

HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, July 8, 2013

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

PRESENT: David Rogers (Chair), John Gryval (Former Chair), Dick Marshall (Vice-Chair), Tom Walsh, Tom Prasol and Frank Kotowski.

EXCUSED: Donald Winterton

STAFF: Jo Ann Duffy (Town Planner) and Carolyn Cronin (Assistant Planner)

PLEDGE OF ALLEGIANCE

ELECTION OF BOARD OFFICERS FOR FY 2013-2014

CHAIR: *David Rogers was nominated by Frank Kotowski as Chair. Seconded by Tom Prasol.*

F. Kotowski: David has been with us a long time. Background is what a Board needs at this time. New thinking and new ideas are good. David is level headed and a person who makes decisions that I would make myself. I believe he would be a good Chair.

Frank Kotowski moved to elect David Rogers as Chair. Motion seconded by Tom Prasol. Motion carried unanimously. D. Rogers abstained because he was a nominee.

VICE-CHAIR: *Frank Kotowski moved to re-elect Dick Marshall as Vice Chair. Motion seconded by Tom Prasol. Motion carried unanimously. T. Walsh abstained.*

D. Rogers presented a clock to John Gryval in appreciation of his service.

APPROVAL OF MINUTES

June 3, 2013 – D. Rogers moved to approve the minutes of June 3, 2013 meeting as amended. Motion seconded by F. Kotowski. Motion carried unanimously.

COMPLETENESS AND PUBLIC HEARINGS

East Shore of Merrimack River and West of Pleasant Street (plan #13-14)

Town of Hooksett Map 1, Lot 37

Douglas P. Bailey Map 1, Lot 19

Lot Line Adjustment

➤ **Waiver Requests – Development Regulations Part III – Site Plan Completeness**

David Hess, Hooksett Conservation Commission: This is a request for a boundary line adjustment on

property on the east side of the Merrimack River north of the District Court House and just south of the Hooksett/Allenstown town line. (referred to map submitted as part of this application.)

The project we have been working on since 2007 involves the purchase of 135 acres for conservation purposes. It originally consisted of 3 acquisitions which are listed on the letter dated June 18, 2013 (submitted with this application). We are getting over \$300,000 in grants from various entities. Part of the requirements of those grants is to survey the land and have a conservation easement. In the process of surveying the property, we discovered that, contrary to what we thought we acquired from Barbara Brown, part of the land was not owned by Barbara, but by Doug Bailey. We began discussion on how we could work it out to ensure that we maintain the integrity of the property. I went to the property in the Fall of 2008. The soil is fantastic and our plan would have cut about 1/3 of that field off. That was not what we wanted for conservation purposes, so we went to Mr. Bailey and made a proposal to him and worked with his realtor. We came up with a proposal (referred to map and the memorandum dated June 18, 2013 submitted with this application).

F. Kotowski: Having been liaison to conservation, from my perspective, I think this is a great thing for the town and Mr. Bailey. The ability for us to be able to use that property in a way that we envisioned is a good thing to do. My recommendation is that we approve the request for the lot line adjustments.

D. Rogers: Mr. Bailey, is the presentation from Mr. Hess your understanding and do you agree with what was presented? Are you on board with the exchange of properties and lot line adjustments and so on?

D. Bailey: Yes.

D. Marshall moved for a motion for completeness. Motion seconded by F. Kotowski. Motion carried unanimously.

Public hearing opened.

D. Hess: This is a great deal for town. It is the fourth step to complete this conservation project. With this we are ready to move forward.

No further comments.

Public hearing closed.

D. Marshall moved to approve the lot line adjustment. Motion seconded by F. Kotowski. Motion carried unanimously.

CONTINUED PUBLIC HEARING

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**

Jeff Kevan, TF Moran: This is a continuation for a proposal to remove some older buildings. A house,

a couple of garages and a metal building for a shop type area. They are all being raised or removed and we would construct a 156 car parking lot. As part of that, we have agreed that we will upgrade Depot Road. The culvert underneath the road is undersized. We will replace culverts in order to accommodate pipes and are working with the Department of Public Works on that application. There will be an application for town signs. We will prepare the materials. This is an approximate working master plan that the college has. The operation center has been relocated and a new dormitory is under construction and will be opened the beginning of August. They just broke ground on the library, and we previously got approved for a parking lot. The idea is that East Side Drive will become a loop which will alleviate traffic on North River Road. Their plan is once these parking lots are in place, it will create improved aesthetics on the other side of North River Road. We have a wetlands permit and a sign-off from the Historic Commission to remove the buildings. We have received a couple of comments from Alteration of Terrain (AOT) but that is ready to be finalized. We have also coordinated with Pan Am with regard to the railroad culvert that passes Messer Brook. Once you add our flow it doesn't change peak flow rates. They are in process of final review but they feel we have addressed their concerns so we will get a letter from them. I've looked at Stantec's comments, but the only thing I'd like to discuss is that we agreed that we need to get the final AOT permit and a letter from PanAm. We will have a note on the plan that we've agreed to these improvements to Depot Road. There is a PSNH easement that runs where the landscaping is proposed and we were asked about planting shade trees in that area. Where there is already a wooded area there, we don't think it makes sense to plant shade trees next to a wooded area. We would ask the Board to support that. Other than that, I have no issues and would ask that you grant that conditional approval.

F. Kotowski: Is the tight curve on the corner going to change or remain as sharp as it is now?

J. Kevan: We are going to have to soften it because we are going to have to have sight line up North River Road.

F. Kotowski: So it will improve that corner?

J. Kevan: Correct. It will soften the hillside, and provide a radius that a fire vehicle could get in and out of.

D. Marshall: You mentioned granting a waiver for landscaping the open area but wasn't that waiver already granted?

J. Kevan: We had to plant in areas for snow maintenance, not for shade trees, on sides of the parking lot.

D. Marshall: Are you are requesting a waiver for that?

J. Kevan: I feel the natural trees take the place of us planting, but if the Board feels I need to plant there I will.

J. Duffy: I think I would agree with Jeff that it is not necessary since it is under a power line easement. Dan said they could get a letter from PSNH but we don't need to go to that extent. I need clarification on other comments and to hear their recommendation concerning the off-site improvements being completed before the parking lot is put into use. Jeff did you say you agree with that?

J. Kevan: Yes.

J. Duffy: Ok, so that could be a condition.

J. Kevan: We can have the access to the parking lot on the corner but we are going to have to do the improvements.

J. Duffy: From what I understand that is coming in as a separate application?

J. Kevan: My understanding is that we are working with Leo Lessard since it is a town road.

J. Duffy: A waiver is needed for the drainage and this was held up at the last meeting due to pending comments from Pan Am. They have not commented yet but Jeff was saying they can address concerns by improving the culvert. Are you happy with that? If not, we have to continue to a later date until we hear back from Pan Am.

J. Kevan: What we had done before, where you can look at a tight area with drainage, is used the culvert coming in underneath Depot Road as a point of analysis. When we sent the point of analysis out to Pan Am culvert, all of a sudden we have Messer Brook in your analysis and it dilutes the numbers. We have had a couple of storms and there was insignificant change in flow at Messer Brook.

D. Marshall: If Pan Am is happy with it it eases the problem. Is granting the waiver premature without Pan Am's approval or can we issue it conditionally subject to a letter from PanAm?

J. Duffy: We can make it conditional upon receiving the letter and then the plan would not be signed until we receive something from them.

J. Kevan: I don't have a problem with that because I have spoken to them personally and talked about what the issue was.

D. Marshall moved to grant a waiver for the drainage increase. Motion seconded by T. Walsh. Motion carried unanimously.

D. Rogers moved to grant a conditional waiver continued upon receipt of a letter from Pan Am regarding the drainage and culvert issue. Motion carried unanimously.

Open to public hearing.

No comments.

Closed to public hearing.

D. Marshall moved to grant approval of the application, which would include the general comments in the Stantac letter concerning Paragraph 2, excerpts 17, 24 and 41. Motion seconded by T. Parsol. Motion carried unanimously.

EXTENSION REQUEST

RAVINIA COLD STORAGE (plan #07-04)

East Point Drive, Map 49, Lot 4

Non-Residential Site Plan for warehousing facility; Consolidation of nine industrial lots. The plan was originally approved on June 18, 2007. Substantial completion approval is valid through June 18, 2013. They are requesting for a (1) year extension to June 18, 2014 per the following:

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

Bob Baskerville, Bedford Design Consultants: It was stated that we got approval for this in 2007. We've had several extensions. We have done an extension to the wetland permit. We've had a large fill that the conservation commission supported at the time so we paid about a quarter of a million in annual impact fees to the state. He owns the property and all property taxes are current. We've received extensions for the DOT permit and to the AOT permit so all permits are active. We did have a P&S to sell this year for a facility that would be very close except the refrigeration part of it would disappear. We had a plan ready to come before you for modified approval. We came close to selling this year. He would like more time. I don't know how many of you are familiar with this, but down off of East Point Drive there used to be a loop going all the way through that consolidated 7 lots. There was a large Phase 1 building and Phase 2 building with an access road all around. There was originally covered truck parking and one part was originally a freezer warehouse. Proposal this year was to remove these because we did not need them. Revisions this year would have been for the state liquor store and their warehouse facility. He believes economy is improving. He is a good citizen and owns several warehouse facilities in Londonderry but this was just too big to build due to economy. He is still not in a spot to be able to receive financing right now but believes things will change in the next year.

D. Marshall: So we have a concept, how big is that building?

B. Baskerville: The lot is 74.91 acres 90% green space. Phase 1 was 202,000 square feet. Phase 2 was 140,000 square feet. So about 343,000 square feet.

D. Rogers: Are there any purchasers or offerings?

B. Baskerville: I haven't heard of any in the last few months.

D. Rogers: And he is confident the next year will be better?

B. Baskerville: Yes. He has done quite well through this. He is in a business where people continue to buy groceries. People are buying more groceries and are going out to eat less. He has not seen the recession as much as some companies. In 2008, he asked for a \$25 million loan just as the finance world was collapsing and the bank did not grant that at the time, but now the banks are sitting on money and claim to be recovered.

J Duffy: I just want to state that we are no longer keeping track of extensions so make sure you mark your calendar to come back 30 days prior next year if not ready to move forward.

B. Baskerville: We apologize for not coming in 30 days prior this time.

F. Kotowski moved to extend the plan that was originally approved in 2007 be extended to June 18, 2014. Motion seconded by T. Walsh. Motion carried unanimously.

APPROVAL OF STANTEC INVOICE

D. Rogers moved to approve the Stantec invoices. Motion seconded by T. Prasol. Motion carried unanimously.

OTHER BUSINESS

WEBSTER WOODS II UPDATE - 1-day Conditional Approval Extension

J. Duffy: The last time Webster Woods came in, you had given them a 90 day extension which would expire August 4, but the board does not meet until August 5, so I would like to recommend a one day extension to the 90 day extension, making it 91 days so that you can take this up at your August 5 meeting.

T. Walsh: Do you believe it would be a necessity to take this up? Have they done anything?

J. Duffy: I found out today, the equipment is there and they have laid some gravel down but they haven't actually started anything yet.

D. Marshall: The equipment has been there for a month.

J. Duffy: Dan is actually handling it. I am not sure what they are waiting for. We have had heavy rains for a few weeks now. Also, Stantec is doing construction monitoring on this project and the cost for their services is \$9,629. We had asked Sharon Somers for money to put into escrow so that when Stantec's invoices come in we can pay them out of the escrow. They wanted to know why it is so expensive for a project manager when he is not an engineer. Then I asked how much it would cost for an engineer to do the work and it raised the cost to \$13,000. When I asked what they wanted to do they said to go forward with the \$9,000 but are paying in protest. They put it out there that they reserve the right to pursue legal, equitable and professional licensing challenges if we determine the final debt to be inconsistent with the services provided in comparison to what other communities charge. We don't need to do anything with this now, however, what other towns are doing is really no concern of ours in this case.

D. Marshall moved to grant a conditional approval for a one day extension. F. Kotowski seconded. Motion carried unanimously.

CHANGE OF USE

J Duffy: We had a meeting a few weeks ago. We had two applications. One was for M & J Auto which is the old Turks garage, on the 28 Bypass. Someone wanted to use it for automotive repair. We asked them to provide us with additional information and, so far, we haven't received anything. The other person is Linda L'Heureux. She has a unit currently on Londonderry Bypass where she is starting up a small winery and she just moved to a bigger unit. Her wine will not be ready for another year.

D. Rogers: Is it a production facility, retail space or both.

J. Duffy: I believe it is just production, from what I understand.

D. Rogers: It's not the winery or vineyard?

J. Duffy: No, she buys the grapes.

ADJOURNMENT

The meeting was adjourned at 6:48 pm.

Respectfully submitted by,

**AnnMarie White
Recording Clerk**