

M. Peterson: 24 ft of road crossing at the same location and same sq ft; no difference in conceptals.

R. Duhaime: Impervious, does the cul-de-sac have to be that large?

M. Peterson: There is grass in the middle of the cul-de-sac.

R. Duhaime: For open space, does the condo conceptual provide a larger amount?

M. Peterson: Yes.

D. Tatem: How much?

M. Peterson: 7-8 acres.

J. Gryval: The single-family conceptual road?

M. Peterson: Would like it as a Town road.

R. Duhaime: South, 2x buildings, are they 60 ft from the property line?

M. Duhaime: 30 ft or so.

R. Duhaime: Have dry upland.

Y. Nahikian: How many acres for the whole thing?

M. Peterson: $16.9 + 1.25 = 18.14$ acres.

M. Cannata: What is the maintenance on the Town road vs. private road logistics?

M. Duhaime: DPW can go around the cul-de-sac.

J. Gryval: Questions from the Board?

R. Duhaime: Is this from the plan set from April?

M. Peterson: No, in 2003 the roads were done.

R. Duhaime: The square and round symbols are the buildable areas?

M. Peterson: Yes.

J. Gryval: Staff questions?

J. Duffy: Take a straw poll on the two conceptals.

R. Duhaime: Lot size average?

M. Peterson: 1.65 acres.

J. Gryval: Look into workforce housing. Ask for a waiver for the cul-de-sac length.

Straw Poll: D. Marshall, R. Duhaime, and C. Granfield in favor of workforce housing for the 32 units. If no workforce housing, go with the 10-lot subdivision.

M. Peterson: Thank you for your time.

WAIVER OF SITE PLAN

2. RANDY OWEN – OWEN’S MARINE, INC. (#09-16)

1316 Hooksett Rd, Map 25, Lots 65

Proposal for additional use to sell used automobiles, and SUVs, in addition to the existing sale and repair of power-sports equipment (boats, trailers, snowmobiles, and ATVs).

Randy Owen: I own Owen’s Marine and sell boats, snowmobiles, ATVs, and trailers. The economy is different and I have quite a few acres of land. It will take me a long time to use that amount of land. I would like to sell used autos and SUVs in addition to the existing sales. Building and site, we are already a bonded auto dealer with the State. We would need to request dealer plates for auto sales.

J. Gryval: Auto sales at the top section only?

R. Owen: Yes.

J. Gryval: Auto sales is close to what they are doing now.

R. Duhaime: Years ago there was a referendum in Town “no more car lots” and the voters spoke. It is in the PZ and there should be landscaping along the Rte 3 corridor.

Update your landscaping for the look on DW Highway.

J. Gryval: The site used to be car land autobody, and they used to sell cars there.

F. Kotowski: Would you gradually move from recreational vehicles to autos?

R. Owen: I don't anticipate that. We are busy with service of boats, but not sales. I don't envision a car lot. Our passion is with boats.

R. Duhaime: Your large Pear Tree was moved and died. We want to tree line DW Highway, and you could set the cars back a little farther from the road.

R. Owen: We can get more trees.

J. Duffy: In your packet, 2002 site plan approved lot 64 Hooksett Rd area. The plan tonight has rectangle area. Their approval looked like a cul-de-sac area with a grass slope and landscaping. Across from the paved area shows you what it looks like now, South has boats/items for sale. In 2002 the site should have been landscaped. They are parking boats on the grass. Some of these things need to be brought into compliance. If you do require car use, require the area be striped and state the maximum amount of cars allowed.

N. VanScoy: Look of lot, grass not looking good and I don't see trees. I would like to help you out for your business to prosper. Clean up the site.

D. Hemeon: The amount of cars, is there a separate building for salesmen or are they out of the main building?

R. Owen: Out of the main building. Boats in the lower area, we will dispose of the ones that aren't good.

C. Granfield: You could remove the boats that are no longer usable and add landscaping and grass to make the site more attractive.

D. Marshall: I appreciate what you want to do. You're seeking a waiver of site plan review requirements. You are saying I will grass this and do that. There is no record that this will happen. You are limited to a 30-car parking lot, area to be striped, and landscaping to be completed by a certain date, but you have to agree to that and stick to a deadline.

J. Duffy: Distributed 2002 landscape plan.

D. Marshall: Are you satisfied with the landscaping and it goes with 32 parking spaces?

J. Duffy: Landscape, they paved a little more than they should have, but it didn't interfere. It meets the standards from the site plan approval.

R. Owen: The fence on my property line, we could put trees there.

J. Gryval: We are waiving criteria for a site plan?

D. Tatem: Similar to the Rondeau site.

J. Gryval: If we waive a site plan, you can't waive it.

J. Duffy: You would be waiving the site plan for a used car lot. There is an existing site plan for the recreational vehicles. He needs to come into compliance for the 2002 site plan, before he can have the additional use of cars.

R. Owen: We are willing to do comply with 2002 site plan. There is already grass there.

R. Duhaime: I would like to meet with my aesthetic colleague to make sure it flows. There is a lot of work to be done.

R. Owen: The deck to the left of the entrance is a temporary day display.

J. Duffy: You have quite a few boats to be removed.

R. Owen: I have about 40 boats to throw away.

R. Duhaime: There are 4-5 boats in the display area. There is no screen. The whole display area is paved to DW Highway. If the applicant wants to conform, frontage should have a tree every 50 ft. There are improvements from 2002 that don't comply with PZ, we should get him to comply.

J. Duffy: If there is no change of use from sale of boats and ATVs to sale of cars and SUVs, then he does not need to conform to the PZ. It just needs to bring the site into compliance for the 2002 approved plan.

C. Granfield: Jo Ann, if approved to comply with 2002 plan and allowing cars, is that something you can monitor administratively?

D. Marshall: Why is Jo Ann monitoring site plan compliance. Why are we dumping this on the Planning Board and their staff, when it is not required in our regulations? There are a set of specs for planning and a set for the CEO. Now we get buried in work, which means our planning staff gets buried in work.

C. Granfield: If Jo Ann knew the landscaping plan, she would then see it was in compliance.

D. Marshall: It is either the responsibility of Stantec or the CEO.

J. Duffy: It is not only landscaping. Items need to be removed, area reseeded, striping, and maximum # of vehicles monitored at any given time.

M. Cannata: The specs need to be written down and given to the CEO with a date certain and agreeable to the applicant.

J. Duffy: Yes, and a date you want it completed by.

D. Tatem: Once they are in compliance, then they can sell cars.

J. Duffy: The CEO has to sign off for DMV plates.

D. Hemeon: You will sell autos, but will you continue recreational vehicles?

R. Owen: Yes.

C. Granfield: Mr. Chair, I would support planning sending written notification to CEO.

R. Owen: Joint display 32 units; 30 cars and 2 boats.

J. Duffy: Signage, on plan us submitted, existing?

R. Owen: When the Town widened the road, we moved sign to other side of road. There are individual panels; one will have cars.

J. Duffy: Signage must comply with PZ.

Y. Nahikian: It is fenced around the boats. Is it good business to do that for used cars?

M. Cannata motioned to waive the site plan criteria, and to have the CEO monitor the following items, before autos can be displayed. Auto display area to:

- ***be limited to maximum of 32 spaces, 30 autos only***
- ***be striped***
- ***have no vehicles on outside of fence***
- ***have the site plan and landscape plan approved on 5/1/2002 brought into compliance***
- ***have boats moved off auto sales area and other areas where landscaping should be and have area reloamed, seeded, and landscaped***
- ***have signage be in compliance with Performance Zone (PZ)***

***Seconded by C. Granfield.
Vote unanimously in favor.***

PUBLIC HEARING

3. GREEN MOUNTAIN COMMUNICATIONS (#09-06)

101 W. River Road, Map 24, Lots 57 & 57-1

- Minor subdivision plan to subdivide Map 24, Lot 57 into 2 lots
- Non-residential site plan for the a) proposed construction of a 13,446 sq ft commercial building, and b) site improvements for this building to include drainage & septic improvements. (Map 24, Lot 57-1)

Jack Szemplinski, Benchmark Engineering: At the last meeting we presented just for the special exception. The ZBA has already approved the special permit and we have the State Wetland Permit. Tonight's presentation is for 1) subdivision and 2) site plan.

Subdivision – it is a 41.5-acre parcel across from Sunrise Blvd. In 2002 the private road was approved as Enterprise Way. The building is occupied by NERR. The driveway is a private road, it was an old sand pit, and there is a network of wetlands that drain in the culvert into the brook (brook is higher). We want to subdivide into two lots; take a 3-acre parcel from the total 41.5-acre lot. There are no drainage changes. It is the Village Water district and there is off site septic. We are asking your approval for subdivision.

J. Gryval: Board comments?

D. Hemeon: You have been to the ZBA?

J. Szemplinski: The brook drains directly to the culvert. I took pictures across the street and the Merrimack River is no that far away.

D. Hemeon: Stantec?

D. Tatem: Dale brought up water along Rte 3A. Jack is correct, the water off site will not affect the volume of flow from that culvert. The subdivision is 40+ acres, and the site plan review is for 3 acres. If you are concerned about the 40-acre drainage issues (if any), now is the time to address that.

D. Tatem: The applicant is working on authorization from the landowner.

D. Marshall: If subdivision is approved it would not have any impact on the 3 acre site, but because there is a greater issue on the total 40 acres downstream, we are discussing the whole site?

D. Tatem: We recommend the entire site (40 acres) be reviewed for drainage issues.

J. Gryval: 3 acres is not the problem.

D. Tatem: You need to look at the drainage system as a whole.

D. Marshall: What can we do tonight? A rep from the Council to the ZBA urged this Board to carefully exam downstream. I would honor that. This Board needs to request you look at the downstream.

D. Tatem: I don't know if there is an issue, we haven't reviewed anything yet. But I have heard Dale mention a couple of times about water issues. The subdivision approval is required to get the 3-acre site plan approval.

J. Gryval: They are only purchasing 3 acres of the 40 acres, and you want them to pay to look into the whole 40 acres?

D. Hemeon: Water is coming off there and going to Sunrise. Whether it is their 3 acres causing it, I don't know.

R. Duhaime: The Council rep brought up the infiltration system, the groundwater table, and the homes below it.

Victor Drouin, President Green Mountain Realty Corp.: Your engineer has already reviewed. Our site when developed decreases the flow off the lot.

R. Duhaime: This Town has had other subdivisions with groundwater issues in other areas and it has raised the water tables.

V. Drouin: I have a pretty good idea where water is going now. We don't control the other 40 acres of this parcel. If you are going to tell me I have to look into the 40 acres, I would say deny my project now. I have spent \$75,000+ in engineering. We either need to build it or go home. You have me past the point with my bank to build this project. That is where I am.

R. Duhaime: What flows across the street from this?

J. Gryval: My opinion, he should only be responsible for any increase on his property (3 acres).

R. Guay: They are required to look at their site. The size of the remaining parcel is irrelevant.

J. Szemplinski: There are no signs of erosion. The final outlet slopes way down before it hits the river.

M. Cannata: What was the weather prior to your observation. What were the dates?

J. Szemplinski: It was not a 100 yr storm, but raining very hard. We had a pretty wet June and early July.

Open Public Hearing

No comments.

D. Marshall: Staff comments on subdivision only?

J. Duffy: I agree with John.

Close Public Hearing

D. Marshall motioned to approve the subdivision. Seconded by M. Cannata.

V. Drouin: Could you make this approval conditional that it is subject to the site plan approval?

D. Marshall updated motion above to approve the subdivision subject to the site plan approval. Seconded by M. Cannata.

D. Tatem: **Subdivision** has 3 specific comments (11,12 & 13), several general comments, the completeness review, and the waiver to site specific soil mapping as long as they look at the whole 40 acres. Site plan had 50 comments and no response letter from the applicant.

V. Drouin: We got 3 waivers the last time we were here. The last waiver is for the testing on the 40 acres. 7 yrs ago water and soil were tested for the whole 40 acres (NERR).

D. Tatem: Submit old testing saying it is still relevant.

V. Drouin: 40 acres really isn't ours. We are not going to perk test. The as built #11 whoever surveys will show the monuments.

D. Tatem: For past plans they monumented the entire parcel. Monumentation is not a CO condition.

D. Marshall: Is it your intent to monument 3 acres?

D. Marshall updated motion above to approve the subdivision conditional:

- subject to the site plan approval for Green Mountain Communications project
- applicant to have granite monuments on 3 acres
- All review fees are paid-in-full
- LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 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 7/30/09 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- 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. Cannata.

Vote in favor. D. Hemeon and N. VanScoy opposed.

Site Plan

J. Szemplinski: 3 acre parcel - construct 13,500 sq ft warehouse/office for Green Mountain Communications. The business is for installation cell towers, there are a lot of cables. Employees don't work on site. They get in a truck in the morning to another location. Back of building is warehouse storage, front is admin. offices. Prefab metal building erected by contractor on site. We need to install 35 parking spaces, 3 of which are handicap. The back is on Rte 3A and there will be a storage area for spools of cables, etc. Parking is in the front for offices. Also parking on side for larger trucks. The brook is located higher than the parking and soils are permeable. 2,300 sq ft wetland, went to ZBA to fill. There is Village water and on site septic. Landscaping – the area adjacent Rte 3A is dense, old paved driveway years ago put some screening there. The site is hardly visible from Rte 3A, because it sits up high and is vegetated. Drainage – majority is collected into infiltration system. We will install 40 chambers and one row isolator; treated before discharged into groundwater and surrounding chambers. Detention pond is 3,200 sq ft, about 8 ft depth with crushed stone bedding underneath. Outlet from pond is a slot into the manhole 2 inches wide and 2 ½ ft. Water is discharged into the existing culvert onto Rte 3A. Seepage from the brook goes underneath soils. We will install a heavy soil blanket in the conversation district line.

D. Tatem: We have one letter with 52 comments and no reply.

J. Gryval: We can not deal with that tonight and continue.

D. Hemeon: Drainage?

J. Gryval: Vote to continue?

R. Duhaime: They are coming to the Aesthetic Committee Meeting on 8/24.

F. Kotowski: Why are the comments not addressed, before this Board is asked to move forward?

J. Szemplinski: We needed to know about the 40 acres vs. just 3 acres. That is why I was asked not to update the plans (per Dan's comments).

V. Drouin: I went through these comments. For the project at a point, I needed to create best management practices. At the end of day, we have met your bylaws. There are probably 20 something real comments.

R. Duhaime: I hope you are not ready to give up.

V. Drouin: Pushing to another meeting 30 days from now, pushes me to \$30,000 in winter construction costs. You are making my decision easy by the end of the day.

J. Gryval: If he doesn't want to continue, you could deny him.

D. Hemeon motioned to continue application to 9/14/09. Seconded by F. Kotowski. Vote unanimously in favor.

CONTINUED TO SEPTEMBER 14, 2009.

J. Duffy: The applicant had 3-4 initial frustrations with Village Water.

V. Drouin: I wish you would have denied me instead. I would be glad to stay until the end tonight and discuss Village Water.

CONTINUED PUBLIC HEARINGS

4. RIVERSIDE PUBLIC STORAGE (#09-13)

5 Cross Road, Map 17, Lot 37

Non-residential site plan for the proposed construction of a 3-story (32,400 sq ft per floor) total of 97,200 sq ft of public storage facility

M. Peterson: We revises the drainage easement on the plan. 42 Stantec comments to start, down to 3 minor comments (Stantec has no issues with these). We have to rename the road; we have not submitted but we will, we agreed with Fire. We need to speak with MTS. We put a snout; oil gas separator. Aesthetically we made changes. Note on plan no motored vehicles stored. We have done the traffic study "base line" as requested. Stantec's traffic person reviewed it. We stamped the plan. Peak hour – agreed with Stantec comments. Location movement is mainly from the South turning onto Cross Rd. \$64,152 road improvement - Stantec asked if we could put it for the intersection here. Dan can explain better. Traffic study showed our site having very minimal impact. I was wrong at the last meeting for determining traffic vs. units. In Nashua it is 97,600 sq ft building with 777 units for the traffic. We picked 1,000 units for traffic. The Impact was 4-5 cars. Robert Woodland, our traffic person, is here. We have addressed all comments.

J. Gryval: Stantec?

D. Tatem: They missed 2 comments; 1) DOT railroad spike, 2) sample rental agreement – can't control what they store, therefore agreement would say you can't store "X". Impact fees are split into 3 corridors; Rte 3A is corridor 1. Wherever the impact fee is collected, it is used in that corridor at an intersection. If the \$64,152 impact fee is paid to the Town, the Town has to pay \$49,000 for their share to put in a left turn lane. Matt is agreeing to have his impact fee used instead as the Town's share. This way the Town can add the

\$64,152 into the existing kitty. Matt asked if it could be subject to the Town only using it for the Cross Rd. intersection.

M. Peterson: \$64,152 impact fees, if nothing done in 6 yrs, I get that money back. If I let you use \$64,152 as Town share instead, then there is no deadline.

D. Marshall: \$64,152 earmarked for this intersection, instead of impact fee, this is a donation.

D. Tatem: RSA says to follow the traffic study for a certain corridor and certain area. You can agree to use those funds.

J. Gryval: An agreement with an applicant to use impact fees on a specific intersection is allowable?

D. Tatem: It is different. If it is an impact fee, then the Town would have to match. This is a donation.

J. Duffy: The Planning Board can accept capital improvements in lieu of actual money. No improvements are scheduled at this intersection.

M. Cannata: It is not an impact fee?

C. Granfield: Has it been checked with legal counsel?

D. Tatem: Some other towns do it. We recommend review and approval by legal counsel, before the plans are signed and recorded.

M. Peterson: Money can be put to fixing the intersection. Our project has a 6.9% impact in pm traffic hours. This is a minor impact.

D. Hemeon: If the State says you can put a turn lane in.

D. Marshall: We can continue to collect impact fees for this corridor. We will accumulate impact fees, and not gear to this specific intersection. However, at one point a developer will need to complete off site improvements to have business open (breaks this intersection).

D. Hemeon: We can take their impact fee and use at exit 10.

D. Marshall: It is all within the legal parameters of what can be collected and used for impact fees. It should be reviewed by legal counsel. He may say this is OK.

D. Tatem: Zoning Ordinance pg 172, Article 30 Impact Fees #2 – the Planning Board may waive all or part of the impact fee or accept an equivalent value. It is right in your own ordinance that it is OK. Matt, that would require a waiver.

J. Gryval: We received a letter from an abutter the last time.

D. Marshall: Improvements to the intersection.

D. Tatem: I spoke with Mike Sorel today. They have addressed traffic comments.

N. VanScoy: I recall no storing of vehicles.

Open Public Hearing

No comments.

Close Public Hearing

***D. Marshall motioned to grant the waiver for Zoning Ordinance pg 172, Article 30 Impact Fees #2 and to accept an equivalent value of \$64,152 as a Town donation with no expiration date to be used for future improvements at the Route 3A/Cross Road intersection. Seconded by N. VanScoy.
Vote unanimously in favor.***

D. Hemeon: Drainage retained on site?

M. Peterson: No water at a 100 yr storm comes off the site; it is contained on the site.

R. Duhaime motioned to approve the plan conditional:

- *Notation on plan \$64,152 donation to Town in lieu of roadway impact fees donated 10 days prior to the issuance of the Certificate of Occupancy
- Sign easement reviewed and approved by Town Attorney
- Groundwater Conservation District referenced on all sheets
- Lighting plan stamped by lighting engineer
- Street name approved by the Town Council
- No motorized vehicles on unpaved areas
- No outside storage
- Lease agreement reviewed and approved by Town Attorney (agreement to include language of items not to be stored – i.e. chemicals, vehicles, etc.)
- All review fees are paid-in-full
- LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 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 7/31/09 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Hooksett Village Water Precinct stating they have capacity and approve this project

- * Applicant agrees to attend a required pre-construction meeting after (a) all bonds are submitted and approved, (b) site plan compliance monitoring escrow is in place and the Inspection Funding Agreement is signed and submitted, and (c) the plans are signed and recorded
- *Applicant agrees to site plan compliance monitoring
- *Applicant agrees to remit \$48,600 in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39
- 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 C. Granfield.
Vote unanimously in favor.

5. RIDGEBACK SELF-STORAGE (#06-33)

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

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

J. Duffy: Site pending approval of sign and aesthetics of building.

J. Gryval: DOT permit?

J. Wight: 49,500 sq ft has been updated from DOT.

J. Duffy: There was the issue of drainage with the easement from Jeff Lothrop at CRW Woods. They instead did a groundwater study. Dan is OK with that and will explain.

J. Gryval: No impacts on water table?

D. Tatem: Steve Shope, Exeter Environ. Assoc, completed a groundwater mounding analysis. That study immeasurable/no effect. We are satisfied.

Peter Tenant, Architect: Thank you for meeting with me tonight. There are two major buildings on this site 180ft x 50 ft 3-2story, the other 140 ft 3-story. There are bays down below with 2 levels and storage, two colors, and front stone element. I separated 6-5-6 bays and have a brick veneer. After the July Aesthetics meeting, major changes were needed. Friday afternoon I received comments to my design and updated them over the weekend to tonight's version. The concern in July was that there was not enough design. My client has been willing to go further to meet the spirit of your ordinance for the 100ft and 50% rule. We used textures and materials.

J. Gryval: Staff?

J. Duffy: Yes, satisfied.

R. Duhaime: Yervant handled the design on his own because that is his strong point. The last concern we had was the site line facing the mobile home park.

J. Gryval: Sign OK?

R. Guay: It is still a pylon sign, not a monument sign.

J. Gryval: Board not happy with the sign?

J. Duffy: Samples in the ordinance show landscaping, and this sign will be landscaped. That type of sign is shown as the first option in the ordinance.

D. Marshall: Dimensionally it meets the requirements. Keep dimensions, but make it a monument.

Y. Nahikian: I appreciate the efforts you have made. It complies with my comments to you. Originally the design on the lower level had the overhead doors in green. This new version does not, update to show green overhead doors. This is a huge 180 ft x 50 ft 3-story building. It is acceptable at this point.

J. Duffy: We need a copy of the one with the green overhead doors for the record.

J. Wight: 6 in x 6 in sign like the one on 28 bypass.

Y. Nahikian: I agree this is a pylon sign.

Open Public Hearing

Phil Fitanides, abutter: I would like the Town to hold me harmless for any action from the new driveway access. This property when purchased had no access to Rte 3. It got changed during the course of the realtor and people buying the property. What about the 32 parking spaces to be removed that are part of the shopping center south side wall. The Planning Board would not allow access from Rte 3 for the marketplace. They updated the square feet with DOT, but still have not included the 864 sq ft building to DOT. On plans proposed, there is a 3-story 21,000 sq ft building on this property not mentioned. Where Maidstone meets Thames Rd, they purchased the property with access from Thames Rd. Regardless what DOT says, the Town is giving the access. "Read statement for hold harmless". To put an entrance or exit there is a hazard for traffic heading north. The slope of grade going up is 4 ft from the ground to the site. The plans show gates, stop signs, and stop bars. I asked for an engineering design. Come out of proposed road and look South, my sign and anything else there, I would like to see detailed engineering design for sight distance. David Titcomb, property owner, drainage ditch North of property deeded 15 ft of property to State. Planning Board in 1988 did not allow access, now you are allowing access. It is a change in use for shopping because of 30 parking spaces being removed. If you approve cars in and out, they have no more than 5 seconds to determine who is doing what. Granite hill shopping signage

was to be used for anyone using that property; not a separate sign. Thames Rd access to site, will this road ever open up? They buy property with access from Thames Rd and then can't use it. There is no liability to the Town to deny an entrance or exit on Rte 3. I would like a hold harmless clause from the Town.

J. Gryval: You know he can't get access off Thames Road. DOT gave the driveway permit. DOT would have looked at the sight distance. Counsel looked at the deed and it was appropriate.

P. Fitanides: What would I have to do to get a hold harmless clause?

D. Marshall: Contact the DOT, they gave the permit. We are granting the right for legitimate access from the State permit.

R. Duhaime: We looked at the square feet of each building.

P. Fitanides: 21,000 sq ft building?

J. Wight: Total 49,500 sq ft. for 3x buildings.

Close Public Hearing

D. Hemeon: Driveway, do we have the profile of what the State approved?

Karen O'Rourke, Brown Engineering: We have the profile and sight distance plan.

D. Hemeon: I would like to see the driveway and turning lane.

J. Gryval: Driveway steepness?

K. O'Rourke: Less than 1%.

N. VanScoy: Lighting has motion sensors to be installed. I thought this was a concern with residents on Gary Drive.

J. Wight: Light motion operation from 9:00pm – 7:00am. Lights facing Gary Drive will not be motion and will go off during these hours.

J. Duffy: Add a note on the plan about the lighting.

N. VanScoy: Non-conforming lots 49-D & 49-C never merged.

J. Duffy: The clause in the Zoning Ordinance does say that. No one ever takes steps to make that happen. Assessing never forced any merger of any lots. The plan is to sell that lot to another party.

N. VanScoy: Is the other lot non-conforming?

J. Duffy: No.

D. Marshall motioned to approve the plan conditional:

- Drainage and Sewer Easement
- Street name – Granite Ridge Drive approved by the Town Council
- Building conceptual design with green overhead doors
- Monument sign
- All review fees are paid-in-full
- LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 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 7/30/09 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Hooksett Sewer stating they have capacity and approve this project
- * Applicant agrees to attend a required pre-construction meeting after (a) all bonds are submitted and approved, (b) site plan compliance monitoring escrow is in place and the Inspection Funding Agreement is signed and submitted, and (c) the plans are signed and recorded
- * Applicant agrees to site plan compliance monitoring
- * Applicant agrees to remit \$52,599 in impact fees (\$34,001 roadway, and \$18,598 public safety) 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39
- 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 R. Guay.

Vote unanimously in favor.

OTHER BUSINESS

6. SNHU ACADEMIC BUILDING (#08-14)

Revision of fencing locations at the retaining wall

Dana Adams, Opechee: I am here with Bob Vachon, Facilities Mgr @ SNHU. Fencing is around the retaining wall in the parking lot. On the upside of the building the fencing was discontinued. We would like to eliminate fencing in that area. I checked with CEO, there is no walkway or other element and there are no building codes that require it. The main reason we are requesting this is because the area is behind the parking lot and where the snow removal is located. A fence there will not hold up over time. It is mulch in that whole area

and no reason for anyone to be in that area (once a year bark mulch touch up); no plantings or lawn to maintain.

J. Gryval: Fencing along the side looks great. At the parking lot, to me it is a hazard and a fence should be along the top of the wall.

R. Duhaime: How many feet of fence do they need?

D. Adams: 120 ft.

R. Duhaime: What about a black chain link fence? Rot iron is expensive.

D. Adams: Chain link is less rugged, requires constant repair, and aesthetically is not good looking.

D. Marshall: I agree with putting the fence in for a safety issue. Height like that needs fence. A guardrail won't do it. Once you install, then you need to make sure it is maintained.

D. Adams: The parking lot is for staff, not for students. Between this and the dorms are wetlands. There is a fence along one part of the retaining wall. It is unsafe if a student chooses to walk on the other side of the fence.

J. Duffy: On the site plan, the retaining wall comes along side of the building and ends where there is a grassy slope. For snow storage, fit some storage in the corner, and have the majority in the grassy slope area not pushed into the fence. There is a 10-12 ft drop-off where the temporary fence is shown in the photo. I am surprised the university wants that liability.

D. Adams: We thought this could be a field change. We were hoping it is the school's decision, because it is on private property.

J. Gryval: The fence was on the plan we approved.

D. Marshall: The site plan was approved by this Board, private property or not, we can require it.

D. Marshall motioned to deny the field change/modification to the site plan to omit the fencing in the parking lot retention wall area. Seconded by M. Cannata. Vote in favor. F. Kotowski, N. VanScoy, and D. Hemeon opposed. Motion carried.

Y. Nahikian: Why didn't the university make the decision before coming to this Board?

D. Adams: The school did discuss this. It was the school's decision not to have the fence and do this as a field change. That is why we were here asking for relief.

7. **PENNICHUCK ROCK PILE**

J. Duffy: Tony Acorace and I spoke this afternoon. The Pennichuck Water Pump Station is on his property. They are trying to get their bond released. Dan went out the other day, and the erosion will be addressed. Mr. Acorace wants to keep a pile of rocks along the road towards the water pump station. The rocks have to go as a result of construction and the site needs to be completed as it was approved. He doesn't want the rocks removed, because he wants to build a stone wall. We first suggested he take the rocks off the site and put them on the residential area closer to his house. Pennichuck won't move closer to his house. He is here to request the rocks be allowed to remain where they are currently located.

D. Marshall: What is the reason not to allow them to remain?

J. Duffy: The site plan does not show rocks. This is similar to the MTS fill that was left there. We were worried about silt and erosion. He is asking this Board to allow him to keep the rocks.

T. Acorace: Half of the rocks have been there before this project started. Timeframe to complete my wall is whenever I want. They are not in the easement. They are already on my property. If it is an erosion issue, I will put silt fence. This is going nowhere over a pile of rocks. The erosion issue is still there. For the site plan, what about the rocks at the site that are not on the plan?

J. Gryval: It appears the project is not completed.

T. Acorace: They just need more loam and seed and they are finished.

R. Guay: Are the rocks visible from the main road?

T. Acorace: No.

***N. VanScoy motioned to allow the pile of rocks to stay on the Acorace property for the purpose of building a stone wall. Seconded by C. Granfield.
Vote in favor. R. Duhaime abstained.***

3. **GREEN COMMUNICATION – Additional Comments**

V. Drouin: Green Mountain Communications has been in NH for 15 yrs and is looking to relocate their office from Wolfeboro and end their leasing of space in Manchester. We have 50 employees, 35 of them in service. They travel throughout New England and Hooksett is a good corridor. We met with Jo Ann and found a location, went over fees, and the planning process in Town. \$42,000-\$43,000 in impact fees say "new business is not welcome". There were also \$15,000-\$20,000 in bonds/site inspections. The building permit is \$8,000. We were now up to \$100,000 before we stick a shovel in the ground. There is a 10 inch water main that serves the NERR building and we would have a hookup with Village Water. With a 6-8 inch pipe, hydrant, maybe even sprinklered, it was \$50,000 for water hookup, and water

inspection fees. I would have preferred you denied me tonight, because I may now lose my \$15,000 deposit.

D. Marshall: Impact fees were needed in this Town because we couldn't keep up with growth and supply the infrastructure. Bedford, Hudson, and other towns have impact fees to help face infrastructure. To move this process along, at times the Board's hands are tied by water and sewer. It is best to come in front of this Board conceptually. If the Board is satisfied then, get variance/special exception, water, sewer, and then come and see us for the application process. Sometimes developers go through that process with water and find they do not want to go forward. Over 37 yrs on this Board, I have seen our Development Regulations and Zoning Ordinances grow. I would hate to lose you in this community as a business. This Board and staff will do everything feasible for you to come back to the 9/14/09 Planning Board Meeting.

F. Kotowski: I am new on the Board, and I apologize to you for you wanting to walk out the door on this project. What is one thing we could change to make it easier for you?

V. Drouin: We went 6x through the ZBA process and it is not a true wetland. The soil is only classified as wet. This took 3 months through the ZBA.

F. Kotowski: The process should be shortened overall from start to finish.

V. Drouin: Land was previously approved by DES for a crossing (NERR). We were told to go back to DES for our project to get something that was already approved.

8. MS & G – HEAD'S POND (#07-05 & 07-42)
Draft Development Agreement for Head's Pond Development

J. Duffy: The draft Development Agreement was sent to David Campbell. He said there are several items that were not made part of the agreement (that should have been) based on what has been discussed. David contacted Bart and is meeting with him next week and will get the revised agreement.

9. PLANNING BOARD – RULES OF PROCEDURE

J. Duffy: Two consecutive meetings, continue to 9/14/09.

10. CIP COMMITTEE
Discussion regarding appointment of CIP Committee

J. Duffy: In September, the Board should start considering appointing CIP Committee members for this coming year. I have not asked any members from last year to be on this year's committee. Carol, what is the CIP deadline this year? The CIP Committee came and met with you a few months ago and provided their self-audit. The Board said to keep the process as is for the time being.

D. Marshall: Did some CIP members attend the CIP Roundtable Workshop?

J. Duffy: Yes.

10. COs – PROJECTS WITH OUTSTANDING ITEMS

11. PLANNING BOARD – PRIORITIZE SIDEWALKS, ETC.

D. Marshall: #10 & #11 above, we need a workshop session for these type of things.

8/24/09 Planning Board Workshop 7:00-9:00pm

12. TOMBS – Auto Sales

J. Duffy: Provided brief overview of applicant wanting an office at the Tombs site to sell autos; up to 17 autos on the site. Which option would the Board be in favor of:

- waiver of site plan
- site plan

Board: Site Plan is needed.

***D. Marshall motioned to adjourn at 10:35pm. Seconded by R. Duhaime.
Vote unanimously in favor.***

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 10:35pm. The next Planning Board Meetings are at the Hooksett Town Hall Chambers, room 105 @ 7:00pm:

- August 24, 2009 – workshop meeting
- September 14, 2009 – regularly scheduled meeting

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator