

**Official
As of 04/01/13**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, March 18, 2013**

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 Council Rep. Susan Lovas Orr), Town Administration Rep. Leo Lessard (DPW Director), David Rogers, Frank Kotowski, Thomas Prasol., Donald Winterton and Tom Walsh.

Excused: Town Administrator, Dr. Dean E. Shankle, Jr., and Robert Duhaime.

REPRESENTING TOWN OF HOOKSETT

Jo Ann Duffy, Town Planner (arrived 6:45pm), and Dan Tatem, Stantec.

Full Board no alternates voting

APPROVAL OF MINUTES OF 03/04/13

D. Marshall motioned to approve the minutes of 03/04/13. Seconded by D. Rogers. Vote 6 in favor; D. Winterton and T. Walsh abstain.

SECOND PUBLIC HEARING FOR PROPOSED ZONING CHANGES 2013

ARTICLE 2

Amendment No. 4

Are you in favor of the adoption of Amendment No. 4, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 18 Wetlands Conservation Overlay District, Section G. Special Provisions, 2.a., which currently reads “a forty (40) foot setback shall be required from the wetland boundary to any structure or any paved area and shall remain in its natural undisturbed state,” and replace it with “A forty (40) foot buffer shall be required from the wetland boundary and shall remain in its natural, undisturbed state.”?

Explanation: The purpose of Amendment No. 4 is to provide for a forty (40) foot natural, undisturbed buffer surrounding all wetlands of one (1) or more acres.

J. Gryval: Read amendment No. 4 into the record.

Board: No comments.

Open public hearing

No comments.

Close public hearing

Amendment No. 7

Are you in favor of the adoption of Amendment No. 7, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to Amend the following Articles: Article 4, LDR, D.2.; Article 5, MDR, D.2.; Article 5-A, UDR, D.2.; Article 6, HDR, D.2.; Article 7, Elderly, B.2.d.c.; Article 8, Conservation Subdivision, D.7. to change the following language from: "Building height shall not exceed thirty-five (35) feet when a Hooksett Fire Department ladder truck is unavailable. If a Hooksett Fire Department ladder truck is available, no building shall exceed seventy-five (75) feet in height" and replace it with, "Building Height shall not exceed thirty-five (35) feet in height."?

Explanation: The purpose of Amendment No. 7 would reduce the height of buildings from seventy-five feet (75) feet in all residential zones to thirty-five feet (35).

J. Gryval: Read amendment No. 7 into the record.

Board: No comments.

Open public hearing

Ron Corriveau, MS&G: I thought you were going to exclude MUD 5 from Amendment No. 7 above?

J. Gryval: Yes we did.

Open public hearing

No comments.

Close public hearing

*F. Kotowski motioned to send Article 2 Amendments No.4 & 7 above to the voters on the ballot. Seconded by D. Marshall.
Vote unanimously in favor.*

DISCUSSION

- DUNKIN DONUTS**
Benton Road & Hooksett Road, Map 25, Lot 72
Conceptual design of existing site.

Chris Rice, TF Moran: The existing Dunkin Donuts site is on the corner of Benton Rd. & Hooksett Rd. on a ½ acre with 32 parking spaces in the Performance Zone (PZ). The existing access has a 24 ft. isle on the Hooksett Rd. side of the site but is reduced to 12 ft. with two-way traffic and parking. We are proposing to improve the site circulation to have a one-way pattern, remove the access off Hooksett Rd., and have a 2nd pick-up window; someone can order a sandwich at window one and pick it up at window 2, then window 1 coffee person can drive around the person waiting for the sandwich. I wanted to get the Board's input on the existing site with the site constraints. We propose east and west on the site to have a slight expansion, and to keep the north and south site areas the same. We may need some waivers.

D. Marshall: The State is not proposing any changes to Rte. 3 where Dunkin Donuts is located.

C. Rice: That is correct. They are just proposing different pavement markings.

D. Marshall: Coming south bound on Rte. 3 for a right-hand turn, then coming down Benton Rd., you are faced with someone coming out of Dunkin Donuts onto Benton Rd. Also vehicles coming out of Dunkin Donuts to take a left onto Benton Rd. get backed-up in traffic and sit in the middle of the traffic line heading to Rte. 3. Years ago a "Y" was proposed and there were strong negotiations to have access from the mall (Hooksett Landing) property. That would have kept you further away from Rte. 3. For some reason everyone stayed away from further negotiations on that access.

C. Rice: There is an extreme grade change to the mall area from the Dunkin Donuts site.

D. Rogers: Is the proposed work to the site only or the building too?

C. Rice: They propose upgrades to the site and the existing façade too.

D. Rogers: Will the building be closed while improvements are going on?

C. Rice: I don't know if they will close, but if they did it would not be for long. We will pick-up the grade and have a 2 ft. tall landscape wall to help with the grade change.

D. Winterton: The proposed two drive-thru windows, customer #1 will order a sandwich at the first window then pull up to the next window to wait for the sandwich. Can the next coffee customer #2 pass customer #1 who is waiting for the sandwich?

C. Rice: Yes.

D. Winterton: Are a lot of Dunkin Donuts designed this way?

C. Rice: Yes, there are the sites in Manchester at So. Willow St., Candia Rd. and others. This window design helps the process queue go faster.

L. Lessard: I like the idea to close off the main road (Rte. 3/Hooksett Rd.). There is always a lot of traffic backing up onto Rte. 3. I would have liked to see the existing exit on Benton Rd. moved further down, but it is what it is now.

J. Gryval: Leo, are there any problems on Benton Rd.?

L. Lessard: No, not that I know of.

J. Gryval: Years ago there was an issue with Benton Rd. for the width of the road.

C. Rice: Leo & Jo Ann took a drive out to this site and there was a recommendation we widen the Benton Rd. entrance for larger trucks. As a follow-up to Mr. Marshall's comments on Benton Rd., do you have any suggestions?

D. Marshall: There isn't anything you can do. It will always be a traffic flow problem.

T. Walsh: A second access would always be good.

C. Rice: The site doesn't provide us space for a second access due to our site boundaries and topographies.

S. Lovas Orr: At the corner of Benton Rd. and Rte. 3. I have watched school buses barely make it around that corner.

C. Rice: That corner is DOT property. For a pavement setback waiver would the Board be OK with that?

J. Gryval: We will need to see what you come in with a plan for parking spaces, etc.,

D. Marshall: It is a pre-existing condition.

C. Rice: We are using the same site area, but going a foot or two closer to the property line. Thank you..

COMPLETENESS

2. SJB DEVELOPMENT, LLC (plan #13-04) 290 West River Road, Map 17, Lot 10

Site plan for the construction of a new 8,000 sq. ft. commercial building with paved parking (41 parking spaces), drainage and grading improvements, septic and municipal water.

- Waiver Request – Development Regulations Part III – site plan completeness checklist item #2 1" = 40 scale

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

PUBLIC HEARING SCHEDULED FOR APRIL 15, 2013.

PUBLIC HEARING AND WAIVER REQUESTS

3. Southern New Hampshire University (SNHU) (plan #12-26) North River Road, Map 33, Lot 67 & Map 38, Lot 38-1

Site plan for the construction of a proposed 3-story Library Learning Commons (with partial basement) and associated access. Basement footprint is 4,575 sq. ft., 1st floor footprint is 18,570 sq. ft. and the 2nd & 3rd floor footprint is 11,150 sq. ft.

- Waiver Requests – Development Regulations Part III – site plan completeness 19, 24, 31, 33, 35
- Waiver Request – Development Regulations 11.12.1 Rainfall Intensity
- Waiver Request – Development Regulations 11.12.2.t minimum flow velocity
- Voluntary Merger – Map 33, Lot 67 & Map 38, Lot 38-1

S. Lovas Orr: I am stepping down from this application as an abutter.

Jeff Kevan, TF Moran: I am here tonight representing SNHU. We are proposing a 3-story Library Learning Common. The site is to the right of the existing dining facility. The new dorm is under construction. We also have two parking lots we will be applying to the Planning Board in the near future. The university's goal is to make the large parking area on North River Rd. (across from the dining facility) into a green area. The overall SNHU master plan is to connect the loop on East Side Drive. SNHU purchased the West Alice Dr. property (former CB Sullivan) and very long-term intend to have direct access from Rte. 3 (Hooksett Rd.) to their campus. There is no new parking for the proposed library. The new library will have a sitting wall made out of stone to include the stone walls we needed to relocate on site. There is an isle of pavement in back for the Fire Dept. This isle will only be used for service & emergency vehicles. The building will have stone veneer and a lot of glass with metal panels that tie into the dining facility. There will be pre-treated wood sun screens. Distributed the landscaping plan and provided overview of plantings to include screening the back portion. Students commuting will use the parking lot in front of the Operations Center and walk to the back of the library building. The lighting is a decorative style typical for SNHU's campus. We are hoping for a conditional approval tonight to include:

- Planning Board Chairman signing the voluntary lot merger.
- Stantec 3/18/13 comments
- Sewer - we have State permit
- AOT - should have this week
- Waivers – these are the same you have been in favor before

Waiver #1 - Development Regulations Part III – site plan completeness checklist item #19 – Overall boundary survey and metes & bounds description.

J. Gryval: Read waiver #1 into the record.

Board comments: None.

J. Kevan: We surveyed the parcel.

Open public hearing

No comments.

Close public hearing

*D. Winterton motioned to grant waiver #1 above. Seconded by L. Lessard.
Vote unanimously in favor.*

**Waiver #2 - Development Regulations Part III – site plan completeness checklist
item #24 – Shape, size, height and location of existing buildings within 200 feet of the
site.**

J. Gryval: Read waiver #2 into the record.

Board comments: None.

J. Kevan: The parcel is very large at 208 acres. We are 400 ft. from any side property line and 2,000+ ft. from the back.

Open public hearing

No comments.

Close public hearing

*D. Marshall motioned to grant waiver #2 above. Seconded by D. Winterton.
Vote unanimously in favor.*

**Waiver #3 - Development Regulations Part III – site plan completeness checklist
item #31 – Size and location of all existing landscaping within 100 feet of the site.**

J. Gryval: Read waiver #3 into the record.

Board comments: None.

Open public hearing

No comments.

Close public hearing

*F. Kotowski motioned to grant waiver #3 above. Seconded by D. Rogers.
Vote unanimously in favor.*

**Waiver #4 - Development Regulations Part III – site plan completeness checklist
item #33 – Location of existing utilities within 100 feet of the site.**

J. Gryval: Read waiver #4 into the record.

Board comments: None.

Open public hearing

No comments.

Close public hearing

*D. Winterton motioned to grant waiver #4 above. Seconded by D. Marshall.
Vote unanimously in favor.*

**Waiver #5 - Development Regulations Part III – site plan completeness checklist
item #35 – Sufficient, acceptable information to readily determine location, bearing
and length of every street line, lot line and property boundary.**

J. Gryval: Read waiver #5 into the record.

Board comments: None.

Open public hearing

No comments.

Close public hearing

*D. Marshall motioned to grant waiver #5 above. Seconded by D. Rogers.
Vote unanimously in favor.*

Waiver #6 – Development Regulations 11.12.1 Rainfall Intensity

J. Gryval: Read waiver #6 into the record.

Board comments: None.

Open public hearing

No comments.

Close public hearing

*D. Marshall motioned to grant waiver #6 above. Seconded by F. Kotowski.
Vote unanimously in favor.*

Waiver #7 – Development Regulations 11.12.2.t minimum flow velocity.

J. Gryval: Read waiver #7 into the record.

Board comments: None.

Open public hearing

No comments.

Close public hearing

***D. Marshall motioned to grant waiver #6 above. Seconded by T. Walsh.
Vote unanimously in favor.***

WAIVERS ABOVE PER RSA 674:44 (III) (e)

***D. Marshall motioned to approve the voluntary merger of Map 33, Lot 67 AND Map 38, Lot 38-1 to become merged Map 33, Lot 67 and authorize the Planning Board Chairman to sign the merger. Seconded by T. Walsh.
Vote unanimously in favor.***

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 03/18/13 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
- Voluntary Merger of Map 33, Lot 67 AND Map 38, Lot 38-1 to become merged Map 33, Lot 67
- 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 \$17,000 in public safety impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39.
- 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 D. Rogers.
Vote unanimously in favor.*

PUBLIC HEARING – WAIVER REQUEST

**4. MANCHESTER SAND, GRAVEL, & CEMENT (MS&G) – HEAD’S POND
(plan #07-05 & 07-42)**

**Hooksett Road, Map 3, Lots 1 through 11, 17, 19 through 24, 26 AND
Map 14, Lots 2 through 5**

The proposed project includes:

- Lot line adjustment & consolidation
- Major subdivision – 428 total units (156 single family, 72 Village single family, 59 Village townhouses, 33 single family zero lot line, & 108 townhouses) to include 5.5 miles of roadway improvements
- Phasing plan

Application conditionally approved on 06/20/2011 with a FINAL Board approval on 02/12/2013.

- **Waiver Request #1 - Development Regulations (6/4/2012) Part I section 11.02-1a.b. Monuments.**

Ron Corriveau, NS&G Project Mgr.: I am here tonight with Bernie Temple, Holden Engineering: We would like to get our wetland permit in 2014 and reading through the conservation items they want all conservation land in pink/red area on our map to be pinned with granite monuments. Currently roadway monuments are 6x6 and property corner monuments are 4x4. We are asking for a waiver of the granite monuments just for the conservation land and land going to the Town. We propose iron pin #5 bar 3 ft. long with aluminum caps stamped and marked as an alternative. I am looking to move forward to do our survey work this summer to be ready next summer to put a shovel in the ground.

L. Lessard: I have no problem with steel pins in the conservation land as long there are still stone/granite bounds at property lines and roads.

F. Kotowski: Will it be the same granite type monuments on the lot lines for house lots as we see now on Post Road?

R. Corriveau: I am strictly talking about having iron pins for the conservation land.

J. Gryval: Are the caps easily removed?

R. Corriveau: No.

T. Walsh: Why don't we use those (iron pins with caps) more often?

L. Lessard: The ROW and roadways have to be granite monuments. I have no problem with the back lots having steel pins, but our regulations say we need them.

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

Waiver above per RSA 674:36 (II) (n)

***PUBLIC HEARING – EXTENSION REQUEST – CONDITIONAL APPROVAL PERIOD**

5. *AUSTIN WOODS (plan #08-02)

**South Bow Rd. & Mountain View Rd., Map 12, Lots 13 & 14-4 AND
Map 16, Lot 53**

- proposal to subdivide Map 12, Lot 14-4 into a 6-lot conventional subdivision, consolidate Map 16, Lot 53, and Map 12, Lot 13 into one lot, and simultaneously subdivide it into 37 residential lots and 2 open space parcels/conservation open space subdivision.
- proposal for lot line adjustment to provide for the transfer of parcel “A” (15,130 sq. ft.) from Map 16, Lot 53 to Map 16, Lot 53-1
- Special Use Permit for Conservation Subdivision – Zoning Article 8, Sec. K

Application conditionally approved on 03/19/2012 and expires on 03/19/2013.

Applicant requesting a 1 yr. extension to this approval to 03/19/2014.

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

Bruce Fillmore, Homes for a Lifetime: Our conditional approval expires tomorrow. One of the issues is extinguishing our logging rights and we are having a challenge doing that.

J. Gryval: If we extend you tonight, you have the same conditions as before.

B. Fillmore: My attorney is working on getting our logging rights extinguished.

D. Rogers: What is the likely hood your attorney will get it extinguished? Is it simply you ran out of time?

B. Fillmore: Yes we ran out of time. We were first working with the elderly land owner and now he has an attorney.

Open public hearing

John Hillis, 19 So. Bow Rd.: If an extension is granted does it in any way shape or form change the 3/15/2012 agreement between Homes for a Lifetime and John and Becky Hillis? Other than a note on the plan, is there any way the applicant must meet the conditions?

D. Marshall: The plans have not been signed and recorded, because the conditions have not been met.

J.Hillis: Thank you.

Marc Pilotte, 7 Mtn. View Rd.: I have been attending these Planning Board meetings for a number of years about this development. Unfortunately I didn't make the meeting last year when the Planning Board conditionally approved it. I built my home at Mtn. View Rd. in 2002 when

the development was designed as a 7-home subdivision at a cul-de-sac. This development exists right in front of my house.

J. Gryval: The plan cannot be changed.

M. Pilotte: The 2nd issue I raised previous to this Board is that my driveway is adjacent to where the proposed road will exit. The regulations state that a road cannot intersect with a driveway within 50 ft. I raised this issue last year and I received no comments.

J. Gryval: The plan is what it is.

J. Duffy: We can't change anything at this point. If you grant an extension it is extended how it is approved. If you deny it, they start all over.

D. Winterton: I am a little uncomfortable voting without all the information. I was not on this Board when they received conditional approval.

S. Lovas Orr: If what he says in our regulations is true, then why does the roadway not conform?

D. Tatem: It was interpretation by staff that that the regulations didn't apply to an existing driveway with a new road. This item was outstanding for a year in our review process.

J. Gryval: It was approved the way it was.

S. Lovas Orr: What is the reasoning behind that regulation? Is it congestion, accidents?

J. Gryval: Safety.

T. Walsh: Could we put this applicant off a month or so and we relook at our regulation?

J. Duffy: You can't apply the driveway regulation to an existing driveway. They are just building a new road not a new driveway.

D. Winterton: If we could wait a week or two and gather more information (Board minutes, etc.), then I would be more comfortable on this subject.

#1 - F. Kotowski motioned to extend the conditional approval to April 16, 2013 to allow the Planning Board members to gather additional information on the application. Seconded by D. Winterton.

D. Marshall: We will also need to make a motion to continue the public hearing to a date certain.

F. Kotowski motioned to amend motion #1 above as follows: extend the conditional approval to April 16, 2013 to allow the Planning Board members to gather additional information on the application AND continue the public hearing to April 15, 2013. Seconded by D. Winterton. Vote 7 in favor. L. Lessard opposed.

B. Fillmore: Question for the Board at that point (4/15) will there just be a motion for the extension to meet conditions?

J. Duffy: The regulation is in the Development Regulations Section 11.08 15) driveway location. "No driveway shall be constructed within 50 feet of another driveway nor within 100 feet of an intersecting road . . .". This applies to new driveways not existing.

PUBLIC HEARING CONTINUED TO APRIL 15, 2013

OTHER BUSINESS

6. APPROVAL OF STANTEC INVOICES

***D. Rogers motioned to authorize the Planning Board Chair to review and approve the Stantec SPR invoices as of 03/18/13. Seconded by D. Marshall.
Vote unanimously in favor.***

7. CHANGE OF USE

- Sutton circle: United Rentals – CEO OK'd interior changes with a Building permit. They want to make slight changes on the outside: 1) existing loading dock area will create ramp, 2) parking area, and 3) fuel tanks would require amended site plan approval.
- 1338 Hooksett Rd. – old HFCU office, retail store for household goods and clothing (retail-to-retail). The Fire Dept. and Bldg. inspector will do a walk-through. They cannot have any upholstered furniture or mattresses.

D. Marshall: The change of use at the old dentist office on Hooksett Rd. that wants to become a coffee shop, he had no parking to start with at that site..

J. Duffy: We denied that (1123 Hooksett Rd.) change of use and they would need a site plan..

D. Marshall: The site is across the street from Mr. Bees and Faulkner's.

Bass Pro Shop

D. Marshall: What is the status of Bass Pro Shop? We know nothing about it.

J. Duffy: You should be hearing something very shortly.

D. Winterton: We (Hooksett) are on their website as a new location.

***D. Marshall motioned to adjourn at 7:05pm. Seconded by S. Lovas Orr.
Vote unanimously in favor.***

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 7:05pm.

Respectfully submitted,
Donna J. Fitzpatrick, Planning Coordinator