

**Official
As of 10/15/12**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, October 1, 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., Town Council Rep. Susan Lovas Orr (arrived 6:10pm), Frank Kotowski, Town Administration Rep. Leo Lessard (DPW Director), Tom Walsh, Robert Duhaime, Donald Winterton, and David Rogers.

Excused: Martin Cannata

REPRESENTING TOWN OF HOOKSETT

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

J. Gryval: Robert Duhaime will be voting tonight in place of Martin Cannata.

APPROVAL OF MINUTES OF 09/10/12

D. Marshall motioned to approve the minutes of 09/10/12. Seconded by R. Duhaime. Vote 8 in favor. S. Lovas Orr abstains.

COMPLETENESS

- 1. BIELIZNA, DIANE & STANLEY (#12-18)
1266 Smyth Rd., Map 48, Lot 19**

Proposal for a 4-lot major subdivision (parent lot + 3 new lots)

D. Winterton: I am stepping down from this application, because I am an abutter.

J. Gryval: Staff is this complete?

J. Duffy: Yes complete. The applicant is requesting 5 waivers and they will be discussed At the October 15, 2012 public hearing.

D. Marshall motioned to find the application complete. Seconded by F. Kotowski. Vote unanimously in favor.

PUBLIC HEARING SCHEDULED FOR OCTOBER 15, 2012.

**PUBLIC HEARING – ILLUMINATION OF BUILDING FACADE AND
WAIVER REQUESTS FOR SIGNAGE**

2. RK HOOKSETT, LLC (#12-19)

“APPLEBEE’S” 1273 Hooksett Rd., Map 31, Lot 2-2

- **Waiver Request** - Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards – additional building signage “Welcome Back” AND “awnings with apples”
- **Waiver Request** – Development Regulations 16.09 Illumination of Building Facades 4) lighting fixtures shall be directed downward - “tube lighting wrapped around building eave” AND “awning tube lighting affixed to building structure”
- **Planning Board approval of design of the illumination** per Development Regulations 16.09 Illumination of Building Facades – “roof cap and eyebrow halo (can) light fixtures” AND “tube lighting wrapped around building eave” AND “awning tube lighting affixed to building structure”

Janet Christopherson: I am the construction manager for Applebee’s restaurants. Last November our franchise group bought the entire 65 stores in New England. We have a commitment to remodel each Applebee’s with a new program initiated 2 yrs. ago. All but 6 stores in our group have been updated.

Open public hearing

No comments.

Close public hearing

Waiver Request #1 to Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards – additional building signage “Welcome Back”

J. Christopherson: Applebee’s has a new “Welcome Back” signage on the front of the building. It means welcome back “to you the customer who is coming to visit us again”. This is an important part of the remodel and done on each of the 65 stores.

Waiver Request #2 to Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards – additional building signage “awnings with apples”

J. Christopherson: The apples on the new awnings add to the new logo of Applebee’s nationwide, and we want to follow that program.

F. Kotowski: The awnings are no different than before other than having apples on them?

J. Christopherson: The existing awnings are fabric, and the new awnings are made of a material that is easier to maintain.

D. Marshall: Are there any existing letters or words on the awnings?

J. Christopherson: No the existing are just striped awnings.

D. Marshall: The additional signage is the apples on the awnings, because it is a logo.

R. Duhaime: Landscaping, when Applebee's went in front of K-mart, they put in awnings and landscaping for an improvement to the front of that store. NHDOT is renovating DW Highway and the landscaping is now tapering out in front. What about the tree line along DW Highway?

J. Christopherson: Our landscape will be updated during our remodel. If there is something that you would like, I can have you meet our project manager on site. We are decreasing the existing building signage. The "Applebee's" is now smaller and much more attractive. Referred to remodeled stores in Epping, Derry, Manchester, and Tilton. From old to new signage, we are eliminating the front façade by 5 ft. and the side by 8 ft.

Robyn Casey, KC Signs: Total signage was 92.2 sq. ft. and proposed is a total of 88.56 sq. ft.

D. Shankle: I am going to vote against these waivers, because I don't feel that we have enough information.

J. Duffy: They are allowed only 32 sq. ft. total. For the awnings, we questioned whether they needed a waiver, but once the apples (logo) were put on them we brought it before this Board.

D. Winterton: If it was just red, with no apples, we wouldn't be discussing it tonight.

D. Marshall: Do we consider a logo signage?

D. Winterton: Do we have a definition of a logo?

J. Duffy: Per Article 10-A I. (q) Sign - Any object, devise, display structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

R. Duhaime: For the three (3) panels (awnings), is the closest to the door always white?

J. Christopherson: The closest to the door has color in the apple and the others just have a shadow.

S. Lovas Orr: The spirit of the regulation in limiting the size of signs is a visual. Some things are subjective. My humble opinion, the "apple" is Applebee's, but the apple could represent something else. The awnings seem subtle and not against the spirit of the ordinance. They are not obnoxious, overkill, or too loud. I am concerned about a precedent. We have to stick with the spirit of the regulation. Are the awnings making the building look more attractive?

L. Lessard: Currently the colors on the awnings are green, white, and red. Those are the Applebee's colors.

J. Gryval: This Board has always considered a logo a sign. Do you (Board) want to add the logo as additional signage?

D. Marshall: This site is in the Performance Zone (PZ) and that is why we are dealing with this. The difference between the Planning Board and the ZBA is that we set a precedent. The next awning could have panda bears or flaming dragons on them and may not be so subtle. This will come back to bite you at some time.

D. Rogers: I agree with Dick on the precedent issue. If the apples are taken off the awnings, they will still know it is Applebee's and I decline to go in that direction.

R. Duhaime: North of here there are logos lit.

D. Marshall: North of here were grandfathered. If they were just red awnings and lit, I would have no objection.

J. Christopherson: We currently light our awnings. Now there are big iron goose neck lights and those are coming down.

D. Marshall: So your lighting is more subtle. It is the fact your logo is on the awnings that I have a problem with.

F. Kotowski motioned to grant waiver #1 above "Welcome Back". Seconded by T. Walsh.

Vote 7 in favor. D. Shankle, D. Marshall opposed. Motion carried.

T. Walsh motioned to grant waiver #2 above "awnings with apples". Seconded by L. Lessard.

Vote 4 in favor. R. Duhaime, D. Rogers, J. Gryval, D. Shankle, and D. Marshall opposed. Motion failed based on:

- Apples (logo) on awnings are signs per Article 10-A I. (q) Sign - Any object, devise, display structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
- Apples (logo) on awnings would set a precedent for additional signage

J. Christopherson: Is there any way to just have the shadowed apples approved?

D. Marshall: No, because it is still your logo and not on the existing awnings.

Waiver Request #3 per Development Regulations section 16.09 Illumination of Building Facades 4) lighting fixtures shall be directed downward - “tube lighting wrapped around building eave “

J. Christopherson: The eave tube lighting draws your eye to the new building and is very attractive. It is 24 sq. ft. of LED tube lighting that illuminates 3.93 foot candles.

J. Gryval: There is tube lighting at Mega X.

S. Lovas Orr: We should look at this at time of adjusting our regulations for LED lighting.

F. Kotowski motioned to grant waiver #3 for eave tube lighting. Seconded by S. Lovas Orr.

Vote unanimously in favor.

Waiver Request #4 per Development Regulations section 16.09 Illumination of Building Facades 4) lighting fixtures shall be directed downward – “awning tube lighting affixed to building structure”

J. Christopherson: The existing lighting is 14.6 ft. candles. We are eliminating each of the old gooseneck lighting. The LED for the new awning channels are 4.95 ft. candles.

S. Lovas Orr: The lighting issue can't be addressed, if we don't know what they will come back with for awnings.

J. Christopherson: The awning panels will not change if there is an apple or not. The lighting is in the frame itself.

D. Marshall motioned to grant waiver #4 awning tube lighting. Seconded by S. Lovas Orr.

Vote unanimously in favor.

Planning Board approval of design of the illumination per Development Regulations 16.09 Illumination of Building Facades – “roof cap and eyebrow halo (can) light fixtures” AND “tube lighting wrapped around building eave “ AND “awning tube lighting affixed to building structure”

T. Walsh: The lighting is for safety.

J. Christopherson: The lighting is flush in the canopy itself. 14 watt incandescent bulbs.

F. Kotowski: How many other communities denied the apples on the awnings in all 65 total stores?

J. Christopherson: Two (2) stores denied.

R. Duhaime: You are changing the existing brick to a stone façade.

T. Walsh motioned to grant the design of the illumination for the above. Seconded by F. Kotowski.

Vote 8 in favor. R. Duhaime opposed. Motion carried.

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

J. Christopherson: We are starting the remodel in Hooksett this weekend and will be done by next Wednesday.

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

- **Waiver Request** - Development Regulations (5/2007) section 6.09 Approval Null and Void
- **Extension Request** – Development Regulations (6/4/2012) section 10.03 2) Time Limits for Fulfilling Conditions.

3. *BROOKVIEW SR. HOUSING (#07-29)

1631 Hooksett Rd., Map 14, Lot 32

Site plan for a proposed 3-story residential structure, with parking underneath, which will contain 42 2-bedroom units of older person (55 yrs. +) housing. Application conditionally approved on 11/02/2009 and expires on 11/02/2012. Applicant requesting a 1 yr. extension to this approval to 11/02/13.

Anthony Basso, Keach-Nordstrom: My client is seeking an extension to the 11/9/2009 approval for a 42-unit 3-story elderly housing project. It was a lengthy approval process in 2009 and all conditions are completed. My client has not able to get going on it. We are requesting an extension to the original approval. A waiver is necessary because of the old regulations vs. new. I would be happy to answer any questions.

D. Shankle: Are the neighbors happy? Are you going to open the public hearing?

J. Gryval: Let the record show we have letters of concern from abutters Henry Yee (1629 Hooksett Rd.) and David Chiappetta (17 Pleasant View Dr.).

Open public hearing

Mary Farwell, 24 Grant Dr.: With me tonight is David Chiappetta, 17 Pleasant View Dr. We are concerned with drainage. Some neighbors are better than they were 3 yrs. ago and some are worse. I am interested in what our engineering company may have to say about the water situation. If you grant this extension, can some of those questions be answered, so we are sure if this development goes forward we will not suffer more adverse effects?

J. Gryval: They have a list of conditions to meet prior to having plans signed and recorded to include: All outstanding comments from Stantec are addressed to Stantec's satisfaction (see letter dated October 31, 2008 from Stantec).

D. Marshall: The drainage will be addressed during construction.

D. Tatem: Through their approval process for this project, because there was concerns for downstream drainage, the Highway Manager at that time who was on this Board, requested the development not only provide a decrease in peak run off, and also to provide a decrease in total volume of runoff. Design engineers agreed and increased the total infiltration. The concern would be if this development was affecting the ground water tables. The ground water mounting analysis was done and determined the abutting neighbors are too far across the street to be affected by ground water changes. Also we looked at the surface system. Calculations provided and reviewed showed a decrease in the peak rate and total volume. The potential to affect ground water tables is non-existent. The Beaulchesne Drainage Study cost was split 3 ways: 1/3 Brookview Sr. Housing, 1/3 Harmony Place, and 1/3 Town of Hooksett. The in depth study included upgrading the Beaulchesne development drainage all the way to Donati Park. The Harmony Place developer chose not to decrease their total volume, but rather to contribute \$200,000 +- to fund the Beaulchesne drainage project. When those projects go forward, improvements will happen. There are five (5) ground water monitoring wells and the levels are monitored on a monthly & bi-monthly basis. The Harmony Place project didn't move forward, so the Town did not continue to do monitoring. There is some type of design to connect the under drains around foundations to the Town drain systems. We were 25% completed, then the Town put us on hold due to funding issues.

J. Gryval: There are no results of the study yet?

D. Tatem: There needs to be a cost estimate, plan, and full drainage study. The ground water issue was already out there, but it has not been proven this project would not affect the Beaulchesne development, because the study has not been completed. It is our opinion that the ground water would not be affected by these projects. The Beaulchesne development was built back in the 1960s-1970s. Were these foundations built in the water table already? The data provided and reviewed shows the projects upstream will not affect these water tables. The Town and Council were trying to provide a solution to an existing problem already. Monitoring wells throughout the State have risen. It could be rain patterns. People have wet basements.

M. Farwell: You could determine historical data if we have had more rain or not. On an anecdotal basis, the clear cutting at Brookview or the adjacent project has resulted in more people having water in their basements and using sub-pumps. In David's letter #5 Stantec "make certain assumptions that may not be valid".

D. Tatem: For the surface water, there are hard pipes through the Beaulchesne development. Granite Heights and Granite Hill had no construction monitoring back then. Now the Town is doing the monitoring of these sites, so we know they are built correctly. The ground water is what most people had concerns about. The pipes go across to the Beaulchesne development are 30 inches, 24 inches, and 15 inches running at full volume

at worse-case scenario. Rte. 3 has never flooded in this location. Your development would be upgraded from a 24 inch pipe to a 48 inch pipe.

D. Chiappetta: Is that the expectation that when the project gets built the Beauchesne drainage will be simultaneously upgraded?

D. Tatem: That would be up to DPW and Town Council. You are hundreds of feet away from the infiltration systems for this project.

D. Chiappetta: Is the expectation that them storing their water on their site they will not contribute to upgrading the Beauchesne piping system?

D. Tatem: If an applicant abides by every request, typically they don't provide money as well.

Jo Ann: If the problem existed, I believe the Town is responsible to assure adequate drainage.

D. Chiappetta: It is the Town of Hooksett's responsibility to assure there is adequate drainage.

J. Duffy: The pipes there now are very old and small. The Town is responsible for newer and larger pipes.

T. Walsh: Fixing culverts and water tables are two separate problems.

D. Tatem: Most of the system is a closed system. It is recommended the Beauchesne pipes be replaced and to leave some type of potential hookup if a homeowner wants to pay for their drainage piping to hook-up to the Town's system.

M. Farwell: The monitoring wells and data you have is good for the subdivision, but has nothing to do with this project.

D. Tatem: Several years ago Stantec's continued research was put on-hold by the Town Council and Town Administrator at that time.

R. Duhaime: We put this applicant through the ringer for his approval and there was a decrease in volume. Whether it is 5,000, 6,000 or 10,000 gallon tanks, it meets our regulations.

D. Chiappetta: And I wasn't here then.

R. Duhaime: We did our due diligence.

David Russell, project owner: The Stantec hydro-engineer said this project may help this (Beauchesne) development.

Close public hearing

Waiver Request per Development Regulations (5/2007) section 6.09 Approval Null and Void.

D. Marshall motioned to grant the above waiver. Seconded by R. Duhaime.

S. Lovas Orr: If we grant this waiver, are they ready to go?

J. Duffy: It is conditionally approved. They meet their conditions, then John signs the plans and it gets recorded and then a pre-construction meeting is completed.

D. Shankle: Have any of our regulations changed that now it wouldn't be approved?

J. Duffy: The zoning is the same. There is some drainage that changed and perhaps some State requirements changed.

D. Shankle: You said drainage changed?

D. Tatem: November 2010 Development Regulations changed. For AOT and Hooksett requirements, the Town is stricter than the State for drainage.

D. Shankle: Would it have affected this project?

D. Tatem: No.

Vote unanimously in favor.

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

Extension Request per Development Regulations (6/4/2012) section 10.03 2) Time Limits for Fulfilling Conditions.

D. Marshall motioned to grant an extension to November 2, 2013 for the Time Limits for Fulfilling Conditions period. Seconded by D. Rogers.

Vote unanimously in favor.

OTHER BUSINESS

4. PPNE (#09-17)

11 Bemis (Savoie) Road, Map 37, Lots 44 & 45

Acceptance of applicant notification of withdrawal of 10/05/2009 Planning Board Approval for 1) an amended site plan to allow a proposed 75' x 150' cooler addition with loading dock in place of previously approved 67' x 38' addition and 80' x 75' addition, and 2) drainage improvements proposed along Bemis (Savoie)

Road and with the subject site.

Board consensus: Send letter to applicant the Board accepts their notification of withdrawal.

5. GRANITE PLAZA, LLC (#12-20)

“AUXILIUM, LLC” 1778 Hooksett Rd., Map 6, Lot 23

Acceptance of applicant notification of withdrawal of 10/01/2012 Planning Board application for an amended site plan for a building addition, parking lot and related improvements to support a proposed professional office building.

Board consensus: Send letter to applicant the Board accepts their notification of withdrawal.

6. PLANNING BOARD ALTERNATE NOMINEE – TOM PRASOL

Thomas Prasol, 27 Crawford Lane at University Heights: I work in Concord as a lobbyist and believe I can contribute to this Board.

J. Gryval: Are you going to be able to make our meetings?

T. Walsh: Dean, have you always been given recommendations from the Planning Board to the Town Council to appoint a Planning Board member/alternate?

S. Lovas Orr: The Town Council was getting names thrown at them, and we want to start knowing who we are appointing. He has already spoken to the Town Council.

F. Kotowski: The Council should be informed that if we put a name through here that we believe they are capable. This should be done through other boards/committees too.

Board consensus: Send a memo to the Town Council that the Planning Board recommends the Town Council appoint Thomas Prasol to the Planning Board as alternate.

PSNH TCT&M FACILITY @ 13 LEGENDS DRIVE - RIBBON CUTTING

J. Duffy: Please RSVP to Donna if you will be attending the PSNH ribbon cutting ceremony on Tuesday, October 16, 2012 8:30am-10:00am.

FARRWOOD DRIVE – ABANDONED CUL-DE-SAC DEEDS

J. Duffy: Previously you approved a lot line adjustment on Farrwood Drive between the Richard & Small properties. As a result of the surveying, I just wanted to make you aware there are five (5) deeds from Wayne Theodore for pieces to the abutters. The abutters have all agreed in writing to this deed transfer. We will now get them recorded and notify the Assessing Dept. to update their records.

SNHPC CONFERENCE – PLANNING FOR THE 21ST CENTURY

D. Marshall: The date for the conference is on a holiday – November 12th.

Matt Mercier: Good evening, I am the Chair of the EDC. At last week's metro meeting, we urged the Planning Commission to change the conference date due to the holiday.

SNHPC UPDATES

R. Duhaime: At a recent SNHPC meeting, they discussed a better way to survey for traffic.

D. Marshall: SNHPC's approach to servicing clients (us) is a slow and drawn out process. A driveway approval for a big developer took 6 months with NHDOT.

NHDOT

D. Shankle: The NHDOT will here at the Town Council meeting of October 10th to present their improvements on exits 6 & 7.

*D. Marshall motioned to adjourn at 7:30pm. Seconded by T. Walsh.
Vote unanimously in favor.*

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 7:30pm.

Respectfully submitted,

Donna J. Fitzpatrick,
Planning Coordinator