

**Official
As of 02/08/10**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, January 11, 2010**

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 7:00pm

ATTENDANCE – PLANNING BOARD

Chair J. Gryval, Vice-Chair D. Marshall, Town Administrator, C. Granfield, M. Cannata, F. Kotowski, J. Mudge, Robert Duhaime Town Council Rep. N. VanScoy, D. Hemeon, and B. Sullivan.

Absent: Y. Nahikian.

REPRESENTING TOWN OF HOOKSETT

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

APPROVAL OF MINUTES OF 12/21/09

N. VanScoy motioned to approve the minutes of 12/21/09. Seconded by D. Marshall. Vote in favor. Town Administrator C. Granfield, J. Mudge, and R. Duhaime abstain.

J. Gryval: Tonight we have members of the Zoning Board of Adjustment (ZBA) present with their staff for the Non-meeting status.

ATTENDANCE – ZBA

Vice-Chair Roger Duhaime, R. Bairam, J. Levesque and Town Council Rep. J. Gorton. In attendance for the ZBA staff are Code Enforcement Officer, Peter Rowell, and Zoning Secretary, Lee Ann Moynihan.

ENTERED NON-MEETING STATUS AT 7:05PM

Meeting with Town Attorney.

EXITED NON-MEETING STATUS AT 8:00PM

WAIVER REQUEST

1. **WP HOOKSETT ASSOCIATES, LLC (#09-24)**
Ocean State Job Lot @ Granite State Marketplace
1328 Hooksett Rd., Map 25, Lot 78
Waiver request to Article 10-A (I) 3(d) table of Performance Zone sign standards for signage on building

Dan Fuchs, WP Realty/WP Hooksett Associates, LLC – owner of the marketplace, and Tim Sullivan, Barlo Signs.

T. Sullivan: We are here for the waiver for the size of the sign for Ocean State Job Lot (OSJL). At the last meeting, the Board was concerned with the other store sign sizes in the plaza. We surveyed and obtained the area and sq ft of the signage. Our sign vs. other signs at the plaza; example Express Fitness sign is a little smaller than OSJL fascia. The fitness center tenant sign is 189 sq ft with occupancy of 16,000 sq ft. OSJL will be a 32,000 sq ft tenant and we are asking for only 5 ft sq ft more signage than the fitness center. We want to be seen from Rte 3. Most other tenants in the plaza are facing into the parking lot and have signage bigger than our project. The Board was also concerned above the OSJL taking up 1/3 of the old Walmart space. We will talk now about that space and subdividing.

D. Fuchs: We've had interest from other potential tenants to occupy the 84,000 sq ft of the old Walmart. OSJL will occupy 32,000 sq ft with the ability to expand another 10,000 sq ft. We envision two other tenants with one occupying between 20,000-25,000 sq ft. When we have the additional tenants, we will add new entrances. We do not know the additional tenants' sign criteria. WP realty has done other projects with OSJL and they are a quality tenant. The proposed signage for OSLJ is their typical signage. WP Realty is supportive of their proposal and we hope they get what they need for signage.

J. Gryval: Staff comments?

J. Duffy: I spoke on the phone with Dan Fuchs last week, and he is here tonight to discuss future plans of the plaza.

C. Granfield: As owner, has there been any thought for changing the look of all the plaza signage to have similar signage? Not necessarily the fascia, but the signage to be similar.

D. Fuchs: We have not discussed similar signage for this shopping center. We typically don't do that for any of our shopping centers. We leave it up to the tenant to design and apply for their own signage.

D. Marshall: "Subway" did not come into the original shopping center and "Verizon" did not either. You just flat out stated you support this size of the OSJL sign. Then we are faced with 3 huge signs when you include the other two tenants. If we are keeping in accordance with the Performance Zone (PZ) sign standard, there needs to be some semblance of order.

R. Duhaime: Who was the tenant with the signage that occupied 16,000 sq ft?

T. Sullivan: Express Fitness.

R. Duhaime: Is the OSJL signage Barlo's design?

T. Sullivan: It is the standard OSJL signage.

R. Duhaime: Aesthetically it is not pleasing at all. It doesn't go well with the Walmart plaza. The size is not the issue. It is the design quality. You are talking about divvying up the old Walmart for a total of 3 units. When you do that, then the OSJL signage won't look at all centered. Other existing signs at the plaza are lower and below the peaks. Red letters and an all white background looks more like a billboard.

T. Sullivan: "Shaw's" has orange letters, and "Empire Beauty School" has red letters. Red with white returns is what OSJL does. Once we subdivide the old Walmart, our signage will be to the left of the entrance. This is more an anchor location with a large anchor fascia. In a strip plaza you have 2-3 anchors to attract people off the street. 416 sq ft was the old Walmart sign. We are asking for 174 sq ft; not quite a 1/3 of what Walmart had. Walmart has a blue fascia and we have painted over it for a white background.

R. Duhaime: If the background and color of the letters change, then it will be aesthetically OK.

M. Cannata: There is an element with what Robert has said. It is the type of letters that is the issue. They are very thin compared to what is already there for other tenants. The proposed letters almost look anemic. I am not being critical, but coming from an objective point-of-view. If the letters were broader or bolder, that would be a better design. Thank you.

B. Sullivan: This is the first time I have seen you people. Is this sign lit?

T. Sullivan: Yes internally illuminated and raised.

B. Sullivan: The letters should be backlit. This requirement is in our PZ ordinance. Example of a sign in compliance with the PZ is the movie theater; "Cinemagic" is backlit.

T. Sullivan: What do you mean by backlit?

R. Duhaime: The fixtures being lit, not the letters.

B. Sullivan: The PZ signage ordinance gives the details.

T. Sullivan: Other tenants are face-lit and not backlit.

B. Sullivan: I propose you look at the Cinemagic signage. You have made no great deal of thought on your signage layout. Is it standard of OSJL to have smaller font for "Ocean State" and larger font for "Job Lot"?

T. Sullivan: Yes.

B. Sullivan: Can you meet our requirements per the PZ ordinance? Show to me that our ordinance is severely going to affect your signage. I like the PZ ordinance signage.

T. Sullivan: Cinemagic is a stand-alone business.

B. Sullivan: Your point a few minutes ago is you want people on Rte 3 to see your signage. What about Shaw's signage? You are looking at the old Burger King if you are on Rte 3. Are Verizon and Subway going to take away from your signage? You have bright letters. How are you going to light it? I don't understand how you can't meet our PZ ordinance.

R. Duhaime: Mr. Chair, do you want the Aesthetics Committee to review this?

J. Gryval: The point on the floor is size. We have to settle size vs. aesthetics.

B. Sullivan: I am not saying you won't get this. I want to know what this will look like to meet our PZ ordinance.

T. Sullivan: We understood the use of backlit is encouraged but not required. If it were required, then we would have considered it. This plaza doesn't incorporate halo lighting for equal visual competition. If we halo light this property, this doesn't compete with the other face-lit signage. As you were saying Burger King is in the way of Shaw's. There are a lot of obstructions from Rte 3. You will not have a lot of time driving by to view the signage with all these obstructions.

B. Sullivan: The sign that sits abreast of Burger King and the Shell station is what will draw people's attention. You are concerned when someone goes into the plaza to locate your signage. I know you are trying your best, however we are not naive. I don't have to look at that sign until I make my left or right turn into the plaza. For the most part you are a destination and people will look at the sign between Shell and Burger King.

D. Marshall: You should deal with our Aesthetic Committee. Has anyone considered "Ocean State" on top and "Job Lot" on the bottom similar to Empire Beauty School to decrease the signage? We know there will be other tenants. The Planning Board has a lot of respect for the sub-committee who deals with aesthetics to work out things before it comes to this Board. Meet with the Aesthetic Committee to work out the signage issues before the next Board meeting on February 8, 2010.

R. Duhaime: It is the design of the sign, and the scale is not right. It just needs a little tweaking.

M. Cannata: I just wanted to bring to the applicant's attention that there are 3 existing trees that will potentially grow and push out in front of their proposed signage.

