

**Official**  
**As of 06/07/10**

**HOOKSETT PLANNING BOARD**  
**MEETING MINUTES**  
**HOOKSETT MUNICIPAL BUILDING**  
**Monday, May 17, 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, D. Hemeon, M. Cannata, J. Mudge, Town Council Rep. N. VanScoy, F. Kotowski, R. Duhaime, and Town Administrator, C. Granfield (arrived 7:20pm).

Excused: B. Sullivan.

Absent: Y. Nahikian.

**REPRESENTING TOWN OF HOOKSETT**

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

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

**APPROVAL OF MINUTES OF 05/03/10**

*D. Marshall motioned to approve the minutes of 05/03/10 to include non-public minutes. Seconded by M. Cannata.*

*Vote in favor. J. Mudge abstains.*

**DISCUSSION**

**1. MARKET BASKET (#09-15)**

**Attorney Donald Gartrell**

Interstate 93 & Rte 3A, Map 37, Lots 2-3, 3, 4, 5

Status of conditions for a site plan to construct a 76,325 sq ft supermarket.

Don Gartrell, Atty.: I am representing the applicant for the Market Basket project. I would like to address some of the items from the Board's conditional approval:

- **Reciprocal Access Easement for Central Park Drive**: The property owners of Central Park Drive are opposed to the covenant the Town requested that nobody would pursue the road to become public. We decided on another route. I am here to report that the developers are acquiring Central Park Drive from Magalloway who currently owns it. We will own and maintain the road, subject to the contributions of the other abutting owners. Refer to letter from Atty. Gartrell to

- the Hooksett Planning Board dated 05/17/10 “Covenant not to seek public highway status – Central Park Drive & Proposed Market Road” submitted into the record. The purchase of Central Park Drive may occur as early as next week.
- **\$259,505 gift in lieu of roadway impact fees:** Some time ago we were talking to the Town Council and this Board about paying this gift. On October 21, 2009, Atty. Buckley drafted the agreement, however it can't be signed until we close on the property.
  - **DOT permit:** DOT has the permit #, but won't release the permit until the transfer of property that may occur as early as next week.
  - **PSNH Easement:** PSNH has agreed the plans are acceptable to Magalloway and this is coming together rather quickly.
  - **Other:** We basically need to finalize notes/language on the plans.

Jim Lamp, RMD, Inc.- developer: The gift was treated as a favor in lieu of the roadway impact fee. The plans are as final as they can be. The DOT permit # is on the plans, but DOT won't issue the permit until the transfer of the property. The DES Dam bureau changed the landscape. Now they will allow us to plant street trees within the DOT ROW. In going through the process for State permitting, we had some tweaking from the Board approval.

D. Tatem: Looking through list of remaining conditions, typically permits are required prior to recording of the plans. We did get correspondence from Rich Radwanski that DOT issued the permit #, but we don't have the permit.

J. Duffy: Do you need plans recorded before you can transfer property?

J. Lamp: No, that is not an issue. Also, we have already submitted our site compliance monitoring escrow funds.

D. Tatem: Jim, is the real question how to get the plans signed and recorded so you can start construction?

J. Duffy: For the remaining list of conditions, we can go over that with you within the Community Development Dept. Then once those conditions are met, we will have the pre-con meeting with you and have you submit the bonding.

J. Lamp: Every project is different. This one is for the DOT permit and the gift letter.

D. Tatem: Has the Town Council approved the gift letter?

J. Duffy: No, the Town Attorney has but you need to be scheduled to go before the Town Council for their approval.

J. Lamp: Would we have to schedule to meet with the Town Council?

J. Duffy: Yes.

D. Gartrell: Do we need to take the agreement to the Town Council?

J. Duffy: Our department can put forth the paperwork to the Town Council, but it might be helpful for you to be there in case the Council has questions.

D. Gartrell: Your counsel already approved the agreement, but it also has to be approved by the Town Council?

J. Duffy: Yes. Carol they would like to start site construction, but need to get the gift agreement approved by the Town Council on an upcoming agenda.

C. Granfield: May 26<sup>th</sup> or June 2<sup>nd</sup> Town Council?

J. Lamp: May 26<sup>th</sup> Town Council meeting.

J. Duffy: The PSNH Easement needs the Town Attorney review and approval.

D. Gartrell: He has reviewed it, has received plans, and is all set.

J. Duffy: We will need a letter from Atty. Buckley that he is all set with the PSNH Easement.

D. Tatem: For Central Park Drive, you will own that road and other tenants using that road will contribute to maintenance fees?

D. Gartrell: The road is owned by Magalloway, and will transfer ownership to Market Basket. Other tenants using that road will contribute to the maintenance fees.

D. Tatem: Central Park ROW?

J. Lamp: There are no easements or changes for Central Park.

D. Hemeon: If brought to Town standards, we would plow it.

J. Duffy: We can privately go over the list of conditions.

J. Lamp: I understand there are other things on that list to get the shovel in the ground.

D. Tatem: Of those conditions, there is no other Board action.

***D. Marshall motioned to authorize the Planning Board Chair to sign-off on the site plan once the conditions from the Board approval granted on December 21, 2010 are met per letter to applicant dated December 30, 2010. Seconded by N. VanScoy.***

R. Duhaime: What was the disagreement for the road to be non-public?

J. Lamp: The Town didn't want to take over the road (Central Park Drive), because it is substandard. Part of the agreement of purchasing the land from DOT is a second Central Park Drive access.

R. Duhaime: PSNH, no changes to the building?

J. Lamp: No changes to the plan. There is a slight shift in the ROW on Rte 3A; one utility outside for sewer and water.

*Vote unanimously in favor.*

D. Marshall: It has been a pleasure working with you.

J. Lamp: Yes, it has been a pleasure.

**2. MERCHANTS MOTORS - SIGNAGE**

**Michael Sydney, Vice President**

1278 Hooksett Road, Map 30, Lot 9

Operation of new message center.

Michael Sydney, V.P. Merchants Automotive Group, Inc., and Kathy Champagne, Jutras Signs and Flags

M. Sydney: I met with Carol Granfield about a week ago to discuss how our new sign can be beneficial for us and the Town. Merchants has been in Town for 30 yrs+. The Town code does not allow for off premise advertising. I am asking that we be allowed to do this; to grant us the ability to have off premise content on our signage. Right now our signage includes charities and others. We may also do Amber Alert displays. We can help local businesses and the community. From some of the advertising money, we would like to give that back to the Town for local sports. With our car registrations and real estate taxes, we have given the Town millions of dollars. We have also granted the sewer easement for the Town. We also provided a conservation easement with Dale at DPW for his Benton Road project. We are working with the State and Federal government for the Rte 3 DOT project. We are committed to this Town, and are asking permission to do for off premise advertising on our signage.

J. Gryval: The Amber Alert is a great idea.

R. Duhaime: A few months ago when you came in for a new sign, I was expecting a much smaller sign because you are in the Performance Zone (PZ). CVS wanted a north sign on their building, and we said they didn't need it. We need to hold everyone to the same standards. I don't think this is something the Board is interested in having in the PZ. I don't think it is in the Board's interest to allow this business to advertise for another business.

F. Kotowski: How much time will you be promoting someone else's business?

M. Sydney: Tonight is only a discussion to see if we should proceed with our request. Conceptually I would see 50% our business, and the rest for charitable and other businesses. I am looking at the concept tonight, not the level of time.

D. Hemeon: I am a big fan of signage. I have no problem with your request whatsoever.

D. Marshall: Some people think the Merchants Motors sign is an albatross around our neck, but it is there. You will have signage for fundraisers, etc. I never looked at their new signage as reducing it in size, because it already exists. The intent of the ordinance was not to have portable signs scattered throughout Town. I have no objection in the operations of what you want to do.

C. Granfield: I did speak with you, and we would be supportive with certain criteria; example is no political announcements. It would be helpful to businesses in this economy. You would be generating some revenue and would be giving back a certain percentage to the Town. The intent of the ordinance wasn't to limit advertising.

J. Mudge: I like the sign. Will other businesses be mixed in or at certain times?

M. Sydney: Mixed in; we will figure that out.

J. Mudge: I like that you would be donating to local sports.

K. Champagne: If half-dozen businesses have their content on the Merchants Motors signage, then their individual properties will look a little cleaner. It will be almost a one-source advertising. The signage clutter can go away.

M. Cannata: I am in favor of the concept as you have indicated. Fine-tuning needs to be clarified, so it doesn't become a bombardment of advertising for other businesses. The amount of time you are advertising your venture, will it be the same for those you will advertise for?

M. Sydney: Our signage operates 18 hrs per day; 9 hrs for Merchants and 9 hrs for others. We have 8 seconds per image, and then the screen changes to the next sign. There is no flashing and no animation.

J. Duffy: We had told Michael the last time he came for his signage approval that the Planning Board had agreed to a minimum of 8 seconds.

N. VanScoy: I struggle with this one. In theory it is a good idea. For the intent? I don't know what the intent was when it was put in. If I am reading the ordinance right, it is not an allowed use. I don't know how the other businesses would see this.

J. Gryval: Signage clutter removed? I don't see that. I would tend to agree with the ordinance to only advertise for your business.

R. Duhaime: For the State DOT widening on Rte 3., there is supposed to be a tree line in the PZ. A tree every 50 ft. You're looking for more advertising, I am looking for more trees.

M. Sydney: We are working with DOT and there are no trees. We have talked about landscaping our site, but I won't commit to trees tonight.

J. Gryval: Let's stick to the issue of the sign.

D. Marshall: He is not coming to us for a new sign. For us to tack on landscaping to his request doesn't make sense. His sign has been there for a number of years, and has served the community. What he is proposing to do will be an asset.

F. Kotowski: First I like what you did, and I like you will allow the community to use that sign. I hope you will be receptive for Kiwanis, scouts, ladies club, etc. to use that.

M. Sydney: We don't do any political advertising.

M. Cannata: Jo Ann, does this set a precedent should another business have the ability to change their sign and want to do off premise advertising? Are we digging a hole we will regret later?

J. Duffy: I think they (another business) can point that out, but this sign is unique. The Merchants Motors sign is not grandfathered. It was allowed through the ZBA with a variance or special exception. They had to go through a ZBA process to get the original sign approval. The rules have changed since that ZBA approval and are now much smaller. It would be harder to get this type of sign approval today. It is no longer through the ZBA, because the site is in the PZ and the Planning Board would be the decider. Does he need to come back for a waiver?

J. Gryval: Yes if this Board wants to approve the request for his signage, he will need a waiver.

R. Duhaime: K-mart came to us for landscaping, and CVS provided trees. Another use for this sign is contrary to the PZ.

J. Gryval: If you approve this sign, be prepared for other sign requests. What is the opinion of the Board?

**Straw Vote**

R. Duhaime: No

F. Kotowski: Yes

D. Hemeon: Yes

D. Marshall: Yes  
J. Gryval: No  
C. Granfield: Yes  
J. Mudge: Yes  
M. Cannata: Yes, with moderation  
N. VanScoy: No

Marc Miville, 42 Main Street: Mr. Chair, can I comment on the Merchants signage?

J. Gryval: Tonight is just for discussion, no public input.

M. Sydney: I will pursue a waiver request to the Planning Board.

### **COMPLETENESS**

3. **NEW SUNSET REALTY, LLC – MEGA X (#10-03)**  
1560 Hooksett Road, Map 13, Lot 46-1  
Site plan for the proposed construction of a 1-story 2,800 sq ft convenience store/  
gas station.

J. Duffy: Matt understands he needs to provide a traffic study for this project. Although the replacement size is the same, there may be plans to add a Dunkin Donuts drive-thru. He is asking for a waiver for the traffic study for the completeness part of his application.

**Waiver #1 for a traffic study for the completeness requirement.** J. Gryval: Received and read the waiver into the record.

*D. Marshall motioned to grant waiver #1 for the traffic study for the completeness requirement of this application, provided the traffic study be completed prior to the Board's final decision on the site plan. Seconded by N. VanScoy.  
Vote unanimously in favor.*

D. Tatem: It is complete.

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

J. Duffy: Tonight is only for completeness, however I asked Matt if he could have a discussion with you on the fire lane.

M. Peterson: I represent the applicant for the Mega X convenience store/gas station. I have discussed the current design with staff, Dan, Dale, and the Fire Dept. I presented this project to the Board a couple of months ago. It is a tight site. 2,800 sq ft was the existing sq ft and the proposed sq ft. There may be an 800-900 sq ft Dunkin Donuts drive- thru, but we have to work that out. That is why there is no traffic study for the completeness part of our application. My biggest site issue is with the Fire Dept. They

want to assure their ladder truck with extensions out can make it on two sides (10 ft off the building and a 20 ft fire lane). If the building is sprinklered we need fire access on two sides. If the building is not sprinklered, we need fire access on all sides. I spoke with Deputy Chief Hoisington and Dale, and the Fire Dept. will allow 30 ft from the building and a 20 ft lane. We have the 20 ft. fire lane in front of the building. Circulation is great all the way through. For the 2<sup>nd</sup> fire side, there is a 12 ft. apron along Dale Road. Dale @ DPW will be doing work on Dale Road. We discussed moving catch basins from our site into Dale Road. This would be a benefit to the Town, because the Town wouldn't have to do catch basins. I need to finalize this with DPW. If Dale Road was within 30 ft., then I wouldn't have had to do anything because the Fire Dept. would have OK'd it. Dale Road is 42 ft. and this is too far.

D. Hemeon: I don't have an issue with the proposed fire lane in the ROW. My only concern is that snow does not get plowed onto my road.

J. Duffy: I am concerned about setting a precedent for sites that don't have enough room on their site for what they want to do and then they branch out into the ROW.

M. Peterson: Deputy Chief Hoisington is allowing the use of a Town road as a fire lane if it is within 30 ft.

J. Duffy: I talked to Deputy Chief Hoisington and he is good with this plan as proposed tonight.

***PUBLIC HEARING IS SCHEDULED FOR JUNE 7, 2010.***

- 4. PMT REALTY TRUST - NORTHWOOD POWER EQUIPMENT (#09-23)**  
290 West River Rd (Rte 3A), Map 17, Lot 10  
Site plan for the proposed construction of a 5,000 sq ft retail tractor business with an outdoor display area.

D. Tatem: The applicant called me to say that since this meeting is for completeness only, he would not be attending tonight's meeting. This is in order to save his client money. He didn't want it to appear that he was a "no show". His application is complete.

***D. Marshall motioned to find the application complete. Seconded by N. VanScoy. Vote unanimously in favor.***

***PUBLIC HEARING IS SCHEDULED FOR JUNE 21, 2010.***

- 5. Southern NH University (SNHU) (#10-04)**  
North River Rd, Map 33, Lot 67  
Site plan for the proposed construction of a 1-story operations center (26,711 sq ft footprint and a 6,156 sq ft mezzanine), access, and parking.

***COMPLETENESS SCHEDULED FOR JUNE 7, 2010.***



**COMPLETENESS & PUBLIC HEARING**

- 6. WP HOOKSETT ASSOC. LLC - TRACTOR SUPPLY CO. (#10-05)**  
1328 Hooksett Rd, Map 25, Lot 78  
Amended site plan for the proposed remodeling of a portion of the former Walmart retail space to a new Tractor Supply Co. store to include a proposed 15,000 sq ft fenced outdoor display area.

Dan Fuchs, WP Hooksett Assoc. LLC c/o WP Realty, Inc., Chris Tymula MHF Designs, Kenneth Cillo, Tractor Supply Co. District Manager, and Jim Nealon, Store Manager.

J. Duffy: They are asking for a waiver for the complete checklist items.

D. Fuchs: We are here to discuss a proposed outdoor display area per Article 10-A G.2.(j). Tractor Supply Co. will have three display areas: 1) 3,500 sq ft - former Walmart garden center attached to the building, 2) sidewalk, and 3) 15,000 sq ft of the parking lot (90 parking spaces). The Tractor Supply Co. will occupy 22,608 sq ft of the former Walmart. 253,745 sq ft for the overall shopping center. 82,550 sq ft is the Ocean State Job Lot who is partial tenant of the former Walmart. There may still be a 3<sup>rd</sup> tenant for the former Walmart. We are reusing Walmart and that was already permitted for retail use. We have a 700 ft setback from the ROW. Our display is in excess of 500 ft from the ROW. Chris can speak of items in Stantec's review letter and reps from Tractor Supply Co. can speak on the operation of the store.

C. Tymula: We submitted the Tractor Supply Co. plans for review, and have received 9 comments from Stantec. For comment #5 NHDOT approval, we are not changing the use. It is still retail. Tractor Supply Co. has less of a demand than Walmart. We are not sure if we had to go to the DOT. Typically that is only for a change of use, but this is not. It is still retail.

**Waiver #1 for site plan checklist.** J. Gryval: Received and read the waiver into the record.

*D. Marshall motioned to grant waiver #1 for the site plan checklist. Seconded by C. Granfield.*

*Vote unanimously in favor.*

D. Tatem: It is complete.

*D. Marshall motioned to find the application complete. Seconded by F. Kotowski.*

*Vote unanimously in favor.*

D. Tatem: I spoke with Rich Radwanski at DOT. He said he would like to see the plans and most likely he would be ok with that.

C. Tymula: I have no issue with sending the plans to him. Stantec comment #8 - the building entrance A1 & A2, they have a lot more detail with the building layout. We didn't want to overdo the site plan sheet, so we referenced the "A1 & A2" sheets.

D. Tatem: I spoke with Chris. This one site plan sheet will be the only sheet that gets recorded. We thought we would just have him note the proposed entrance and proposed handicapped ramp. The registry will always have that plan.

R. Duhaime: This will be a year round display in the parking lot. The Chichester site has a rot iron fence. Is the Board OK with a chain link fence in this parking lot? There is nothing on this plan set for this.

J. Gryval: We will get to the outdoor storage as soon as Dan says he is OK with the entrance and ramp.

C. Tymula: We just have to add an entrance door. That is not a problem.

J. Gryval: Now for the outdoor storage.

R. Duhaime: At the Chichester site, they have rot iron fencing. For this sites snow storage, this past winter they stored the snow where this proposed outdoor display area is located.

F. Kotowski: I visited stores in Milford, and outside Concord. For the most part, they do a pretty good job. It depends on the manager how well in time a store maintains a good appearance. One way you can help is to have fence screening someway better than just chain link. I throw that out, because in 2 yrs from now you don't want to see fence that has been hit by cars.

K. Cillo: Some of our stores have rot iron. Our Derry store has chain link. You are right, different managers represent stores differently. The outdoor area is not for storage it is a sales area. We have roll fencing, post, crowned panels, tubs, and powers equipment. We try to get everything together, and you need to see it through the fence. Chichester is attached to the yard. Derry you can see all around it. We try to work with the community.

J. Nealon: Our cleanliness is very high.

K. Cillo: I see your point with different fencing.

M. Cannata: What is the size of the sales area?

K. Cillo: 15,000 sq ft (131 ft x 114 ft).

M. Cannata: A chain link fence feels like prison. I am opposed to that look. Will you be starting up mowers and other display items on the site?

K. Cillo: We sell the display and load onto a truck.

M. Cannata: The chain link items are there 24/7. You must have a good monitoring system.

K. Cillo: Some stores have a surveillance system. We use chains.

D. Hemeon: The reason for fencing is for security.

K. Cillo: Our Chichester store is 26,000 sq ft.

D. Fuchs: This site is 22,608 sq ft.

C. Granfield: How does this compare in size to Tilton?

K. Cillo: They are exactly the same size building. The yard in Tilton is 14,000 sq ft and this one is 15,000 sq ft.

C. Granfield: Tractor Supply Co. does a great job. Use anything other than chain link that would be aesthetically pleasing.

J. Gryval: Any repairs on site?

K. Cillo: No, we will have them go to a local repair shop.

D. Tatem: My comments about the outdoor display area; my only concern per the regulations is storage. They already mentioned that this is not storage area. I do go to their Chichester store a lot, and they do store pallets of wood pellets. I can see that would not be allowed in this Town.

R. Duhaime: They do stack things up on there. There is a display model and the other units that are not sold. Some screening would be nice, maybe slats inside the fence. They are looking for visibility, but we may not want to see it.

M. Cannata: Items won't stay boxed out in the rain?

K. Cillo: The truck delivery gets unloaded, then the items get taken out of the boxes and put into the fenced area.

J. Gryval: Keep the sidewalks clean, now I see display on them.

K. Cillo: The sidewalk display will have lawnmowers and log splitters with enough space for ADA. Our Derry store has mowers on the sidewalk.

J. Gryval: Display on sidewalks?

D. Fuchs: It is a 9 ft sidewalk.

D. Tatem: Paint a line on the sidewalk for the display, and then there is no question for the CEO.

R. Duhaime: At the front of the building, Walmart had a seasonal roll out cashier and they stacked fertilizer. I recommend you meet with the Aesthetic Committee for fencing.

J. Gryval: We want a good idea of what the end result will look like.

J. Duffy: They are here tonight to get going on the outdoor display area for this project.

M. Cannata: What is holding you up?

D. Fuchs: There are certain landlord requirements.

C. Granfield: Aesthetically they can work out details, as long as it is the same sq ft. They should be able to move forth with the outside display area and work out the fencing detail with the Aesthetic Committee.

R. Duhaime: Even if we used up 4 or 5 more parking for a landscape strip, you will still have enough parking.

D. Fuchs: We held the parking 3-4 ft from the fencing for a separation.

J. Duffy: The Board needs to give them direction on the type of fencing.

D. Fuchs: I am not permitted to speak on the aesthetics of the Tractor Supply Co. store nor is anyone else that is here tonight. We need to get approvals for an amended site plan for the outdoor display area. They can do their signage and fencing for the aesthetics.

D. Marshall: Do I assume there is space for a third tenant at Walmart?

D. Fuchs: Yes, 20,000 sq ft - 22,000 sq ft.

D. Marshall: They still need approval for a site plan. They can proceed working inside the building, but not outside?

J. Duffy: They can go ahead for inside work through the Building Dept, but nothing can be done outside. They wanted to get the Planning Board approval for an amendment site plan for a permanent outdoor display area tonight. They can work with the Aesthetic Committee for the fencing material, and the Planning Board for signage. Tractor Supply Co. will directly handle the fencing material and signage.

D. Marshall: Your client is at risk if inside work is done, and then the Planning Board makes their decision on the outside display area.

D. Fuchs: I don't know what Tractor Supply Co. will agree to for fencing.

N. VanScoy: Unloading of trailers within a drive thru parking area you are tempting fate.

K. Cillo: We will unload behind the building.

N. VanScoy: If we are taking parking for the outdoor display area, but unloading goods out back, is it a safety issue and do you have the room?

K. Cillo: Unloading will be done out back.

D. Tatem: Can you add a note on the plan that all loading and unloading will be done out back?

D. Fuchs: We will have to confirm, but I am sure it could be done.

K. Cillo: It is not a smart thing to unload in the middle of a parking lot.

D. Hemeon: I know you will be going to the Aesthetic Committee, but I would also like to see fencing you use for other stores and what others options you have. A chain link fence can be attractive with use of other colors or inserts.

D. Fuchs: We will schedule a meeting with the Tractor Supply Co. architects.

### **Open Public Hearing**

Marc Miville, 42 Main Street: What is the height of the fencing and will it have barbed wired? Also a concern is about security. Will security be needed from the Hooksett Police Dept.? Will there be impact fees?

J. Gryval: They will have security locks at night.

K. Cillo: It is an 8 ft fence.

J. Gryval: No impact fees.

D. Fuchs: And no barbed wire.

### **Close Public Hearing**

J. Duffy: You (Board) can approve the site plan for an outdoor display area with the condition it goes to the Aesthetic Committee for fencing as well as for signage to the Planning Board.

***F. Kotowski motioned to approve the amended site plan for the use of a 15,000 sq ft permanent outdoor display area. Seconded by J. Mudge.***

D. Fuchs: Tractor Supply Co. will come in for their own signage application. Maybe Tractor Supply Co. can talk to the Board about the fencing material, when they come in for their signage.

J. Duffy: You can approve the amended site plan for the outdoor display area with the condition that the fencing material be approved at a later date prior to being constructed and at the same time Tractor Supply Co. applies for their signage.

D. Marshall: What am I approving tonight?

J. Duffy: You are approving just the outdoor display area that will take up 90 parking spaces.

D. Fuchs: The use of the outdoor display area needs to be approved. The aesthetics part will be from Tractor Supply Co.

D. Marshall: I have no problem for the “use” of a 15,000 sq ft outdoor display area. If that is what Board has done, that is it. But we have not approved an amended site plan. We can say once the amended site plan, to include signage, is submitted, that we will allow an outdoor display area.

D. Fuchs: Referred to Article 10-A G.2.(j).

D. Marshall: This site is in the PZ, and the signage is part of the site plan. We can't approve an amended site plan tonight, because we don't have all the pieces. We can OK the “use” for an outdoor display area. Once the signage is submitted, then we can make a decision on the amended site plan and that we had already approved the “use”.

***F. Kotowski motioned to rescind the motion above for an amended site plan. Seconded by J. Mudge.***

***Vote unanimously in favor.***

***D. Marshall motioned that the applicant is approved for the use of a 15,000 sq ft area in the parking lot (90 parking spaces) for a permanent outdoor display area for the proposed Tractor Supply Co. The fencing material will be reviewed with the Aesthetic Committee and the Planning Board. The amended site plan decision is pending applicant submitting signage. Seconded by F. Kotowski.***

***Vote unanimously in favor.***

***PUBLIC HEARING CONTINUED TO JUNE 21, 2010.***

**CONTINUED PUBLIC HEARING**

**7. DIANE & STANLEY BIELIZNA (#10-02)**

1266 Smyth Rd., Map 48, Lot 19  
Subdivision plan to create 6 lots.

Don Duval, Duval Survey, Inc.: This is the subdivision at Prescott Heights. I met with the Conservation Commission and they sent a letter to tweak the drainage. Robert Rook submitted a revised report to Stantec. Dan's updated comment list has the drainage as OK. For public utilities, Dale, Jo Ann and myself met at the site with the PSNH rep. The Planning Board requires underground utilities, but the PSNH rep it is an unnecessary burden. It is free to connect up to 125 ft. At 150 ft, it is a little something different to connect. We would have to put in poles, but wouldn't be able to get to the last lot. That lot would require going under the Tennessee Gas line. Dale researched the gas lines. He said there is no right for Tennessee Gas to be there. There are 5 utility poles on the south side of Prescott Heights. We would need to transfer to the north side of Prescott Heights and hang what they need on the PSNH poles. Some poles are close to the pavement. Dale spoke with Dan to move them back further from the edge of the pavement, if PSNH has to reinstall poles. I ask the Board to reconsider overhead connection. Last 5.7 acre lot would be underground, because we couldn't reach it.

D. Hemeon: We did go out and look at the site. One wire from each pole is very clean. Tennessee Gas has 5 of their poles there. 125 ft PSNH said connection is free. If over 125 ft owner has to pay. No sense to go underground except for the last lot.

D. Duval: There is already a pole almost dead center to these lots. The houses are at the street level with septic behind.

J. Gryval: No more than a 10% grade for driveways.

D. Duval: We already showed that.

D. Tatem: You already provided the plan. You just need to show the box for the potential house location.

D. Duval: We showed the 75' x 100' buildable area, and we will add the box.

R. Duhaime: For lot 19-2 there is the well, septic and house radius. Is the buildable area shown? Lot 19-5 well radius is close to the center of the easement for the Tennessee Gas line.

D. Duval: I will get a release of well waiver with the State if needed.

J. Duffy: The note regarding dig safe needs to be added. The entire 40 ft wetland setback needs to be noted near lots 19-3 and 19-2.

D. Tatem: Any work to do in the Tennessee Gas easement needs to be on the final plan set.

**Open Public Hearing**

No comments.

**Close Public Hearing**

**Waiver #1 Development Regulations section 11.16 utilities shall be installed below ground.** J. Gryval: Received and read the waiver into the record.

*R. Duhaime motioned to grant waiver #1 for utilities installed below ground. Seconded by J. Mudge.*

*Vote unanimously in favor.*

*R. Duhaime motioned to approve 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 May 10, 2010 from Stantec)
- Letter from Manchester Water Works 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 \$41,994.00 in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39 (School: \$29,868.00, Public Safety: \$7,956.00, Recreation: \$4,170.00 = TOTAL \$41,994.00)
- All waivers noted on plan
- Note on plan regarding dig safe
- Note on plan for the entire 40 ft wetland setback near lots 19-3 and 19-2
- Note on plan that Tennessee Gas Pipeline is to be notified prior to issuance of building permit for lot 19-5, if there is to be any grading, excavation or other work, including laying of water or electric lines. Such activities are prohibited without prior approval from Tennessee Gas Pipeline.
- 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**

**8. HEAD'S POND (#07-42)**

Map 3, Lots 1 through 11, 17, 19 through 24, 26 AND Map 14, Lots 2 through 5  
Extension to 65-day deadline.

David Campbell, Attorney for MS & G, and Peter Holden, Holden Engineering.

D. Campbell: We have our wetlands permit since 2008, we have site specific, and the DOT is forthcoming. The plans are almost there. We are working on a Development Agreement with Bart Mayer. Bart has worked on this project over the last few years. We are working on the school site and getting approval from DES. They are OK with that. Other than that, there are technical items left. We request an extension to October 1, 2010.

P. Holden: For the highway approval, there may be stimulus money.

***D. Marshall motioned to grant a 120-day extension from 04/15/10 to 08/13/10.***

***Seconded by N. VanScoy.***

***Vote unanimously in favor.***

D. Campbell: For the school, we are pursuing a Conservation Easement Road relocation with Fish and Game. We need to get them to sign on the dotted line. We spoke with Collis Adams at DES.

J. Gryval: There was an article in the paper that the school site may not be a usable site.

J. Duffy: It said they found a couple of vernal pools, and may not be a suitable site for a high school.

D. Campbell: It is a large site and a good site. It has potential vernal pools, but none have been verified. The access is great with the traffic light at the library. It is the best site in Town for a school. I will follow up with that article.

F. Kotowski: Talk to Superintendent Dr. Littlefield. That article was not a good one.

**PIF Technologies**

J. Duffy: They still haven't completed their parking lot striping.

R. Duhaime: Also, I thought they would have no outside storage and that trucks were to be put inside every night.

**Ocean State Job Lot**

J. Duffy: They still haven't painted the side aprons to match the stripe on their signage.

**Golf Cart Business – Hooksett Road**

J. Duffy: Their golf carts are inching over onto the grass area. Peter said this was temporary, but they are still there. This is the same business with the trailer and dumpster.

J. Gryval: Send an e-mail to Peter to respond to you in writing on PIF, OSJL, and Golf Carts. Then you can forward his response to the Board.

**Veanos**

D. Marshall: What is the status on Veanos?

J. Duffy: He is trying to figure out what to do for his signage. The existing Burger King signage has been removed. He has a sign from his old site in Concord; 45 ft for top and 35 ft for bottom reader board. This is larger than the pole sign that Burger King had; 25 ft reader and 25 ft top. We spoke with the sign company. He is trying to save money and use his existing signage on the existing pole which far exceeds the PZ requirement. He wanted the sign lowered; now the pole is 6-7 ft high). The sign company said they can't go much lower or the sign may get damaged by kids taking/changing letters, etc. They could have a monument sign. They will have a lease with option to buy.

**Stantec Comments to Applicant**

D. Marshall: Dan, the comments you send to this Board via e-mail and cc: engineer, do you also send a copy to the applicant?

D. Tatem: Yes.

**New Fire Station Site**

J. Gryval: On Hackett Hill, weren't they going to lease a section to for a Hooksett Fire Station?

C. Granfield: There was a discussion with the City of Manchester for a joint fire station. At the end of June the site committee will provide their outcome to the Town Council on all the sites they looked at.

J. Gryval: They also looked at the site from Arleigh Greene.

C. Granfield: And a site at the public works area.

**Planning Board Alternate – Brendan Perry**

J. Duffy: Brendan Perry was appointed by the Town Council in April, but he has not been sworn in nor has he attended any Planning Board meetings. We have left him several message and have been sending him the Board packets, but we haven't heard from him.

J. Gryval: The Town Council should contact him to see if he is still interested.

C. Granfield: I will follow up with Brendan.

**OEP Spring Conference**

M. Cannata: I attended the OEP Spring Conference. I have some handouts I am distributing. If you want a copy, let Donna know.

R. Duhaime: I also attended. I went to the session "Sense of Place"; Merrimack Village was one example. Another session was "How to Involve the Public in Planning"

**SNHPC – Items to be addressed by Legislators**

D. Marshall: SNHPC to provide list of needs to be addressed by legislators this year. One item is to reactivate the law that impact fees can be used for state highways.

F. Kotowski: Mike Horne is a member of the Kiwanis. We received a \$25,000 grant from DRED to polish the original trail that MS&G covered up (the old railbed). There was also culvert work done there. We will match \$15,000 for total of \$40,000. I want to thank Dale and his crew for helping us after the storm. There were 40-50 trees that came down that needed to be cleaned up. Mike Horne will come here and to the Town Council soon to provide a vision of the trails. We looked at the sidewalks existing in Town and how we can join them from one area to another. From Merrimack to Concord and all over the State, this is being done.

J. Gryval: When I was on the Board for the NH Wildlife Federation, we had different businesses assigned to bridge sections.

F. Kotowski: Robies is along the high-speed rail line that goes to North River Road. There is 107 miles of rail that is broken in 3-4 mile stretches. The rail could go from Lebanon, NH to the Mass border. To do that, it cost money.

***C. Granfield motioned to adjourn at 9:20pm. Seconded by N. VanScoy.  
Vote unanimously in favor.***

**ADJOURNMENT**

Chair J. Gryval declared the meeting adjourned at 9:20pm. The next Planning Board Meeting is at the Hooksett Town Hall Chambers, room 105 @ 7:00pm on June 7, 2010.

Respectfully submitted,

Donna J. Fitzpatrick  
Planning Coordinator