

**Official
As of 08/20/12**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, August 6, 2012**

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 6:10pm.

ATTENDANCE – PLANNING BOARD

Chair John Gryval, Vice-Chair Dick Marshall, Frank Kotowski, Town Council Rep. Susan Lovas Orr, Town Administration Rep. Leo Lessard (DPW Director), Martin Cannata, Tom Walsh, Robert Duhaime, and Donald Winterton.

Excused: David Rogers, and Town Administrator, Dr. Dean E. Shankle, Jr.

APPROVAL OF MINUTES OF 06/18/12

D. Marshall motioned to approve the minutes of 07/09/12. Seconded by M. Cannata. Vote unanimously in favor.

J. Gryval: Donald Winterton will be voting tonight in place of David Rogers.

CONTINUED PUBLIC HEARING - WAIVER REQUEST FOR SIGNAGE

- 1. MERCHANTS PLAZA, LLC (#12-13)
1275 Hooksett Road, Map 31, Lot 1 AND
1279 (1277) Hooksett Rd., Map 25, Lot 46**

Waiver request to Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards.

J. Gryval: There are two lots that had 6 signs, and they are now requesting 3 signs.

M. Labonte: Existing non-conforming signs cannot be moved.

J. Gryval: The 3 signs will have the same total sq. ft. and height. The site is tight in there with cars. This is a good presentation to allow that type of sign.

M. Cannata: Are they going to be side-by-side signs?

Cathy Champagne, Jutras Signs: There is a composite in your packet for the best rendition. There is also a site plan from TF Moran with representation where they are going to be.

S. Lovas Orr: For the change of use, I see Twins Smoke Shop is moving to West Alice Drive. Will there be a different business?

J. Duffy: It is the same business currently renting from Merchants that is the change of use. Whatever tenant goes in here (1275 Hooksett Rd.), they are just showing the size and location.

R. Duhaime: The height is the same, but the smoke shop is going from monument to post?

Michael Sydney, Merchants Plaza: There is a flag type sign on the site. The height is the same as what is existing presently.

J. Gryval: They wanted their sign 2 ft. higher, but went with what is there now for height.

C. Champagne: The scale is correct. The only one from the last meeting that was reduced was Twin Smoke Shop.

R. Duhaime: It was reduced for height.

D. Marshall: On your composite, Twins Smoke Shop top photo and the bottom photo, bottom is higher in appearance. Bottom is bigger unless you drop the Twin Smoke Shop down from what is here.

C. Champagne: This one Twins Smoke Shop is taking place of two signs. There once was a cantilevered sign and one existing Twins sign. The height is taller, but taking place of two signs. An entire separate sign is going away. If we show the new sign with a blank panel, it will look more like a cantilevered sign.

Open public hearing

No comments.

Close public hearing

F. Kotowski motioned to grant the waiver request as presented for a total of 323 sq. ft.:

- 1275 Hooksett Rd. – **105 sq. ft.** and 16 ft. height (sign C)
- 1277 and 1279 Hooksett Rd. – **218 sq. ft.** total as follows:
 - Sign A – 120 sq. ft. and 18 ft. height
 - Sign B – 98 sq. ft. and 21 ft. height

Seconded by L. Lessard.

R. Duhaime: For consistency the largest applicant and smallest applicant should have the same standards. Obviously heights are not monument, they are pylon and much larger than what is in our regulations. The whole point of PZ signage is smaller sq. ft. and monument. We are supposed to be working toward PZ signage.

F. Kotowski: The reason I made the motion is it should be obvious to all of us. If nothing was happening on that road, the existing height would be there, and they would replace what is there. I know and agree with Robert about smaller signs, but our business community should be well served in Hooksett.

T. Walsh: There is also practical application. This area is the narrowest section of the PZ corridor. There is a line of site safety and we need to elevate the signs to open up the area.

Vote unanimously in favor.

Waiver above per RSA 674:44 (III) (e)

DISCUSSION

2. UNIVERSITY HEIGHTS APARTMENTS (#11-12)
Map 14, Lot 1-9
Temporary leasing office.

Jeff Burd, RJB Engineering, LLC: With me tonight is Steve Dotolo of SMC Management Corp., owner. The University Heights apartments will be on Blackwater Road. At the corner of Rte. 3 and Campus Drive, we are requesting to have a leasing trailer on a temporary basis until the club house is built and open. Staff recommended we meet with you. It will be a 10' x 40' trailer with 8 parking spaces and a paved drive to the existing curb cut. There will be temporary utilities; nothing permanent and then removed.

D. Marshall: It will be on top of the mound. Assure the trailer at the site hasn't been battered.

F. Kotowski: When will the club house be finished?

J. Burd: We are planning to have the trailer until this Fall, however we are asking for a 1 yr. period, so that we don't need to come back before the Board.

R. Duhaime: Why will the trailer be located outside the parking vs. inside; more visible? You have no screening.

J. Burd: We will trim all the brush down.

Steve Dotolo, SMC Management Corp.: The trailer and site will be presentable for our leasing office.

R. Duhaime: Will you have paving or gravel?

J. Burd: It will either be binder pavement or recycled asphalt.

M. Cannata: Will you have accompanying signage?

S. Dotolo: There will be signage on the trailer and on the property to let people know about the apartments. We will get permits.

J. Gryval: Where is the exact place the club house will be? This looks like a lot of pavement for a temporary leasing trailer.

S. Dotolo: There is already a lot of asphalt there. We propose recycled asphalt then binder.

J. Duffy: I did not think this needed Planning Board approval just for a temporary trailer. Green View Management just sold the apartments to SMC Management, Corp. It doesn't make sense to have the trailer where the apartments are going (Blackwater Road), because it wouldn't be seen from Hooksett Rd. The site for the trailer (Map 14, Lot 1-9) is a separate lot from the apartments (Map 14, Lot 1-12). They could have put a sign "leasing", but that doesn't meet our regulations for off-premise advertising. In less than a year's time they are confident the club house will be finished, but staff recommended a year period so they wouldn't have to come back to the Board. I spoke with Mary Farwell, Library Trustee, and as long as the trailer doesn't block their library sign everything is good.

J. Gryval: I want to make sure there are no future extensions, so the trailer doesn't stay there forever.

S. Lovas Orr: There will be a road to nowhere after the trailer is gone.

J. Burd: There is a gravel construction road there now. We will have a temporary binder or recycled asphalt.

S. Dotolo: You don't see the gravel road currently there now, because the site is overgrown.

J. Burd: There will be 9 buildings. We will construct #2 now, then the club house after that, and then continue construction. We are on a tight schedule.

J. Gryval: I can live with it for a year, but don't want it there forever.

***D. Marshall motioned to grant the request for a 1 yr. (to 8/6/13) temporary leasing trailer as presented. Seconded by D. Winterton.
Vote unanimously in favor.***

DETERMINATION OF REGIONAL IMPACT AND PUBLIC HEARING

- 3. PALAZZI CORP. (#12-07)
"Ritchie Bros. Auctioneers", 39 Hackett Hill Rd. AND
350 West River Rd., Map 13, Lot 51**

Proposal to construct an auction site in two phases with necessary site improvements to the existing parcel.

➤ **Determination of Regional Impact**

J. Gryval: Let the record show there are the following letters in favor of the Ritchie Bros.

Auctioneers proposal:

- > Fairfield Inn & Suites by Marriott Hooksett, NH (8-6-12)
- > Office of the Mayor, Caseyville, Illinois (8-1-12)
- > Lewis County, Board of County Commissioners, Chehalis, Washington (7-30-12)
- > Lew County, Economic Development Council, Chehalis, Washington (8-1-12)
- > City of Medford, City Administrator, Medford, Minnesota (8-1-12)
- > Peter F. O'Connell, Developer, Quincy, Massachusetts (7-24-12)
- > The Palazzi Corporation, Thomas Palazzi, President & Roberta J. P. Grady, Director, AND both residents, Hooksett, NH (7-2-12)
- > Tooele County Economic Development Director, Tooele, Utah (7-30-12)
- > Hooksett Chamber of Commerce, Dan Bouchard, Hooksett, NH

Morgan Hollis, Atty. Sulloway & Hollis in Nashua: I am representing Ritchie Bros.

Auctioneers. Here with me tonight:

- **Nick Golon** (TF Moran, Inc. engineer)
- **Ben Swanson** (RBA - Real Estate Manager)
- **Scott Lennon** (RBA - Real Estate Manager)
- **Steve O'Duggan** (RBA - Regional Sales Manager for northeast, New England, and NY)

M. Hollis: We were last here on July 9th for a site plan presentation for the subject property plan that met the criteria for acceptance. Since then we have been back-and-forth with the Town staff and Stantec to include this morning. Stantec's Aug8/3/12 comments teed up issues, and the staff report had some issues the same but slightly different. On 8/3/12 TF Moran responded. We believe there are a couple of issues remaining:

- > 1) environmental issues – there are a number of items parties disagreed on. TF Moran's response back is that we agree with the Town's recommendations and will adjust our plans to your satisfaction,
- > 2) inspection of equipment as it arrives – we wanted 2 yrs. with 3rd party then end. We recognize the Town's position and we are on board with the Town's consultant and we have no issues.
- > 3) issue of pavement or concrete vs. gravel for the display area – on 30 acres we applied showing gravel, because that is historically what my client uses on sites. We submitted all environmental information as if it were gravel. If paved, those things might change. It comes down to the Board's feeling.
- > 4) adequate parking – for the history on that, my client would like to present briefly on that and gravel vs. pavement.

N. Golon: I am on Ritchie Bros. project team and would like to go over the outstanding comments from Stantec. The project team agrees with all aspects of the environmental. Groundwater monitoring and spill prevention to put in place, and gravel from an environmental side is appropriate use for this site. Kenneth Boivin, GZA GeoEnvironmental, Inc. and Kenneth Milender, PG, PE, Miller Engineering & Testing,

Inc., are here this evening and will discuss the spill prevention and counter measures and are here for any questions the Board may have.

M. Hollis: You will now hear from the applicant why gravel is used everywhere else.

Ben Swanson: Surface gravel has the same variations depending on subgrades. Heavy equipment, tractor equipment, will chew up other surfaces. It allows percolation and a list of other issues on a case-by-case basis.

N. Golon: As we move through what little outstanding items are remaining, we thought the Board could review the surfacing itself. Application acceptance or otherwise, you have heard why pavement doesn't work and becomes problematic. We are aware this site is in the groundwater conservation district. Gravel makes this project happen, pavement makes this project disappear.

J. Duffy: We did have a meeting this morning with representatives from Ritchie Bros., staff and John Gryval. We went through Stantec's letter for outstanding items. We advised them to talk about pavement first. If they don't get the Board permission to not pave, they say the project will die. Staff did recommend all areas to have display should be paved. In my 19 yrs. with the Town, the Board has not reneged on pavement. There will be used construction equipment on this site for several weeks at a time. We have reviewed their measures & suggestions (contamination prevention) they made. We said for gravel that they should have a 3rd party consultant come in to check equipment at every single auction. This is a delicate site in the groundwater protection.. They agreed to 2 yrs. with a 3rd party, but then they want to take it over.

N. Golon: They agree to use a 3rd party consultant to check equipment as Stantec recommended.

J. Duffy: For 200 vehicles 10' x 20' parking spaces are required; applicant stating 9' x 18' spaces are suitable for the site. However, they don't want to stripe the parking (employee & event parking) to fit more spaces in this way. They will have flaggers directing the vehicles. Phase II will house another 200 vehicles. If they can't fit all vehicles on the lot itself, they discussed having shuttle parking from surrounding parking lots. Our regulations require off-premise parking have a written lease. There will be a lot of enforcement issues, if specific parking is not set up now. Staff believes this is setting up a bad precedent for parking. We consider this equipment there for a while as parking. We are here to protect the groundwater.

N. Golon: We wanted to address the elephant in the room for gravel, before we move forward with the other items.

J. Gryval: Our regulations for parking in section 15.01 17) a) states "durable and dustless" material; b) states that the Planning Board may establish alternative surface materials on a case-by-case basis.

S. Lovas Orr: Could you go over with me again the process? A vehicle comes in and is inspected, then washed, then refurbished and tested? How thorough an inspection process is it and what percentage of vehicles in the lot leak?

Steve O'Duggan: There is a check-in room at the gate. They inspect now and look for contaminants or leaks and the equipment could be sent back. When this inspection passes, the equipment is then unloaded in the DEI area where there is another inspection. These inspectors take about 150 pictures and mull over the equipment. If the equipment needs to be washed, it then goes to the wash rack. We may also refurbish for windows and decals. We are not planning on painting any equipment. The mechanics may replace body panels. If the gate guys find leaks, they could send back the equipment. We don't want to sell junk. DEI by the parking lot does the full inspections. They are not pushing dirt with it. If they determine there are bad hoses or leaks, the equipment is back to consignment. Staff keep an eye on it.

S. Lovas Orr: Are mechanics on site?

S. O'Duggan: Our mechanics are on site as subcontractors.

F. Kotowski: In other locations where you operate, do you use something other than asphalt as a base?

S. O'Duggan: Processed concrete is dusty and messy. We use crushed rock.

F. Kotowski: Does your hydrologist have a plan for monitoring?

N. Golon: Yes.

F. Kotowski: At other locations, are you required to be bonded to a certain level to mitigate any environmental issues that may arise on the site?

S. O'Duggan: These sites are worth a lot of money to us. If the operations side leak, we have procedures to stop the leak and dispose. We keep our properties nice.

F. Kotowski: Are you bonded at any of your sites?

B. Swanson: I am not aware of any sites we are bonded on.

T. Walsh: For groundwater monitoring, you are agreeing with Stantec 100% based on gravel?

B. Swanson: Yes.

D. Winterton: If the equipment is leaking you send them away at what percentage?

S. O'Duggan: Rarely do we see something leaking oil. We sell nice equipment. If something came in a condition for the scrap yard, they would take it there. That is not our business. For the equipment owner, their mechanic is more cost effective than ours. We will spend money to make it right.

M. Cannata: Have any of your sites been above a protected groundwater?

B. Swanson: I work with 5-6 sites in the U.S. and am not aware of any above protected groundwater.

M. Cannata: Then you can empathize why we are concerned with this (groundwater protection).

B. Swanson: The GZA & Miller procedures Steve O'Duggan outlined and will be our corporate procedure. We have exceeded all protections we would put on a site. The spill protection plan is specific to this site. The monitoring is a 130 ft. deep to the groundwater.

M. Cannata: Are there kill switches on any nozzles that refuel equipment? Say someone forgot or left it filling? If there was a major spill, are you telling us you would remove all material that was contaminated?

S. O'Duggan: We have all diesel fuel and our nozzles are all like gas station nozzles. I own a construction company, and my brother spilled about 200 gallons. Ritchie Bros. doesn't allow that.

Kenneth Boivin, GZA GeoEnvironmental, Inc.: I wrote the SPCC plan for this facility. In the unlikely event of a major spill, the SPCC has provisions: 1) response, and 2) reporting. Per the SPCC plan and State rules, a release of that magnitude who have to be reported to DES and the State administers the process.

M. Cannata: If there is a spill on a Saturday, DES won't be able to act for a week. There could be 50+ gallons into the groundwater.

K. Boivin: There is 24 hrs. response through the State Police.

M. Cannata: To evaluate the problem or remove it?

K. Boivin: And there is local hazmat.

R. Duhaime: I first looked at the plan for lack of pavement. In NH you dig 8 ft. and you will hit ledge. I am glad to see these other letters from your other locations. This site is the jewel of Hooksett I-93. At this time you are not making the site all in can be with pavement. You will need a sprinkler system to keep the dust down. There will be 25 acres of gravel and no pavement.

S. Lennon: Yes we have one site specific (groundwater). I was involved with the Willow County Utah site at the north end of the Great Salt Lake. I worked on this myself. Ritchie Bros. has been there 2 ½ yrs. and there are no problems. The Army Corps. of Engineers was very active in that area. We have a similar response program with them, and a very good relationship. Hooksett may be the 2nd Ritchie Bros. site (groundwater). What has been developed here, with these consultants, will be the Cadillac of plans. The potential for the site, I respectfully remind the Board, Cabela's opted out. Conversations with Jeff Larrabee & Tom Palazzi, the site is not financially feasible. Ritchie Bros. is a transitional use and tax base. This is a very important night for us. We hope to call Hooksett home for a long time. As for berms and landscape, in 5 yrs. we intend to build a very large and expensive building. Today these are the baby steps.

S. Lovas Orr: Paving or gravel? Quite frankly I don't think either is more attractive. Either way it won't look like a rolling sheep field. Our issue/question to this Board is to have the site paved or graveled. Stantec has come up with plan for water monitoring. Do we think it is adequate to prevent contamination for the water source? Can we operate with this business who wants to have their business here? Can we monitor the water well enough, so that we are not creating health problems for our citizens?

D. Tatem: We closed our letter on our environmental review and now tonight I hear they will agree and adopt this for their corporate plan. Paving is better for contaminants, however if the Board allows a gravel surface I think they have done all they can do.

S. Lovas Orr: Dan, do you feel comfortable they are protecting our water source with this plan?

D. Tatem: If the spill response plan is followed to a "T" then yes. There is always that potential on a Friday night that 100 or 50 gallons could go into the ground. With their type of inspections that is unlikely, but there are no guarantees without pavement there. Pavement would add another tear of protection.

S. Lennon: 80-100 gallons is our largest tank. This size spill would be catastrophic.

S. Lovas Orr: Is it paved around the tank?

S. Lennon: Yes.

B. Swanson: We removed the underground tank.

J. Duffy: There are no more above ground tanks, however there are vehicles that will travel through the site to fuel the equipment. I remind the Board that the groundwater regulations were updated in 2008 to protect the water supply. In 2008 it went into the zoning regulations, and went to the Town voters. At that time it was very important to the Planning Board and the Conservation Commission. A golf cart business on Cross Rd. was put through the ringer, because the carts could leak and could be classified as a

vehicle. It was a long drawn out process from ZBA, to the Conservation Commission, and to the Planning Board until they got their approval. Pay attention to that district.

N. Golon: We met with the Conservation Commission several times. They haven't endorsed our project, but did agree with our drainage assumptions. There is no fueling on graveled surfaces; only on impervious surfaces.

L. Lessard: For oils & fuels, before it hits the groundwater, it would contaminate the soil before it reaches the water. Say Ritchie Bros. moves on, we wouldn't know until the next business comes in at this site if the site is contaminated. The regulations state it has to be paved. There would be sand without any trace.

J. Gryval: I have worked with this (equipment) all my life, and most of these do leak.

R. Duhaime: For large hydraulic equipment, 50-75 gallons could escape. I was naive and pictured landscape bounds with granite curbing. In time Ritchie Bros. moves out and then a restaurant comes in. Not that I wouldn't like to see them (Ritchie Bros.) come in. The whole idea for a large parking lot is to have landscape islands and screens. I am trying to find a medium to make it fit the site. Come back to make it what it was originally. Cinemagic can add a restaurant in their front lot, instead of a large gravel site. If portion of your site gets paved that is better. A landscape screen is preferred, but it is not a perfect world.

J. Gryval: Stabile and a few other companies, monitoring wells show leaks, then what happens?

Kenneth Milender, PG, PE, Miller Engineering & Testing, Inc.: I prepared the groundwater monitoring plan.

J. Gryval: In the event there is a leak in the monitoring wells?

K. Milender: For reporting requirements, you would be dually notified. For the monitoring plan, the Town gets it first, then the State if above certain concentrations. Clean-up is not easy so far down. Where the toll house is located, it is 130 ft. to the water table. This provides quite a ways of protection to travel down 130 ft. For a catastrophic release from the largest tank, to impact the water table, would have to be long-term. Example is a Friday or Saturday night release of 100 gallons would not get to the groundwater. We have a real fix for an ultra-catastrophic release of more than 100 gallons. It is bio-remediation to include microbes in the water, and pump & treat and reinject into the aquifer.

J. Gryval: They will have a 5 yr. lease. We don't know what will happen in 5 yrs. or know if there is a leak within that time. Then we are left with contamination in that area if they leave. I want to make sure something can't stay in the ground for a period of time without knowing.

K. Milender: We have a robust plan, and have incorporated Stantec's recommendations. Ritchie Bros. will respond to spills, before they get into the groundwater. You heard Ken, release of 100 gallons is not enough to reach the groundwater. There will be 3rd party inspections to back that up. There are sophisticated levels of protection.

J. Gryval: Hot top would prevent contamination.

K. Milender: Even if there was pavement, spills could go to the sides.

J. Gryval: If there is a spill along the hot top, at least you can see it and have a better idea what to do.

R. Duhaime: For your DES permit, the total sq. ft.?

N. Golon: The AOT is for total disturbance: phase I is 25 acres and phase II is an additional 12 acres. 3 acres overlap within the detention basin.

R. Duhaime: If you put up a building in 5 yrs., what portion would you pave first?

S. Lennon: 2 acres depending on the market. The main auction ramp all paved for a total impervious of 2 acres. We will landscape if and when we purchase the site. It will be a \$4-5 million building and additional landscaping will come with that.

R. Duhaime: So you would pave 2 acres out of the 25 acres.

J. Gryval: It states in our regulations that the Planning Board shall establish alternative materials. The Planning Board may want hot top or live with the gravel.

Open public hearing

Dan Plourde, Plourde Sand and Gravel: A spill in a storm drains down to the river. In dirt 100 gallons just goes into the ground. A tank in my farm leaked for years and it didn't go down more than 20 ft. In Florida you have Alex Lyons, then Ritchie. Ritchie is the premier auctioneers. If you can them, it is not Cabela's, they do a class act. You will be proud of them when you are done. Spills, etc. are ignorance. It all leaks and you fix it as it leaks. Radiator hoses, look at your parking lot here, everyone is parked on your lawns. Does the Town have rules for that? They will pay big taxes. Consider these real well and don't be so hard on these people.

Roberta Grady: I am here on behalf of Palazzi Corporation, and I live in Hooksett. You have subject matter experts. You have reports from Stantec's hydrologists and environmental people. I refer to the Palazzi letter dated 7/2/12 "We are writing to recommend positive consideration of the plan for Ritchie Brothers to conduct heavy equipment auctions on the site of the Palazzi Corporation. Our property has been involved with heavy construction for over 50 years . . .". Signed by my father, Thomas Palazzi and myself, Roberta J.P. Grady, Director and I live on Hackett Hill Rd.

Jackie Roy, Hooksett Chamber of Commerce and resident: I am here with the Coccis who have a business in Hooksett. Dan Bouchard, president of the Hooksett Chamber of Commerce, wrote a letter to the Planning Board “You have before you an application from Richie Brothers Auctioneers to develop a site off Exit 11 for use as an auction facility. From a business standpoint, this new facility will serve to bring new jobs to the area . . .”. I live 3 miles from this site and I think this is a great project. I have heard comments about the existing infrastructure. This is perfect for what there is now and on the West side where there is Pike and local businesses. Ritchie Bros. will promote us more than big shops are doing now. It is a great win-win. To have 25 acres of pavement, I don’t want to see that on my side. The biggest pollution is stormwater runoff. Pavement will promote stormwater runoff.

Ed Cocci, Hooksett business owner: Ritchie Bros. is a great opportunity for us. From a chamber point-of-view, we are all excited about it.

Mrs. Cocci: There have been other businesses coming into Town. Home Depot is behind Ed’s flooring and has a sign “anything Ed’s flooring quotes, we will quote lower”. We are behind Ritchie 110%.

J. Gryval: The question is not whether or not Ritchie Bros. comes into Town. We want any business in Town. We want to make sure the groundwater is protected and done properly.

E. Cocci: We respect your position, however from a business point-of-view we think it is good to come into Town.

J. Roy: Stormwater runoff is the biggest pollutant.

Todd Lizotte, representing myself: From a business model, the auctions are 4-6 6times per year (15 – 23% of the time). The auction facility as a whole business is making certain vehicles are presentable. Staff are not dedicated to phones, but to equipment. The last thing they would want is their customers to see black spots on the ground. I think gravel makes sense and their mitigation is more than sufficient. If they were selling used cars 24/7 that would be different. This is operated 8-12 weeks out of the year. For fueling, no one asked if they fill the tank on site. I am an engineer and have worked construction with my father. He empathized to keep equipment clean and tightened. In this case there is 100% effort to show equipment at its best condition; they should be given that opportunity.

David Boutin: I am here tonight as a citizen of the Town of Hooksett to support the Ritchie Bros. project. I have a background in planning and have done a lot doing that. This evening I have not heard a better proposal than tonight. We had an oil spill in our own basement. Does that mean we don’t build our own houses? Candia’s “Car World” is unpaved. DES approved that site. I have been through that site. It is likely a hood leak from cars that come in and stacked on top of each other, but because of DES and the business owner, this is the cleanest site in the state of NH. These people are committed

and their business model, if equipment and the site not clean, would not be successful. When I first heard the Planning Board required them to pave the site, it didn't make sense to me then or now. I would urge this Board to move ahead with this project. I understand Mr. Duhaime's point; Cabela's walked, Bass Pro Shop walked, and now the Merrimack outlets have sucked all the air out of this area. Your Planning Director said we will put you through the grinder. I remember a golf course business we put through the mill and now he is barely surviving. I would love to see something like Cabela's or a restaurant, but that is not going to happen with this economy or in the near future. I would urge you for the interest of this community, make sure as we all do to protect the interest of the Town's environment. The Town's engineer has said this will work, so move ahead so they can set-up shop.

R. Duhaime: There is a drainage retention area on here. Biggest polluter is I-93. A compromise should be offered. My solution is to have more or some pavement than what you are offering. It should be graded and pitched to the retention ponds, before it gets to the water in the aquifer. This treatment is not working off pavement, it is working off gravel. There is a system here.

N. Golon: Between previous meetings, we are now paving 200 more event parking spaces. The stormwater management will have open drainage and pretreatment prior to entering. For State and Town requirements there will be forebays.

D. Winterton: I would like to thank Ritchie Bros. for coming to Hooksett with such a complete plan, and for bending over backwards. I will support gravel and not pavement.

J. Gryval: We are not asked tonight what sections to be paved. It is all or nothing.

M. Hollis: Keep the focus as you do. This is a public hearing and that is what they came for. We would request a straw vote by the Board. The aquifer they will make sure controls are in place for the first monitoring wells. Referred to 8/3/12 Stantec letter – relocation of those wells, contaminants plume would not reach the wells for detection purposes. Then they suggested modifying chemicals, and then increasing the amount of testing, and then increase frequency. Third party inspections and reports will be filed with the Town. We agree with all criteria. It will be dedicated then remediated with DES. The goal is to protect the water supply. You heard your engineer and our engineers. Let's look at what has been presented. We have satisfied your Town's engineer on protecting your water supply. Remember this is temporary. When they move forward with a permanent site, you get another bite of the apple to see what they have done to the site. Tonight we request a straw vote for gravel in lieu of pavement.

T. Walsh: I don't have a problem with gravel. Thank you very much for your presentation.

F. Kotowski: I came here tonight undecided how I felt about this. After listening to answers to questions I had at the first meetings, you hired a hydrologist, and you will do testing. I really think we need Ritchie Bros. here in Hooksett. We have an opportunity to

allow a business to test our waters for a change. They have said to us they could be gone in 3 yrs. I sat on hearings for the Seabrook national power plant for 10 yrs. and heard about the migration of birds and if they hit a power line. Whether or not we are going to take a change, and it is a big change, if they are not good they will be gone. Whatever happens is it has to be cleaned-up (parking lot, side of the road). We owe these people to do business in a good Town.

S. Lovas Orr: I don't think there is anybody in this room who isn't concerned on protecting the water supply. I was first torn about this. Throughout this entire process, I feel you all have been very cooperative. Reading through your brochures again you have brought to our attention the environment and protecting it. I feel very heartened you worked with our engineers, and listened to their advice. I am confident you won't thumb your nose at us if there is a problem on the site. I have faith in that; don't prove me wrong.

Straw vote in favor of site gravel vs. paving

D. Winterton: Yes

M. Cannata: No

J. Gryval: No

D. Marshall: No

T. Walsh: Yes

F. Kotowski: Yes

S. Lovas Orr: Yes

L. Lessard: No

Straw vote tied = failed.

S. Lennon: I would like to take an opportunity to address Mr. Duhaime's comments as I think you were on the fence on gravel vs. pavement.

J. Duffy: We have a 9 member board with normally 3 alternates. The alternates can only vote for 6 members. They can't vote for Town Administrator, Dr. Dean E. Shankle, Jr., Town Administration Rep. Leo Lessard (DPW Director), or Town Council Rep. Susan Lovas Orr. David Rogers is not here tonight. Donald Winterton is the alternate voting for David Rogers. You could come back on August 20th for a vote of the full Board. A tied vote means it fails. It is just a straw vote and a tie means even less. Someone could make a motion either way and have full Board.

M. Hollis: We asked for a straw vote so we know where the Board is tonight. We will need to do waivers. We could ask to present the rest of the items, however we ask to table to the Aug 20th meeting.

J. Duffy: I received waivers from Nick this evening, so we will make sure we have them to the Board for the August 20th meeting.

N. Golon: Do you want me to go over the waivers tonight?

J. Gryval: Yes, to provide an overview.

N. Golon: The waivers we will submit are:

> 1) Section 3.04,4,C,3 Landscape Buffer Areas – 2” caliber planting around any parking area. We request that the event parking and display area do not plant trees now in phase I. In phase II we are expanding the parking and would need to rip-up the trees from phase (showed area on plan).

> 2) Section 3.04,4,d Landscape Parking Area - 5% internal green space. We showed the area where event parking is located. This is also the truck cue area, and they will require a fairly large turning radius. Staff is supportive of #1 & #2 landscaping waivers.

>3) Section 16.05,4,b Parking Lot Lighting Uniformity Ratio - uniformity of lighting in event parking. We propose temporary lighting expansion lights such as sporting events with 8:00am-5:00pm operation. In the summertime, there will be no need for it. In wintertime, we will need lighting for a very small period of time. In the six times a year for an event, once or twice we will use lighting. There will be no light pollution, because it meets the minimum requirements of other areas on the site.

> 4) Section 15.01,24, Individual Parking Spaces - striping of parking spaces for event parking. Duality on non-auction days WB50s stacking up in there. 9’ x 18’ striping spaces for oversized vehicles or vehicles towing a trailer. Instead of striping we request to use Ritchie Bros. parking attendants, so there is no overflow of any parking on Hackett Hill Rd. JoAnn has reviewed this with us on several occasions. We are trying to achieve orderly parking. Instead of striping, allow parking attendants to do this.

These four waivers are fairly minimal in the grand scheme of things.

J. Gryval: We will get the waivers and the Board can review for the next meeting. In your packets there is information on Standards for Determining Regional Impact.

D. Marshall motioned that the Ritchie Bros. Auctioneers project is not a regional impact. Seconded by T. Walsh.

Vote unanimously in favor.

N. Golon: We have had an opportunity to present our case to you with a few Board members on the fence with the gravel. We would like an opportunity to consult with Town staff and engineer for the sway votes. If we pave all areas, this project does not exist.

J. Gryval: We all want to see Ritchie Bros., but we need to protect our water supply.

M. Hollis: We know we have the burden on this.

D. Marshall motioned to continue the application to August 20, 2012. Seconded by D. Winterton.

Vote unanimously in favor.

CONTINUED TO THE AUGUST 20, 2012 PLANNING BOARD MEETING.

WAIVER REQUESTS, DETERMINATION OF REGIONAL IMPACT AND PUBLIC HEARING

4. SNHU (dormitory) (#12-12)

East Side Dr., Map 33, Lot 67

Site plan for a proposed 4-story residence hall (20,030 sq. ft. footprint) with associated roadway access and parking. The residence hall will have 152 dormitory rooms and a residence Director apartment, accommodating a total of 308 beds.

- **Waiver Request #1** - Development Regulations (06/04/12) Section Part III – Site Plan Regulations 2. Completeness Criteria – Overall boundary survey and metes & bounds description. Sufficient, acceptable information to readily determine location, bearing and length of every street line, lot line and property boundary.
- **Waiver Request #2** - Development Regulations (06/04/12) Section Part III – Site Plan Regulations 2. Completeness Criteria - #25 Shape, size, height and location of existing buildings within two hundred (200) feet of the site.
- **Waiver Request #3** - Development Regulations (06/04/12) Section Part III – Site Plan Regulations 2. Completeness Criteria - #32 Size and location of all existing landscaping within 100 feet of the site.
- **Waiver Request #4** - Development Regulations (06/04/12) Section Part III – Site Plan Regulations 2. Completeness Criteria - #34 Location of existing utilities within 100 feet of the site.
- **Waiver Request #5** - Development Regulations (06/04/12) Section Part III – Site Plan Regulations 2. Completeness Criteria - #41 Shape, size, height and location of all existing buildings and proposed buildings.
- **Waiver Request #6** – Development Regulations (06/04/12) Section 11.12.2.t - Drainage Design Criteria – Minimum flow velocity in a pipe or culvert during a 2-year storm event is 2 fps.
- **Determination of Regional Impact**

J. Gryval: Let the record show that Martin Cannata & Susan Lovas Orr are stepping down from this application.

J. Kevan, TF Moran: We were found complete at the last meeting. We propose to extend East Side Drive in the back to the four (4) buildings. There will be a parking lot on one side and a new 4-story dorm at the top of the hill. There will be up to 308 beds. This will provide relief to 100 students who are tripled up in existing dorms. This will give 208 new students the ability to have on campus housing vs. commuting. The site is on 203 acres. On the same side is a new operations center built 1 ½ yrs. ago, a dining facility, academic facility, baseball and softball fields. We are adding 109 parking spaces on East Side Drive and 20 spaces adjacent to the new dorm building. Overall campus parking requirement is 2,263, and we have 70 spaces above this (2,333). The focus is a walking campus. They want to make the parking lot to the right of North River Rd. by the dining hall into a common area, and build a new parking lot to replace that. There will be greenway parking at the outer perimeters. Engineering wise drainage will be collected, stored, and treated under the long parking lot. It wraps all the way around to Messer Brook. This has been analyzed and submitted to your consultant and the State. Landscaping has been provided. We met with Manchester Planning on the determination of regional impact. Today they have no issues with it. The school is moving forward with a proposed library a couple of months behind this dorm project. I will keep Manchester up-to-date. We have received Stantec's review comments and addressed many items up

front. We have letters from Manchester Water Works, sewer, and fire. The only outstanding permit is AOT. We have two comments from them today, and we will have permit within a week. We will provide final stamps and so forth. The waivers are necessary based on the 203 acre parcel. Waivers are for showing buildings and landscaping with "x" feet from the property line. Other than River Road, the site is forested/wooded. The operations center is 500 ft. away. The site is closest to Messer Brook. Waivers include to not provide a complete boundary survey, not provide shape, size, height of all buildings in the area, and showing existing utilities. The drainage requirement is 2 ft. velocity on all pipes; some pipes do not have the 2 ft. per second.

J. Gryval: Dan, do you have problems with the waivers?

D. Tatem: No.

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

Waivers above per RSA 674:44 (III) (e)

D. Marshall motioned that the SNHU dormitory project is not a regional impact. Seconded by D. Winterton. Vote unanimously in favor.

J. Kevan: The construct schedule of the dorms is to open August 30, 2013. We would like a conditional approval tonight. The outstanding items are additional horizontal geometry, additional CRI index for lighting (college changed out all lighting to LED), and plumbing changed to water saving fixtures. They are definitely working to be environmentally conscious. For a traffic memorandum and how it affects East Side Dr. at the TRC meetings it was not necessary to do that. To react to Stantec's request, we took the 2003 dining facility information and brought it forward. For today's projection, we did look at NHDOT #s for traffic. We came in reasonably with that projection. It is a common sense approach. The road will be busy at AM peak, and PM peak. There won't be a whole lot of traffic middle of the day. For double left and right turn movements there is an 8 second delay. Stantec is asking for counts forward, so there is back-up info. We agree to do that. We would appreciate you granting a conditional approval. We will be back here in a couple of months for the library project.

J. Gryval: Dan, your comments on the technical issues?

D. Tatem: Yes, we agree with Jeff that they are insignificant, but they we still need the data. It would be appropriate to make a conditional approval. If there are offsite improvement needs they could present the plan before the building gets open, but I don't think that is necessary. Their library project is coming up and they will need counts. The rest of my comments are simple.

J. Gryval: They are all technical and won't affect the Board. The plans are not signed until the conditions are met.

Open public hearing

No comments.

Close public hearing

D. Marshall motioned to approve the application conditional:

- All review fees are paid-in-full
- LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Community Development 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 08/02/12 from Stantec). Applicant submits two (2) final plan sets directly to Stantec for their review and final letter to the Community Development Dept. recommending plans be signed and recorded
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Hooksett Sewer Commission stating they have capacity and approve this project
- Letter from Manchester Water Works stating they have capacity and approve this project
- All waivers noted on plan cover sheet
- Per TRC meeting, note #17 should be removed
- Applicant agrees to attend a required pre-construction meeting after (a) all sureties are submitted and approved, (b) site plan compliance monitoring escrow is in place and the Inspection Funding Agreement is signed and submitted, (c) the plans are signed and recorded, (d) contractors schedule of work is submitted, and (e) if applicable, retaining wall shop drawings are submitted
- Applicant agrees to site plan compliance monitoring
- Applicant agrees to remit impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39. Impact fees: Roadway \$353.15 per new student and Public Safety \$28,843.20 (based on commercial office .36 x 80,120 sq. ft.)
- Prior to issuance of CO, the applicant also agrees to provide: 1) original approved and stamped as-built to DPW-Building, 2) 2 yr. landscape surety from date of plantings, and 3) Community Development with PDFs of Planning Board signed plan set and approved as-built plan

Note: The above conditions in no way reflects all requirements to be met by the applicant per the Town of Hooksett Zoning Ordinances, Development Regulations, Minutes of Boards/Committees/Council, Stantec, and Merrimack County Registry of Deeds.

Seconded by L. Lessard.

R. Duhaime: SNHU is developing a walking campus, however there are more students walking on Benton Road and there are no sidewalks. In time they should put sidewalks on Benton Road to access the retail establishments.

J. Kevan: For the SNHU dorms, there will be a pedestrian bridge and a nice walkway that will tie into the back of another building.

Vote unanimously in favor.

**PUBLIC HEARINGS – WAIVER REQUEST(S) & EXTENSION REQUEST(S) –
ACTIVE & SUBSTANTIAL PERIOD PER RSA 674:39 EFFECTIVE 06/27/11**

***For projects that the active & substantial period has already expired:**

- Waiver Request - Development Regulations (06/04/12) Section 22. Legal Provisions 22.02 Five-Year Vesting Period “The Board may grant extensions, upon written request filed with the Board at least thirty (30) days prior to expiration of the Vesting Period”.
- Extension Request - Development Regulations (06/04/12) Section 22. Legal Provisions 22.02 Five-Year Vesting Period “The Board may grant extensions, upon written request (waiver for the 30 days), stating the requested length of extension and the extenuating circumstances justifying an extension.

**5. *WALMART (wastewater treatment plant) (#08-37)
3 Commerce Drive, Map 37, Lot 43**

Amended site plan for the proposed addition of a 249 sq. ft. wastewater treatment plant. Active & Substantial period expired on **02/03/12** (36 months to meet the active & substantial requirement. Applicant seeking extension to 02/03/13).

Peter Imse, Atty. at Sulloway and Hollis: With me tonight is James Bernardino, Bohler Engineering. We have a waiver request & extension request. Originally Walmart had a subsurface septic system. After approval and before construction, they wanted to replace the subsurface septic with an on-site wastewater treatment plant. They went through the process of an amended site plan with the Planning Board for a wastewater treatment plant. After and before construction of that, we met with the Town for the possibility of extending municipal sewer lines. We have been having conversations with the Town ever since then. Walmart constructed the store site with a subsurface septic system. The wastewater treatment plant sat on the shelf while we have been negotiating with the Town for extension of the municipal system. Finally the planets are beginning to align for the extension to go forward. However Walmart does not wish to lose approval to build the wastewater treatment plant in case the municipal sewer can't go forward. The waiver request is because we did not notify you within 30 days of our expiration. The extension request is for 1 yr. to 2/3/13. Extending the public sewer will be a huge benefit to Walmart, the Town of Hooksett, and to potential developers.

J. Duffy: What Atty. Imse said is correct. We have made great progress with Walmart and the Sewer Commission, however Walmart wants to keep this wastewater treatment plant approval in place in case the sewer extension falls apart.

D. Marshall: I assume you will file 30 days prior to next year's expiration for another extension?

P. Imse: Yes, I would expect to do that. It is on my calendar.

D. Marshall motioned to grant the waiver for the written request filed with the Board at least thirty (30) days prior to expiration of the Vesting Period. Seconded by M. Cannata.

Vote unanimously in favor.

Waiver above per RSA 674:44 (III) (e)

Open public hearing

No comments.

Close public hearing

D. Winterton motioned to grant an extension to February 3, 2013 for the Active & Substantial period. Seconded by L. Lessard.

Vote unanimously in favor.

****For projects that the active & substantial period will expire:**

- Extension request - Development Regulations (06/04/12) Section 22. Legal Provisions 22.02 Five-Year Vesting Period “The Board may grant extensions, upon written request filed with the Board at least thirty (30) days prior to expiration of the Vesting Period, stating the requested length of extension and the extenuating circumstances justifying an extension.”

6. **RIDGEBACK SELF-STORAGE, LLC (#06-33)

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

Site plan for a 49,500 sq. ft. metal self-storage unit buildings and a 864 sq. ft. granite block office building. Active & Substantial period to expire on 09/22/12 (24 months to meet the active & substantial requirement expired 09/22/11. The Planning Board granted a 1 yr. extension to 09/22/12 at their meeting of 07/09/12. Applicant requesting another extension to 09/22/13).

John Wight, Ridgeback Self-Storage, LLC: I was here last month for extension of the active & substantial period to 9/22/12. Now I need the extension to 9/22/13.

Open public hearing

Phil Fitanides, abutter: I would like to ask a few questions. Good evening members of the Board and Chairman. This project has been going on for a while. The development took place in 1998 at Granite Hills shops and a deal was struck with the municipality. There was to be a traffic light for Brox and Granite Hills shops built a stonewall. This 3rd party group bought the property without access to US Rte 3. Now with their variance or permits they have access to Rte 3. This access is more increase for hazard from the original agreement. Originally they started traffic to enter through the Granite Hills shopping center. Without a traffic signal, there was an obstructed view due to grade and curve. The Town should not agree to the proposed access change. The Planning Board made a special declaration lane to Thames Road and the shopping center. There were 30 parking spaces delineated as part of the subdivision. The new access point is an accident waiting to happen. The site is not in compliance with the current zoning that exists. Rte 28 & business Rte. 3, from my site, most people have to pull out and take a right then turn to go south. What is the setback requirement for installation of driveways?

D. Marshall: Tonight is for an extension of an already approved plan. All he is asking for is an extension for a year. We can't turn around and make changes to the plan.

P. Fitanides: I have pictures here and a copy of a preliminary site access only and would like this submitted into the record. I would like to see Stantec's memo reference in 12/18/09 minutes of preliminary pre-construction meeting.

J. Gryval: He is just looking to extend his plan tonight. He was here a month ago to get an extension to 9/22/12. Now he is looking for another extension of that one (to 9/22/13) and that is all we can act on tonight. If the Board doesn't grant the extension, he starts all over.

Close public hearing

*M. Cannata motioned to grant an extension to September 22, 2013 for the Active & Substantial period. Seconded by D. Marshall.
Vote unanimously in favor.*

OTHER BUSINESS

7. APPROVAL OF STANTEC INVOICES

*D. Marshall motioned to authorize the Planning Board Chair to review and approve the Stantec SPR & SPC invoices presented as of 8/6/12 and to reimburse remaining SPR balance to HFCU (plan #12-10). Seconded by D. Winterton.
Vote unanimously in favor.*

8. CHANGE OF USE

J. Duffy: Update on change of use:

- a. **Gerber Dental**, 1106 Hooksett Road, Map 41, lot 87 – Convert existing retail business (Teach & Learn) into a dental office. Enclose existing stairwell. If additional sf is proposed, building will need to be sprinklered.
- b. **New England's Tap House Grille**, 1292 Hooksett Road, Map 25, lot 70 – units adjacent to Sovereign Bank. Restaurant/Pub with outdoor seating. Approved by Committee/tenant fit-up required.
- c. **Polka Dots Child Care Center**, 11 Kimball Drive, Map 39, lot 2 – Previously approved daycare center. Expansion into unit previously occupied by Hear NH. Approved by Committee/tenant fit-up required.
- d. **Twins Smoke Shop**, 9 West Alice Avenue, Map 41, lot 85-2 – Convert existing retail business (Sparklyn Pools) into a smoke shop. Approved by Committee/tenant fit-up required.

August 20, 2012 = Joint Meeting with ZBA – Special Exception (33 Prescott Heights, Map 42, Lot 13 – Neurorestorative of NH)

J. Duffy: The joint meeting is for a special exception per Article 5:B.3 to allow handicap housing in the Medium Density Residential District. Planning Board will be providing their comments/recommendation to the ZBA.

ECONOMIC DEVELOPMENT CHAPTER OF MASTER PLAN

J. Duffy: Distributed to you tonight is a hard copy of the draft Economic Development chapter. The Economic Development Committee, at their meeting of 6/12/12, reviewed and voted to approve this version to the Planning Board for review. At the Board meeting of 8/20/12, Jack Munn @ SNHPC will discuss this chapter. The Board will hold a future hearing to adopt and incorporate it into the Master Plan. I wanted to give you awhile to look at the draft to add the hearing for a future meeting agenda in September or October?

Board consensus: Hold hearing in October.

FARRWOOD FOREST SUBDIVISION – PHASE II

J. Duffy: Farrwood Forest was approved by Dubes Pond. Phase I had a cul-de-sac. For phase II the roadway went through and the pieces of the cul-de-sac were never deeded to the Town. Once the cul-de-sac was not needed, then it was to go to the abutters but that never happened. The Richards and the Smalls came in for a lot line adjustment. The Richards tracked down Wayne Theodore from the original subdivision. We worked things out with Wayne and he signed the deeds. Now we need to contact the people involved and make sure they want this property. We will need something in writing from them. Then we will come back to this Board for acknowledgement, before the deeds get recorded.

*T. Walsh motioned to adjourn at 9:15pm. Seconded by D. Winterton.
Vote unanimously in favor.*

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 9:15pm.

Respectfully submitted,

Donna J. Fitzpatrick,
Planning Coordinator