J. Gryval: Go to the Aesthetic Committee.

R. Duhaime: Provide a few renderings to the Aesthetic Committee.

CONTINUED TO FEBRUARY 8, 2010.

DISCUSSION

2. CRANTON VERNON, LLC (#09-27)

Thames Rd. & Avon Rd., Map 14, Lot 14-3

Site plan for the proposed construction of a 31-detached unit residential development under the workforce housing regulations (phase I = 9 units, and phase II = 22 units).

J. Gryval: Staff, what is the status of water and sewer for this site.

J. Duffy: This site was before the Board a year and half ago. Water gave them an application. The only way water could become available is if they purchase it from another development that has not been built. As it stands now, there is no capacity for water or sewer.

Hartley Cranton, Cranton Vernon LLC – builder and developer: I have this piece of land and wanted the best use for it in this economic climate. I met with NHHFA and workforce housing is in demand and the State would like it developed. To make the project work, we would build 9 units for phase I. These are detached one family housing at a cost of \$200,000 in that area. NHHFA has approved \$20,000 to help potential home purchasers of 4 of the units. We want to provide housing to meet the need for people without a lot of money and with help for NHHFA we can provide them a nice house. Workforce housing is a new program and I am feeling my way through the process. Our project is subject to obtaining sewer and water. If we can't get it, then our project is a dead deal. Bryant Anderson from VHB will provide you with further details.

J. Gryval: Workforce housing is the cost to build while meeting the workforce housing regulations.

Bryant Anderson, Project Engineer @ VHB: This plan is slightly different than what we submitted for preliminary grading for the topographies of the land. The 2nd and 3rd pages are concepts. We thought about 16-unit townhouses, also another concept for 24-garden style apartments. The proposal tonight of a 9-unit single-family workforce housing development fit the topography better. North (top) to the left of the plan is Thames Rd,

and Avon Rd is to the right. It is a 4.7 acre site at Map 14, Lot 14-3. The initial phase is for 9 units, with a potential future phase of additional housing down the road. Our proposal for the 9 units is to have garages under with 2 floors above. The top left corner unit would have access to Thames Rd. The remaining units would have access to Avon Rd. There is central parking in the courtyard; 2 spaces per unit. What we are trying to do this evening is get your guidance on how to proceed for a full site plan application under the workforce housing regulations. We are looking for input from the Board.

J. Gryval: What is the number of bedrooms?

H. Cranton: 2-3 bedrooms.

B. Anderson: Primarily 3 bedroom units.

R. Duhaim: Phase I has 9 units. There are wetlands inside that phase. Where is the open space for residents to use?

B. Anderson: We are not anticipating having wetland impacts. There is some green space around the units. Our project is similar to other types of workforce housing developments.

R. Duhaim: With multi-bedrooms there will be kids. There needs to be a green area for kids to have a swing set or congregate. The existing homes in the neighborhood are tree-lined back from the road. Your site plan has very little screen on the corner. Unit 4 has quite a few steps heading out to the corner. Workforce housing is supposed to be with the value of the existing homes. The units should be aesthetically pleasing from the street side.

B. Anderson: Yes, this is only a conceptual and not a detailed landscape plan. Where you see steps out toward the road, it is aesthetically to look like the front of the building. It is actually the back entrance.

D. Marshall: Will these units be under a condo association?

B. Anderson: That is up in the air at this point.

D. Marshall: If they are not defined as individual lots, they will be hard to sell.

B. Anderson: They will be fee simple lots or under a condo association.

D. Marshall: Fee simple may be problematic. Units 8 & 9 have a common driveway. Units 2-7 have a common driveway. Unit 1 is the only unit with a private driveway. Who will maintain these common driveways?

H. Cranton: They will be single-family detached condos.

D. Marshall: Has the Granite Hills Condo Association given their blessing for this development?

B. Anderson: We are not sure yet.

H. Cranton: Before we present to Granite Hills, we wanted to get this Board's input.

D. Marshall: Workforce housing has a lot more flexibility than a traditional development for density and other areas.

J. Duffy: Am I correct that 4 of the total 9 units will be workforce housing but not the remaining 5 units?

H. Cranton: NHHFA approved financing for buyers of 4 units, but probably all the 9 units will be workforce housing. With 9 units we can keep the cost down enough for affordability.

D. Hemeon: What is the sq ft of the units?

H. Cranton: 900 sq ft living space for the 2-bedroom units, and 1,400 sq ft living space for the 3-bedroom units.

J. Gryval: It would be good to know what we have and what we need for workforce housing.

J. Duffy: The last report showed we did not have enough workforce housing, but they are in the process of updating the report. Each town is supposed to be doing their own study for their own needs to see if they meet the State's requirements. We have not done the study. We have a meeting this week with a consultant to go more in depth with the workforce housing.

M. Cannata: Will phase II be workforce housing?

H. Cranton: Phase II is cloudy.

M. Cannata: Is Granite Hills going to be made aware of phase II now or when you talk to them?

H. Cranton: Granite Hills will see the same plan as this Board.

B. Sullivan: 900 sq ft is the small size unit, and 1,400 sq ft is the large size unit. Is the \$200,000 for the 900 sq ft unit? I have a 3,300 sq ft house in Town assessed at \$380,000. If it is for the 900 sq ft unit, that would be \$220.00 per sq ft for workforce housing? I am not grasping the economics here. This is an extreme amount of property on 4.7 acres for workforce housing. 900 sq ft for \$220.00 per sq ft?

J. Gryval: Make sure you 1) have sewer & water, and 2) speak with the Granite Hills Condo Association prior to coming back to this Board.

J. Gryval: Tonight is only a discussion item, however I will allow input from the public.

Alan O'Brien, Cedar Management: We are the management company for Granite Hills. We became aware of this project about a week ago. We met with the applicant in the hallway tonight. For the cost and calling it workforce housing, how are you going to build them? We have managed since 1986 when Granite Hills started. The site cost is astronomical; it is after all a "granite" hill. \$200,000 for a 900 sq ft unit? I have units at Granite Hills for sale now at \$150,000-160,000. Is that affordable housing? At that price level it is already available in Town. If you make the units condos, there are condo fees. Who is going to maintain the units? For water, nothing has changed since their elderly application in March 2008. Workforce housing is needed in Town. Is this going to open up other developments in this area for workforce housing? We will be meeting with the proposed developer. This doesn't look a whole lot different from their March 2008 conceptual. They are squeezing as many homes on 4.7 acres. This doesn't look like workforce housing.

J. Gryval: Applicant, you have quite a bit of work to do.

B. Sullivan: I agree housing can be difficult. The Board provided flexibility for the Carriage Hill project. When something hits \$200.00 per sq ft, that is high-end housing. Look past the name workforce housing. 9 units/properties on 4.7 acres doesn't make sense. Kids are going to live there. Where are they going to throw a ball? The numbers don't work.

H. Cranton: Workforce housing is not just for families. It can be for single people, divorced people or someone living with an elderly person.

J. Gryval: For the number of bedrooms, less than 50% 2-bedrooms is not covered under workforce housing.

J. Duffy: This applicant has a TRC meeting this Thursday, January 14, 2010 @ 9:00am.

J. Gryval: Get water & sewer and speak to the Granite Hills condo group before we see you again. If these items are not taken care of, there is no need for you to come back.

H. Cranton: I understand and will work on those issues.

COMPLETENESS

3. **CHARLES & DEBORAH HOLT (plan #09-26)**
36 Whitehall Rd. & 313 Londonderry Turnpike, Map 25, Lots 39 & 39-1

Site plan for the proposed construction of a 16-unit residential development in 4 buildings under the workforce housing regulations.

J. Gryval: Staff complete?

J. Duffy: Yes.

D. Marshall motioned to find the application complete. Seconded by R. Duhaime.

J. Gryval: For completeness, by voting these things complete before they are complete presents a problem. If we then don't approve the waivers, and there are engineering things that need to be done, we have already started our 65-day deadline. I think this is why we have people coming back for extensions.

D. Marshall: We agreed if staff tells us it is complete, then the Board finds it is complete. If we want to change the criteria with staff that they can't say it is complete unless all waivers done, then we would have to change the criteria.

J. Gryval: I am going to ask staff to consider the change.

J. Duffy: Each application stands on its own. For this applicant, he has 3 waivers. 2 waivers are only for the scale of his drawings. Waiver #3 will need a conversation with the Board for the visitor parking configuration, because some of the parking will not be built until a later date. Normally there is no public input for completeness. That is why if the applicant has a reasonable waiver, we would say it is complete. If staff felt it is not a reasonable waiver, we would not say it is not complete.

J. Gryval: Some waivers are not reasonable, then we find it complete but then we deny the waiver later.

J. Duffy: I understand your concern for the 65-days. Typically the applicant agrees to extend that, but I guess it could happen where they don't get extended.

J. Gryval: We do have a list that the applicant must meet to be complete.

J. Duffy: We can discuss this further at a future Development Regulation workshop.

R. Duhaime: For Stantec letters Dan gives deadlines to the applicant. Applicants here tonight met Dan's deadline.

J. Gryval: I don't like these things being bounced back and forth.

Vote unanimously in favor.

B. Sullivan: For the Holt discussion, Mr. Holt has been before us several times, for as long as I have been on the Board, to improve his site at the Londonderry By-pass area.

Waiver #1 – Part III Section 3.05.1 – Lighting plan drawn to a scale of 1”=20’.

Request for scale 1”=30’. D. Marshall: Received and read the waiver into the record.

*D. Marshall motioned to grant waiver #1. Seconded by B. Sullivan.
Vote unanimously in favor.*

Waiver #2 – Checklist – Plan scale 1”=40’. Request for scale 1”=30’. D. Marshall:
Received and read the waiver into the record.

*D. Marshall motioned to grant waiver #2. Seconded by M. Cannata.
Vote unanimously in favor.*

Waiver #3 – Part I Section 15.01.25.b – Total minimum visitor parking spaces shall be equal to one-half (1/2) of the total number of units.

Request for less parking spaces. D. Marshall: Received and read the waiver into the record.

D. Marshall motioned to grant waiver #3. Seconded by B. Sullivan.

D. Tatem: I do not recommend you approve this waiver (#3) until we have a full plan set to review.

Vote unanimously opposed. Motion failed.

PUBLIC HEARING FEBRUARY 8, 2010.

4. ALL OR NOTHING, LLC (#09-12)

254 West River Road, Map 17, Lot 36

- site plan for the proposed construction of a 1-story 5,600 sq ft building next to the existing pizza shop
- demolition plan to show the necessary demolition of an existing house. This is required in order to construct the 1-story building.

J. Gryval: Staff complete?

J. Duffy: Yes.

J. Gryval: You have drainage and other items.

D. Tatem: Yes received and no waivers are needed.

*D. Marshall motioned to find application complete. Seconded by C. Granfield.
Vote unanimously in favor.*

PUBLIC HEARING FEBRUARY 8, 2010.

PUBLIC HEARING

- 5. PAUL A. MAURAS (#09-22)**
Maurais St. off Mammoth Rd, Map 45, Lot 33
Subdivision plan for 3 lots.

Matt Peterson, Woodland Design Group: I am representing Mr. Maurais for his subdivision off Maurais Street. We were here 6 months ago for a lot line adjustment. We were here last month for the completeness of his back 3-lot subdivision and tonight is the public hearing. We are asking to be continued to February 8, 2010 Planning Board Meeting. We would like to hear from the abutters. The 11 x 17 plans in front of you have not changed from the completeness hearing. Sheet 1 of 15 shows the remaining 19 acres in the back parcel. Sheets 2 & 3 are the existing conditions. We previously came before the Board for a conceptual discussion of 15 acres and the Board suggested pursuing workforce housing. We will provide a conceptual next month for a 30-unit workforce housing development on the 15 acres. Tonight is the public hearing for the 3-lot subdivision. They would like to build on these three lots then continue the development of the acreage that is there. We will have permits for wetlands and alteration of terrain to keep building homes and develop the final phase of this project. Sheet 5 shows the back half of the property. Sheets 6 & 7 are the topographies. The lots are served by Town sewer and Manchester Water Works (MWW). Guy Chabot at MWW sent an e-mail of what they have for water out there. Sheet 8 is the demolition plan. We will take the existing curb cut and move it to the proposed roadway. Maurais Street is currently not a Town road. We will go through the process of making it a Town road. Sheet 9 shows the layout of the road, meets & bounds, the 600 ft to the cul-de-sac, and the 300 ft around the cul-de-sac. We will address the comment from Dan to have a landscaped entrance. Dale also mentioned landscaping in the cul-de-sac. We propose sidewalks for the south side. We originally planned for 24 ft, however the TRC requested 26 ft. Sheet 10 shows the profiles. The cut in the road is 2% to 3 1/2 % to 3%. Utilities are out of the roadway. The manholes are inside the pavement. Dale did not want the manholes in the roadway because of plowing. The 15 ft easement requirement doesn't make sense to re-cut trees. If we get the manholes out of the road and onto sidewalks, is this an OK solution so we wouldn't have to re-cut trees? We want to maintain the existing character of road.

D. Tatem: Two comments should be addressed: 1) sheet 4, there is an existing house there with a shed and garage within the setback and this would become non-conforming. Would the applicant grant an easement to the abutting property or move the shed to make the lot conforming?, and 2) water, sewer, and gas out of the pavement are. MWW mentioned to leave water in the road, but Dale wants utilities out of the road for plowing.

D. Hemeon: I talked to Matt the other day and have no problem with manhole covers within the sidewalks.

M. Peterson: Some manholes will remain in the road.

D. Tatem: The 300 ft of water main is not an issue. Just move the shut-off.

D. Marshall: Map 45, lots 30, 31 and 31-1 are separate lots of record. Why aren't they solid lines on your plans?

M. Peterson: Because they are abutters.

D. Marshall: Will the temporary cul-de-sac become public roadway? Will the 15 acres be a private roadway? Map 45, lots 33, 33-1 and 33-2, will these lots have houses built on them?

M. Peterson: Yes the goal is to build on these.

R. Duhaime: If a house is built on Map 45, Lot 33-2, you would have to re-subdivide the lot.

D. Tatem: The shed and garage are on the property line.

R. Duhaime: Moving the shed will make the lot more valuable.

M. Peterson: The shed will be moved, however the garage would stay.

J. Gryval: Is the Board OK with moving the shed and keeping the garage?

B. Sullivan: Jo Ann, are we providing the school system with information on possible growth in the next 5 yrs? 9 units on 4.7 acres is a lot of housing.

J. Duffy: Application plans go to the SAU with a sheet for their comments to the Board.

M. Peterson: I do not need any waivers for this application.

Open Public Hearing

Leslie Lahey, 14 Fieldstone Drive: I am speaking tonight for me and a couple of my neighbors. The road to the cul-de-sac, I am not familiar with regulations for Hooksett. How long can they extend this road in the future without another access road?

R. Duhaime: 1,200 ft.

D. Tatem: You also need to look at it that the road could go all the way through some day. If the road is over 1,200 ft, then they would need the abutters' permission. The applicant spoke with the abutters and the abutters don't want it to be done.

L. Lahey: Will the housing fit in with what is already back there? We want to make sure our values are not going to be affected. There are also drainage concerns. The second half of the has major concerns. Can they make a private road go back further?

D. Tatem: The road for tonight's 3-lot subdivision may go 1,200 ft as a public roadway. The other plan you are talking about is a site plan, and that would not be a roadway but a private access.

L. Lahey: So it is 15 acres of private driveways off one access road.

D. Tatem: Yes under the site plan regulations.

D. Marshall: Received and read e-mail/letter from Robert Lachance, 16 Fieldstone Drive, into the record. Your plan says a different name for this address (Robert Gibbons).

M. Peterson: I took the abutter information off your Town assessing records.

Ben Maurais: That property sold within the last year.

L. Lahey: There is a runoff brook along 14 Fieldstone Drive that is not shown on their map. They show other properties runoff, but not ours.

J. Gryval: We will hold the public hearing open until February 8, 2010.

D. Marshall motioned to continue applicant to February 8, 2010. Seconded by C. Granfield.

Vote unanimously in favor.

CONTINUED TO FEBRUARY 8, 2010.

OTHER BUSINESS

6. NORMAN'S GRANT - CISTERN (#04-16)

Roy Rd. & Pearl Dr., Map 16, Lot 79

D. Tatem: Dean Jore, Asst. Fire Chief, could not be here tonight due to a prior engagement. Scott Bussiere, All State Builders - applicant/developer, is here tonight. A cistern for this site was installed with permission from the Fire Dept., but there was not proper site compliance monitoring. In the end Fire asked us to sign off, but we (Stantec) were not involved. There is an existing bond for \$30,000, but now cisterns cost \$80,000. I spoke with Atty. Buckley Thursday and he suggested a maintenance bond for 5 yrs. It would not be self-renewing or self-calling and will expire in 5 yrs. Atty. Buckley said this is a reasonable approach. The applicant/developer will need a waiver from the standard bonding requirement. The \$30,000 standard bond will remain in place with an additional \$50,000 maintenance bond. The \$30,000 goes on forever, and the \$50,000 expires in 5 yrs.

B. Sullivan motioned to grant the waiver for the standard bonding requirement for the Norman's Grant (Hemlock Estates) Pearl Drive Map 16, Lot 79 Fire Cistern and accept a \$50,000 maintenance bond that will expire in 5 yrs., conditional that the existing standard \$30,000 bond will remain in place to bring the total bonding for the cistern to \$80,000.

*Seconded by R. Duhaime.
Vote unanimously in favor.*

Administrative fees

C. Granfield: A request from the Town Council was to inquire with this Board as to charging an additional cost to monitor bonds. This cost would be passed onto developers and incorporated into the Development Regulations.

D. Marshall: The Town Council itself would like us to do this? Was it a split vote?

C. Granfield: The request that came from the Town Council was to have our Town Attorney look into charging the additional fee. The Town Attorney said the fee would be a Planning Board item. I am just looking for input from the Board tonight.

D. Marshall: I would like to hold action on this, until the Town Council decides if they want to do this.

B. Sullivan: Are you aware of any other towns that do this?

C. Granfield: I am not aware of any.

B. Sullivan: They (developers) already beat us up for fees. I have never seen this done before.

F. Kotowski: The Town Attorney refers to RSA 674:4. What does that RSA say?

D. Marshall: Read from RSA 674:4. I do not see anything regarding administrative fees in this section of the RSA.

N. VanScoy: I, as a Town Councilor, would not want to make a decision on this without input from the Planning Board.

C. Granfield: I will inform the Town Council that there was limited discussion on this subject at the Planning Board and provide your comments.

F. Kotowski: I would be interested in how much money the Town Council intends to get from this additional fee.

M. Cannata: Is this being moved by a Councilor or the Town Council as a whole? Where is this coming from and why?

N. VanScoy: It was initiated by a single Councilor who wanted further research with the Town Attorney on the fee for staff time to monitor bonds. Carol looked into it with our Attorney, and yes it is an option.

Cinematic Movie Theater

J. Duffy: Deputy Chief Hoisington of the Fire Dept. stated that Saturday night there were a large amount of vehicles going out of the movie theater parking lot. Inside the crowds were OK. He said for the parking lot that people were parking everywhere and that this is a continuous issue. This was brought to Peter's attention. Peter said at a 3:00 pm show, the traffic was backed up to the highway; 15 cars in the left turn lane were stacked. Part of the condition of approval included traffic detail. Chief Agrafiotis of the Police Dept. stated he can't do traffic control on a State road without the State's permission, and he would like to see a traffic light at the entrance. Chief Agrafiotis, after the Planning Board approval, said he can't do police detail and cannot allow the theater to have a private company do the detail. It has something to do with the Police union. About 6 months ago I contacted the Police Dept. about traffic detail/light and they said that because it is a State road I would need to talk to NHDOT. I have something in writing from NHDOT, and they say the traffic for the theater does not warrant for a traffic light. Now we are back to the subject of a traffic light.

B. Sullivan: I disagree with a traffic light. The issue is 14 theaters are done all at once.

J. Duffy: I checked the movie listings and the times for the movies are staggered, but they are within 10-15 minutes of each other.

D. Marshall: We had them stagger the start times, but not the end times.

N. VanScoy: If the parking lot cannot support the vehicle capacity, then don't they have to cut back on what they are offering for movies?

B. Sullivan: They will say they didn't put in a restaurant and therefore have ample parking.

D. Marshall: The parking lot for the future restaurant is being used for the theater.

B. Sullivan: Hooksett Road is not being well run for traffic.

C. Granfield: If the Planning Board had a condition that if needed there would be a police detail, than why isn't there one? Meredith had the same scenario for a shopping mall and they had police detail.

D. Marshall: We agree there should be police detail, but the Chief won't do it.

C. Granfield: I suggest the Planning Board send a letter to the Police Commission. Even though it is a State road, police detail can be done.

D. Hemeon: We started a fund for the police detail.

R. Duhaime motioned to send a letter to the Hooksett Police Commission for police detail at the entrance of Cinemagic for Friday and Saturday nights and such detail is to be paid by Cinemagic. Seconded by C. Granfield.

M. Cannata: Wherever this goes with the Police Commission, could the State Police or a State Marshall deal with it because it is a State road? This should also be for peak times. This is not part of the motion, just a discussion.

B. Sullivan: For approval we said to stagger the start times, but we didn't say stagger the end times. There needs to be a letter to Cinemagic to tell them to stagger the end times.

D. Hemeon: The Board approval for police detail was just for Friday and Saturday nights?

J. Duffy: Yes.

Vote in favor. M. Cannata opposed. Motion carried.

Town Charter Codification

C. Granfield: The Development Regulations and Zoning Ordinances can be codified. Is this something you want included? Codification would be finalized after the Town meeting.

F. Kotowski: What is the benefit to doing that?

C. Granfield: Everything is in one place and easily accessible to the public. Some groups like it totally separate.

B. Sullivan: Do we get an opportunity to change our regulations?

C. Granfield: Yes and edits are done on-line.

D. Tatem: What is the cost?

C. Granfield: We have funds allocated to cover it. It will probably cost about \$4,000. Codification attorneys will make sure we are in compliance with State laws. It is a double check for enforcement.

J. Duffy: It makes the document look more professional and it is easier to make updates. It is not the end of the world if we don't do it.

J. Gryval: Would it be helpful to staff?

J. Duffy: Yes.

J. Gryval: Then I say lets go with it and the Board seems to be in favor of it.

PZ Signage – Granite State Marketplace

C. Granfield: The shopping center signage applicant has been back to this Board a couple of times. They are looking to improve the shopping center site. We don't want to come across the wrong way.

J. Gryval: They are requesting signage 7-times what they are allowed in the PZ, then this Board has a problem.

Town Charter Codification, continued

B. Sullivan: Back to the codification. As a taxpayer I have a problem with my taxes increasing by 9%. It will cost \$4,000 to codify? I am offended we just spend this money just to have something numbered better.

C. Granfield: This is not an exact cost.

B. Sullivan: There is no huge benefit to have two lawyers (Town Attorney and Codification Attorney) both look at the regulations.

J. Duffy: It would make it read better and be more professional, but I don't care either way.

D. Marshall: Re-codification is recommended every 10 yrs. When was our last codification?

J. Duffy: 1988.

R. Duhaime: It is about someone trying to interpret our books. There are conflicts within the books. If codified, there are no conflicts.

F. Kotowski: I recommend we vote on this individually.

***F. Kotowski motioned to approve the codification of the Development Regulations and Zoning Ordinances. Seconded by R. Duhaime.
Vote in favor. B. Sullivan opposed.***

***D. Marshall motioned to adjourn at 10:00pm. Seconded by D. Hemeon.
Vote unanimously in favor.***

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 10:00pm. The next Planning Board Meeting is at the Hooksett Town Hall Chambers, room 105 @ 6:00pm on January 25, 2010. This will be a workshop meeting for the proposed 2010 zoning amendments.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator