

Official

**HOOKSETT PLANNING BOARD MEETING  
HOOKSETT TOWN HALL CHAMBERS (Room 105)  
35 Main Street  
Monday, April 7, 2014**

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

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

**ALTERNATES:** Michael DiBitetto and Muamer Durakovic

**STAFF:** JoAnn Duffy (Town Planner), Carolyn Cronin (Assistant Planner), Leo Lessard (Dept. of Public Works), and Dan Tatem (Stantec).

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF 1/27/14 & 3/17/14**

**January 27, 2014 PB/ZBA Joint Meeting** – *D. Winterton motioned to approve the January 27, 2014 regular meeting minutes, with amendments. Seconded by T. Prasol. D. Marshall and P. Scarpetti abstained due to not being present at the meeting. Motion carried.*

**March 17, 2014 Regular Meeting** – *F. Kotowski motioned to approve the March 17, 2014 regular meeting minutes. Seconded by P. Scarpetti. D. Marshall abstained due to not being present at the meeting. Motion carried.*

**CONTINUED COMPLETENESS & PUBLIC HEARING**

1. GCD, INC. (plan #14-05)  
1461 & 1465 Hooksett Rd., Map 18, Lots 49 & 49-C  
Lot Line Adjustment  
*\*CONTINUED TO APRIL 21, 2014\**

D. Rogers: If anyone is here for GCD, Inc. that hearing has been continued to April 21, 2014.

**COMPLETENESS AND PUBLIC HEARING**

2. SNHU CONNECTOR ROAD (plan #14-04)  
East Side Dr., Map 33, Lot 67 and Map 38, Lots 6, 7 & 8-1  
Connector road on campus between East Side Drive and West Alice Ave.
  - **Waiver Request** – From the following items on the Completeness Checklist for Site Plan Review:
    19. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions and the lot area.
    24. Shape, size, height and location of existing buildings within 200 feet of the site.

- 31. The size and location of all existing landscaping within 100 feet of the site.
- 33. Location of existing utilities within 100 feet of the site.
- 35. Sufficient, acceptable information to readily determine the location, bearing, and length of every street line, lot line, and property boundary line.
- **Waiver Request** – From the following requirements of the Development Regulations (6/4/2012):
  - Part I, Section 11.12. Drainage Design Criteria, 2) t. Minimum flow velocity.
  - Part I, Section 11.12. Drainage Design Criteria, 2) jj. Interior pond side slopes.
  - Part I, Section 11.12. Drainage Design Criteria 1) Rainfall intensity.
- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11.19 Traffic Impact Analysis.
- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11.12 Drainage Design Criteria, 20 mm. Gravel access road.
- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11.03 Roadway and site plan cross-sections and profiles.
- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11.11 Street System, 1) l. Roadway requirements (public and private).
- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11 General Requirements and Design Standards.

J. Kevan (TF Moran): I am here representing SNHU. We are proposing a connector road that would extend from E. Side Dr. and extend to W. Alice Ave. The intent is that road would be gated at W. Alice and not be an open access. It would be for internal campus use. SNHU purchased properties on W. Alice and this would give them access to those properties. The intent is that gate would be closed even when using those buildings. They would put a small parking lot when they go to use that first building at the end of the road so that students can drive out there and park. The proposed roadway is approximately 2,200 lineal ft. It will be constructed the same way as E. Side Dr. was with 26' wide pavement, vertical granite curb, 6' sidewalk, lighting, speed bumps, posted at 15mph, emergency call boxes, and cameras. They are extending water from either end which will provide them the ability for development in the future on land on either side of this road. They currently do not have specific uses for the buildings on W. Alice. They have asked me if there is something they can occupy in the building temporarily. I told them unless they occupy it with exactly what is out there now, they would have to come back to this Board for a change of use site plan. We have two wetland crossings which have 12,620 sq. ft. of wetlands impact. We have gone to ZBA, we did a site walk, and they make their decision on the special exception tomorrow night. At the site walk they did not indicate they had any issues. Dan brought up a comment that we had used 3:1 side slopes and he asked if we could go to 2:1 side slopes which would reduce the wetlands impact and changes the overall impact by about 1,000 sq. feet. We have agreed we would adjust the plans to go to the 2:1 side slopes. In the past, we have been paying an in-lieu fee to the State of NH as mitigation. At the last project, the EPA asked if we would put a conservation deed restriction along Messer Brook, which we did. I have looked at Dan's comments and, other than waivers, I don't have any issues with the comments that have been brought up. I would be glad to go through the waivers if you would like me to.

D. Rogers: This is a completeness hearing and I know one of your waivers is requesting relief from some of these checklist items, so maybe you could address that one first and then we can deal with the

completeness aspect.

J. Kevan: The main parcel is 210 acres. We have requested these waivers to not provide a full boundary on the entire parcel. Everything we are doing is interior, away from exterior property lines. We have provided shape, size and location of buildings, but not the height of buildings within 200', so we have shown the buildings adjacent to the property. As far as the location of utilities with 100', where they are adjacent to where we are working, we have shown utilities, but to go around the 210 acre parcel and show all utilities doesn't make sense. The last one is a repeat of the boundary not providing metes and bounds for the entire property.

D. Rogers: JoAnn, is there any input from staff on this waiver request for completeness?

J. Duffy: Staff is all set.

**Open public hearing.**

David Winegar (Mountain View Crossing Condominiums): We are 1/8 mile south from Derryfield. It is a group of 10 homes. We think this is a plus plus. Where will it intersect?

J. Kevan: At the corner, where it goes into Donati.

D, Winegar What is the purpose of the gate and will this be a throughway at any point?

J. Kevan: No. We would have to come back to the Board if we wanted to change it in any way. The intention is it will be gated and closed and used just for campus circulation.

D. Winegar: If there is a gate, at some point, there will be vehicles going through. I am curious to know what that is.

J. Kevan: It is for emergency access. If they came back to the Board and said for special events they would likely put an officer there and open it for certain things. The intention during normal operating hours is that gate would be closed.

*D. Winegar referenced the plans and asked if a particular area of land is owned by SNHU.*

J. Kevan: If you are looking at the arial I handed out, Mr. Winegar asked me if we owned all of that land. There are six houses along Donati Dr. that SNHU does not own. SNHU owns the rest.

D. Winegar: We have no issues with this and think it is a positive. From our point of view, it would mitigate a lot of the traffic issues we have. I know it is gated now. If it opens up for people to come from Rt. 93 into SNHU that way, as opposed to coming down and around, that is a good thing from the homeowner's point of view.

Dave Donati (28 Donati Drive): My concern is the water main being extended. Are you going to extend it to the westerly bound up Donati Dr.? I know Manchester Water Works has a stipulation that it

needs to go to the end of the property line.

J. Kevan: No. We are coming in from W. Alice Ave., straight into the roadway, and about 600' into the property.

D. Donati: My concern would be that you do extend it. The water problems are significant on Donati Dr. We approached Manchester Water Works about 15 years ago, but it wasn't feasible, because we had a lot of vacant land that we had to pay for to cross. According to Manchester Water Works, if you are developing a piece of property you need to extend the water line to the end of that property line.

J. Kevan: We have a letter from Manchester Water Works saying he has reviewed the plans and has not requested that we extend it across the frontage of our property.

D. Donati: We will approach them on this. It would be our desire that you do it.

J. Kevan: From our standpoint, running a couple hundred feet of water line is an expense that we would rather not undertake.

D. Marshall: For clarification, you are asking they run 262' along Donati to the property line of the first of the properties, and then you are expecting that the homeowners would pay for any further extension in front of their homes?

D. Donati: Yes, where we would be required if we were using the water line, that we would have to extend it to the end of our property and so on. I feel, if they are developing that property, that puts them in the same situation of needing to extend it to the end of that property line.

D. Marshall: I see your point, but it is also possible that they could extend it away from that intersection along that property line. It doesn't necessarily have to go down Donati.

D. Donati: Thank you.

Chelsea Collins (29 Donati Drive): Are we just taking about the waiver right now?

D. Rogers: Yes. This is on the initial checklist items, but I will reopen the public hearing again later on.

**Close public hearing.**

*D. Marshall motioned to accept the waiver request from the following items on the Completeness Checklist for Site Plan Review: 19. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions and the lot area. 24. Shape, size, height and location of existing buildings within 200 feet of the site. 31. The size and location of all existing landscaping within 100 feet of the site. 33. Location of existing utilities within 100 feet of the site. 35. Sufficient, acceptable information to readily determine the location, bearing, and length of every street line, lot line, and property boundary line. Seconded by Paul Scarpetti. **Motion carried unanimously.***

***D. Marshall motioned to determine the plan complete. Seconded by F. Kotowski. Motion carried unanimously.***

J. Kevan: The next waiver revolves around drainage design. Some of our minimum flow velocities are less than 2' per second. We do this a lot at our discharge points so that we are reducing velocities to minimize erosion. The second one is interior pond side slopes. The drainage for this system is being collected in a closed drainage system and brought down to two pond locations. One is at the intersection of E. Side Dr. and the new road where we are going to expand a bio-retention area. That pond is about 4' deep. The other one is adjacent to the property at the other end of the road. We are doing a gravel wetland. That basin is 3' deep. We have used 3:1 side slopes versus 4:1 side slopes. We think it is appropriate for the ponds of these depths. The third item is the rainfall intensity. The state has gone to a heavier rainfall event for storms. They are slightly different than yours, so we used the more conservative number.

D. Rogers: Is there any input from staff?

D. Tatem: We have no comments on those waivers he mentioned. We are all set.

**Open public hearing.**

No public comments.

**Close public hearing.**

***D. Marshall motioned to approve the waiver request – From the following requirements of the Development Regulations (6/4/2012): Part I, Section 11.12. Drainage Design Criteria, 2) t. Minimum flow velocity. Part I, Section 11.12. Drainage Design Criteria, 2) jj. Interior pond side slopes. Part I, Section 11.12. Drainage Design Criteria 1) Rainfall intensity. Seconded by T. Prasol. Motion granted unanimously.***

J. Kevan: The next waiver is to not provide a traffic impact analysis. We are not growing anything as far as the school getting larger or creating new uses. With the gated road, it is strictly to provide a road for students. It reduces traffic on side streets and this is just an internal roadway.

D. Marshall: SNHU realizes that, should they ungate this road, we will require a traffic impact analysis.

J. Kevan: We would have to come back to you. When they do uses on W. Alice Rd. we will have to talk about a traffic impact analysis on the uses that they put there and confirm there are no changes.

D. Tatem: On that comment that Dick had, we recommend a note be added to the recordable plan stating such. I don't believe there is a note on the plan that requires them to come back to the Board if that gate is removed or opened.

J. Kevan: We have no problem with that.

J. Duffy: It would also be nice to add that, if the Board does take that under consideration at a future

hearing, that a traffic analysis will be required.

F. Kotowski: JoAnn, in your view, would that state that, prior to us hearing a request that they want to ungate the road, there there must be a traffic study done at that time?

J. Duffy: Yes.

**Open public hearing.**

No public comments.

**Close public hearing.**

*D. Marshall motioned to grant the waiver request – Development Regulations (6/4/2012) Part I, Section 11.19 Traffic Impact Analysis, subject to the addition of a note on the plan indicating that, at any time, the proposal be made to ungate that road, a traffic impact analysis be done. Seconded by F. Kotowski. **Motion carried unanimously.***

J. Kevan: One of your requirements is to provide a gravel access road to detentions, basins, ponds, etc. We have requested a waiver not to provide that because the buyer retention area is 25' to 30' off of E. Side Dr. and 60' off of the new road. It is in close proximity to the paved roadways and we don't feel we need to construct a gravel access way to get to them. They constructed this bio-retention area by pulling in off the road and backing in and out of it, so we feel that access is more than ample. The gravel wetland at other end of the road is 30' off of the new road. We feel similarly between that and when we do the future parking lot, there will be plenty of access to those two basins.

D. Tatem: This regulation could be changed so it is for public roads for access for DPW. I don't know if the town has an interest in making them put access roads on private sites, but if they do, for all detention basins for the purpose of maintenance, then we would not recommend the waiver, but that is up to you. On a town road, I would never recommend that waiver, but on private sites it isn't necessary.

L. Lessard: Where it is privately maintained, they are going to have to deal with it. If it was a town road it would be different, but it is not, so I am all set with it.

**Open public hearing.**

No public comments.

**Close public hearing.**

*T. Walsh motioned for a waiver request – Development Regulations (6/4/2012) Part I, Section 11.12 Drainage Design Criteria, 20 mm. Gravel access road. Seconded by T. Prasol. **Motion carried unanimously.***

J. Kevan: The next waiver is under your regulations and pertains to a subdivision for a public road requiring cross-sections be provided every 50'. I am not sure why but we did not provide cross-sections when we extended E. Side Dr. This is fairly normal for this type of construction. I am not in an area where I have to much to worry about on either side, since I am going through the woods. We are requesting a waiver not to provide the cross-sections. What we provided is a road plan and profile and a

typical cross-section for the road. We feel this is more than ample for this private drive.

D. Tatem: The intent of cross-sections is more for the review of the plans to verify that side slopes don't go out of the right-of-way for conflicts and construction monitoring. We would use them to check the slope to make sure there are 2:1's and 3:1's and that kind of detail. There is no right-of-way to worry about because it is on their own property. I would refer that to Leo, because they will be doing the construction monitoring on the work. If his people use cross-sections for their inspections, they should be included.

L. Lessard: I don't need them.

D. Rogers: So you are okay with this waiver?

L. Lessard: Yes.

D. Marshall: You do not need a profile?

D. Tatem: They gave us a profile.

J. Kevan: We have a full profile of the roadway. It was just the cross-sections.

D. Marshall: The waiver requested a profile.

J. Kevan: I think it was just in the same section.

T. Walsh: I have no problem with this except that it has a gate. My preference would have been to allow this to be an access road. I heard you say earlier this is for internal circulation. What is it circulating to?

J. Kevan: Right now it is not circulating to anything. They are doing this with monies they have allocated though last year so they have access to those properties at W. Alice.

T. Walsh: For future growth or future use, any of the slope conditions that we are waiving would be addressed at that site plan time?

J. Kevan: Pardon me?

T. Walsh: I am clarifying myself. I am all set.

J. Kevan: Okay.

M. DiBietto: When I first saw a connector road, I anticipated it was going to be a through road. Will the section of the road that you are proposing meet the standards of a through road at a future date?

J. Kevan: It conforms to town road standards as far as the width, cross-section, etc.

M. DiBitetto: For a collector road?

J. Kevan: I don't know if there are different standards for a collector road, but from SNHU standards, they had adopted this 26' wide pavement. I can't see it going to something bigger. SNHU doesn't want multiple entry points or to open it up so the public has other ways in and through the campus.

D. Marshall: Regarding the property from the intersection with Alice to the campus, when that property starts developing for college expansion, you are going to have to open that road. If you open it, it will be open to the public unless you have someone screening every vehicle that goes through. We need to be careful what we approve in the sense that, as the land develops, the road may be asked to bear more than your current design is going to handle. I am a little leary about mixing the through traffic with the college traffic.

J. Kevan: That is SNHU's concern. Right now, the majority of their facilities will remain in that core around the E. Side Dr. loop. They own these properties and there have been tenants in those buildings until recently. They have kicked around potential uses as they intend to use them for something. As far as other development, we would have to come back to the Board and, if for some reason, 26' of pavement is not adequate, then they would have address it at that time. Right now they don't envision that opening up to the public or becoming more of a road than that.

D. Winterton: If the gate were to come down, it would still be private road, correct?

J. Kevan: Correct.

D. Winterton: With your ability to put speed bumps on it?

J. Kevan: We are proposing speed bumps.

D. Winterton: It would be a private road with speed bumps?

J. Kevan: Correct.

F. Kotowski: Leo, would that road be able to carry significantly more traffic than we anticipate?

L. Lessard: Yes. At 26' wide, and the way they are building it, it could be used as a collector road.

J. Kevan: It is probably more substantial than North River Rd. through the campus, right now.

**Open public hearing.**

No public comments.

**Close public hearing.**

***F. Kotowski motioned to approve a waiver request for – Development Regulations (6/4/2012) Part I, Section 11.03 Roadway and site plan cross-sections and profiles. Seconded by D. Winterton. Motion***



**carried unanimously.**

D. Rogers: The next waiver.

J. Kevan: At the intersection of E. Side Dr. and the new road, I have a crown of E. Side Dr. that is at 2 percent and I come up at 2 ½ percent on the new road keeping the flow line along that curb line. Dan requested I put a curve in there which means, either I extend the 2 percent away, or build within my existing road section. I didn't feel that vertical curve was necessary there. This is where they come to a complete stop. It is 2 percent into 2 ½, keeping in mind 2 percent is the slope on a sidewalk and is relatively gentle. If the Board feels it is necessary, I would redesign the front section of that profile to come off at a -2 percent and put another curve on my road.

D. Tatem: It is industry standard. You always put a curve there. When I spoke with Jeff about it, that is how they are going to build it. You would never build two intersecting roads coming into a 2 percent notch in the road. They would always put the curve in, so I figured the regulations require it, why not put it in the design. I don't see a reason to waive that.

**Open public hearing.**

No public comments.

**Close public hearing.**

P. Scarpetti: Leo, could you give us your opinion?

L. Lessard: I agree with Dan.

***D. Marshall motioned to approve the waiver request – Development Regulations (6/4/2012) Part I, Section 11.11 Street System, 1) l. Roadway requirements (public and private), and request that it be denied. Seconded by D. Winterton. All opposed unanimously. Motion denied.***

J. Kevan: For guardrail end units, this is 15 mph with speed bumps. You cannot gain much speed in between these speed bumps. At the end of the guardrail, Dan had requested SRT impact end units. Those are very expensive. We put them in at the operations center and the college did not see the point in spending the money they had to spend on each end unit. They would have to be the ones to replace them if damaged. They asked me to go to a G2 end unit and pull the guardrail back off of the line so you could flair it back. We flared it back about 8'. On one side, you have to go over a vertical granite curb, as well as sidewalk, to get to that guardrail. We felt that we would request the waiver to not use the STR350 units, flair back the guardrail, and use these G2 end units on private property. NHDOT standards revolve around design for 30 mph road speed limits. There is nothing for slower speeds.

D. Tatem: Jeff is correct. ASHTO has a 45 and higher and a 45 and lower standard. They don't have a standard for this. We are doing a bridge design right now in Auburn that services two houses. We are doing ASHTO approved guardrail over that bridge for that reason. Whether it is private or public property, we don't recommend waiving that because there is no national standard to hang your hat on as far as those end sections go. It will probably add \$10,000 to the cost of the project. It is not a substantial increase but it is an increase in cost, but we would not recommend it for safety and liability

reasons.

J. Kevan: We feel comfortable asking for it because it is on private property, on a private road, where they have to take care of it and it is their liability.

D. Winterton: Dan, are you saying that if we were to grant this waiver the town might expose itself to be more liable in an accident?

D. Tatem: Attorney Buckley is here.

Steve Buckley, Town Attorney (Hage Hodes PA): There is a well know case that involved this issue. There is the potential for an engineering company to be held liable for ineffective design resulting in non-compliance with national standards. This was on a public road and is a little different when you are dealing with private property. You have an attenuated responsibility. You have regulations that are supposed to apply to a site plan, the applicant is the one asking for the waiver. They are the ones who are going to take primary responsibility because it is their land. There is no perfect avoidance of responsibility, but typically, when the Planning Board grants an approval you are protected by quasi sovereign immunity. You can't necessarily sue a Planning Board because of it's decisions to do one thing or another. There is a case on point related to that involving the Town of Litchfield and their failure to approve a drainage system. The homeowners didn't like the drainage in their basements so they sued the town and said they were responsible because they approved it, but it was on private property. There is no perfect avoidance of liability but, in general, I think this is a fairly attenuated degree of responsibility. This is on private land, on private property, and is primarily the responsibility of the school.

**Open public hearing.**

No public comments.

**Close public hearing.**

***F. Kotowski motioned to grant the waiver request – Development Regulations (6/4/2012) Part I, Section 11 General Requirements and Design Standards. Seconded by T. Walsh. Opposed by D. Marshall. Motion carried.***

J. Kevan: We have looked at Dan's other comments. We have agreed that I would provide a letter on Friday. We don't have an issue with addressing those and with the waiver that was denied, we have no problem with adding that curve. The exhibit that I handed you gives you a prospective of the tree cover and our setbacks. We tried to meet with the abutters and many showed up at the site walk with the ZBA. We are hoping that we clarified that this road would be gated and not a through pass road. There are rumors, as far as what the school is doing with the buildings on W. Alice Ave. I can assure you that they don't have any plans that I am aware of. SNHU, in the past several years, has purchased a number of properties surrounding the college that they saw as value to their campus. They do have plans that they will use those facilities, but they do not have a specific use at this time. They will have to come back to this Board to get any use approved, unless they use them for exactly what they were used for previously.

D. Rogers: This is going to be continued to the next meeting for a public hearing on the approval so some of these issues can be addressed then.

J. Kevan: Does it need to be continued to another meeting?

D. Rogers: JoAnn, isn't the plan to continue this to April 21?

J. Duffy: We had recommended that it be continued because there were several items included in Stantec's letter. In speaking to Dan, those items are minor and can be conditional. However, you did have an abutter ask about the issue with the water hook-up, so I didn't know if you wanted to give some time for him to speak with Manchester Water Works.

D. Rogers: I think continuing to the April 21 makes the most sense.

J. Kevan: The road itself is about 430' from the nearest structure of the residents on Donati Dr. and about 260' from the nearest property line. There are changes, but I think the people who went on the site walk could see what kind of natural buffer is out there.

P. Scarpetti: On the roadway, are you going to gate both ends?

J. Kevan: The plan was not to gate the other end. We can cone it off if there is no purpose to it, but by the time it is constructed we may be back in front of you. Right now there is a plan for a gate at the W. Alice Ave. end.

D. Tatem: Either at the TRC meeting or the last public hearing, we recommended a turn-around be put there for maintenance vehicles and for lost people if they are driving down that road. We would recommend a gate at both ends or a turn-around.

J. Kevan: We can temporarily block it off. The school does not want students driving down just to drive down. We would temporarily barricade that off at E. Side Dr.

D. Rogers: We will continue this to April 21 and allow for the other issues to be addressed.

J. Duffy: I think you had an abutter who wanted to speak earlier.

D. Rogers: Okay.

C. Collins: I have gotten together with a lot of the neighbors and we have concerns about the road. We are not opposing it, we just want to preserve our properties and investment and discuss some of the things going on with the current traffic that goes by our properties. (*Ms. Collins passed out a document with regard to what the neighbors would like to see happen.*) They are actively cleaning a building out and that started about two weeks ago. They have no plans for that building?

J. Kevan: I am sure they are cleaning them out because they own them. I have been asked whether they can occupy office space. I told them if there is existing office space they might be able to occupy that. I

told them they would need a change of use site plan and they have not come back to me and asked me or told me they have a proposed use for those buildings.

C. Collins: At the ZBA on March 11, you had mentioned they were going to be turning it into a Fine Arts Theater.

J. Kevan: They have discussed that.

C. Collins: That is no longer happening?

J. Kevan: There were rumors with the neighbors. I said that was an item that SNHU has discussed but that would take a full site plan, traffic study and so forth and would come back to this Board.

C. Collins: It don't think it was a rumor, it was something that you stated, so we made people aware that is what would be occurring.

J. Kevan: It was one particular use they discussed. There is nothing on the tables, and I have not been authorized to move ahead with any plans for that.

C. Collins: I am the most immediate abutter right on the the corner. I think the road could be a good thing if they were to open it up and let all of the traffic come through there. I see that happening. I can't imagine why they would not make that a main entrance to the University. You can see the CB Sullivan building from the highway, but for right now, we have a ton of traffic on Donati Dr., a ton of trash, and there are constantly police officers outside of my yard, which I appreciate. My neighbors had a student plow through the trees in their front yard so there are a lot of safety concerns with that road. I would like to see sidewalks put in. With construction going on the traffic is crazy. I can't take my kids for a walk safely along that road. It is only six houses on either side, but it is our neighborhood and I want to feel safe to take my kids for a walk. The neighbors I spoke to on W. Alice were very much in favor of that as well. As far as the road going in, we would ask they be careful with the lighting and to only use the dimmer yellow lighting. Jeff said there would be speed bumps which should help. Their new road would have sidewalks. We want to make sure there is a buffer so I don't have to look at this road and cars out my window. I was not able to go on the site walk. Do you think there is going to be enough space where I won't be seeing traffic that is coming through there?

J. Kevan: Yes. There is 260' to 40' of separation. The lights are LED that are full cutoff, shoe box style, where everything is recessed within so they are all shielded and downcast.

C. Collins: We would like to see, coming from E. Side Dr. on the new road towards Donati, when you get to the end, to have a no right turn sign added there to help reduce traffic coming down Donati, even though it will be gated. Future development is not being addressed, but the road opens up a whole new world for future development for SNHU. One of the site plans Jeff brought with him at the ZBA meeting had a future dorm building that was 200' from my house. We want to see if we could get some stipulation for a buffer for how close they can come to our land, 1000' or something like that, so that I don't have a dorm in my back yard.

J. Kevan: That was an overall master plan that is conceptual, showing where they may move in the future. Any plan for any development off of this road would come back to this Board and buffers would be reviewed at the time they were proposing something specific.

C. Collins: I understand, but the road is just a stepping stone for that.

D. Rogers: There will be other hearings if other development is proposed. We can't prohibit or restrict things that we have not been presented with now. This site plan is specific to this road and the way that is going in.

C. Collins: The road can't be approved with the stipulation that they can't further develop on the property behind my house within a certain amount of feet?

D. Rogers: No. We can't do that.

C. Collins: Those are all of my concerns but my neighbors might have others.

Nick Jamison (Donati Drive): I have complained to Dr. Shankle and the Chief of Police about the speeding dump trucks on Donati Dr. which is posted at 25mph. The dump trucks go by at 50 and 60mph all day long. I lost count one day at 70 and there have been several days at 100 or more. I don't think you would like it going through your neighborhood. I am sick of it! Somebody is going to get killed out there! My wife can't walk our dog on our own private residential road and we are tired of it!

Gary Dempsey (19 Ridgeview Drive): What type of events would this be open for? There are several events throughout the year where traffic goes past The Derryfield School and up Bicentennial. I feel bad for the people on N. River Rd. and Bicentennial, but that problem is going to get switched where the other road is. Having the gate open for traffic relief is a concern of ours.

J. Kevan: At this point, the gate will be closed and only open for emergency access. If the school determines they want to open it for special events, we would come back to this Board to determine how we would handle traffic control.

G. Dempsey: When you build the road and students go down there, please understand that is our neighborhood and that is why we are concerned.

Carol Patient (8A Ridgeview Drive): Isn't there something you have to do differently when you are building on wetlands?

J. Kevan: You have an intermittent stream, which means it flows during parts of the time of year. It meanders through this 210 acres, wraps around, and comes out right next to the highway and crosses N. River Rd. We are crossing this intermittent stream in two locations. There is no way to avoid it.

C. Patient: Are you building a bridge? That is what I don't understand.

J. Kevan: We are putting in twin culverts at each one. They have to be sized so they do not slow,

hinder, or prohibit flow so they are big enough to pass all storm events. That has been submitted to the New Hampshire Wetlands Bureau and it is under review with them right now.

C. Patient: That would affect building, in the future?

J. Kevan: We mitigate our run-off from the development on the property by putting in various drainage systems. We filed a drainage analysis that has been reviewed by the town and the state of New Hampshire. Primarily looking at the crossing of public roads and such we can mitigate things on our property, but we cannot affect any abutter and can't change or increase the flow onto an abutting piece of property.

C. Patient: How do you build something significant? Do you build it above?

J, Kevan: We take the runoff from the roof or parking lot and discharge it into a system, whether it be a bio-retention basin, pond or underground system that treats the runoff, detains it, and releases it at a slower rate that it came in. We store it and let it out at a very slow rate so we do not impact any abutters downstream.

D. Marshall: I understand in your original comment you were concerned about wetlands.

C. Patient: Yes.

D. Marshall: They cannot build on wetlands and you cannot fill it in to build. He is talking about the flow of water. That is along the stream and he is culverting that so he does not interfere with that flow, nor does he affect anything upstream or downstream. If he comes to build a new building, he cannot build it on wetlands. He has to find dry land and he has to be so many feet away from that wetland in order to build it. Before he does any of that he has to appear in front of us.

C. Patient: How many feet of setback does he have to be from wetlands to build.

J. Kevan: I think it is a 40' no disturb buffer in Hooksett.

### **Close public hearing.**

D. Rogers: We are continuing this until the next meeting which is April 21.

### **PUBLIC HEARING**

#### **3. BRIDGE BAY, LLC (plan #13-19)**

##### **99 Mammoth Rd, Map 41, Lot 36**

Addition of a 21-unit, three story residential building to a site that already contains a separate, existing 12-unit, 3 story building.

- **Waiver Request** – Development Regulations (6/4/2012) Part I, Section 11.12. Drainage Design Criteria, 2) 1. Maximum flow velocity in any pipe.
- **Waiver Request** – From the following requirements of the Development Regulations

(6/4/2012):

Part I, Section 11.03 Roadway and Site plan Cross-Sections and Profiles  
Part III, Section 3.16 General Requirements

John Cronin (Cronin, Bisson and Zalinsky): We represent the applicant. Seated to my left is Jenn McCourt. Also with us is the principal of Bay Bridge, Ron Dupont and Dennis Meyers. We were here several weeks ago, related to a component of this that had to come before the ZBA. This relates back to an old project. The original developer contemplated three buildings. One got built and economic times changed. Mr. Dupont would like to finish that project so it is complete, and is proposing to reduce the total number of units from two buildings to one building with 21 units.

Jennifer McCourt (McCourt Engineering): Seeing as this is the first public hearing I will provide some background. The existing building was constructed and this is the proposal for the building out back. The roadway is in the exact same location as what was proposed. That got ZBA approval. I believe it was submitted to the Planning Board, but was never approved for the building out back. The number of units has been decreased from that proposal from 24 units to 21. We have consolidated all of the parking and building improvements to the back of the site so that it is all in one general location. They had some parking along the roadway so we have less impact to the wetlands and buffers. The new driveway is about 770'. The proposed building is 8,400 sq. feet. There is about 830' between the buildings. The road going up to the new building is about an eight percent slope. The zone is high density residential which allows for the multi-family. It is a three-story. It will be under the allowed 35' in height. The proposed parking is 2 ½ spaces per unit which is 52 ½ spaces and we have provided 53, with two standard handicapped spaces and one van accessible. All of the utilities shall be installed underground and serviced by municipal water and sewer. We have approval from Manchester Water Works and the Sewer Dept. approval is pending. Once that is approved, we will submit to the state for the sewer extension up the roadway. The parcel does not fall within the 100-year flood elevation. The Stantec letter has quite a few comments. Two of them are the waivers, if you would like me to go through those first before I get into the others.

D. Rogers: Sure.

J. McCourt: The first request for a waiver is for not completing the cross-section through the site. As you can see by the drawing where it says “the proposed building,” at the back end of the building, all of the area around it is undeveloped. You are not going to have a view of the building from Mammoth Rd. We did not see the purpose for doing the section up through there.

D. Rogers: Is there any staff input?

D. Tatem: Jenn is right, that you probably won't be able to see it, but I don't know that without the cross-section. If she is confident that you won't be able to see it from the road then it is probably a reasonable waiver. We just can't tell without the cross-section.

J. McCourt: The second waiver request is for allowing for one length of pipe from DMH 16 to the outlet where the head wall is to be a velocity of 13.7' per second, which is faster than the allowed 10' per second. The reason is that the pipe is traversing down the eight percent grade of the driveway and

to comply with this I would have to have a very deep manhole that would be hard to service. To compensate for it, we have upsized the outlet protection at the headwall to minimize the erosion in that area.

D. Rogers: Dan?

D. Tatem: I am good with that one.

**Open public hearing.**

No public comments.

**Close public hearing.**

***D. Winterton motioned for a waiver request – Development Regulations (6/4/2012) Part I, Section 11.12. Drainage Design Criteria, 2) 1. Maximum flow velocity in any pipe. Seconded by D. Marshall. Motion carried unanimously.***

D. Rogers: The second waiver is the velocity and drainage pipe.

**Open public hearing.**

Allyson Bodell (94 Mammoth Rd.): I was living at my property at the time the first building was put in and my concern is that there are wetlands up there. Once that property was put up water has poured down that driveway. I have pictures to show you. If you check with the highway department, the whole side of Mammoth Rd. was washed out. It had also come across the street and my backyard is submerged underwater until about August. There is a brook that runs from there down to my property and it overflows. My yard is not usable. I am not knowledgeable about the technical parts of water flow, but as you can see in the pictures it is all water at the end of the driveway now and it will be more because there are more wetlands up there. When they built the first building they told us they were cognizant of the water at the time, and said they were going to put asphalt that would retain fluid. I don't think there was oversight into their building because a lot of the things they said they were going to do never happened, as evidenced by how I am affected as well as Mammoth Rd.

J. McCourt: We have heard all of this before. When I did the drainage design we put a lot of thought, effort, and energy into where to put the detention and treatment areas to try to minimize any drainage on top of it. I worked with Dan to come up with some methods during construction, as well. The soil is a B soil, but there is a substantial amount of stones and rocks which increases the run-off. B is a well drained soil so you don't expect a lot of run-off. I also understand, from talking to officials and abutters, that when they built that first section they allowed some of the water that was going to the north to come down to the catch basin directly in front of the building, and that is what caused a lot of the washout. The plans show what steps need to be taken during construction so that doesn't happen again. We have done a lot of walking on that site to make sure we are directing the water correctly and to make sure the design itself will not exacerbate any problems that are there.

F. Kotowski: Did the design of the second building take into consideration mitigating what might have been left over from the first project? Is that any part of this engineering?



J. McCourt: It was. We went through the old calculations that were there and we didn't agree with them. We revised them to make sure what we were proposing didn't cause more problems and tried to adjust as best we could because we are uphill. We are not doing anything downhill from there. A big difference from when this was constructed to now is the Alteration of Terrain at DES has changed substantially. Now we have infiltration and treatment practices that detain and retain more water than what we were required to do previously.

F, Kotowski: In your view, do you think this will help her situation in the future?

J. McCourt: I hope so.

D. Rogers: We all do.

M, DiBitetto: Is there an Alteration of Terrain permit already issued on this?

J. McCourt: Yes.

**Close public hearing.**

D. Winterton: Is Mammoth Rd. prone to flood?

L. Lessard: That is a state DOT road. I don't maintain it. You would have to ask the state.

***D. Winterton motioned to grant the waiver request from the following requirements of the Development Regulations (6/4/2012): Part I, Section 11.03 Roadway and Site plan Cross-Sections and Profiles Part III, Section 3.16 General Requirements. Seconded by P. Scarpetti. Motion carried unanimously.***

J. McCourt: There are a couple more issues in Stantec's letter that I would like to bring before the Board. There are three items, No. 5, 27, and 48 that pertain to the retaining walls on the site. Because of the wetlands and the steep slopes of the site, there are quite a few different areas where the retaining walls are and they provide different functions. You have some along the roadway that are shorter that are for the wetlands, then there are the ones at the west side of building for the parking lot which are adjacent to one of the detention ponds. The largest wall is the one farthest to the east. We have submitted a letter from Geotechnical Services, Inc. regarding destructibility of those walls. What we would like to do, as part of the developmental regulations, is have these walls designed prior to the building permit process. Because of the number of walls, it is one of the bigger expenses on this site, so we would like to have the geotechnical done along with the building geotechnical; have the design and details done at the same time so they can be valued and engineered so we are not going back and forth with the Planning Board and Stantec. That way we can come up with a full design instead of doing that now, because of the expense. We would like to have the contractor involved. We would like to have that as part of the approval. If you look at the grading sheet, which is consistent with the development regulations, you will see there are 13 notes regarding the design of those retaining walls that have to be completed prior to the building permit process. We may get the geotechnical done and talk to some

contractors and may have to come back for an adjustment to the site plan. I know one of Dan's biggest concerns is the wall out back. I have done a concept to move the parking lot around to provide more room to that back line, but the parking isn't as nice, landscaped areas are not as big, and it won't be as pretty. It will function as well. We don't know where we are going to hit ledge and that would also go to the design of the building itself, which is put off to the building permit process.

D. Marshall: So you are asking us to approve a plan with the provision that the retaining walls would be field designed?

J. McCourt: No. My understanding of Dan's letter is that he wants these walls designed, at this point, and he specified what wall we are putting where. We would like to have the plan approved, design the walls, Stantec has to review those walls as part of the site plan approval as per the developmental regulations, and then go for a building permit.

D. Marshall: I am still skeptical. Why don't you do the design now?

J. McCourt: The main reason is the substantial cost and the development regulations allow for this. I don't know if you care what kind of wall it is as long as it meets all of the criteria in the developmental regulations for the design.

D. Tatem: I don't think there have been any projects that I can remember in my history with the town that have had the retaining walls designed now. They are always designed after the fact, but the plan will show a typical wall detail and where the wall is. We take a look at it to see if it is constructable. I have no problem with that. We met with Leo, and I have met with two different geotechnical engineers from our firm, and we strongly feel that at least one of the walls is not buildable as it is now. It is 27' high and the back of the wall is 6' from the property line. Their letter from the geotechnical engineer stated they wanted to build a soil nail wall which typically requires 70 percent of the wall height and the soil nails have to go into the slope behind it. 70 percent of 27 is way more than the 6' they have. They would be putting these soil nails into abutting property. If they got an easement on that property to put these in, we would recommend they do what she is asking.

J. Duffy: Which is what we recommended at staff level a few weeks ago.

D. Tatem: The letter we got from the geotech does not hold any water. The letter says they are not sure what is there and they will find out more later. If this wall is not constructable, it will change the site plan. It could make it not buildable and we don't know that. If you are looking down the road there are two retaining walls on both sides. The road will be 6' or 8' up in the air with two straight vertical retaining walls on both sides. To build that type of wall you either need a block wall that has geogrid in it, or a pour it in place wall that has a cantilevered footing. Both of those go into the roadway cross-section from both sides, so they are coming into the road. There is sewer, water, drainage. Geogrid only works if you have the soil on the top and bottom of it which creates friction, and holds the wall in place, so there is pressure on the geogrid behind it. If you have to cut through the geogrid to put in catch basins, drainage and structures, you lose a lot of that strength. If you do a cantilevered footing, cast in place wall, the footings can be 5' to 6' wide, she is showing several catch basins that are right against the wall. We have significant concerns with the constructability of the project they are showing.

J. McCourt: I would like to make a few corrections to what he has stated. The cross-sections that we showed do not show that the catch basins are up against the wall. What we did, to try to be proactive, is showed a 5' wide retaining wall to make sure we had room to be able to construct the wall that would be appropriate for those areas. The room to the back on the high wall is not 6', it is 11', which adds to what the geotech was saying. He was trying to specify all of the different ways that it could be built. That is what he says in the letter. As far as walls along the side, the same thing goes. There is the 5' for the walls. In the cross-section, we showed moving the wall away from the catch basin far enough so it could be constructed. That is what is on the plans today.

D. Tatem: The soil nail wall, which the letter recommends they may be able to do, requires approximately 70 percent of the wall height. That would be 18.9'. If the face of the wall is 11, and the back of the wall is 6 you still don't come up with 19', so I don't know how it could be built.

D. Rogers: Have easements been explored?

J. McCourt: They have.

J. Cronin: They are shown on this plan, and if this gets approved, we are stuck with the location. The composition of the walls is more a of building issue and we are going to have to demonstrate that we can do these walls to the satisfaction of the permit and best practices. If it is not, we are going to have to come back and get an amendment. It is more about the composition and methodology. The geotechnical people have a lot of options and ways they consider it. We recognize we cannot encroach on anyone's property and that is not something we would expect you to approve. To bind us here and tell us to go out and do the work, there is a great deal that would have to be done twice and it doesn't make economic sense.

J. Duffy: Why would it have to be done twice?

J. McCourt: We don't have a contractor involved. We may put forth a design that we think is the most economical, there may be other options, and we may be back before you. Any time you are dealing with pour it in place or different types of block walls you always have a contractor that can give you a better price. The composition of the walls is where we are talking about doing it twice.

J. Duffy: This property has been before the town, in one way or another, mainly with the ZBA, for several years and I have always been of the opinion that what is there now is marginal and the rest of that property was not buildable.

M. DiBitetto: There is no provision for the Planning Board to review the specific retaining wall design, if it were to approve it, and require that to be reviewed, or is that left to the engineer to ensure it meets the structural requirements and the building inspector to ensure that it meets setbacks and any other standards of that sort?

D. Tatem: I don't believe there is a requirement. The contractor could change the style of the wall but it won't change the job.

M. DiBitetto: That is a structure that falls under the building inspector?

D. Tatem: No. Any walls that are part of the building, fall under the building inspector. Any geotechnically designed independent walls fall under DPW.

M. DiBitetto: Is there a setback requirement to the property line?

D. Tatem: No.

M. DiBitetto: Is there any fencing at the top of this high wall?

D. Tatem: Yes.

J. Duffy: Has there been consideration to making the building smaller so that it would actually fit?

D. Tatem: If we felt these walls were buildable, I would not be having this discussion with you.

M. DiBitetto: If you felt they were not buildable?

D. Tatem: If they were buildable. If these could be built the way she has them, I would never had brought this up.

M. DiBitetto: Is there another form of wall that could be done?

D. Tatem: If there was, we would suggest it. I have talked to two different geotechs in our office. We don't know of a wall that can be built 27' high and 11' or even 15' from the property line.

M. DiBitetto: So you are suggesting the Board can't approve this because it is not feasible.

D. Tatem: If you approve this, as it is, most likely they are going to come back in front of you anyway, because they are going to try to design it, it can't be built, and things are going to shuffle around.

D. Winterton: If we were to approve the site plan, and they go to construct it, and public works doesn't approve the wall, they have made a huge investment, but it has been their investment, and they could be stopped in the middle of their project after having expended all of these funds?

J. McCourt: What we are trying to stop is doing the design for the walls and do that once instead of twice. We would do the wall designs before we put a shovel into the ground. We know we have to do that work, one way or another, but we are asking to do it once instead of twice.

D. Winterton: The twice would be?

J. McCourt: If we do it now and the contractor comes up with a better way. Say we do a block wall with the geofabric in there, and the contractor comes back and says we could do it a different way with

a port in place, which changes the detail for the guardrail and a lot of other details that are on the site plan. Does that then mean we have to come back to the Planning Board to have it reapproved, because it won't be the same thing that you approved.

D. Winterton: I would think so because it is a different approval at that point. If you are willing to take the risk, the town is not at risk. The public may be at risk.

J. Cronin: We won't be able to build it unless the DPW signs off on it. You are right, it is our risk and our time concern if we go through the process and can't get them to sign off. We would have to go back to the drawing board and probably back here. That is something we don't want to do, so the goal is to work closely with the engineers and the DPW to make sure it is something that works from an engineering point of view.

J. Duffy: I would like to hear what the Director of the DPW has to say.

L. Lessard: I am not a structural engineer and I side with Dan on this. He has a good point. I have built a lot of roads, and I think they should have the wall plans in place before you grant this.

J. McCourt: Who reviews the wall designs that come back on every other project? There are 13 notes regarding wall design that goes to the town. Don't those go out to a structural engineer to review?

D. Tatem: Leo typically has us review them. If it is a structural wall, we have a specific structural engineer review it. If it is a geotech wall, we have a geotech review it.

J. McCourt: Then the town would be reviewing the walls prior to construction also. It has to be reviewed and part of one of the conditions is it has to be stamped by a licensed professional engineer.

J. Cronin: I can assure you that the cost of these walls, although expensive, are a fraction of the cost of the building. Mr. Dupont, who I know well and has a lot of experience in the building business, has no desire to build anything shotty. You don't spend that kind of money to do a project like this and do it incorrectly.

J. Duffy: I think it is cleaner if they have the design approved prior to the Planning Board's final approval. Once the Planning Board grants their final approval and, say, the wall cannot be built, and they have to do something else, they already had approval. Now you are looking at it from a different light. Now they are coming back to make modifications. I agree with both Dan and Leo. I think we need to move forward as they are recommending and not get caught up in this.

J. Cronin: We would be receptive to a condition of approval. I know you have discretion to deviate from the standard time period to say that before any plans were signed we would get those wall drawings presented and approved by staff or the DPW. That would give us an opportunity to make sure that it is approved and we know what our conditions are and the costs of them. It would give us some leeway to give you those details and do it in economically sound fashion before you signed off on the plan.

D. Tatem: If you do that, I would recommend a time frame.

M. DiBitetto: It appears to me that part of the issue of concern is the construction method and whether it can be built without easements. Realistically, you might have to get easements. I think we could possibly consider a condition of approval. Aside from the wall I understand, on multi-families, architectural plans showing facades is typical. Has one been submitted?

J. McCourt: Absolutely, it is part of the submittal. If you would like, Dennis Meyers can go over that.

D. Rogers: I think we need to deal with the walls.

**T. Prasol was excused from the meeting, therefore, M. DiBitetto will be voting.**

D. Winterton: If we were to look for a time extension, what time frame would fit your needs?

J. Cronin: If conditionally approved, I am thinking a 180 day window or something of that nature.

D. Tatem: What happens if that is not met?

J. Cronin: You don't sign the plan. We would either come back to you and say we have a legitimate reason why and you might give us the liberty of a little more time, or you might say, you had your shot and you are done. You are not going to be signing them until we get that done to your satisfaction. Without them signed they really don't cause any harm to anyone.

T. Walsh: I understand the economics of it, but do you think you can find a contractor that is going to be able to build a wall that nobody else in this room thinks can be built.

J. Cronin: I am not an engineer, but I drive by Bass Pro Shops and Walmart in Hudson and see retaining walls. I think things can be done. It is more a function of cost. To say it is impossible and can't be done, I don't know if I agree. It may be a choice that someone may not want to spend the money. I think there are a lot of smart engineering people and certainly a lot of very good retaining wall people if we look around this community. I think there is a way we can come up with it to meet the regulations, and satisfy DPW and staff.

T. Walsh: Have we done this before?

D. Marshall: We have had a lot of conditional approvals.

***D. Marshall motioned to grant conditional approval subject to the approval of retaining wall design to be submitted and approved until October 7.***

M. DiBitetto: Who is the approving authority?

D. Marshall: We are. We are making the motion and somebody will review them for us. So six months from today.

D. Rogers: JoAnn, should we push it to just beyond whatever that closest meeting date would be.

J. Duffy: Yes.

***Seconded by M. DiBititto.***

D. Tatem: There are a couple other comments we have not discussed that I think may be issues. I did not realize you were going to already conditionally approve the project.

**M. DiBititto withdrew his second for purposes of completing the review.**

**D. Marshall withdrew the motion.**

D. Tatem: In our letter on April 2, Item No. 4, is regarding traffic circulation on the site. We met with staff and recommended that a circulation plan be provided. It is tight for a fire truck, moving truck, or any big vehicle to be able to circulate. Jen provided a template that just makes the corners with the tires rubbing on both sides of the curb and the regulations require an 18” buffer.

J. McCourt: No it doesn't. (*Distributed a document showing an SU-40 vehicle turning radius.*)

D. Tatem: This revised one now meets?

J. McCourt: Yes.

D. Tatem: Comment No. 35 references where the project intersects with the existing site. The existing building is pretty flat at the bottom down by Mammoth, and this is an 8 percent road up for several hundred feet. It comes down to a flat parking lot without a vertical curve in it. This doesn't meet the intersection criteria. I know it is not a roadway, but this is a 21 unit building which is that same size as a good sized subdivision as far as the traffic it will generate. You have a flat parking lot with existing circulation, people walking, etc. The reason you put a flat spot in there is if you hit ice, you can slow down before skidding into the parking lot. We have not heard back yet on this comment.

J. McCourt: (*Distributed an SU-40 & Fire Truck Profile*) This is what I submitted. The initial comment was concern about trucks bottoming out. We did a sketch showing they would not bottom out. There is a small vertical curve that we are proposing that was in the original design. Because it is an eight percent grade, because you are coming down into another parking lot, we don't want them to be going fast. We could increase that vertical curve some. It would not change the drainage. We want them to know they are coming into another parking lot, want it to be distinctive, and we don't want it to be easy. It is something that was done consciously to try to make a distinction through there. It is a very curvy road so you won't be going fast. The radius's are fairly sharp going up and coming down.

D. Tatem: It doesn't mean you meet a section criteria, and it is a big enough project we think it should.

J. McCourt: It is a private site.

D. Rogers: Dan, do you have other points to address?

D. Tatem: That is it.

T. Walsh: Leo, can we get your input.

L. Lessard: She sold me on it when she talked about the approach so it would be known and it would slow them down, and it is a private site.

T. Walsh: Wouldn't we have to get a waiver for this? It is in comment form now.

D. Rogers: JoAnn, do they need a waiver on that?

J. Duffy: It is in the regulations under roadways.

D. Marshall: That only relates to intersections.

J. McCourt: That is public roadways where this is a driveway.

D. Winterton: I understand this is private, but if you were coming from the new building down that hill, stop signs don't necessarily mean anything. My concern, if I lived there, would be that those parking spaces are across the street from the original building. From a Planning Board point of view, it is your parking lot.

J. McCourt: You have over 20' of 1.4 percent slope, which is flat, before you get to those parking spaces. It is a concern that I can keep that as long as possible. If I extend the vertical curve out it will make that shorter.

L. Lessard: Mr. Winterton is correct but, with the transition staying the way it is, it would slow them down even more.

J. McCourt: Mr. DiBietto had asked for a presentation on the building.

**F. Kotowski and T. Walsh were excused.**

Dennis Meyers: I am an architectural member of the development team. The building is perpendicular to Mammoth Rd. You see the narrow end of the building as you come to the top of the drive. It is three stories but we have two gables on the end with a recess in the middle. We are using two different siding types, clapboard and shingles. The shingles wrap around from the sill of the window to the gables and around the third floor of the building. The long elevation has a number of bays that are shingled all the way down and on three sides. The gables break the eave of the roof and we have gabled roofs over the entry.

M. DiBietto: What are the dimensions?



D. Meyers: The overall dimensions of the building are 60x140. There is identical elevation on the other end of the building. The other long elevation has four bays instead of three. Prospective sketches show how the materials turn the corner and work into these bays breaking up the longer facade, as well as the short facade and the gables over the entries. We are looking to use earth tones with cream colored trim, a lighter clapboard color and a little lighter on the shingles. We are thinking of using a slate colored asphalt shingle for the roof that has a mixture of granules in it.

M. DiBitetto: It is a nice looking building. I see you have a complex roof structure.

D. Meyers: It is basically trusses on the roof. The basic form is a hip roof with gable louvers where the hip changes.

M. DiBitetto: How is the building height computed?

D. Meyers: It is computed in accordance with your ordinance from the ground line to 50 percent of the sloped roof.

M. DiBitetto: The slope on that roof is 9/12. Is that what we call for under our standards.

J. McCourt: We were granted a waiver on that.

M. DiBitetto: Ok. I was trying to figure out how we are going to do a three-story building with 35'.

D. Meyers: 9/12 is not really in the cards. Our cross gables present a steeper roof and our eave is at 4/12 because of the width of the building. That is a way to try to overcome the height limit with the image.

### **Open public hearing.**

A. Bodell: I just want to caution you that I have lived through this before. I know no one wants to build a shotty building, but sometimes it just happens. I am requesting that you just be careful because I think that whole area is fragile, and I just want you all to do your best job.

D. Rogers: I can assure you we always try to do that.

### **Close public hearing.**

***D. Marshall motioned to grant conditional approval of the site plan subject to approval of retaining wall design prior to October 7. Seconded by M. DiBitetto. Motion carried unanimously.***

### **OTHER BUSINESS**

L. Lessard: What you have before you is a construction cost estimate. I was doing estimates for construction and we were going by my number for bonding instead of doing it the other way which was

harder on the developers. This is the whole site and what you see in green is what I consider to be the amounts for bonding. The bonding amount would come to \$40,154. This is for the site on Rt. 3A that SJB had approved. All of the numbers are there. As you know, I have been building roads for quite some time and I have my own business in construction estimating. I think I can cost estimate just as good, if not better than some that are out there. I know Stantec doesn't present these to you. He just sets the amounts and they bond them. I told you I would bring the first few to you, until you tell me you are comfortable.

D. Winterton: This has not be shared with the developer?

L. Lessard: It was shared.

D. Winterton: What was his reaction?

L. Lessard: His engineer had a few items that he thought I was high on, but I disagree and we stayed with what I wanted. The developer himself was very happy because if it would have went to the Stantec ways, he would have been about \$150,000 for a bond instead of \$40,000.

M. DiBitetto: What do you use to figure this out?

L. Lessard: I software I use is called Insight Software. I do all of my cost estimating on that.

D. Rogers: Do we need to vote on this?

L. Lessard: I told you I would come to you for approval. I think JoAnn said that in the regulations only Stantec or you can make the decision.

***D. Winterton motioned to accept the Public Works Director's estimate for bonding for SJB. Seconded by D. Marshall. Motion granted unanimously.***

### **CHANGE OF USE**

J. Duffy: We approved a change of use, hawkers peddlers license, for a hot dog stand in front of Bass Pro. They will be there Thursday through Sunday, 11-3. It is one of those carts and they will be selling Brats.

### **BOARD DISCUSSION**

J. Duffy: 1) We are looking for volunteers. The Town Council authorized the town to enter into an agreement with UNH Cooperative extension to put together a community profile event. We need people to serve on the Steering Committee. We think they are going to meet once a month from April, May, June, take off for the summer, and meet up again in September. They will be making plans to get this event organized. They need to find a venue, send out invitations, make posters, fliers and do other PR work, decide if there will be babysitting for that weekend and, if so, take care of those arrangements, do mailings, work with co-operative extension. They need a chairman, vice chairman and secretary. They need to arrange for food. We need 10-12 people to work on this in order to make it

successful. Currently we only have about four volunteers. If any of you would like to be involved, it would be a fun event probably held sometime in September or October. If you don't want to do it, maybe you know someone who may want to. We desperately need people and we are running out of time because we wanted to have our first meeting in April. 2) The town has been in touch with NH DOT about repairs on the decking on the Main St. bridge. They came to the Council, the Council had some concerns about the traffic flow and the privacy barrier as far as putting up fencing above the railing. The State wanted to make sure people weren't throwing things over the railing and going down below onto Riverside Dr. They told the Town they would get back to them. There is an email currently on the website for the next meeting. It says they have already made the decision. The Assistant Commissioner said they should not make any exceptions to their screening guidelines. I noticed they call them guidelines, not regulatory. I looked up their document that they call it "Bridge Design Manual." It is not specific as far as a new bridge vs. an existing bridge that is just having the decking repaired, and if it needs to meet the new standards as far as safety for the privacy barrier.

D. Marshall: They retro fit on a lot of the projects.

J. Duffy: So they make them conform, Everywhere I read in this document, it talks about recommendations. There is nothing in there that says anything is mandated.

D. Marshall: But once they publish a guideline, they follow it like it was cast in stone.

J. Duffy: I think their biggest concern was that they don't want to have any liability of something were to happen. Even though the Town said they would sign a document saying they would accept liability, his email said they did not care.

D. Winterton: I don't remember taking a vote on that. Council is unanimous in the fact that they are trying to solve a problem that doesn't exist. The Hooksett Garden Club came and spoke. I think everybody notices how beautiful their plantings and flowers are and they are trying beautify that part of the village. Now they want to put these don't climb over the rail and don't through rocks in the water type of things. I thought they heard us loud and clear. Clearly they did, however, they did not listen to what we said. That might be an issue going forward. The other issue we talked about was what we were going to do about the traffic. School buses need to go across the bridge. It carries 6,500 vehicles a day. We tried to get them to find a proposal where they could keep it open both ways, and maybe restrict large trucks. My point was, can't you shut down trucking from a bridge, and as long as you notify the trucks soon enough they can go around. They also said state police would not enforce that. It would have to be Hooksett Police to enforce no trucking over the bridge.

D. Marshall: I would assume they would keep one line open and control that by lights which means there will be a lot of backups.

J. Duffy: Why can't they eliminate the sidewalk while they do it and have the two lanes.

D. Marshall: That is a major construction issue. The sidewalks are an integrated part of the bridge, even of the railing. You can't take them out.

J. Duffy: In the bottom of this email they said: “I will contact you again when these discussions have concluded to present and discuss this additional information.” I don't understand why they are not including the town in that discussion.

D. Marshall: They already did. They gave you the opportunity and that is usually what they do.

J. Duffy: But they did not listen, and they said they were concluding without you.

D. Marshall: They have given you the opportunity to testify, they closed that off, and now they will make that decision. You don't have to be there for them to make the decision.

J. Duffy: I just think it is wrong. On the agenda for the Council meeting on Wednesday, there is an agreement they are asking for the Town to sign so they can move forward.

D. Winterton: We will see how the Council meeting goes on Wednesday.

J. Duffy: I think the Council should take a hard look at that. In the meantime, I requested the inspection report of that bridge which I have and I sent it to Dr. Shankle. It is rated a seven which is good for the deck, the superstructure and the substructure. Everything is rated good.

D. Marshall: It is sort of like the Director of Public Works and roads. He notices a problem on the road. He can fix it now or later. When things start going wrong with the road, it is better to do it now rather than wait. Replacing the decking at this stage, is probably the best choice, because once you get any further, you are not only going to be doing the decking, but the superstructure as well, and you don't want to get into those kind of expenses. Therefore, the state had to make it's decision on what is the best use for the dollar and has the most impact. Meanwhile, no matter what you do, somebody is going to suffer. They give you the opportunity for input and, sometimes, it works, other times you feel like you are being ignored, but they have to make decisions.

D. Winterton: I don't think there was any opposition on the Council for getting the bridge back to as good as it can be. The discussions were how could we possibly have access to the bridge, what were the options, and the fact that we do not think we need the safety rails.

D. Marshall: The safety rails are a different issue.

M. DiBitetto: Do those mount outside of the rails?

D. Marshall: It depends. There are several kinds that you can use. I have a question on this letter from the City of Manchester. In their minutes, they talk about our sub-division opposite Castle on Jacob Ave. and most of that traffic probably being out on the 28 by-pass. They were upset about why Hooksett hadn't notified Manchester of that project.

J. Duffy: I thought they were talking about the Moray sub-division.

D. Marshall: I don't think so because it says the Hooksett town line is only about 1000' away. It says

Water Works has received a couple of applications for a subdivision on Smyth Rd. in Hooksett, so they have a couple of things going on along Smyth Rd. He said one of their projects was on Smyth Rd. near Castle Rd. and it was fairly large. The is the only one I know near Castle that is really large is the one off of Jacob.

J. Duffy: Beaver Brook.

D. Marshall: Yes. I guess they are having some debate about that. Also, there is talk about that major subdivision up on Hackett Hill that they want to default on the industrial and put residential.

J. Duffy: Carolyn just reminded me, we did give them notice of Beaver Brook so either it is not Beaver Brook they are talking about, or they did not remember.

D. Marshall: It has to be Beaver Brook they are talking about and they must not remember.

**ADJOURNMENT**

*D. Winterton motioned to adjourn. Seconded by D. Marshall. **Motion carried unanimously.***

**ADJOURNMENT**

**The meeting was adjourned at 8:51 pm.**

**Respectfully submitted by,**

**AnnMarie White  
Recording Clerk**