

**Official**

**HOOKSETT PLANNING BOARD MEETING  
HOOKSETT TOWN HALL CHAMBERS (Room 105)  
35 Main Street  
Monday, October 21, 2013**

**MEETING CALLED TO ORDER AT 6:05 P.M.**

**PRESENT: David Rogers (Chair), Dick Marshall (Vice-Chair), Paul Scarpetti, Tom Prasol, Tom Walsh, Frank Kotowski and Donald Winterton (Town Council Rep.)**

**STAFF: Jo Ann Duffy (Town Planner), Carolyn Cronin (Assistant Planner), and Dean Shankle (Town Administrator)**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF 10/07/13**

*D. Marshall moved to approve the minutes of the October 7, 2013 meeting, as amended. Seconded by T. Walsh. Motion carried unanimously.*

**PRESENTATION**

**1. NEIGHBORHOOD HERITAGE DISTRICT**

Roger Hawk, Hawk Planning Resources, LLC.

R. Hawk: I've been hired in conjunction with the New Hampshire Preservation Alliance to help the town work on a grant proposal they received from the New Hampshire Housing Finance Agency about a year and a half ago. The intent of it was to come up with a Neighborhood Heritage District. We have struggled because the assumption was that there was a fair amount of community support for this. We have had to discuss the merits and challenges of doing a Heritage District somewhere in the Village of Hooksett. A majority of the effort has been to explain what the Neighborhood Heritage District is, why it might be a benefit to the Village and what the community can get out of it. I am going to present a summary of those issues, some of the things we learned, and give you a recommendation of where we think we need to go with this. The original intent was to do this as an ordinance that would have formal document procedures through town meetings and become part of your regulations. We are now leaning in the direction of having this as an advisory process. We started this process in November/December of last year with a series of stakeholder interviews beginning with the discussion of what a Neighborhood Heritage District is. It is essentially a lower key version of a set of design criteria that a town can place on an area of their community. One of the differences between that and a traditional historic district is the standards and guidelines for how buildings are evaluated. The standards are simpler, more straight forward and not as onerous as a classic historic district and there is a high level of citizen participation. The intent in the Heritage District is that there is a citizens involvement group that oversees the process. They are the ones that advise the Planning Board as to whether a proposed new building or building modification meets the design standards that are established in advance of a building modification. The Committee is made up mostly of people in the district. It is a self-governing

body, validated by town meeting and planning regulations, but is intended to be a self-regulating process. We have spent a lot of time looking at every building in the Hooksett Village district and there has been a lot of discussion of where those district boundaries are. Essentially, it runs from Rt. 93 on the west to Rt. 3 on the east, goes as far south as Main Street where it hits Rt. 3, and as far north as the District Courthouse. Within that area, we identified 5 neighborhoods that have their own distinct architectural and social character. 4 of those are mid-20<sup>th</sup> century, World War II building era districts that have an very consistent architectural style. The 2 exceptions are the Granite/Merrimack stretch which has a greater variety of architecture. The Historic Village Center, is the old historic district around Robies, the old town offices and Merrimack Street on the east side of the river. There are buildings that were probably built between the Civil War and, roughly, 1900. That is the dominant architectural style in the Village Center and what gives it historic flavor. There are a number of buildings that have Victorian architectural character and that is why there is an effort to try to protect it. There are also a significant number of buildings from the 2<sup>nd</sup> half of the 20<sup>th</sup> century, which include ranches, capes and split levels. Those have back-filled places where there is either vacant land, a building demolished or some other reason that caused the building to occur. The process that we followed was to get a handle on how the key players in the center of the district felt about the idea of a Neighborhood Heritage District concept. We had meetings with 25-30 individuals, usually in small groups, and we learned quite a bit from them, especially that people were anxious, nervous and opposed to more regulations. It became apparent that having a Neighborhood Heritage District with mandatory design requirements was not going to work. We conducted the stakeholder interviews and then opened the conversation up to the community by holding 3 public workshops this Spring. As part of the last workshop, we did a visual preference survey which points to the desire to create some design parameters for how architecture in the Village is handled. This included what people like about Hooksett Village today, challenges and concerns now and in the future, what the Village should be like in 10-50-100 years, the future of the Village, transportation, recreation/open space, community, land use, and aesthetic/historic character (which included types of buildings that would be appropriate in vacant lots). Our contract was designed to come up with a Neighborhood Heritage District ordinance, but given the turn of events and our concern about not getting something through the town meeting that is regulatory, we are going to give you a design handbook that will detail how you can add to or build new buildings that fit in with their neighbors. We are working on the design handbook now and will probably have it to you before the end of the year. I will bring that back to you and also have you look at the detailed results from those workshops.

## **EXTENSION REQUEST**

### **2. MAURAS ESTATES SUBDIVISION (plan #12-22)**

#### **49 Mammoth Rd, Map 45, Lot 33**

Amended minor 2-lot (parent lot and one new lot) residential subdivision plan, including roadway improvements and Town Right-of-Way. Conditional approval is valid through November 5, 2013. Applicant is requesting a 1 (one) year extension to November 5, 2014 per the following:

- **Extension Request**—Development Regulations (06/04/2012) section 10.03, 2) Time Limits for Fulfilling Conditions.

Doug MacGuire (Project Manager, The Dubai Group, Inc.): I worked on these plans a year ago when we got this two lot subdivision approved. I would like to answer any questions regarding the application. I submitted a memorandum requesting this. I brought the plans and will walk the Board through them if you feel it is necessary. This subdivision was approved conditionally last year. We are looking for a year extension on the conditional approval. We have not completed this yet for two reasons. What we were looking to do was propose this 500 foot cul-de-sac. It is 700 feet if you measure it all around. To get frontage to the rear of the property for an expansion is what we have been working on with the applicant which was a 17-unit single family development. The applicant and we have been actively marketing that. The market has been coming back over the past year and we have had a lot of interest from a couple of different builders on pursuing the back of the property. At this point, we did not want to go through and get this roadway recorded because the applicant currently lives at that house. He wanted to make sure that, before he got this recorded and was responsible for upgrading that road to a town standard, we had the user from the back on board.

***D. Marshall moved to grant a motion for a 1 (one) year extension request—Development Regulations (06/04/2012) section 10.03, 2) Time Limits for Fulfilling Conditions. Seconded by D. Winterton. Motion carried unanimously.***

### **MODIFICATION TO APPROVAL, LOT MERGER & WAIVER REQUEST**

#### **3. HEADS POND DEVELOPMENT**

##### **Hooksett Rd, Map 3, Lots 244, 252, 5, E and D**

Modification to the final approval to include:

- Modification to Development Agreement
- Transfer of units to relocate 48 proposed high-density units in Chesterfield to Lot 252 for a combined total of 98 units at Lakins Mill Rd.
- **Lot Merger** of conservation land of Lot D (currently 100.08 acres) and Lot E (currently 163.79 acres) into one lot known as a new Lot D.
- **Lot Merger** of conservation land of Lot 244 (12.88 acres from Chesterfield) and Lot 5 (currently 118.12 acres) into one new lot of conservation land to be known as Lot E.
- **Waiver Request** from Completeness Checklist.

David Campbell (Attorney for Manchester Sand and Gravel): This is a minor change but an important change for us and the conservation people. We are asking to consolidate some conservation lots. We are eliminating, what we call Chesterfield, which is the last phase of the development and is in the most environmentally sensitive place, and transferring the density of that to the front parcel, Lakin's Landing. This will keep our limit at what we agreed to, which is 428, but will front load the project and take out that chunk of land, such that it is all conservation land. The Conservation Commission endorses this. DES expressed support as well. There are going to be 2 conservation parcels on the end, separate only because Chester Turnpike runs in between, and it is a Class 6 road. We would consolidate, taking out Chesterfield, and this would become a new Parcel E which is about 131 acres. Below Chester Turnpike, to the southwest, would be a straight consolidation. Audubon is the conservation entity that we first talked to about doing this, but their situation has changed over the last 5 years, and they are not up for taking stewardship of this much land and they passed on it. However,

Bear Paw has expressed great interest and I am optimistic they would be the entity to take it over. This is creating large tracks of conservation land that we will be deeding out. This project is under the density that was allowed. We are asking to transfer the density. We would like to combine the 48 units, with the 50, so that we have 98 allowed units. Without Chesterfield, we would have Lakin's Landing, Deer Run, and the townhouses. It would go from 3 high density areas to 2, keeping the 428, which is the max. It decreases our developed area from 22% to 21% and increases the open space by 12 acres. The total that would be developed is 21% and 78% will be reserved as open space. The waiver we would ask for is that, instead of us bringing in plans for you tonight, you would give us a waiver such that the plans can be amended, and with the approval of planning staff and engineering staff plans could be ok'd and we would not have to come back. As far as the developmental agreement, with the approval of your legal counsel and develop staff, we would not have to come back. If the Board acts favorably on this, we would make everything consistent with what we are asking you here tonight.

F. Kotowski: I think you came before the Conservation Board in August?

D. Campbell: Yes

F. Kotowski: Has this changed at all since then?

D. Campbell: No.

F. Kotowski: Am I correct to believe that all you are doing is taking the orange piece, on your paperwork, and moving it to the more dense area?

D. Campbell: We are transferring the density. We are talking the housing units that are allocated for that and moving them. The Parcel will disappear and be merged.

F. Kotowski: Which only changes density by 1%?

D. Campbell: It doesn't change density, it means the land being developed is less. We met our open space and public use requirements, the setbacks are set. Nothing is going to be built on Lakin's Landing, Deer Run, or the high density area around the Common, until we come to you for a site plan.

D. Campbell: Hopefully it will be Bear Paw.

F. Kotowski: Not Forest Society?

D. Campbell: Given the fact that Bear Paw just purchased a piece of land down below and they have the right of first refusal on another piece, it just seemed they would be the natural one to contact. They also expressed interest through third parties.

F. Kotowski: I recall that the Conservation Commission was in favor of this. This doesn't increase the number of homes that are going to be built?

D. Campbell: No.

P. Scarpetti: Is it correct that Lakin's Landing was multi-family?

D. Campbell: Yes and still will be.

J. Duffy: We are working through the develop agreement which is a part of this approval and they do have to return for every site plan on the site to obtain Planning Board approval. What he has presented is fine with staff and we acknowledge that it would be reviewed by Engineering once the plan sheets are submitted.

### **Open to public**

Andrea Martell (Allentown Planning Board): The Allentown Planning Board has asked me to come and say that we have no objections and if there is anything else the Planning Board can do to help we would be happy to do so.

### **Closed to Public**

*D. Marshall moved to grant a motion for modification to Development Agreement. Seconded by F. Kotowski. **Motion carried unanimously.***

*D. Marshall moved to grant a motion for Transfer of units to relocate 48 proposed high-density units in Chesterfield to Lot 252 for a combined total of 98 units at Lakins Mill Rd. Seconded by F. Kotowski. **Motion carried unanimously.***

*D. Marshall moved to grant a motion for a Lot Merger of conservation land of Lot D (currently 100.08 acres) and Lot E (currently 163.79 acres) into one lot known as a new Lot D. Seconded by F. Kowtowski. **Motion carried unanimously.***

*D. Marshall moved to grant a motion for Lot Merger of conservation land of Lot 244 (12.88 acres from Chesterfield) and Lot 5 (currently 118.12 acres) into one new lot of conservation land to be known as Lot E. Seconded by F. Kotowski. **Motion carried unanimously.***

*D. Marshall moved to grant a motion for a waiver from Completeness Checklist. Seconded by P. Scarpetti. **Motion carried unanimously.***

### **APPROVAL OF STANTEC INVOICES**

D. Rogers: I have the actual invoices but there are only two listed.

C. Cronin: One of them is for general engineering services for the Planning Department, not for a specific project, so there is no escrow account for it.

D. Rogers: That was for \$178.54?

C. Cronin: Yes.

***D. Marshall moved to approve the Stantec invoices. Seconded by T. Prasol. P. Scarpetti abstained. Motion carried unanimously.***

**OTHER BUSINESS**

**Sign Committee**

J. Duffy: We scheduled three official Sign Committee meetings, two had to be canceled because we were told they were improperly Noticed. We Noticed the first meeting as just the Sign Committee and were told that since the Sign Committee has been appointed, and there are 5 members from the Economic Development Committee, there is a quorum of that Committee. We canceled the first agenda. We were told that if we added to the agenda that there is the potential for a quorum of Economic Development Committee that would be fine. That was on the advice of Attorney Sanderson from the Municipal Association so we advertised for that meeting. The day of the second meeting, we were advised that it was not listed on the Economic Development Committee section of the website. We disagreed with that because it is not an Economic Development meeting, however, the town attorney disagreed with Attorney Sanderson and said that this is what you need to do in order to be prudent. As a result, that meeting was canceled. We have now advertised again for next Monday at 5:30, in Room 204, and have placed Notice for a Planning Board meeting, a Sign Committee meeting and an Economic Development Committee meeting. Would you want to move forward with having a quorum from the Economic Development Committee or would you like to re-look at the make-up of the Sign Committee in general?

T. Walsh: As long as we are doing what makes our attorney happy and we keep doing things this way than it doesn't matter to me who is on the Committee.

D. Marshall: I do get concerned that there is a quorum of the Economic Development Committee. We are short quite a few people. We should have someone from the ZBA and at least three members-at-large from the community. Eventually the community will vote on what we do. We have this Committee but it doesn't have to be stagnant. We can add new members at any time as long as the Planning Board approves. I think we need to advertise to attract people to come and be involved. Right now what we will have is a Planning Board which is concerned with all of the residents in the town and what the town appears like in the future vs. the business community which has their view of what the town should look like. That will not be an easy Committee to deal with. There needs to be more views to find a middle area and do it right this time. We do need to proceed with the meeting on the 28<sup>th</sup> to get the process moving.

D. Rogers: JoAnn, what were the rough deadlines for getting things set up and in place for voting in the Spring?

J. Duffy: Normally you start your workshops in January, brainstorming. February is when you have your official hearing on zoning changes. Typically we have two, one in February and one in the very

beginning of March. The deadline is usually the first week of March.

D. Marshall: That schedule is fine except that we are talking about writing a sign ordinance which is a major work effort with both staff and the Sign Committee. I do not see this being ready for a Spring vote.

J. Duffy: In the preliminary meeting that my staff had with Mr. Marshall, we talked about the possibility of making it easier, for the public or business owners, by merging those three ordinances into one and whether that was legally possible. Then we talked about the various types of signs that seem to be an issue. The main problem seems to be the building signs in the business districts, but also the banners and temporary signs which are very important to the business owners, especially in a down economy. Carolyn has done a lot of research on what other communities are using and ideas throughout the country. It is going to take time for everyone to get on board and decide what you really want to go forward with.

F. Kotowski: It seems to me that the Committee and this Board would be wise in not establishing an absolute time when you want this to be ready. I would rather see the Committee take the time needed without having to absolutely have something in place in the Spring. I would also like to suggest that we utilize early on, going deeply into what the Committee should be made of, who should be on it and get the people who were originally involved and wanted to be on it.

D. Marshall: Carolyn gave us 5 case studies throughout the country and their approaches were all different.

F. Kotowski: Did the recommendations in the piece that Carolyn gave you talk about what the optimum make-up of the Committee would be?

D. Marshall: There was no optimum. They were recommendations.

D. Rogers: I get the sense that it needs a balance.

F. Kotowski: I agree, it should mirror the community.

T. Walsh: They were recommendations and what got my attention was the involvement of anyone interested from the community and someone from ZBA.

D. Rogers: JoAnn, the ZBA was approached and there was some consideration or hope that someone would join the Committee?

J. Duffy: I sent them two invitations. One person said no and I have not heard from anyone else.

D. Rogers: Trying to put this together in time for January workshops, given the holidays coming up, would not do it justice. The concept of the Sign Committee has been established and we have people who want to serve. Maybe we could look at a 2015 type of ordinance issue. For another year we will be dealing with waiver requests and the same issues we have been dealing with, but I think it is

impractical to say that we can put this together effectively if the time isn't put into it. We don't want to be revisiting it after it is done because we did not take the time, initially, to do it right. I would like to see the meeting go forward on the 28<sup>th</sup>, if nothing else, to get input and a discussion going as to what the actual make-up of the Committee would be, and set a rough time schedule with 2015 being a possible target date to make an ordinance presentation to the Town.

D. Marshall: Years ago we were allowed to present a zoning ordinance to the public anytime the poles were open. That got changed because the legislature thought it was too frequent. Then it was switched to national elections, then changed to a Presidential year. I am not sure what is in effect now. JoAnn, can you check to see if there is any alternate time that the Planning Board is allowed to present a zoning amendment to the public.

J. Duffy: Ok.

T. Walsh: We have only missed two weeks, so I would like to get a feel for what the Committee wants to do and am hoping that it won't be as daunting and time consuming as we think.

D. Rogers: The Committee might be able to determine that on the 28<sup>th</sup>. The next Planning Board meeting is the 4<sup>th</sup>. I would like to see this done with due consideration and appropriately to have an effective, workable ordinance. If that can be done in time for workshops in January then great, if it is not possible than perhaps there is another time that JoAnn can look into to have it prepared for, or sometime in the 2015 window.

D. Winterton: Is there a procedure that we could let the citizens of Hooksett know that there are still openings available for people that might want to apply to the Planning Board to be on the Sign Committee, and also that we are still looking for alternates to the Planning Board.

D. Rogers: We could go through the Banner.

J. Duffy: They have a Facebook page as well.

D. Rogers: It could go in the Banner, on their Facebook page and also on the Town website.

D. Marshall: I hope we don't give up on the ZBA. They are critical and it is important that they have input.

J. Duffy: I can call the Chairman and ask him to bring it up at their next meeting. Maybe they can appoint someone.

### ➤ **Appointment of the CIP Committee**

J. Duffy: We have one more person who is interested which makes 3. Marc Miville and Steve Peterson from Budget and Joanne McHugh. We still need a Planning Board member.



D. Rogers: What is the schedule?

J. Duffy: We are behind schedule. The CIP packets were supposed to be given to the Planning Board today but we have not received them from Administration. According the sheet they had come up with, the CIP was going to start meeting tomorrow but that is not happening. I asked Christine today, and she said Dr. Shankle was still reviewing things so I'm not sure when he's sending them over to you.

D. Rogers: So we would not act on them until our next meeting at the earliest?

J. Duffy: You would not need to act because it would just go to the sub-committee members to get started. They have not set up a schedule yet. We don't have a Committee or the CIP yet.

D. Rogers: I would be willing to be the Planning Board member, I just need to get an idea of what the meeting schedule is.

Marc Miville (Budget Committee): It would be 8 weeks, every Tuesday night from 6-8 pm. For each department who has a presentation to bring to the CIP Committee for consideration, we usually devote one night, 2 hours, to do their presentation with questions and try to slot them into where they want to be on the CIP panel. Towards the end of that 8<sup>th</sup> meeting we try to put the whole puzzle together, based on wants and needs for each particular year, and then present it to the Planning Board.

T. Walsh: Some go quick so you could possibly do a few on the same night.

➤ **Engineering Services**

J. Duffy: This is the same as the last meeting. We left it off with Council and then it went to the Planning Board for discussion. There was going to be a job description submitted as well as a breakdown of the hard costs. We have not received anything.

**ADJOURNMENT**

**The meeting was adjourned at 7:24 pm.**

**Respectfully submitted by,**

**AnnMarie White  
Recording Clerk**

