

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, June 3, 2013**

MEETING CALLED TO ORDER AT 6:00 P.M.

PRESENT: Don Winterton, David Rogers, John Gryval (Chair), Dick Marshall (Vice-Chair), Tom Walsh, Frank Kotowski and Susan Lovas Orr (Town Council Representative)

EXCUSED: Tom Prasol

STAFF: Jo Ann Duffy (Town Planner), Leo Lessard (DPW Director) and Dan Tatem (Stantec)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 6, 2013 – *T. Walsh moved to approve the minutes of May 6, 2013 meeting as amended. Motion seconded by F. Kotowski. **Motion carried unanimously.***

May 20, 2013 – *F. Kotowski moved to approve the minutes of May 20, 2013 meeting as amended. Motion seconded by T. Walsh. **Motion carried.*** D. Marshall abstained, not present at the meeting.

SPECIAL EXCEPTION COMMENTS

PAUL SCARPETTI

27 Londonderry Turnpike Map 49 Lot 10-2

IND

A special exception from Article 11, Section B.2.a to permit a commercial office building that would house the offices of a general medical practice with up to 4 practitioners. Co-located in the building would be some adjunct health services to serve that practice and the community. This would include a satellite laboratory (actual specimens shipped out to the main lab for testing) and perhaps a physical therapy service.

R. Marshall recused himself.

Roger Dignard, Dignard Architecture: We've had the initial meeting and the site walk with the ZBA. Follow-up meeting is scheduled for next week. What we're seeking is a special exception. The property is in industrial zone and we're seeking exception for a commercial use. The proposed use is medical offices. The building is approximately 12,500 SF. Regency Mortgage was recently developed by the same group directly across the street. I have the site plan for the building. Right now there is a house and a couple of out buildings on this property. The site is mostly open surrounded by stone walls on three sides. We are proposing to keep the stone walls intact. Staff parking to the right and client parking in the front. Clean and quiet use of the property. It'll be a one-story wood frame building.

*F. Kotowski moved to draft the letter of endorsement to ZBA. Motion seconded by T. Walsh. **Motion carried unanimously.***

COMPLETENESS and PUBLIC HEARING

1. GENERAL

ELECTRIC

COMPANY

(Plan

#13-09)

31 Industrial Park Drive,

Site Plan amendment for a proposed construction of a guard house to be located approximately 350' west of the existing site entrance drive to the GE Aviation facility.

- **Waiver Request** – Development Regulations Part III – Site Plan Completeness

Chair Gryval recused himself. His son works for General Electric.

J. Duffy: The staff met with TF Moran. Leo (Lessard) conducted the engineering review. They do require a completeness waiver since this is an amended site plan. This is only to replace a guard house from where it is now further down the road with a larger structure. There is an existing site plan on file. Staff is fine with both the completeness and review.

D. Winterton moved to grant the waiver request. Motion seconded by T. Walsh. Motion carried unanimously.

T. Walsh moved to declare the plan complete. Motion seconded by F. Kotowski. Motion carried unanimously.

Sue Niquette, GE Security: We have been in Hooksett for 45 years, employing approximately 750 employees. We make both military and commercial engine parts. As a result, homeland security ranks very high. Present guard shack is located outside of the facility making communication an issue. It's also very close to Route 3. You have one entrance for both incoming and outgoing traffic. We feel looping it further down will enhance in and out traffic and functionality. Currently, traffic backs up almost to Route 3. There will be one lane for incoming traffic and one lane for outgoing traffic. There is no intention for GE to go anywhere. We're looking to grow in terms of number of employees.

L. Lessard: I worked with TF Moran. I have a couple of comments during the review. What he's got right now is going to work out good.

Nick Golon, TF Moran: The property is industrial district. The site is approximately 12 acres. The frontage for the proposed guard house exceeds 640 feet. We're rebuilding the existing guard house for the purpose of enhancing the security of the facility as well as the traffic in and out of the facility all the way up to Industrial Park Drive. The existing guard house is located approximately 300 feet from Hooksett Road. The new guard house exceeds 650 feet, which provides more queue length entering the facility. The purpose of the skew is for oversize vehicles. It's very important for GE to move those vehicles into the site safety. There will be 3 access lanes. The first lane is for employees. They'll show their credentials and enter the facility. The 2 other lanes are for visitors. Preferential treatment is given to oversize vehicles. The proposal is to sprinkler the building. Identifying how the sprinkler would work. We're placing one area of grass. There are a total of 56 parking spaces. There will be the same amount of parking spaces after the guard house is renovated. There are approximately 12 spaces to be relocated farther at the site.

F. Kotowski: Will this in any way help alleviate the traffic problems of getting in and out of that area onto Route 3?

N. Golon: This project specifically enhances this issue.

Public hearing opened.

No comments.

Public hearing closed.

F. Kotowski moved to approve the amended site plan. Motion seconded by D. Winterton.

D. Winterton: Are there any more requirements from Homeland Security that we can incorporate now?

S. Niquette: I don't believe there will be others but this will bring us up to compliance with other GE sites. The location of the guard house outside of our boundary is an issue. This should bring us 100% in compliance.

Motion carried unanimously.

2. MATNEC, LLC / DUNKIN DONUTS (Plan #13-10)

1 Benton Rd., Map 25, Lot 72

Site improvements to include additional drive thru window and bypass lane, revise cross slope/grading, and modify site circulation.

- **Waiver Request** – Development Regulations Part III – Site Plan Completeness

Chris Rice, TF Moran: This is an existing Dunkin Donuts facility. We presented a conceptual to the board back in March. It has a couple of existing issues, poor circulation, extreme slope issues and limited stacking with the existing curb cut off Route 3. We're proposing to improve the site by closing the curb cut on Route 3 making it a one-way traffic circulation. A small piece of the building will be removed in order to accomplish this along with an additional drive thru window and a by-pass lane. We're also adjusting the paving grade for the site. There is also a new facade on the building. We've had numerous meetings with the Town staff. This will improve the facility; improve safety and increase customer service and aesthetics to the property.

T. Walsh: What's the only reason we can't change the grade on that is it because we're not replacing the building?

C. Rice: The original plan was much lower but they hit a ledge but the curb cuts were stuck were the existing road is. That's why you have the extreme pavement grade. What we're doing to correct that is to lift up the other corner and end up with a 6-inch curb cut on the site side and about an 18-inch curb on the right-of-way side.

D. Winterton: Is this going to help or hinder the tractor trailer deliver trucks trying to make the tight right turn?

C. Rice: We did take a look at that. We did widen the entrance on Benton Road. Tractor trailers will have to pull up into the site during non-business hours and back out.

J. Duffy: Same situation as GE. It has an existing site plan. They are asking for a waiver for the completeness criteria. Leo (Lessard) reviewed the plan and everything is set to go.

S. Lovas-Orr: I noticed there are some bushes on the left as you come out of the entrance. It's going to be difficult to come out of the driveway onto Benton Road rush hour traffic. MacDonald's made that mistake. They put a big tree right on the corner. When you're trying to make a left from MacDonald's, you can't see on-coming traffic on the left. I would suggest no big bushes on the corner blocking the view.

T. Walsh moved to grant the waiver request. Motion seconded by D. Winterton. Motion carried unanimously.

D. Marshall moved to find the plan complete. Motion seconded by T. Walsh. Motion carried unanimously.

Public hearing opened.

No comments.

Public hearing closed.

D. Marshall moved to approve the amended site plan. Motion seconded by D. Winterton. Motion carried unanimously.

PUBLIC HEARINGS

1. WENDELL A. TERRY/AL TERRY PLUMBING (Plan #13-08)

1776 Hooksett Rd., Map 9, Lots 21 & 22

Site plan for the proposed construction of a 6,480 sq. ft. 2-story building and to retain the existing 5 apartments in the existing building.

- **Waiver Request** – Development Regulations Section 15.01 16) Parking Standards for mixed or joint use

Michael Terry, Al Terry Plumbing

Jennifer McCourt, McCourt Engineering: The existing site is on Route 3, at the intersection of Granite and Post Road. There is an existing building with 5 apartments, which is considered historical. 2 entrances into the site, paved parking lot in front and gravel parking lot in the back. There is a large wetland on the side and a small wetland that goes along the back. Surrounded on 2 sides by residential homes and one home across the street. The proposal is to keep the remaining apartments, combine all entrances into one to have 3-sided access to the 54' X 120' 2-storey building. Organizing the parking out front for multi apartments and the facility. Three overhead doors will be installed for the business for easy access. Large buffers around the building that would be maintained. There is a small area where plantings would be added to create more buffer. We were here previously for acceptance. The waiver was granted for the dual use parking spaces. Issues were raised by Stantec and the Fire Department. We couldn't meet with Deputy Hoisington until this morning because he was at training exercise. An e-mail was sent this morning. What he wants us to do is to move the dumpster from out back to the front to have more room for fire trucks to turn around. Stantec also had comments about the short traffic impact study that they agreed with the results that I presented. Landscaping plan – across the front of the property are large 3-faced power lines. Regulations state 1 for every 50 feet of frontage. We're putting them off to the side. We did provide shrub plantings. Landscaped are In front of the apartments. We are providing a canopy in the front. The roof will be dark blue. We'll be creating a landscaped island on the slope. We're not sure if the retaining wall is necessary, we're hoping we could get away with not needing it. The standard Al Terry Plumbing and Heating sign will be placed on the front of the building to meet Town regulations.

J. Duffy: We're all set. The only thing Stantec is asking for is the architecture and the shade trees, as long as you're okay with the placement of those trees. We don't have an issue with it. Everything else has been addressed.

T. Walsh: Can we get more info on where the dumpster will be located and why it needs to be moved? I think it looks fine where it is.

J. McCourt: We're moving the dumpster to give more room for the fire truck to turn around more easily. That's what Fire Department asked us to do to meet the ordinance.

F. Kotowski: Is there another location other than adjacent to Route 3 where it could be place and still be in compliance with what Deputy Hoisington suggested?

J. McCourt: I'd have to move a parking spot and I don't have any other place to put the parking spot.

S. Lovas Orr: Are you putting a fence around the dumpster? Are you planning on changing the road sign?

J. McCourt: Stockade fence will be placed around the dumpster. The sign will remain as is and the new sign will look just like that except on the building.

T. Walsh: I understand we have regulations for turn arounds but at the same time, I don't like seeing dumpsters as part of the landscaping regulations either. Can you find another spot for that except putting it in front?

J. McCourt: No

J. Duffy: If it matters, the dumpster will be fenced.

T. Walsh: It's still a dumpster. My point is, here we are, we impose these regulations for landscaping and yet for something this silly, in my opinion, for a remote situation of a fire truck needs a turn around, now we'll make an exception and put a dumpster in front of it. It makes zero sense to me but if you're okay with it, I'll approve it. I wish there was another place for it. I prefer it where it is.

Public hearing opened.

Robert Duhaime, 1779 Hooksett Road: I don't know when the dumpster is emptied. It hasn't been a routine, 3 am, 5 am or 9 pm. That's the only complaint I have about this building going in. Nice looking building. The other

thing is operation hours, sometimes some of the guys would come in during the middle of the night to get their trucks. Are the trucks going to be parked out back? Will they be coming and going? What hours? To do all these aesthetics and put a dumpster in front of the building... There are other abutters in the back that would agree with me. The dumpster is the biggest thing. I would love to see the dumpster stay back in the building. It just doesn't make any sense to move it up front. Is the Fire Department designing for the Town of Hooksett or is the Planning Board designing for the Town? It's a sprinklered building.

Jim Rozzi, 85 Granite Street: Are you removing the trailers and nothing else is going to be cut in the residential buffer?

M. Terry: Yes, the trailers will be removed.

Public hearing closed.

D. Marshall: The parking spaces near the dumpster, are those for customers or employees?

M. Terry: Probably more for employees.

D. Marshall: Why can't the fire truck back into those parking spaces? Have the employees leave the keys in the office.

J. McCourt: Mike (Hoisington) and I have talked about this quite extensively. That's why we asked for a waiver for the (3) visitors spaces for the apartment. The parking spaces in the back we don't necessary need them.

D. Tatem: The reason why they are doing this is because of the regulations. If the owner is willing to lose 2 parking spaces and the board is willing to give them a waiver, then the dumpster could stay there.

D. Marshall: I'll make a suggestion, knock off those parking spaces and apply for another waiver. You're not a retail establishment.

D. Marshall moved to grant a waiver to reduce the amount of parking by 2 spaces. Motion seconded by T. Walsh. Motion carried unanimously.

D. Marshall moved to conditionally approve the site plan subject to receipt of filled out waiver request to reduce parking by 2 spaces. Motion seconded by T. Walsh. Motion carried unanimously.

2. SNHU – EAST PARKING LOT (plan #13-02) East Side Dr. & North River Rd., Map 33, Lot 67 (and Manchester, NH Map 558, Lot 1)

Site plan to construct a 436+- space parking lot with associated access.

- **(Additional) Waiver Request** – Development Regulations 11.12.2.t

S. Lovas Orr recused herself. She is an abutter.

Jeff Kevan, TF Moran: Proposing to start construction this summer for a parking lot to set themselves up in the future to remove parking in the opposite side of North River Road and create some common green area adjacent to North River Road for pedestrian activity. This project would reconfigure the existing parking lot. Create some islands and separate off parking lots. They'll probably leave some parking for handicapped parking. Stantec has done the review. There are a couple of items I'd like to discuss with the board. One of them is the traffic study. There isn't any additional traffic coming into the campus because of the parking lot. It would actually reduce traffic.

J. Duffy: I think the main reason why Stantec was looking at traffic is because of impact fees. However, we only charge impact fees for buildings. The college would be going forward with additional projects in the future. They'll need to supply us with an updated traffic study at that point. I don't think it's necessary for parking lots.

J. Kevan: They've purchased buildings at Donati Drive and West Alice. We've talked about constructing a road that would connect through that would give them access from the campus to those buildings. We'll have to do a full blown traffic study then.

D. Tatem: We're all set.

J. Kevan: Existing vegetation for landscaping. We planted trees all down the interior lining between the parking lot and the road. On the other side, and the back side of the parking lot is all wooded. We'll use the existing wooded area to comply with the landscape regulation. I just want to confirm that the board would be satisfied with that.

T. Walsh: It looks better than the new stuff.

Public hearing opened.

No comments.

Public hearing closed.

D. Marshall moved to grant the waiver. Motion seconded by D. Winterton. Motion carried unanimously.

D. Marshall moved to approve the application pending resolution of all comments from Stantec. Motion seconded by T. Walsh. Motion carried unanimously.

3. SNHU – DEPOT PARKING LOT (plan #13-03)

Depot Rd., Map 38, Lot 1

Site plan to construct a 156+- space parking lot with associated access.

- **(Additional) Waiver Request** – Development Regulations 11.2.2.e Drainage – Increase Runoff

J. Kevan: I have all permits lined up. This project will probably start around Sep/Oct. It's not much of a rush. It's out of the way. The little setback I had was, I got contacted by the railroad. I spoke to them. They asked for more time to review the materials. I told them I'd be glad to ask for continuance on that basis.

D. Marshall moved to continue to June 17, 2013. Motion seconded by T. Walsh. Motion carried unanimously.

EXTENSION REQUEST

CONNECTOR ROAD, LLC/UNIVERSITY HEIGHTS MARKETPLACE

(Plan #06-36)

Route 3, Map 14, Lots 1-9

Site Plan for 3,000 sq. ft. bank and 5,596 sq. ft. retail/office conditionally approved on 7/16/2007. Granted a 1st extension to 6/21/2013 (Planning Board meeting of 6/21/2010). Applicant requesting a 2nd extension for one (1) year per the following:

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

Jeff Byrd: This is for University Heights Lot 9 on the corner of Route 3 and Campus Drive. The leasing trailer for the apartments is located on this property. This was approved in 2007. The approval was extended in 2010 for 3 more years. We're coming up on that expiration. As diligent as the developer is to try to sell it, there were nibbles but no bite. They still think this is a viable project. They would like to request for more time to try to market it some more. I think the regulations require 1 year. We'd like to ask for a 3-year extension, if we could.

Chair Gryval: Wasn't there a condition on how many residences they could build without building on that lot?

J. Duffy: The only condition was to build so many then apply for a site plan. Nothing had to be built and they've met that condition. The regulations state that you could only grant 1 year at a time. If you'd like to change that to a different length of time, it would require a waiver. They didn't have to build anything. They just have to make

application for a site plan. That's the way it was worded. That was when they had a very crafty attorney and the board accepted his recommendation that evening.

F. Kotowski: I'm troubled about a project that was approved in 2007 and we've been extending that project and it's based on specific uses for that site. Will there be a bank and a convenience store built at that site? Is there a limit to what could be built there?

J. Byrd: No, someone could come in and amend the site plan or revise it.

D. Marshall: This is the greatest fear the board has with mixed use areas. They come in with a proposal to build a mix of residential and commercial. They build the residential first because it gets the cash flow going. They just keep going with the residential and we never see the commercial. When we approved this, it was a little sticky but it was approved. They are asking for 3 year extension. I'm only willing to give them 1.

J. Duffy: They have not applied for a waiver for the 3-year extension. They have been actively marketing this site. It's a combination of the economy and the location. There's not enough activity around the northern end of Hooksett Road to draw a lot of commercial.

S. Lovas Orr: In theory, that location would be ideal for services in that area. Housing is being built and people are moving in. I'm hesitant not only on the 3 years but on the 1 year. What if they'd like to put an antique shop instead of a bank in there? That will always be a desirable area connected to the heritage district. I don't think we'll have a problem. I'd like to give them broader range of activity.

J. Duffy: If an applicant would like to put something else other than a bank and a convenience store, they would have to come back to this board. Tonight, the board could only extend it for one year. If they want to extend for 3 years, they would need a waiver.

J. Byrd: This was actually tied to the apartment sites. When they sold the apartment sites, part of the condition was the commercial side would be done at the same time. This is a unique area. We've lost some opportunity because people have moved to the south area. This is more marketable with the approval than without. If this is what you want, I don't know why you're hesitating to approve the extension. The developer is trying as hard as he can.

Chair Gryval: The board has always tried to balance the residential with commercial for the tax base. To allow residential to continue without the commercial, the tax rate would sky rocket. You have to have a balance.

D. Winterton: I would be in favor of 1-year extension. I do think when people start moving into those apartments, that land becomes more valuable.

*D. Winterton moved to grant a 1-year extension. Motion seconded by T. Walsh. **Motion carried unanimously.***

OTHER BUSINESS

APPROVAL OF STANTEC INVOICES

*T. Walsh moved to approve the Stantec invoices. Motion seconded by D. Winterton. **Motion carried unanimously.***

WAIVER OR IMPACT FEES

1. Allstate Builders, 17 Garden Song Drive
2. Berry Hill Estates, 7 Shaker Hill Road
3. Home by Denis, 6 Rae Brook Road
4. Thomas Hartford, 208A Whitehall Road
5. Ernest Bencivenga, 244 Whitehall Road
6. Rosalie Gronostalski, 1 Gullane Road

Dean Shankle, Town Administrator: Mr. Irish (owner of 6 Rae Brook Road) is here tonight. He also spoke to the Town Council at the last meeting to let them know he'd been contacted by the staff from Building Department and

was told that his house did not have a Certificate of Occupancy. In order to obtain a CO, impact fees have to be paid. We had no records that he had done that. The Council asked me to look into it. I asked the Building Department to look into it. We came up with the conclusion that we have no idea what happened. Some houses were given CO's without the impact fees being paid and some never received CO's. I see no profit in going back to the owners. Somehow all these people got mortgages. We have no record of impact fees being paid. We want to make sure they are living in safe housing by doing a final inspection. We would like you to waive the (6) impact fees, all residential properties. There are a couple of commercial properties and they are checking their records. We've started working on a better system. One paid (1 Gullane Road) and we're asking for that to be waived also.

D. Marshall moved to waive the impact fees. Motion seconded by F. Kotowski.

J. Duffy stated for the record she received an e-mail from Jacqui Roy from ZBA that she is opposed to waiving the impact fees as it would set a precedent for future impact fees.

J. Duffy: We keep a spreadsheet of impact fees received and I couldn't find these.

D. Winterton: How extensively have we gone to the original person that received a CO and asked them to produce a cancelled check? My concern is that these CO's were signed by someone and is this person bonded? Should this discussion be under non-public? I'm concerned that there has been a crime committed. How do we continue to randomly impose impact fees? I cannot support this motion until some further discussion. I just don't think we should do that.

J. Duffy: I have 3 copies of CO's. Two were signed by a former CEO, Michelle Bonsteel, who's no longer alive. The other one was signed by Peter Rowell.

D. Shankle: I don't think there is any reason to think that a crime has been committed. The idea of someone taking the money and pocketing it. I don't think so. Do we really want to spend the time harassing these people who have been living in the homes?

S. Lovas-Orr: I'm concerned some of the staff in this position, maybe they were training, maybe they were new. I'm not concerned, however, that this will be setting a precedent. In fact, I think we'll be hyper focused on that now because of what happened in the past. We're fixing an error and moving forward. I'm okay with it.

D. Rogers: I don't think any of us here are interested in holding the current owners responsible for the impact fees. In that sense, the waiver is appropriate and I would support it. However, could there be some further investigation, maybe interviewing some of these people who are no longer with the Town. The same person receiving the money issues the CO. That gives an opportunity for some malfeasance. I support the waiver in theory but I think I would like some additional investigation.

Motion carried with D. Winterton opposed.

Change of Use

No new applications.

OTHER BUSINESS

Webster Woods Update

D. Marshall asked for an update. Nothing has been started.

PB and ZBA Meeting Minutes

The Town hired a meeting minutes taker. Ann Marie White will be taking the minutes for the Planning Board and ZBA meetings.

Surety Amounts

L. Lessard, DPW Director brought to the boards attention the fact that some of the projects' surety amounts are way too high. SNHU for example, has over \$1 million on the buildings. He suggested changing the development regulations from 30% to a lower amount.

J. Duffy: The 30% is set by the development regulations, 30% of everything on the finished site.

S. Lovas-Orr: I have a big problem with setting different rates for different size businesses.

J. Duffy: Many communities do not require surety. They only require a reclamation bond.

S. Lovas-Orr: I would agree with that but not setting different rates for different types of jobs.

L. Lessard: I agree with the percentage but it needs to be lowered.

D. Marshall: Why don't you come back to us with a suggested rate?

Chair Gryval: In many years I've been on the board, I've seen the Town take the hits for unfinished projects.

Ritchie Brothers

Ritchie Brothers broke ground the other day.

I-93 Rest Area

The Town Administrator informed the board that the State will be making a presentation to the Town Council with regards to the renovation proposal for the Rest Area off I-93.

Planning Board Membership

*D. Marshall moved to recommend to the Council that T. Prasol be moved from an alternate to the full membership position. Motion seconded by D. Winterton. **Motion carried unanimously.***

ADJOURNMENT

The meeting adjourned.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant