

**Official
As of 04/19/10**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, April 5, 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, D. Hemeon, M. Cannata, J. Mudge, R. Duhaime, and Town Council Rep. N. VanScoy.

Excused: F. Kotowski.

Absent: B. Sullivan, and Y. Nahikian.

REPRESENTING TOWN OF HOOKSETT

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

APPROVAL OF MINUTES OF 02/08/10, 02/22/10, & 03/08/10

N. VanScoy motioned to approve the minutes of 02/08/10. Seconded by C. Granfield. Vote in favor. Vice-Chair D. Marshall abstains.

N. VanScoy motioned to approve the minutes of 02/22/10. Seconded by C. Granfield. Vote in favor. R. Duhaime abstains.

N. VanScoy motioned to approve the minutes of 03/08/10. Seconded by R. Duhaime. Vote in favor. Town Administrator, C. Granfield, M. Cannata, J. Mudge, R. Duhaime, and D. Hemeon abstain.

J. Gryval: Alternate Jack Mudge will be voting tonight.

COMPLETENESS

- 1. DIANE & STANLEY BIELIZNA (#10-02)**
1266 Smyth Rd., Map 48, Lot 19
Subdivision plan to create 6 lots.

CONTINUED TO APRIL 19, 2010.

COMPLETENESS & PUBLIC HEARING

2. MS&G/SPRINGWOOD HOMES (#10-01)

10 Post Road, Map 6, Lots 22-42 & 14 (lot between Map 6, Lots 18 & 19)
Lot line adjustment.

Ron Corriveau, MS&G Project Mgr., David Campbell, MS&G Attorney, and Peter Holden, Holden Engineering.

D. Campbell: The reason I am before you tonight is to correct the title issue to lot 42 within the Carriage Hill subdivision. Springwood Homes is the builder. It is a land locked piece owned by Robert Girard. Holden put a note on the plan when they did it that the person could possibly get access. It could be petitioned with the court. By Holden's putting a note on the plan, they made the lot unfinanceable. The lot line between MS&G next to LaValley's is a 50 ft wide strip up. The little loop could be petitioned over our land but not over lot 42. The way banks are today, if noted that there could be a possible problem with a lot, basically the lot cannot be financed. This is correcting the lot from the 2005 Carriage Hill subdivision.

J. Gryval: Staff is it complete?

J. Duffy: Yes.

D. Marshall motioned to find the application complete. Seconded by M. Cannata. Vote unanimously in favor.

Waiver Requests

- 1) existing topography, structures and drainage systems
- 2) existing utilities within 100' of the subject site
- 3) existing septic and wells within 200' of the subject site
- 4) proposed structures, roads, and other paved areas
- 5) proposed topography, wetlands, watershed boundaries
- 6) vegetation
- 7) site specific soil mapping

D. Hemeon motioned to grant waivers 1,2,3,4,5,6,7. Seconded by D. Marshall. Vote unanimously in favor.

Open public hearing

No comments.

Close public hearing

D. Tatem: One remaining comment is that the vegetable stand driveway (lot 6-18) appears to be encroaching onto lot 6-14. We recommend either the driveway be removed or grant an easement to the abutting lot for that use.

D. Campbell: A yearly license or easement will be pursued.

D. Hemeon motioned to approve the application conditional:

- All review fees are paid-in-full
- \$25.00 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 February 25, 2010 from Stantec)
- Driveway Encroachment - Easement/License to be submitted to the Town and reviewed and approved by the Town Attorney
- 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 J. Mudge.

Vote unanimously in favor.

CONTINUED PUBLIC HEARINGS

3. 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 dance studio building next to the existing pizza shop

Matt Peterson, Woodland Design Group, Inc.: The updated 11 x 17 plans have minor changes. We had 58 comments with Stantec and are now down to 27 comments with 10 of these being technical. Sheet 3 of 11 had only "retail" and now has "proposed retail". Sheet 4 has the existing slope in the back and I am proposing a retaining wall in back. The reason we are here tonight even with 27 comments is that the majority of those comments are around the retaining wall. We are working the existing site, cleaning it up, and asking for a little help from the Board tonight. Dan's concerns are how to construct the wall in this location. I looked that up via OSHA and put a note #13 on the plan that when the contractors are bidding to use the OSHA criteria. All other comments I believe we can be handled with a conditional approval.

J. Duffy: I only have a few minor things with the biggest one being the condo for ownership purposes. We have received preliminary condo docs and sent those off to the Town Attorney, but we haven't seen the floor plan or condo plans yet. This would have to be voted on as a subdivision. The only other thing I have is that we have not received the revised DOT permit. Also there is nothing in our traffic impact fee schedule that lists this type of use (dance studio). In order for me to determine impact fees, I need a traffic report first to determine how many trips this use will generate.

J. Gryval: The Board is reluctant to grant a conditional approval on this many conditions.

M. Cannata: I agree with Mr. Chair on the amount of conditions and that this is compounded with a condominium. I don't know the scope of the condo and how it impacts the plan.

R. Duhaime: For Stantec's comments, the Aesthetic Committee did receive updated landscape plans.

M. Peterson: Dale and Dan went out to the site to look at the drainage. We put a note on plan for the cross culverts. Yes we still need the updated DOT permit. And I had done traffic research. There are no criteria for any dance studios in the ITE. The closest use is a gymnasium, however that use has morning hours. I think Jo Ann needed a little direction from the Board on the traffic. Now they are talking about an existing slope that is already cut now. Something can work for the slope.

R. Duhaime: Dan, the retaining wall comment?

D. Tatem: It is vertical dirt and should be stabilized with something; either a shallow slope or extend the retaining wall. If sheet piles are used, those could triple the cost of the project. Matt is correct that something can work for the slope, however there is the cost. The plan should show how the wall will be constructed.

R. Duhaime: Slope location? There is the slope that is cut, the newly removed building area, and another area of the site.

D. Tatem: They roughed in the new driveway and graded it per the plan. The slope in my comments is to the right of the ice cream place. Behind there is a 5 ft. vertical face.

R. Duhaime: But it is an existing stable slope.

D. Tatem: They should either cut the slope back or leave it as is and stabilize it.

Marty Coronis: I am the owner (All of Nothing, LLC) of the site. We just picked up Matt as our engineer only a couple of months ago. We had another engineer before that. I know there are a lot of issues to resolve. I am asking the Board if there is any way for a conditional approval for bank financing. The ballet studio has been flooded out 3x in the last month at the RK Plaza location. I want to go home smiling. I haven't smiled in a long time.

J. Gryval: There is too much hanging to do anything conditional tonight.

R. Duhaime: In the past I have been critical of this Board granting conditional approvals. We typically need to show there has been something to start the condition. However I would be OK with granting this applicant a conditional approval.

M. Coronis: Will it be we will have 30 days to get these things done or is it wait until the next meeting?

R. Duhaime: We are all aware it is a downturn economy.

M. Coronis: I just lost my 90% financing. I am struggling also.

J. Duffy: I have watched him struggle for 1 ½ yrs. The financing is a big headache and his deal almost fell through. The Board could conditionally approve tonight, then have him come back to the Board to make sure his conditions are met. This way he can go to his bank. This is just a suggestion. It has been unbelievable what this guy went through.

D. Hemeon: There are 27 Stantec comments and 17 of those are engineering?

M. Peterson: Yes 17 are engineering.

D. Tatem: Some of the engineering comments include septic system design, and to determine if a ¾ inch gas main is sufficient for 3x buildings on the site.

J. Duffy: We have a letter from Village water that they have 1,100 gallons per day available capacity.

D. Tatem: There are also the parking calculations. There are two spots of snow storage that will infiltrate into the aquifer. I called the state and they have no regulation against it, but I don't recommend it. There are also 6 or 7 comments about the retaining wall. They just need to submit the data.

J. Duffy: And there are the condo plans and driveway permit.

C. Granfield: We could conditionally approve to a specific date, so that if the information is not there on that date the conditional approval is retracted.

J. Duffy: I recommended they come back to the Board May 3rd vs. April 19th.

M. Peterson: May 3rd is a good date for something like that.

J. Gryval: There is the cost of the wall, and no documentation on the condo documents. It seems like an awful lot just hanging there, even if you approve to a specific date.

J. Duffy: The staff can verify and bring back a status to the Board on May 3rd.

D. Marshall: With a conditional approval you can go to the bank, but you cannot do anything on the site until the plans are signed and recorded.

M. Peterson: Money has been a big thing. It costs \$2,000 for a septic design. The dance studio is trying to get as much money to the Town for Stantec reviews. A conditional approval helps some.

D. Marshall: A conditional approval allows you to get financing, but it is not a final approval. You are still at risk and you (applicant) need to accept that risk. You are going to continue to spend money on a conditional approval.

M. Coronis: Does the septic design need to be done for the conditional approval?

M. Peterson: Yes, it must be done before the plans are signed and recorded.

D. Marshall: The lending authority will make their decision to take a chance on you to get the conditions done.

R. Duhaime: We do not get the plans signed until the Board reviews it on May 3rd.

D. Marshall: Does it need to come back before the Board? Dan has to OK it.

J. Duffy: Before you vote, the Board needs to give direction on the parking and the slope.

D. Tatem: There is no way to pick parking #s. Jo Ann or someone said come back with the dance studio parking needs. 2 ½ parking spaces are provided and it seems like this is excessive parking.

J. Duffy: Every dance studio I have ever seen, there are certain times of the day the lot is packed and parking is all over the place. I don't see the problem with providing additional parking.

D. Tatem: They have adequate parking now?

M. Peterson: The regulations require 9.33 spaces for the dance studio and they have 17 spaces in front. There are a total of 45 parking spaces on the site.

D. Hemeon: I don't see a problem with the excess parking, because the site also has an ice cream & pizza shop.

M. Peterson: The impervious is balanced.

R. Duhaime: For parking, some parents are picking up and some are dropping off.

J. Duffy: For the slope behind the existing building, Stantec is recommending the new retaining wall be extended.

J. Gryval: If our engineering firm recommends it, the Board usually goes with it.

N. VanScoy: We are running through the conditions rather quick. There is the slope with the retaining wall in Dan's letter. This still seems like an amazing amount of conditions. I am concerned with stormwater runoff, traffic and turning, and the impact fees are not figured out. I can sympathize with the applicant, but there are a lot of conditions.

D. Hemeon: None of these things will be built by May 3rd, but he will come back with designs stamped and approved. He needs to live with this down the road. We want to make sure the owners are protected.

J. Gryval: I sympathize with you also, but there are a lot of conditions.

D. Hemeon: There are 10 major conditions, but I am willing to let this guy have a conditional approval tonight to get his financing.

J. Duffy: If you feel uncomfortable, make a conditional approval and give them until May 3rd and then the Board can go through the whole list of conditions and determine conditions that are left.

J. Gryval: What if the conditions are not met?

J. Duffy: If not met, retract your conditional approval.

M. Coronis: I can't afford to extend, and extend, and extend. I really need this today and I am going to make sure Matt addresses all those comments by the Board's May 3rd meeting.

R. Duhaime: Nancy, the barn foundation, what was disturbed is for the redevelopment of a very old site. They gave the Aesthetics Committee all our comments and added more than enough landscaping. There are a lot of benefits to this site. I am putting good faith forward that the plans are not signed until the requirements are met. This is an existing site with a new development.

N. VanScoy: I have no complaint with the design. I want to assure Stantec's comments are addressed and the project is safe. I have a problem with developers having free rain over drainage. Does the developer have a problem with the retaining the wall (comment #58 from Stantec's letter)?

M. Peterson: We are not getting away with anything.

N. VanScoy: I would like to see how the wall is going to be designed and how the stormwater will be handled. I don't know how to ensure that.

J. Gryval: Conditional approval plans drag and drag. I don't like these extensions.

N. VanScoy: And there is also Stantec's comment #22 for snow storage.

J. Mudge: When you were talking about financing, did you have to go to square one when you lost the 90% financing? Is SBA out of the deal?

M. Coronis: That is correct.

J. Mudge: I put two commercial loans on this property. I have been familiar with this site for the past 15 years. I tried to get the previous owner to do something like this plan. This plan is a great.

D. Hemeon: Having them come back to the Board on May 3rd, I don't see this as a liability to the Town. Dan and Jo Ann have to sign-off on it or the plan will not be signed.

D. Marshall: What permits are outstanding?

M. Peterson: DOT – Jim Lillis said it would take about a week and ½. Septic will take about 3 weeks.

D. Marshall motioned to approve the plan conditional, provided the following conditions are met by June 7, 2010 and the applicant appears before the Planning Board on May 3, 2010 to provide the Board a status on the conditions:

- All review fees are paid-in-full
- \$25.00 LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 2 mylars, 8 paper copies (22x34), 1 paper copy (11x17), and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction (see attached letter dated April 2, 2010 from Stantec)
- Condo Plans, including floor plans, must be submitted for review and approval
- Town Attorney review and approval of condominium declarations
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec to include the updated NHDOT permit
- Letter from 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, designated, and (c) the plans are signed and recorded
- Applicant agrees to site plan compliance monitoring
- Applicant agrees to remit "\$" in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39:
"\$" Impact Fees: Roadway: Traffic Report needed to determine new trips generated. Public Safety: \$7,000. Further discussion needed with traffic engineer to determine accurate counts.

- 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 unanimously in favor.***

- 4. PAUL A. MAURAS (#09-22)**
Maurais St. off Mammoth Rd, Map 45, Lot 33
Subdivision plan for 4 lots.

Matt Peterson, Woodland Design Group, Inc.

Waiver to Section 11.12.4 Street Systems; Sight Distance of the Town of Hooksett Development Regulations.

M. Peterson: I am requesting a waiver for the sight distance. Dot requires 400 ft safe each direction, but your regulations are AASHTO’s requirements (more strict). We don’t meet everything for AASHTO, but we do meet the DOT 400 ft requirement.

D. Tatem: You need to follow the AASHTO requirement.

M. Peterson: Driveway entrances and exits; AASHTO 2 ft+ clearance for snow. Another section refers to street systems and town roads. Either way I am asking for a waiver.

D. Tatem: Dale, do you maintain the sidewalk on Mammoth Rd. even if that is a State road?

D. Hemeon: Yes, the Town has to maintain those sidewalks.

M. Peterson: There is an existing 50 ft ROW.

D. Tatem: The sidewalk paved area does not need 2 ft. Where the sidewalk meets the road, show that on the plan.

***R. Duhaime motioned to grant the waiver for sight distance. Seconded by N. VanScoy.
Vote unanimously in favor.***

M. Peterson: Sheet 9 of 17, we had curbing and catch basins, and were going back and forth about where to put the manholes. The design is now a closed drainage system and we got rid of the curbing. We now have drainage swales on either side of the road. We met with DPW. One discussion with the Board tonight is sidewalks. I went by your regulations on street systems. I prepared a waiver request, but won’t submit to you until further discussion. We go along with other local roads that don’t have sidewalks. Castle Dr. and other nearby areas no sidewalks. If you require sidewalks, maybe instead we could have a 2 ft shoulder with a white line.

D. Tatem: Matt, the pavement is not in the center of the 50 ft ROW.

J. Duffy: Keep in mind, if you grant a waiver for no sidewalks, the next project for this applicant may have a potential future development past the cul-de-sac and could be something like workforce housing. You may have problems with no sidewalks.

R. Duhaime: If it becomes a cluster subdivision, sidewalks should be added at that time.

D. Marshall: In lieu of sidewalks, you want a 2 ft shoulder? That would be for single file. A 4 ft shoulder I wouldn't have a problem with.

M. Peterson: 4 ft of pavement is a sidewalk.

R. Duhaime: With drainage swales on either side of the road, he couldn't put in a sidewalk.

D. Hemeon: Have an 8 ft rumble strip with a white line. I had a conversation with the Sewer Dept. about manholes in the roadway, and I said "no you are not having them there". In the winter, roadways heave and plows hit them. Now the Sewer Dept. says EPA requires manholes in the roads to be acceptable. I say put them in the sidewalk. With a paved swale or a paved sidewalk, you can plow the whole thing.

J. Gryval: I realize this application tonight is a small part of the whole project. Normally, when we get a short area like this, I would prefer to see the whole project. Once you get this done, then you come back with the bigger project. An example of the bigger project is that we may have to integrate workforce housing.

M. Peterson: Paul Maurais lives here now and there are two homes around him. The conceptual workforce housing we presented to you 4 months ago . . . I don't think we will be able to come in at \$229,000 for that product.

Open public hearing

Dana Langton, 28 Castle Dr.: I have a considerable amount of wetlands behind my property. Right now and the last few years I have an over abundance of water coming into my property. The water was several feet up from my property on Castle Drive. Right now the trees are falling behind me. Mr. Peterson, this drawing doesn't portray my property . . . pointed out 12 inch pipe that drains into Town sewerage to Castle Dr. to Golden Gate. I am concerned about drainage. I am very concerned about problems on my property for drainage. This may be a 4-lot approval now, but then there is the bigger project down the road. I have been there since 1992. With trees being knocked down, with paving, and with housing, where is all the water going to go?

D. Tatem: Doug, our designer, pushed the peak out to the State ROW. This changed the water flow. The flow going to your lot will be less with this 4-lot subdivision. With the larger project in the future, we will carefully look at the drainage.

D. Langton: I now have standing water and that I never used to have. I added on to my home and took great pains not to go near the wetlands. Now there is a stream 8 inches to a foot deep that constantly runs and can possibly erode my yard away.

M. Cannata: The culvert next to you, has this been looked at recently?

D. Langton: The Mother's Day flood, it overran my road. With the recent windstorm, a lot of debris piled in front of the culvert and the water was 1-2 ft into my yard.

M. Cannata: Maybe your hole is getting narrower. Is it clear in the pipe?

D. Hemeon: I will check it. As for the windstorm, we had heavy rain before the wind. The snowbanks were frozen and the water couldn't get to the catch basins.

D. Langton: Dale, is there some point I can meet with you?

D. Hemeon: Yes. Sometimes the system in place can no longer handle it.

R. Duhaime: This Board takes water issues very seriously. A development happened around me, and I know exactly how you feel.

D. Langton: The State wetlands board allowed the developer for my lot to move the same volume of wetlands to another area on the site. It is a 1:3 slope.

M. Peterson: We will also move the shed on the plan.

Close public hearing

R. Duhaime motioned to approve the application conditional:

- All review fees are paid-in-full
- \$25.00 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 April 2, 2010 from Stantec)
- Drainage, Grading and Utility Easement to be submitted to the Town and reviewed and approved by the Town Attorney
- Move the location of the shed on the plan to conform to the setback line
- Show a 4 ft pavement area on plan
- Letter from Manchester Water Works stating they have capacity and approve this project
- Letter from Hooksett Sewer Commission 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 \$16,838 in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39 (Roadways: \$1,420 per unit x 2 = \$2,840. Schools: \$4,978 per unit x 2 = \$9,956. Public Safety: \$1,326 per unit x 2 = \$2,652. Recreation: \$695 per unit x 2 = \$1,390. TOTAL: \$16,838)
- 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.*

OTHER BUSINESS

5. 2010-2011 CIP COMMITTEE SELF-AUDIT REPORT

Robert Duhaime, Chair 2010-2011 CIP Committee, presented an overview of the self-audit report to the Planning Board.

D. Hemeon: I was frustrated with how the Town Council acted on the CIP Plan and I let them know it. The Town Council took off a lot of items, so the Budget Committee couldn't review them. This was a perfect year for a CIP Plan. We should put a little bit of money aside every year for 5-6 yrs for backhoes, trucks, etc. so that when you need to replace them you have the money there.

R. Duhaime: At the beginning of CIP process, I asked for a Town Council member (George Longfellow) to sit on the CIP Committee. Next year a Town Council member should be on the CIP Committee.

D. Hemeon: We need to get everybody in the same room to hear the same thing.

C. Granfield: For the budget process and CIP Committee, I agree there should be a Town Council member on the committee. The Town Charter currently states that the Town Administrator is to present the CIP Plan to the Town Council. I would like to see the Charter changed to have the CIP Committee present to the Council and Budget Committee.

R. Duhaime: In the Town Council minutes, the Council expected the Planning Board Rep. (Nancy VanScoy) to provide details of the CIP Plan to the Council. Nancy was not on the CIP Committee, but she did the best she could to answer the Council's questions.

Marc Miville, 42 Main St.: I joined the CIP Committee so I could learn about the budget process. It occurred to me as a first time CIP member, that I had to put a different hat on and have a different mindset than being on the Budget Committee. It took me a couple of weeks to realize it is a 6 yr plan vs. the Budget Committee only looks at the one year. As Dale and Rob said, the Town Council doesn't look at the CIP Plan as a 6 yr plan even though it is a 6 yr plan. I am glad to hear the Town Administrator would like to change the Charter to have the CIP Committee present to the Town Council & Budget Committee. We did hash out amongst all of us. We (CIP Committee) kind of wasted 3 of the 16 articles, because they never past the Town Council to reach the Budget Committee. There is a 6 yr plan as to "why" and that is really important. We are letting the voters decide. I am wondering if the citizens are aware of the 6 yr plan?

D. Hemeon: Article #11 for parks, I know that won't get a lot of support.

M. Miville: I think the Town Council and Budget Committee need the whole 6 yr CIP Plan. If you want other things done by the CIP Committee throughout the year, we could work on the Jordan Institute findings in the Master Plan and other things.

D. Marshall: I appreciate all the work the CIP Committee has done. After 38 yrs being on this Board, since the CIP started I refused to ever be on one as a member of the Planning Board. I have watched it get decimated by the Town Council & Budget Committee. The other thing is that CIPs are governed by State law. Although there are lots of things you (CIP Committee) might want to do, there are lots of things by State law you can't do. It would be an adhoc committee 12 months out of the year under State law. The CIP Committee, as a body, needs to do more in presentations to those who are going to make the decisions.

D. Hemeon: Where does the CIP Committee come up with 6 yrs for a plan? The Master Plan, in my opinion, is a joke. It is so frustrating to put so much effort into a Master Plan, only to have it be forgotten in 2 yrs.

D. Marshall: The Master Plan is only as good as things you can implement in it. Things in the Master Plan are on a townwide basis. Everybody knows they will feel it a little bit. When something from the Master Plan is in an isolated area of the Town, this is what the people wanted. Our obligation under the Master Plan is to implement it. The next time we redo it, we can change the items in the Master Plan that we can't do. The Master Plan is a continuous living document.

J. Gryval: The proposed Village District in this year's proposed zoning amendments is an outcome of the Master Plan.

R. Duhaime: We now have an Open Space Committee. Work will be done by this committee for updating a future Master Plan. 2 yrs ago, the Economic Development Committee rep. for the Town of Pittsfield made a good presentation to this Board.

D. Hemeon: It is frustrating as a new CIP Committee member.

J. Gryval: We should send them a letter to thank them for their volunteering and efforts on the CIP Committee.

M. Cannata: I was on the CIP Committee 2010-2011 and the input from the committee, Town Administrator, and Finance Director was very helpful. I don't know if adding more members to the committee would help, but extending the CIP process time would be beneficial.

C. Granfield: Some municipalities start the CIP process in the Summer with preliminary #s, and then in the Fall get really into everything.

University Heights – Tree Cutting

J. Duffy: University Heights has an Intent to Cut Permit. Peter spoke with Bob Pace today and Bob said they are doing selective cutting. No clear-cutting is allowed unless the bonds are in place and there is a pre-con meeting. This is a 26-acre parcel. Some trees fell during the last storm. Now they are selective cutting. I would imagine this is for financial reasons. 3 yrs from the date of approval would be an expiration of July 2010. The piece out front, lot 10, expired at the beginning of March 2010. I checked with the Town Attorney and because the expiration in 3 yrs is in the Development Regulations, you (Board) have the right to grant extensions. Last year the RSA changed and instead of 12 months for vesting they now have 3 yrs. If you grant them another year, they would have to start over again. This is a first. I don't remember anyone coming in on an approval that has expired. The 3 yr expiration has been in place for 5 or 6 yrs.

J. Gryval: I don't know why we have extensions, if we are going to continuously extend.

R. Duhaime: The pad site at University Heights, the Board said they could put fill, but it is not a prepped pad site. We gave them something then, now there is too much fill on site and we have to look at it.

D. Hemeon: They built and financed the Town connector road.

C. Granfield: There are other issues associated with the Library legally that he didn't do.

D. Marshall: Check with the new Town Attorney on this.

C. Granfield: Check with the LGC legal staff first.

SNHU – Trees Destroyed Between Dining Hall & Academic Facility

J. Duffy: You may have noticed there are several trees down from recent storm damage. SNHU will replace the area between their dining hall & academic facility with landscaping.

Merchant's Motors Sign

J. Duffy: John Kelly has submitted a complaint letter about the Merchant's Motor signage moving and changing too often. Peter, CEO, wanted me to bring the complaint back to you. Peter met with Merchants and their sign people. I am going to write back to Mr. Kelly.

Webster Woods - Erosion

J. Duffy: The owners said their wetland scientist (Jim Gove) was in touch with DES, however I contacted DES and that is not true. DES recommended we file a complaint. I told the owners I would be contacting DES. Peter Zohdi, VP Edward N. Herbert Associates, Inc., said they evaluated the velocity and sent the information to Jim Gove to work with him for the appropriate course of action. He will apply for a Dredge and Fill Permit. We are receiving continuous phone calls from residents about the erosion; almost on daily basis.

Ravenwood

J. Duffy: We lost the Dennis Demers (Ravenwood) court case. Before the Board denied the applicant, the court thought the Board should have allowed Steve Keach to appear before them to explain his situation. We will be scheduling the Ravenwood project on our agenda soon.

Hooksett Traffic Counts to SNHPC

J. Duffy: Distributed a sheet of roadway areas for traffic counts. The 1st group I recommended, and the 2nd group is recommended by David DeBaie. Carol needs to provide this information to David Preece at SNHPC.

Tenant for Former Burger King

J. Duffy: Veanos is the potential tenant for the former Burger King on Hooksett Road. This does not need to come back before the Planning Board, because the site is already approved for a restaurant and the footprint is not changing. The process is going through the Building Dept.

***R. Duhaime motioned to adjourn at 9:15pm. Seconded by D. Marshall.
Vote unanimously in favor.***

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 9:15pm. The next Planning Board Meeting is at the Hooksett Town Hall Chambers, room 105 @ 7:00pm on April 19, 2010.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator