

Official
As of 08/16/10

HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, July 12, 2010

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 6:00pm

ATTENDANCE – PLANNING BOARD

Chair J. Gryval, Vice-Chair D. Marshall, Town Administrator, C. Granfield, D. Hemeon, M. Cannata, J. Mudge, F. Kotowski, Town Council Rep. N. VanScoy, R. Duhaime, and Y. Nahikian (arrived 7:05pm).

Excused: B. Perry.

Absent: B. Sullivan.

REPRESENTING TOWN OF HOOKSETT

Town Planner, Jo Ann Duffy, and Stantec Engineer, Rene LaBranche.

J. Gryval: Alternate J. Mudge will be voting tonight in place of B. Sullivan.

APPROVAL OF MINUTES OF 06/14/10 & 06/21/10

N. VanScoy motioned to approve the minutes of 06/14/10. Seconded by J. Mudge. Vote in favor. M. Cannata abstains.

D. Hemeon motioned to approve the minutes of 06/21/10. Seconded by C. Granfield. Vote in favor. Town Council Rep. N. VanScoy, and R. Duhaime abstain.

ELECTION OF OFFICES

D. Marshall motioned to nominate J. Gryval for Chair. Seconded by D. Hemeon. Vote unanimously in favor.

D. Hemeon motioned to nominate R. Duhaime as Vice-Chair. Seconded by D. Marshall. Vote unanimously in favor.

COMPLETENESS

1. **MERCHANTS LEASING – AUTOZONE, INC. (#10-09)**
c/o Michael Sydney

1279 Hooksett Road, Map 25, Lot 46
Non-residential site plan for the proposed AutoZone, Inc. remodeling of the existing 13,300 sq ft (+/-) furniture store and demolition of the adjacent 2,900 sq ft (+/-) restaurant building on the site in order to construct new sidewalk, parking and landscape areas.

J. Duffy: There are two outstanding items as of Wednesday last week. We did receive a request for a waiver for those items. Now the application is complete. I know you are in receipt of an abutter letter from Att. Pollack on behalf of RK Hooksett, LLC dated July 9, 2010. Questions for some items are on the waiver that won't come up until the public hearing. RK's counsel can appear in person or via letter and say why those waivers should not be granted. There is also an e-mail from Don Lyford at the DOT that states this project has no bearing on their project.

D. Marshall: Do any waiver requests impact completeness?

J. Duffy: As long as they submitted a waiver request, they are complete. At the public hearing you may not agree or grant the waiver, but for now they are complete.

D. Marshall motioned to find the application complete. Seconded by C. Granfield

J. Duffy: The public hearing for this application is scheduled for August 16, 2010.

D. Hemeon: Referred to letter from Atty. Pollack; a lot of things in his letter we ask others to comply with especially in the area of RK & Merchants. The Town spent \$400,000 for the Benton Road culvert. We need those people more than anything.

D. Hemeon: We need to know from the state if they need anything.

R. Duhaime: Do we want to send a letter to DOT to invite them to attend the Aug 16th public hearing meeting?

J. Gryval: Tonight is just for completeness.

Vote unanimously in favor.

COMPLETENESS & PUBLIC HEARING

2. **WAYNE E. KENNEY BLDRS/PINARD (#10-10)**
19 & 21 Coaker Avenue, Map 45, Lots 124 & 125
Lot line adjustment to take 2,000 sq ft from lot 124 and add it into lot 125 then subdivide lot 125 into 3 residential building lots.

J. Duffy: Rene and I met with applicant this afternoon. Mr. Duval is here tonight and said he has addressed the issues today, however it is past the deadline of last week.

J. Gryval: The deadline was the 7th last week. We can't act on it tonight, because it is too late. As far as I am concerned, it is incomplete.

D. Hemeon: Rene, have all your questions been answered?

R. LaBranche: Yes, completeness items were answered today.

J. Gryval: There are 21 comments in your letter on completeness. Every one of these has been answered?

R. LaBranche: In the letter there are only 5 issues for completeness.

J. Duffy: Because this is a lot line and a small subdivision in one application, Stantec's review was for everything. Items 3,4,5,6,7 are for completeness comments and comments #8 down are for the public hearing.

C. Granfield: Mr. Chair, seeing the Board has allowed these to come in and the engineer finds these complete, I think we should allow the Board to address this application, but ongoing find the applications not complete if they submit past the deadline.

J. Gryval: We have to act on this one, however in the future if it is not in before the deadline we don't accept it.

J. Duffy: If you find the application complete tonight, then continue it to a date certain for the public hearing, so we don't need to renotify the abutters.

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

D. Marshall motioned to continue application to August 2, 2010. Seconded by R. Duhaime.

F. Kotowski: There are abutters in the audience tonight. I think we should hear from them.

D. Marshall withdraws his motion above to continue application.

D. Duval: Had I been aware Dan had those issues, I would have addressed them sooner. This is a 3-lot subdivision at the corner of Coaker & Alice. It was the site of the old firehouse built by Dave Piper. There is an existing house and shed that will be gone. There is a catch basin on Elmer; 12" corrugated metal pipe ends at our rear lot line. It runs easterly to a common lot line into an existing Town drainage system. Dale and I met at the site. There is ponding in winter at Coaker and Alice. The proposal for the new houses is to have foundation drainage and plug into the Town drainage system. There is an existing culvert that dead ends, puddles, and gets messy. The drainage structure with piping should be able to alleviate that problem. The proposed drives will come off

Coaker; none from Alice too busy. Manchester Water will extend their line from Alice. Mr. Kenney will stub to the property line and Dale will redo Alice. The last site on Coaker will be from the water line extension. Manchester water's line doesn't go all the way down Coaker. Manchester will allow the line from Alice; some 2" lines other 6".

D. Hemeon: Why off Alice and also extend Coaker? Why not all 3 lots off Coaker?

D. Duval: It is only a 2" line and they don't want to stretch it.

J. Gryval: That sure is a wet lot. I go by there a few times a day. It is very wet.

D. Duval: It is a bowl.

D. Hemeon: I was walking in the woods where we were going to put a manhole. The water comes up Elmer and I think it then kicks north.

D. Duval: The Town is going to replace the existing pipe.

D. Hemeon: We will do the east side of the road to the catch basin to the Town ROW and Mr. Kenney will pick it up from there.

F. Kotowski: I read a letter from one of the abutters and not increasing traffic on Alice because it is already very busy. Also what I am hearing from Dale, this project may solve the water problem they have had over the years.

D. Duval: We should be able to alleviate the water problem.

D. Hemeon: Frank, if the water issue is not resolved, when Mr. Kenney digs the cellar whole, he will find the problem. We can't lose either way.

R. Duhaime: Isn't there drainage in the back of those lots now?

D. Hemeon: It was not done by the Town. We think it was done by the homeowner.

D. Duval: There were various abutters when the Fire Dept. was there. There was something in the ground.

J. Duffy: Another lot needs a waiver for overhead utilities.

J. Gryval: It is zoned commercial across the street from this project. Will there be any notice to the potential purchasers that there may be something across the street from them? There is no buffer between commercial and residential.

J. Duffy: John, this was rezoned URD (Urban Residential District) a couple of years ago.

J. Gryval: And across the street too?

J. Duffy: When it changed to URD, they went to individual lot #s. These are old zoning maps (in chambers). I will have to look up the current zoning.

D. Marshall: It is the west side of Frances that stayed commercial. Everything east became URD.

J. Duffy: I will double-check this zoning for the next meeting.

Open Public Hearing

Bill Fournier, 28 Elmer Ave: I am against it. I have driven by this property many times. I have a friend on Coaker. I can't see how to put 3 houses on that lot. 2 houses yes, 3 you are squeezing in. That neighborhood has no one as close as that for 3 houses. I grew up in MA, Haverhill, suburbs for 18 yrs. I recently wanted to show my kids the old neighborhood, but I couldn't find it because houses were crammed houses. I don't want to see the same thing here. They are too close together. There is a drainage thing. I have water in my yard and I have a sub-pump. I was told when I moved in that there used to be a pond in that area and it was filled in back in the 1930s. Both sides of my house lawn are wet all year long. He says drainage is going to get better, but I don't know. 1910-1919 my house was built. My inspector said you have a river running under your house. It takes a long dry spell for it not to be soaked wet. My big thing is squeezing 3 houses. Then it will look like where I grew up which is now postage stamps. There is not enough space for that.

J. Gryval: If he didn't conform to the regulations, he would need to go for a variance. For this project, there is no reason for him to go to the ZBA.

B. Fournier: Is there any other meeting I can go to speak on this?

J. Duffy: This neighborhood is known as Lincoln Park. It was approved back in 1911. The map of the whole neighborhood varies in lot sizes. Back then some people owned more than one lot. A few years ago, most people on a smaller lot who wanted to build an extra bedroom didn't meet zoning. It was passed by voters a couple of years ago for the URD zone with 9,000 sq ft and 90 ft of frontage. There are other lots that have 30-40 ft frontage. That is why the lot size is smaller now.

J. Gryval: The lots on Elmer have 100 ft. When it went to 150 ft, the lots needed to be combined, and down here it is too low. 90 ft is small, but that is the lot of record.

D. Marshall: This area history goes back further. Amoskeag industries gave bonuses of 10 x10 squares to accumulate to make a lot back in the late 1800s. I don't know how many of those lots can trace back to 10 x 10.

R. Duhaime: Besides the waiver for utilities, what other waivers are you looking for?

D. Duval: I asked for another, but Dan said to withdraw and ask for the underground utilities.

R. Duhaime: A lot of the lots have 1 ½ stories on them, but there should not be McMansions built on them.

***D. Marshall motioned to continue application to August 2, 2010. Seconded by F. Kotowski.
Vote unanimously in favor.***

PUBLIC HEARING CONTINUED TO AUGUST 2, 2010.

CONTINUED PUBLIC HEARING

- 3. Southern NH University (SNHU) (#10-04)**
North River Rd, Map 33, Lot 67
Proposal to construct a 1-story operations center (26,711 sq ft footprint and a 6,156 sq ft mezzanine), associated access, and parking.

J. Duffy: There are 6 outstanding items. We are still looking for letter from Manchester and the State for water flow, and a DES Wetland Permit. Impact fee calculations were received this afternoon. I still have an issue with the stone wall, and am concerned with the salt shed near the wetland. We also need an AOT permit.

J. Kevan: The minor increase in runoff leaves the property during a 50 yr storm event. We contacted NHDOT for a letter. The change in flow crosses the swale ravine all the way down to the river; 1/10 of CFS. The bio-retention areas wouldn't go away.

R. LaBranche: For drainage there is a minor increase pre and post development. Also they should get an agreement that Manchester and DOT deem the traffic increase reasonable. I understand they have a verbal, but nothing in writing.

J. Kevan: AOT is ready to issue their permit if they get a copy of that agreement. Stone wall site is snug for this facility, and we haven't proposed to relocate it. Runoff, sheet flow of edge of pavement and it wasn't like I could line the wall up there. There is a stone wall and we will keep it wherever it is not in our area of work.

J. Duffy: Kathie Northup and the Heritage Commission are proposing changes to our Development Regulations. One big initiative is to save stone walls that are disappearing and if it had to be moved, to move it to another location for historical purposes.

J. Gryval: Historical is only for boundaries.

J. Duffy: The State says it is for boundaries, however this isn't changing a boundary but it is in the way of their building. Coming from a State with no stone walls, they will keep disappearing if we don't save them.

D. Marshall: I thought a historical stone wall was more where it is vs. relocating a bunch of rocks.

J. Duffy: The best thing is to leave the wall alone. The next best thing is to relocate it.

F. Kotowski: Is there a stone wall that will be broken and if yes, what will happen with the stones? Will they be left on campus to use for something else?

J. Kevan: We don't plan on using that wall elsewhere.

R. Duhaime: I have a rock collection going. These rock walls are not part of a lane. It is in between a lane and in the middle of a huge section of land SNHU wants to use. It would be nice for you to stockpile and use later.

J. Kevan: We won't bury it. When we built the parking lot near the dormitory, we dug through what was left from the previous builders "buried" debris.

R. Duhaime: At some other time, the stones might benefit your property.

J. Kevan: The location and proximity of the salt shed; it is a 3-sided structure with a roof for winter salt and sand storage for their roads. It is contained so that no rain can wash it away.

J. Duffy: Dan mentioned that the Highway Dept. has a salt shed with 3-4 ft high concrete walls.

J. Kevan: Ours is completely contained on 3 sides with a roof.

J. Duffy: Dale is yours open?

D. Hemeon: Ours is 3-sided with a 7-8 ft high concrete walls with an open front.

J. Kevan: Our site will have 37 ½' x 55' with a full wall; no opening to the roof.

J. Duffy: Dan's concern was that the 3 walls were not all concrete.

J. Kevan: I will talk to the designer about adding concrete all the way to the top roof.

R. LaBranche: Riprap apron all the way to curb; not going into infiltration?

J. Kevan: No; settle in swale then into forebay.

R. LaBranche: I would like to spend more time talking to you about the salt shed.

D. Marshall motioned to continue the application to August 2, 2010. Seconded by N. VanScoy.

Vote unanimously in favor.

PUBLIC HEARING CONTINUED TO AUGUST 2, 2010.

OTHER BUSINESS

4. Southern NH Planning Commission (SNHPC) - Appointments

J. Duffy: Carol can speak more on this subject. The Planning Board made a motion to recommend Mike Jolin to the SNHPC. Robert Duhaime put his name in directly to the Town Council without a Planning Board recommendation. Based on the Town's population, we can have 3 SNHPC members.

C. Granfield: Until this came up and looking at the RSA, the Planning Board has to recommend a SNHPC member to the Town Council who then appoints. We can in fact have 3 members. The Town Council is meeting this Wednesday and Mike Jolin has already been nominated, therefore the Town Council can appoint him. Rob needs a motion by this Board.

J. Gryval: It was just an oversight by Rob. He forgot to mention to this Board his interest to be a SNHPC member, and then he got acted on at the Town Council meeting.

***M. Cannata motioned to recommend the Town Council appoint Robert Duhaime as the Town of Hooksett representative to the SNHPC. Seconded by N. VanScoy.
Vote unanimously in favor.***

C. Granfield: The Town Council will take action on this nomination this Wednesday.

5. ALL OR NOTHING, LLC – NH SCHOOL OF BALLET (#09-12)

254 West River Road, Map 17, Lot 36

Status of conditions from Planning Board 4/5/10 conditional approval. Site plan is for the proposed construction of a 1-story 5,600 sq ft dance studio building next to the existing pizza shop.

M. Peterson: I wanted to give you update on this project. The DOT is overlaying Rte 3A tonight up to the Bow line. Blue at Village water is working on this project, and he made us move the water line. I will be back here on August 2nd for compliance. I came here last month with the wall design. The only other item is having a condo plan sheet #4. This is a minor plan sheet, however there was some concern without the sheet you couldn't approve it. There will be building "A" to be built, a common area, and the existing building "B". This plan is pretty much the same as what you approved with just some minor changes. DOT asked us to take out the picket fence in the front. If the Board wants me to come back August 2nd that's fine, or if you want me to just work with Dan that is OK too.

D. Hemeon: Are they (DOT) going to let you cross 3A after they pave it?

M. Peterson: They wanted to do it before, but the applicant is working with their bank. I got a phone call from DOT, we will let us do after with directional boar and patch down where we tie into the water main. We can temporary put down for 2 weeks, then in down again in another 2 weeks. Marty and M.J. the owners are trying to make this work.

D. Hemeon: Get it in writing from the DOT. They usually want you to replace 500 ft both ways and that can be costly.

J. Duffy: Just a reminder that we need traffic counts from Matt so we can come up with the roadway impact fees. The applicant is waiting on the entire list of fees for their bank financing.

R. LaBranche: We have a lot of issues to still go over. I didn't prepare for your project.

J. Gryval: Come back August 2nd for approval of compliance of conditions.

CONTINUED TO AUGUST 2, 2010.

6. AESTHETICS COMMITTEE

C. Granfield: This weeks Town Council meeting they are making appoints to various committees. Question on Aesthetics that it was a Council appointed committee. What we found, Pat Rueppel via the Council created the Aesthetics and Beautification Study Committee. There was a discussion back then at a couple of meetings with appointments and Yervant was appointed as Chair along with 3-4 other appointments. The charge officially adopted listed various components, aesthetics, beautification with 3 members. There was one architect and two members, not Planning Board members. Now this committee looks different than what it started out to be.

Planning Board: Discussed the process of the current Aesthetic Committee.

J. Gryval: We should decide what we would like the Aesthetic Committee to do then bring that back to the Town Council.

C. Granfield: I can forward to this Board a draft charge from the Council. It doesn't appear they adopted it. When you have the framework ready I will bring it back to them.

WEBSTER WOODS

J. Gryval: I have been reading a lot in the paper about Webster Woods.

J. Duffy: The Town had hired Lou Caron for this project. Webster Woods phase I is completed. A complaint was filed for the wetland violation and the State did an investigation; they can't find the AOT permit. The owner applicant said they had the AOT permit, and DES said produce it. DES gave to the 2nd or 3rd of July for them to provide it, and DES still hasn't received the permit. Now they are saying they didn't

receive the DES letter. I spoke with Lou Caron and asked if he could dig up old letters and nothing he found is showing the AOT. In the meantime the residents formed a Homeowners Association. They were paying \$50.00 for fees for existing maintenance, but not for future maintenance. Now the residents have no money for repairs and will have to charge a special assessment to cover the fees. One owner said she couldn't sell her unit because the bank would not mortgage with no homeowner's escrows. The wetlands issue is not resolved and they hired a wetland scientist. I did ask if the wetlands would affect phase II and DES said it might. There is a certain amount of land needed for drainage, however DES is not sure yet. I haven't heard anything from the developer.

UNIVERSITY HEIGHTS

J. Duffy: Developer Duke Pointer, Green View Mng., has been asking the Town to issue 2 building permits and the Town Attorney said no. We got another e-mail over the weekend and we said no. We need the LOC in place before permits can be issued.

LIBRARY THANK YOU LETTER

J. Gryval: Read letter dated June 22, 2010 from Hooksett Public Library Board of Trustees thanking Jo Ann Duffy, Town Planner, for her assistance with the library signage fees from 3A Development. If it wasn't for Jo Ann, this probably wouldn't have been resolved.

HOOKSETT LANDING

D. Hemeon: DiGuissepee wetland permit?

R. LaBranche: There was an appeal for the wetland permit for Benton Rd. About 3 weeks ago there was a pre-hearing conference and the Town Attorney, myself, DiGuissepee and his counsel were there. There is a hearing on 9/14/10.

D. Marshall: We may want to let the DES know that the Town doesn't have selectmen and we no longer use Bart Mayer for legal counsel.

SNHPC AFFORDABLE HOUSING ASSESSMENT

D. Marshall: Briefly discussed the SNHPC Affordable Housing Assessment.

ENTER NON-PUBLIC AT 7:50pm

D. Marshall motioned to enter non-public session at 7:50pm. Seconded by R. Duhaime.

Roll call

N. VanScoy – yes

M. Cannata – yes

Y. Nahikian – yes

J. Mudge – yes

C. Granfield – yes

J. Gryval – yes

D. Marshall – yes

D. Hemeon – yes
F. Kotowski – yes
R. Duhaime – yes

Vote unanimously in favor.

EXIT NON PUBLIC AT 7:55pm

D. Marshall motioned to exit non-public session at 7:55pm. Seconded by R. Duhaime.

Roll call

N. VanScoy – yes
M. Cannata – yes
Y. Nahikian – yes
J. Mudge – yes
C. Granfield – yes
J. Gryval – yes
D. Marshall – yes
D. Hemeon – yes
F. Kotowski – yes
R. Duhaime – yes

Vote unanimously in favor.

SNHU

M. Cannata: Can we go back to SNHU for a moment. Is there any way to avoid the parking lot for an access?

J. Duffy: We tried to do that before, but the Board said the entrance is in Manchester and if they were OK with that we are OK.

M. Cannata: A white roof is not practical in winter.

Y. Nahikian: A white roof is “green build”. My suggestion is to keep the roof shallow. They will make it gray and block it.

FARMERS MARKET

J. Duffy: The Hooksett Farmers Market opens this Wednesday 4-7pm. The Governor and Agriculture Commissioner will be coming at 4:00pm for the ribbon cutting ceremony.

CROSSWALKS & SIDEWALKS

N. VanScoy: For crosswalks, they eventually become the Town’s responsibility and this Board wanted the Town Council input on these subjects. Would it be on a Board or Council agenda to invite the other?

D. Hemeon: The Council is against crosswalks and sidewalks, because there are no funds to maintain them in the budget. Every Council is different. Now could be different and they may want it.

D. Marshall: End result is we need a written policy by the Council so we can point to it when the Council members change.

C. Granfield: How long do you think the discussion would be for scheduling on a Town Council or Planning Board agenda and have it as the only item?

D. Marshall: We have asked to meet with the Council. We can invite them to come in on a Monday night. 15 minutes for this Board on the Council agenda is not going to work.

F. Kotowski: For years, myself and Mike Horne and others have been working on trails. Sidewalks are an issue that now comes up in trails. We are identifying where people can walk safely. I think this discussion is long overdue with the Planning Board, Town Council and Parks. Sooner or later the trails group will provide an update to the Planning Board and one item is sidewalks.

R. Duhaime: One of the OEP classes by the Nashua Regional Planning Commission was to connect parking to parks to trails. SNHPC can do this for our Town.

D. Marshall: SNHPC is trying to get a grant to do the study. Bike paths, transportation enhancements, these things are always on going.

J. Gryval: The State has a program "Rails-to-Trails".

D. Hemeon: The Town Council just made a rule I don't plow sidewalks in winter. Give me equipment and money to do it and I will do it.

BEMIS (SAVOIE) ROAD

N. VanScoy: Any update on Bemis Road?

D. Hemeon: I spoke with Kevin Shephard. If I fix the drainage pipes, he fixes the road. The plan approved by the Board for PPNE is not happening.

*N. VanScoy motioned to adjourn at 8:10pm. Seconded by C. Granfield.
Vote unanimously in favor.*

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 8:10pm. The next Planning Board Meeting is at the Hooksett Town Hall Chambers, room 105 @ the **new time of 6:00pm** on August 2, 2010.

Respectfully submitted,
Donna J. Fitzpatrick, Planning Coordinator