

Official
As of 09/10/12

HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, August 20, 2012

CALLED TO ORDER

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

ATTENDANCE – PLANNING BOARD

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

APPROVAL OF MINUTES OF 08/06/12

D. Marshall motioned to approve the minutes of 08/06/12. Seconded by F. Kotowski. Vote 8 in favor. D. Rogers abstains.

JOINT MEETING WITH ZBA – SPECIAL EXCEPTION (Planning Board Comments)

1. NEURO RESTORATIVE OF NEW HAMPSHIRE

33 Prescott Heights, Map 42, Lot 13

Special exception per Article 5:B.3 to allow handicap housing in the Medium Density Residential District.

J. Gryval: Tonight is a joint meeting with the ZBA. If the ZBA grants them a special exception and variances, then they will be back here for a site plan.

ATTENDANCE – ZBA (Neuro Restorative application only)

Vice-Chair Roger Duhaime, Richard Bairam, Gerald Hyde, Michael Simoneau, Jackie Roy, and Phil Denbow. Also in attendance is Matt Labonte, CEO.

Excused: Chair Chris Pearson, and Don Pare.

Steve Miller, Facility Director Neuro Restorative: We have had conversation with Mr. Labonte on zoning, but we have not met with anyone for Planning. I thank you for this joint meeting for the best way to handle this application. Most of what I know about the situation we are faced with is the change of use and three variances. I thought it best if I come personally to speak to the full Board/panel to answer questions you may have. I manage our programs across 20 states. Some of the abutting neighbors for this site had questions to include the future use if Neuro Restorative was no longer there. Specifically there question “If this property is not used by Neuro Restorative for brain injury, could it be something else that could get out of control?” Licensing in every state is specific to the entity and our business model. It doesn’t have anything

to do with drug interactions, or drug rehab. We would be licensed for people with acquired brain injuries and it is specific to this address. Each state has their own license and they are specific to an address that cannot be passed to someone else. You have the ability to add language contingency in any conditions you grant. You are not only protected by the force of NH law, but also the force of your own law. It is more for the change of use vs. variance (width of frontage, group home supported by city utilities for septic and water). The license issue deals more with change of use. You will have no concern about us passing our license on to someone else, because we cannot.

D. Marshall: Handicapped housing is in the MDR, but you are a rehab center. You will not have strictly housing.

S. Miller: It is rehab for individuals after a brain injury. Kathy is the operating manager for NH and can provide you details on NH program.

Kathy, RN (Neuro Restorative): I have been an RN for 40 yrs. and in a residential setting for 4 yrs. The type of rehab is to retrain individuals who have had a form of brain injury to do life skills to include cooking, walking, speaking, and behavior management. Staff are not licensed and they are not nurses or aides. They give medications to these individuals. They each have their own primary care physician. I manage locations in Chichester and Loudon NH. Some individuals are with us a few years and some are discharged into the community to the highest level of independence.

S. Miller: You raised a very good point. Rehab in this context is learning how to do basic life skills, because they lost these due to a brain injury. An example is Gabriel Gifford, who is now learning basic skills. It may be they brushed their teeth with their right hand prior to the brain injury, but now need to learn how to use their left hand. They are retrained to do basic functions of life. They learn how to live their new life. The goal is to make them independent enough to go home.

F. Kotowski: Thank you for coming tonight. I have heard stories like yours time and again. I sit on Dept. of Health and Human Services (DHHS) board/committee. The question I have is how many locations in NH do you have currently and are those locations licensed through DHHS?

Kathy: Chichester is licensed and has 8 beds. Before this site was the Mentor Network. Loudon is certified has 3 beds. Group homes with 3 beds or less are certified, and more than 3 beds are licensed.

F. Kotowski: Did the start-up of either of those locations require variances to their local ordinances?

Kathy: I can't attest to Chichester, because it was there before I started. In Loudon we got variances after the fact for a business in a residential setting.

F. Kotowski: You being here tonight has little to do with the work you folks do, which I think personally is very good work. We as a Planning Board and ZBA should issue variances for you to do business in a residential area.

Kathy: Both the Chichester and Loudon houses were on sewer and well.

D. Winterton: Do the residents in these other NH locations have sidewalks available to them?

Kathy: No one is in wheel chairs at those sites. For ambulation one walks with a cane and another with assistance. King Rd. in Chichester has no sidewalks, and Loudon has a tiny cul-de-sac. None of these individuals go for walks down the street. They don't leave the yard.

Robert Duhaime: The width of this property? You say it is a large lot well suited for a group home. You don't have tree buffer on your side.

S. Miller: This site has a 12 ft. wide paved drive, 50 ft. frontage, and trees down both sides. It is 300 ft. from the street to the clearing where the residence is located.

Robert Duhaime: You need a tree buffer on your side.

S. Miller: Have you been out there?

Robert Duhaime: No.

S. Miller: The site is lined with trees on both sides.

Phil Denbow: There are pine trees next to the residential lot.

M. Cannata: The license you mention, does it state what it is for –i.e. healing?

Kathy: The DHHS license states the company and number of beds. In our submission process to DHHS, we have to say what the license is for. It takes months and months of planning. For acquired brain injuries, there are multiple steps we take for the residents' safety. DHHS does annual inspections. We do life safety via fire drills and that nature. The other side is the medical for doctor and dentist care.

M. Cannata: Do any of your residents become institutionalized or reside there for their life?

Kathy: 95% of the Chichester residents have been there 20 yrs. or more. They are there for life. One individual in Loudon is in his early 20's, and my goal is to get him home. If they are there for the endurance of their adult lives, as they decline, we determine whether they stay there or go to another location.

S. Miller: The company-wide average is a 9 month stay. Some stay just a few weeks, and others for a number of months. I am not as familiar with the NH models. Supported living models are that they need care for the rest of their lives. Neuro Restorative has more acute care from individuals who have had brain surgery or injury. We have several children's programs throughout the US. Kathy's model in NH is supported living.

T. Walsh: Thank you for coming and I appreciate the work you do. My question is how you affect the neighbors? They bought their homes to stay a residential neighborhood. You say there is no evidence of negative impact to their property values. There needs to be more proof it won't impact them negatively. You say no there will be no nuisance, but what if someone from your home wandered the neighborhood?

Kathy: I understand the concerns. In Loudon 3 individuals don't leave the driveway. With behaviors, there can be issues. We have well trained staff to deal with behaviors when they run amuck. We have one NH resident and his target was Dunkin Donuts. The concerns at Loudon is

would these individuals go to neighbors houses. The 3 individuals I have there don't. They just want a place to hang their hat and watch TV.

Michael Simoneau: I thought there were only two residents?

Kathy: There are two facilities.

S. Lovas Orr: I see the need and think this is fantastic to put this home in a residential neighborhood. 90% of residents stay there through their life, it is their home. That feels very nice to me. Transcripts from the last ZBA public hearing there was a lot of concern to include water, drainage, and sewer. Were the concerns addressed to the satisfaction of the ZBA and CEO?

J. Gryval: Sewer and water is addressed at the site plan application.

M. Labonte: Water and sewer does impact the variance at the ZBA.

Roger Duhaime: We are looking for input from the Planning Board tonight. I am looking to address traffic. There will be 3 shifts, plus fire inspections, plus medical inspections. What is the frequency? We looked at the well concern. Their Chichester site has 8 bedrooms on one well. The neighbors were concerned with this many people on one well at the Prescott Heights site.

Michael Simoneau: We have a draft septic system design.

J. Gryval: Can their septic system be rebuilt or enlarged?

Roger Duhaime: They have enough property for septic. My concern is the traffic to/from this facility. 3 shifts and medical inspections?

Kathy: For medical, they go to community. Our program will have one van of its own. Staff will have their own personal conveyance. The staff to client ratio is 2-3 staff per shift and 2 overnight.

Michael Simoneau: Visitor frequency?

Kathy: It would be very nice for the family to visit, but they only get 9 out of 10 visitors once a month.

Phil Denbow: Dick Marshall started with a good statement (housing vs. rehab). You are helping people brush their teeth, but will you also have medical diagnostic on site?

Kathy: No.

Jackie Roy: This site is adult care only?

Kathy: Yes.

Jackie Roy: Staff not licensed, how do they administer meds?

Kathy: A nurse trainer certifies them.

Robert Duhaime: Why did you choose an MDR (medium density residential) zone via HDR (high density residential)?

S. Miller: This is no different than you and I going home from work and getting hit by a car and having a brain injury. They came out of neighborhoods just like the MDR. Our goal is to go back to the same type of community. If they can't go home, have them live in a community they are used to. Have the atmosphere conducive to their past.

Kathy: In Loudon, one of the residents loves the quietness the most. There is no traffic there and that is soothing to him. At this site they spend hours and hours and hours watching squirrels eat bird food.

Robert Duhaime: It would be a better fit if your site adjoined a higher density residential.

S. Miller: I manage properties in 20 states/900 beds. Our Florida programs are for very specific needs. The goal is to have a home atmosphere where they can live. This site is surrounded by trees and the development is back from the street.

Robert Duhaime: From the ZBA minutes, 3 abutters have issues with screening.

J. Duffy: Article 7.D.3 special exceptions. The ZBA for this meeting is looking for comments from the Planning Board as to whether you will recommend they approve/disapprove the ZBA application.

D. Shankle motioned that the Planning Board send their comments to the ZBA to not recommend the ZBA approve this special exception based on Article 7.B.1 a) "any site, on which it is proposed to develop elderly, older person, and/or handicapped housing facilities, shall be considered with respect to shopping services, such as food, clothing and medical supplies and to public transportation." Seconded by T. Walsh.

D. Shankle: Vice-Chair Marshall comments on the difference in regulations between rehab and housing. It seems clear to me this is a rehab facility. If it is housing they would need to comply with Article 7.B.1 a) "any site, on which it is proposed to develop elderly, older person, and/or handicapped housing facilities, shall be considered with respect to shopping services, such as food, clothing and medical supplies and to public transportation." Public transportation in Hooksett is problematic anyways. I have been in Community Development a long time. It is common to look for an area for these programs that has access to shopping, food, etc. From a planning point-of-view, it makes more sense to put these facilities near facilities they need and can access via walking. I drove out there and they wouldn't walk anywhere around there. This is common practice.

M. Cannata: This is a holding area for those being treated. One of your goals is gearing them to be reentered into the community. I am confused . . . at the site walk it was mentioned to get them back into the community if able. I am also hearing today they could be there for one long time.

S. Miller: Let me make sure we understand your question. You say committed, do you mean institutionalized? There are no two brain injuries identical. On average nationally, our folks are with us for 9 months. She may have a specific program in NH where folks are with us for a longer period of time. They get referrals from hospitals and neuro psych.

J. Gryval: Normally when there is a motion on the floor, I don't allow talking back-and-forth, but this is a very important discussion.

S. Lovas Orr: I hear what Dr. Shankle is saying, but Hooksett is not a walking community. If we follow the paragraph to a "T", we will never be able to invite good work like this to our Town. This will hold us back from facilities like this who do important and needed work. It is a great point, but I am hesitant to use that to hold this back. These residents do not go out on their own; they need assistance.

D. Shankle: I can think of some places it would be appropriate. If our regulations are not appropriate, then we change our regulations.

Robert Duhaime: Section B – screening of parking areas fencing, etc. In ZBA minutes, we need to make a good judgment.

Roger Duhaime: I am hoping traffic will be addressed.

D. Marshall: You will have 3 shifts/18 shifts a day. You will have medical suppliers, doctors . . . I don't know what frequency of trips it would be, but I can't imagine it will be a great deal. If Prescott Heights has 50 cars a day spread-out throughout the day, that should not be an issue.

Vote 5 in favor (to not recommend ZBA approval of special exception), 4 opposed – F. Kotowski, S. Lovas Orr, L. Lessard, & M. Cannata. MOTION CARRIED.

S. Miller: Is the Planning Board recommending the ZBA deny it?

J. Gryval: The Planning Board is recommending the ZBA does not approve the special exception. It is the ZBA's decision in the end.

***J. Roy motioned to continue this application to the September 11, 2012 ZBA public hearing. Seconded by R. Bairam.
Vote unanimously in favor.***

D. Marshall: On September 11th you (ZBA) will hold a public hearing and you (Miller) can speak again as well as the abutters. If they don't grant the special exceptions, the variances are useless.

Roger Duhaime: After the special exception and variances are granted by the ZBA, then you would go to the Planning Board for a site plan.

J. Ryan: After the site walk and receiving questions from the abutters, we have done some homework for other facilities in local towns for complaints and concerns.

D. Shankle: This was not posted tonight for a public hearing. You will need to post a ZBA public hearing for Sept. 11th.

DISCUSSION

2. ECONOMIC DEVELOPMENT CHAPTER FOR THE MASTER PLAN SNHPC, Jack Munn

J. Munn: Provided an overview of the contents of the draft Economic Development (ED) Chapter. It is a chapter to replace the current ED chapter that is in the 2004 Master Plan. It sets forth opportunities for sustainable economic growth in our community. The contents of the plan pulls together ED data for 2000-2008 & 2009. It is information a year before the 2010 census. It also includes Hooksett ED advisory information. It is a roadmap for the future.

M. Cannata: Could you reference the draft plan page number in your presentation, so it is easier for us to follow you?

J. Munn: Section 1 introduction includes Hooksett advantages and major findings and ED group, goals and objectives. There are strategies for recommendations both near-term and long-term. Lastly there are economic data and trends. Pg. 3 lists advantages and key findings. Between the river and interstate there are moderate tax rates. There are new businesses and new jobs. There are colleges and other institutions. There is population growth. There are very good schools. There is natural beauty and quality of life. Money Magazine in 2009 voted Hooksett as the top 100 places to live. We have the Economic Advisory Committee. The roadmap for the future is on pg. 7 with the 4 bullets being the overall themes. Previously Dr. Shankle mentioned mobility and accessibility. These are important for economic growth. There is a section on promoting Hooksett for business. Go through pgs. 8 & 9 for strategies. The last part of the chapter is on pg. 14. There are near-term opportunities and objectives. Go on to the Town's ED website. CEDS prioritizes projects for future ED funding. We have asked towns to participate. Promote business retention, and attraction. Find ways to make industrial parks grow. There is the ambassador program. You need staff to help the ED Committee. There is Community Development block grant funding for water and sewer to promote local business expansion and relocation. Target industry cluster analysis is on pg. 19. For business incubation, we met with Dr. Shankle last week. Studies are done and it is highly recommended to keep and bring businesses here. Dr. Shankle said you have a fairly large building here with a lot of empty space. The maps at the bottom are recommendations to include a village center, TIF districts, and sewer improvements.

Robert Duhaime: Pg. 21 has a creative business accelerator; pre-approved sites program and phasing in.

J. Munn: Pg. 15 3rd bullet is under the metro center for certified sites. We were able to raise funding through Fairpoint, PSNH, and Centrix Bank for a website.

Board Consensus: October 15, 2012 public hearing to discuss and adopt Economic Development chapter into the Master Plan.

CONTINUED PUBLIC HEARING - WAIVER REQUESTS FOR SIGNAGE

3. MFR Industrial Properties, LLC (#12-15)

“SHOOTERS OUTPOST”, 1158 Hooksett Rd., Map 39, Lot 39

- **Waiver Request** - Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards.
- **Waiver Request** - Article 20.B.3 Off-Premise Signage

Cathy Champagne, Jutras Signs: Here with me tonight are owners, Jim & Carey McLoud. We are requesting to have condo #1, condo #2 and convertible land "A" area signage onto one free standing structure located on convertible land "A" area.

Open public hearing

No comments.

Close public hearing

Waiver Request #1 - Article 20.B.3 Off-Premise Signage for condo #1 and condo #2 to be located only on convertible land "A" area, so that all three (3) units will share one free standing sign

C. Champagne: The sign there now is on condo #3 (Convertible Land A). Condo 1, 2, & 3 will be on one new proposed structure.

J. Duffy: The condo docs were revised (and need to be recorded), but when our attorney was questioned to clarify the language for restricting that condo #1, condo #2 and convertible land "A" area could not request additional signage, our attorney said it was implied they couldn't request more. I would like to tie it up and have as a condition of approval.

Waiver Request #2- Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards to allow one 95.5 sq. ft. & 15 ft. height free standing sign for condo #1, condo #2 and convertible land "A" area to be located on convertible land "A" area

C. Champagne: Even though lot 1 has a variance for 70-72 sq. ft., condo #2 and condo #3 could each have 32 sq. ft. for a total of 136+- -. We are cutting the size down to 95.5 sq. ft., because that works.

D. Marshall: You are requesting one sign with three tenants, yet the documents given to us are four signs?

C. Champagne: Shooters Outpost is one sign, then there is the electronic message center (not just for one tenant), and space for 3 tenants. The drawing is four tenants; Shooters Outpost plus three.

C. McLoud: Convertible area "A" may be two tenants to interchange, if necessary.

D. Rogers: The last time you were here, there were no other occupied tenants. Any prospects?

J. McLoud: A used car dealer is looking at the back. I don't know what to do with the back building (one car garage with a couple of offices) or the convertible land "A". Next year plans will be submitted to do a single-level log off the main building.

C. McLoud: For compatible businesses.

S. Lovas Orr: LED signage area, scrolling and blinding, I have concern about that.

C. Champagne: Whatever the regulation is we will comply. This brand sign has a lot of features; compatible auto-dimming feature. It comes down to the programmer. This particular sign has everything it needs to comply.

S. Lovas Orr: Who will program this sign?

C. McLoud: I will.

J. Duffy: The ordinance states no movement, flashing, or cause distraction. The picture can change (flip) within the seconds allowed.

Robert Duhaime: Landscaping street trees?

J. McLoud: I wouldn't put trees on Hooksett Road, because they would block sight distance. I did put trees along Zachary Drive and another \$6,000 in bushes.

C. Champagne: Yes it is a bigger sign, but we compared it to the 136+- sq. ft. because of additional tenants for convertible land "A".

D. Marshall motioned to grant waivers #1 & #2 above conditional:

- Condo #1, condo #2, and convertible land "A" area will not request additional signage.
- Electronic message center on proposed signage to comply with Article 10-A.I.2 General Provisions, Article 20.C Sign Movement and Illumination – All Districts, and Development Regulations 16.11 Electronic Signs (see attached for details).
- Prior to sign permit, Town Attorney review fee for the "Second Amendment of Declaration of 1158 Hooksett Road Condominiums" is submitted to Community Development Dept. and payable to Town of Hooksett
- Prior to sign permit, signed original 3 page "Second Amendment of Declaration of 1158 Hooksett Road Condominiums" is submitted to the Community Development. Dept. with a check for recording at the Merrimack County Registry of Deeds

Seconded by F. Kotowski

Vote unanimously in favor.

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

CONTINUED PUBLIC HEARING & WAIVER REQUESTS

4. 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.

- **Waiver Request #1** - Development Regulations 3.04,4,C,3 – Landscape Buffer Areas
- **Waiver Request #2** - Development Regulations 3.04,4,d – Landscape Parking Area
- **Waiver Request #3** – Development Regulations 16.05,4,b – Parking Lot Lighting Uniformity Ratio
- **Waiver Request #4** – Development Regulations 15.01,24 – Individual Parking Spaces

J. Gryval: D. Winterton will be a voting member in place of David Rogers for this application only. Also received a favorable letter from MTS Associates dated 7/18/12.

Morgan Hollis, Atty. at Gottesman & Hollis in Nashua: We were last here on August 6th for a public hearing and we received public input. We had a great discussion on a number of issues and a straw vote was taken on gravel vs. asphalt. We presented details on infiltration, and aquifer. We are now asking for 4 waivers. Our hydro-geologist, engineers, and planners have reviewed the plans for different materials. What

we have proposed to Town staff, their consultant, and Town officials is a reclaimed stabilized based material. This material is more dense than gravel. During the last two weeks, staff and consultants have gone through great details and other issues to address the Town's/consultant's comments. The Ritchie Bros. team met with staff and Town officials last Friday to discuss and debate. Staff identified conditions of approval. We have reviewed the conditions, and my client has accepted all the conditions. My client has asked me to thank staff and Town officials for the conditions of approval.

Nick Golon, TF Moran and part of Ritchie Bros. Team: Pointed out areas on plan – the event parking off Hackett Hill Rd. will be asphalt. To the right of the existing Palazzi site buildings will remain asphalt and striped. We will use a reclaimed stabilized base 3 inch layer and underlay with 6 inches of gravel for phase I. Phase I & II are different colors on the plan, but the same material will be used.

Waiver Request #2 - Development Regulations 3.04,4,d – Landscape Parking Area

Robert Duhaime: The chain-link fence, there is barb wire on the interior screen for the developer himself. Later on phase II will you change the interior space with landscaping? Will the fence that runs along 93 stay there? Landscape could be added to this area.

Open public hearing

Roger Duhaime, 19 Saw Mill Rd. in Hooksett off Hackett Hill Rd.: I really want Ritchie Bros. here in town. I agree with my brothers comments. I am on the ZBA. I wanted to remind you about the Amati group car dealership and how it is a very well presented car dealership.

Close public hearing

*T. Walsh motioned to grant waiver #2 above. Seconded by F. Kotowski.
Vote unanimously in favor.*

Waiver Request #1 - Development Regulations 3.04,4,C,3 – Landscape Buffer Areas

Robert Duhaime: For the interior along the highway, you could put trees there every 50 ft. Now the trees on the other side of the fence are owned by the State. Is the existing 4 ft. fence along 93 staying?

N. Golon: The DOT fence could use a restoration. Ritchie Bros. is willing to replace and will upgrade to a 6 ft. fence without barb wire. The remaining of internal fencing along Hackett Hill will stay.

Robert Duhaime: For the 2nd phase, you could add the 5% somewhere else.

Open public hearing

No comments.

Close public hearing

*T. Walsh motioned to grant waiver #1 above. Seconded by D. Marshall.
Vote unanimously in favor.*

**Waiver Request #3 – Development Regulations 16.05, 4, b – Parking Lot Lighting
Uniformity Ratio**

D. Winterton: Will you reach a time in your business development that you will have more than 6 auctions? The ordinance says no more than 6.

N. Golon: 6 is the limit from our DOT curb cut to allow the easement to be transferrable for the existing use of the property. DOT would dictate the number of auctions if more than 6. Auctions will be 9:00am-5:00pm. In winter months it gets darker quicker.

J. Gryval: If your application is approved, it is approved for 6 auctions.

Ben Swanson, Ritchie Bros.: We will do no more than 6 auctions per year.

D. Shankle: For uniformity “some areas will have the lighting darker” what does it mean?

N. Golon: Lighting still meets the minimum .2 ft. candles. There are no dead spots. It just won't be uniform throughout the site.

M. Cannata: Has Dan (Stantec) OK'd this waiver?

J. Duffy: Yes he is OK with it.

M. Cannata: Can these temporaries (lighting structures) come down in the wind?

N. Golon: No, they are steel construction.

F. Kotowski: Are we assured there will be no night auctions there?

B. Swanson: Yes.

Open public hearing

No comments.

Close public hearing

*T. Walsh motioned to grant waiver #3 above. Seconded by S. Lovas Orr.
Vote unanimously in favor.*

Waiver Request #4 – Development Regulations 15.01, 24 – Individual Parking

Spaces

N. Golon: For event parking only, we will have flaggers to show people where to park.

Open public hearing

No comments.

Close public hearing

***F. Kotowski motioned to grant waiver #4 above. Seconded by T. Walsh.
Vote unanimously in favor.***

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

N. Golon: For monitoring wells, we will no longer have gravel, but will use reclaimed stabilized base. This gives our engineer an opportunity to make sure the monitoring well plan is guided by Stantec.

J. Duffy: Stantec is usually very restrictive. This is a two phased project. You would be approving both tonight. If they build a permanent facility there, then they would have to come back to this Board. I haven't included details of impact fees, but they understand they will need to pay them.

J. Gryval: Are there landscaping issues for phase II?

J. Duffy: They are showing parking for phase II along Hackett Hill Rd. They would need to meet the requirements as stated in the regulations.

N. Golon: Phase II starts on pg. 15 of the plan set.

Robert Duhaime: Where is the landscape design for the signage. Phase II fence line State DOT, there is no screening on the east side.

N. Golon: Landscaping in conjunction with the sign, it is a 50 ft. sign and a 15 ft. higher elevation to I-93. Only someone walking in the display area would see the sign landscaping. People driving by on the highway wouldn't see it. We do continue to meet the Town's regulations for screening and buffers. Stantec has reviewed phase I & II. We were originally going to tie into the existing fence line. Now we are proposing one new fence line along the property. Expensive equipment will be in here. There will be barb wire only internal on the site.

Robert Duhaime: You won't fence in phase II now?

N. Golon: No.

Robert Duhaime: Can you get the DOT to OK a black finish over the galvanized

fencing?

M. Cannata: We wish you the very best of luck. If the site doesn't evolve into a relationship, would you leave the site entirely as proposed (i.e. new fence, new surface and new sign)?

B. Swanson: We would leave the site as proposed. We discussed this with Tom Palazzi and he is OK with it. For the sign there were discussions previously if it was tied to Ritchie Bros.

M. Cannata: The surface change was a stumbling block last time; asphalt or concrete? Jo Ann, what are your comments on the newly proposed surface "reclaimed stabilized base"?

J. Duffy: I saw this material for the first time last week in Derry who using it on their roadways. What I saw packs down like pavement, but yet when chewed up can be worked back down again (water and roller). It is less expensive than asphalt and serves a better purpose, and is better than gravel for the groundwater district.

M. Cannata: Is it more resistant to spillage?

J. Duffy: Yes.

F. Kotowski: When we talked initially about the sign, you said you would put something to identify our community. I think I made suggestion to be seen on 93 "Hooksett is a great place to live and work".

N. Golon: The sign before the ZBA will have: 1) Ritchie Bros. and 2) welcome to Hooksett.

J. Gryval: Leo, are you satisfied with the surface (reclaimed stabilized base)?

L. Lessard: Yes.

Robert Duhaime: I know the state uses this type of surface and it is a lot cheaper.

J. Gryval: If they use hot top and their tractor digs it up, you have to live with it. With this new material, it can be packed down again if chewed up.

Open public hearing

No comments.

Close public hearing

M. Cannata 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 2nd site plan review AND 2nd environmental review letters both dated 8/3/12 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.
- Applicant to provide Stantec with stormwater design modifications to include monitoring wells for the reclaimed stabilized base material to Stantec's satisfaction.
- Approval is contingent upon the Town Planner working with the Town's consultant and applicant on drainage and other technical issues to the Town's satisfaction.
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- All waivers noted on plan cover sheet
- Location, Type and length of time on property for porta-potties to be noted on the plan.
- Display area surface should consist of reclaimed stabilized base following NHDOT specs, 3" w/6" gravel below.
- Note added to the plan indicating "no parking permitted on Hackett Hill Road. Absolutely no staging of vehicles at any time on Hackett Hill Road. All vehicles whether loading or off-loading need to be done within the site."
- Note added to the plan "approved for up to six (6) auctions per year."
- Written agreement for access and maintenance of cistern be submitted to both the Fire Department and the Town's Attorney for their review and approval at applicant's expense. This agreement to include pre-auction meetings with Fire Dept. to determine access in and around the site.
- Written agreement for access and maintenance of cistern (signed) to be submitted to Community Development Dept. for recording with plan set at applicant's expense.
- Written easement agreement with NHDOT for access off of Hackett Hill Road to be submitted for Town Attorney review and approval at applicant's expense.
- Written easement agreement with NHDOT for access off of Hackett Hill Road to Community Development Dept. for recording with plan set at applicant's expense.
- 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: ? *to be determined by Town Planner
- 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 S. Lovas Orr.

Robert Duhaime: Can we add a condition for the fence along 93 to be black material over the galvanized?

L. Lessard: Mr. Chair, that fencing material is up to the State.

D. Shankle: I would like the motion amended to include that the approval is contingent

upon the Planning Director working with the Town's consultant and applicant on drainage and other technical issues.

D. Marshall: I will vote, but afterwards want to explain my vote.

***M. Cannata motioned to amend his motion above to include D. Shankle's "approval is contingent upon the Planning Director (Town Planner) working with the Town's consultant and applicant on drainage and other technical issues to the Town's satisfaction." Seconded by S. Lovas Orr.
Vote unanimously in favor.***

D. Marshall: The applicant meets the Town's regulations, then we have no choice but to approve it. Personally I do not believe this is a good thing for the Town; it is not the highest and best use of this site. There are those that have dreams this applicant will draw all sorts of other things to our community, but we will see what comes out of this. We collect taxes now on this site (Palazzi). When Ritchie Bros. is up and running, you won't see a difference in taxes. If Ritchie Bros. does something permanent on this site later on, then that is different.

**PUBLIC HEARING – WAIVER REQUEST(S) & EXTENSION REQUEST(S) –
CONDITIONAL APPROVAL PERIOD**

5. RIVERSIDE PUBLIC STORAGE (#09-13)

5 Cross Rd., Map 17, Lot 37

Site plan for the proposed construction of a 3-story (32,400 sq. ft. per floor) total of 97,200 sq. ft. of public storage facility

- **Waiver Request #1** - Development Regulations (5/2007) section 6.09 Approval Null and Void
- **Waiver Request #2** – Development Regulations (6/4/2012) section 10.03 2) “The Board may grant extensions, upon written request filed with the Board at least thirty (30) days prior to expiration of the conditional approval”.
- **Extension Request** – Development Regulations (6/4/2012) section 10.03 2) Time Limits for Fulfilling Conditions. Application conditionally approved on 08/17/2009 and expires on 08/17/2012. Applicant requesting a 1 yr. extension to this approval to 08/17/13.

Louis Pichette: I am here tonight for Paul Burnor. He is requesting an extension to 8/17/13 to meet his conditions of approval.

Open public hearing

No comments.

Close public hearing

***D. Marshall motioned to grant waiver requests #1 & #2 above. Seconded by T. Walsh.
Vote unanimously in favor.***

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

*D. Marshall motioned to grant an extension to August 17, 2013 for the Time Limits for Fulfilling Conditions period. Seconded by M. Cannata.
Vote unanimously in favor.*

OTHER BUSINESS

6. APPROVAL OF STANTEC INVOICES

*F. Kotowski motioned to authorize the Planning Board Chair to review and approve the Stantec SPR & SPC invoices presented as of 8/20/12. Seconded by M. Cannata.
Vote unanimously in favor.*

F. Kotowski: Mr. Chair, in the future, I would think you should tell the Board you are OK with us authorizing you to sign, prior to us making the motion. You have the complete back-up whereas we only have the spreadsheet.

7. CHANGE OF USE

- **1328 Hooksett Road, Map 25, lot 78 – Abdallah Esreb – convert Veano’s Restaurant into Four Season’s Diner.**

Susan Lovas Orr: I understand Veano’s had wanted outdoor seating. Will this go with this new owner?

J. Duffy: Yes.

TOWN COUNCIL – RTE 3A HACKETT HILL RD. PROJECT

J. Duffy: I am presenting information to the Town Council for them to OK proceeding with the Rte. 3A Hackett Hill Rd. DOT project. If any of you are available to support this endeavor that would be helpful.

SNHPC ANNUAL DINNER

J. Duffy: The SNHPC annual dinner meeting is September 14, 2012 @ Puritan conference center 6:30pm arrive, 7:00pm guest speaker.

PLANNING BOARD - RULES OF PROCEDURE

J. Gryval: There is a section in our rules of procedure about alternates continuing on an application once that have sat in place of a full member. We should change our procedures to be more specific. What if that alternate missed 3 meetings prior on the same subject?

J. Duffy: I can research that and see what other towns do.

D. Winterton: It could be quite confusing and troubling if something goes over multiple meetings. You could have different people on the application at different meetings. The rules should be much more specific.

M. Cannata: How is it determined who will be a voting member?

D. Winterton: For multiple meetings, who sits in as first alternate, may not be the last alternate. Specific rules for this would help.

BENTON ROAD AREA

M. Cannata: Benton Road area, first house passing Dunkin Donuts has gone crazy with junk in their yard. It is covered with tarps. It has escalated beyond reason.

*D. Marshall motioned to adjourn at 8:20pm. Seconded by T. Walsh.
Vote unanimously in favor.*

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 8:20pm.

Respectfully submitted,

Donna J. Fitzpatrick,
Planning Coordinator