

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, July 21, 2014**

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

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: Dick Marshall (Vice-Chairman), P. Scarpetti, T. Walsh (arrived at 6:09 pm), Frank Kotowski, and Donald Winterton (Town Council Rep.)

ALTERNATES: Michael DiBitetto and Muamer Durakovic

EXCUSED: D. Rogers (Chairman) and T. Prasol

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

APPROVAL OF MINUTES OF 6/16/14

May 19, 2014 Regular Meeting – D. Winterton motioned to approve the June 16, 2014 regular meeting minutes. Seconded by P. Scarpetti. Motion carried unanimously

PRESENTATION

REVISED FEMA FLOOD BOUNDARY MAP

Presentation from Jeff Kevan of TF Moran regarding revised FEMA flood plain map in the area of K-Mart Plaza and Merchant's Auto based on the analysis of a new box culvert installed by NHDOT.

Bob Duval (Engineer, TF Moran): Michael Sydney is with me. He is the owner of Merchants Auto, Auto Zone and the chinese restaurant. The DOT recently completed some drainage improvements to the area and are now in the process of finishing that up. They replaced some old undersized culverts that ran through the middle of the properties and replaced them with large box culverts that cross 28 by-pass, go through the Kmart property, and enter another long 4x10 or 4x12 box culvert that connects with the towns culvert that was installed several years ago. The purpose of this project was to solve the frequent flooding problem. This drainage project was completed last year and is operational. We have had some significant rain events in the short time this culvert has been operational and there has been no flooding happening when in storms past there would have been. However, when the DOT does a project they put in the infrastructure but make no effort to redraw the floodlines because they are not concerned with FEMA. After building the infrastructure, they leave it to the affected property owners to re-map the flood line, do the studies, and make application to FEMA, because it is important to the abutters that the properties are no longer in the flood plain because the flood plain is not within the

culvert. Merchants and Kmart hired us with our sub-consultant to, using the FEMA approved methodology, calculate the flows that go through the culvert and redelineate what the 100-year and 500-year flood lines will look like. I have a map that shows the old and new flood lines. The new line of the stream is a light blue color and shows where the stream is open, where it passes through culverts, where it opens up, and it eventually runs off to the northwest. The old 100-year flood line is the orange line. It cuts off because when FEMA does flood studies there are two ways of doing it; by actual calculations which is called the AE zones which is more accurate than the A zone which is an approximate, When FEMA studied this brook they cut off the calculations so part of it is approximate and part of it is calculated. That is why the AE zone cuts off at 28 bypass. The old line is the orange and the new line is a pink color. The flooding completely collapses to within the culvert. The biggest change is some fill from when the Goodwill Plaza was built. The 100-year flood is carried within the culvert. The 500-year flood is the light blue line and would break out of the culvert, but still much less, and is not something that is required to have insurance for. It is required for the 100-year event, but that is contained within the culvert. There is no action required of this Board. FEMA does recommend that a town hold a public hearing whenever these applications are submitted. We do need the town's signature on the application itself and that application will be delivered later this week. I would be happy to answer any questions.

D. Marshall: Are we responsible for that hearing?

B. Duval: It just says “the town” and is optional. We talked about it with JoAnn and Leo and thought that, because this Board was aware of the issues surrounding these properties over the years, you might be interested in hearing how this has been resolved.

D. Marshall: We are interested in seeing this, but if there is an action that says “the town may” should action be taken by the Council?

J. Duffy: I think it would make sense to hold a hearing because that area has been so well known as being prone to flooding. It would be nice to have something positive to say about it.

D. Marshall: The Council would hold the hearing?

J. Duffy: I have not read the law about that but will look into it. It just specifies “the town.”

B. Duval: It says “the town may hold a hearing.” We were talking about what the appropriate venue would be. No action has to be taken. There are no regulatory requirements. It is just an opportunity to provide a forum to inform people and they can ask questions.

J. Duffy: I think it would be good for the property owners that own commercial property in that area. I think some people have stayed away from leasing from them because the area was so prone to flooding and now that is not a problem any longer it would be nice to let people know.

D. Winterton: It looks like it is a Merchant's Motors and Kmart Plaza situation. Are there other abutters that don't know about this. If that is the case, I would be glad to have it put on a Town Council agenda to have a public hearing. I think you have done great work. Thank you.

B. Duval: Most of the effect is on Merchant's and Kmart but there is positive effect on other properties as well. All of the people who are affected are notified by mail when the application is filed.

D. Winterton: JoAnn, if the Council were to have a public hearing would we require some applicant to notify abutters and how would we do that?

J. Duffy: Normally, you don't need to notify abutters. When the Planning Board holds a public hearing on a specific item like this we usually put something in the newspaper and on the website so people are aware of it. I think this is a positive for those who worked on it and for Hooksett.

F. Kotowski: I would recommend having a public hearing. We are conscious and always trying to put the word out that economic development is a good thing. The positive is that this has been resolved and it will reassure people that they don't have to worry about renting in that area any longer.

D. Marshall: If it is the consensus of the Board we will let it go to Council.

M. DiBitetto: FEMA will not hold public hearings before adopting the new lines?

B. Duval: No. That is why we suggested the town may wish to have a hearing. Once it goes to FEMA it is only an engineering review such as did you run your model right, are the inputs correct, is the survey certified, that sort of thing.

M. DiBitetto: It has legal implications for the property owners to get insurance?

B. Duval: Right. They will be putting out a revised permit, assuming it is approved, showing the new line. Once this is processed, which typically takes 6 months, the new flood line will be as it is shown here in pink for anyone who wants to buy, build, or lease.

D. Marshall: Thank you for coming.

B. Duffy: JoAnn, is this something that you will set up with Council?

JD Yes. I can talk to Dr. Shankle about getting it on the next agenda and will let you know.

M. Sydney: I think this is a good thing to get the area reclassified. There was a lot of flooding that won't happen in the future and congestion will be relieved.

CONTINUED COMPLETENESS & PUBLIC HEARING

KENNEY & BLEVENS (plan #14-09)

22 Coaker Ave. & 27 Francis Ave., Map 45, Lots 129 & 130

Lot line adjustment and subdivision to annex a 50' by 100' portion of Lot 129 with frontage on Francis Ave. into Lot 130. The applicant proposes to subdivide the remaining land on Coaker

Ave. to create one new building lot.

D. Marshall: Kenney and Blevens have asked to be continued until August 4, 2014.

CHANGE OF USE

1. Project Staffing, Inc., 21 Londonderry Turnpike, Map 49, lot 45. Former use was a Tack Shop. This is with regard to the office for staffing. There are only going to be two employees on-site. Existing size of office is 1,400 sf. This was approved.
2. Aqua Addicts, LLC, 114 Londonderry Turnpike, Map 43, lot 33-2. Saltwater Aquarium Specialty Store. I am not sure if they received their CO because there were problems with their use of extension cords. The Fire Department told them they had to hard-wire everything. I am unaware if that has been corrected. They opened without any permits or approvals and we had to call them in after-the-fact.
3. White Mountain Vape Company, 1100 Hooksett Road, Map 41, lot 86 (Community Plaza). This was the former Sparklyn Pools. They are an E-cigarette supply store. Size of unit is 1,500 sf. This was approved.

BOARD DISCUSSION

➤ UPDATE ON NEIGHBORHOOD HERITAGE PROJECT

J. Duffy: Starting on pg. 28 is where they begin to provide us with recommendations. This project started out with the intention of forming a village overlay district to provide some zoning changes to the village area that would allow us to create an area for the possibility of more business uses. We heard from the residents and they do not like that idea. They want things to stay as they are. This report is a recommendation. One of those things it shows is design guidelines, but those guidelines would only be a recommendation. They would not be mandatory. We have not shared this with our Committee, so they have not approved the final document, but I wanted the Planning Board to have a chance to take a look at it and provide comments before the Committee does their final work, if you could pass them along that would be helpful.

➤ APPROVAL OF STANTEC INVOICES

F. Kotowski motioned to approve the Stantec invoices. Seconded by D. Winterton. Motion carried unanimously.

Marc Miville (42 Main St., Hooksett): The majority of the people who attended those neighborhood hearings were opposed to any recommendations and I will reiterate my opposition to it as well. I was a little dismayed by the presenter who adopted some recommendations that were not congruent with what the majority of the people in the room said. I am anxious to see what those recommendations are and am wondering if there will be a public hearing, one more time, before that is brought to the

Planning Board and if there will be notification to the district before that happens?

D. Marshall: The Committee will have to meet to go over this report and JoAnn will pick a date for a hearing.

M. Miville: Okay. I just want to reiterate that most of the people in the room were adamant about not wanting anything done, to leave their properties alone, mind their own business, this was not a good idea, money not well spent, and to move on. This is the second time they tried to do something with this area. Leave us alone and don't tell us what to do with our properties. If somebody wants to own a property and wants to build something that is not congruent with the other houses in the neighborhood, that is their property and they can do what they want. That was the basic tone of the entire meeting and I want to stress that to the Planning Board, lest you think that what he is recommending was somehow congruent with what the majority of the people said in the room, which is was not.

D. Winterton: Carolyn, regarding the Smyth Rd. project, I know the Manchester Planning Board met and I was able to watch some of the public hearing. It has been continued, correct, until August?

C. Cronin: I will double check when that is.

D. Winterton: I would request that this Board either allow me or send me to attend that public hearing. There were some interesting comments about site lines. The site line that the developer is presenting, is a 30 mph speed limit and he needs about 310' to make the site line. One of the Planning Board members in Manchester said, "what if it is 40 mph," even though that is not the speed limit. I know the police are doing a survey on Smyth Rd. of the speeds. I would love to have that information to take to that meeting to tell them that people don't drive 30 mph on Smyth Rd.

D. Marshall: The trouble is if the Hooksett PD is using a police car to take the speed studies.

L. Lessard: They are not. In the past, they used to put tractors on the ground with tubes. Now it is done with lasers that are mounted.

D. Marshall: There is nothing visible.

L. Lessard: Only if you know where it is and it is done with lasers. It is more accurate than the older methods.

D. Winterton: Hopefully that data might be available that I could bring to that meeting, because the traffic survey says only 5% of the cars will take a right out of there and head through Hooksett. I am going to time how long it takes to go from that corner, down Smyth Rd., and up Londonderry Turnpike to get to Exit 1, if you are heading east, as opposed to take a right and go down Mammoth Rd. and go through a series of lights and then get on the highway at Exit 1. I have a feeling it is faster through Hooksett or Exit 2. I think that would be good information because we are abutters, it has regional impact, and we have some say. If it is the will of the Board, I would like to be directed to attend that.

It was the consensus of the Board to have Mr. Winterton represent the Hooksett Planning Board at

the Manchester Continued Public Hearing regarding Smyth Road, and encourage the data he has requested be made available to him.

D. Winterton: With regard to Southern New Hampshire Regional Planning, we can have three people on that. Rob Duhaime has stepped down and asked me to step up. I reluctantly said yes, but I don't think I have the time commitment so we are looking for someone else to be on the Southern New Hampshire Planning Commission.

D. Marshall: I serve on that and am not sure you want two people from the Planning Board on it. It would be good if we could get a Councilor.

J. Duffy: I suggested to Mr. Winterton, Jackie Roy who is on the ZBA.

D. Winterton: Does this Board recommend or nominate?

D. Marshall: We recommend and the Council nominates.

D. Winterton: JoAnn, could you contact her?

F. Kotowski: Hooksett is on the edge of doing some really neat things with recreational trails. Steve Couture has been deeply involved in the Conservation Commission in acquiring the property along the river. That piece of property is one of the links that will pull together the Heritage trail that is missing in our area. Right now the state is putting out grants that deal with non-vehicular traffic or alternative transportation. They have \$5.5 million that is going to go to communities who put together a plan in the next few weeks to use this money for non-motorized purposes. Because he has been so involved as well as Dave Hess and those folks, I would think someone from the Conservation Commission because Southern New Hampshire Planning is pulling together all of the communities around this with plans to link each other together with trails. That might be the kind of person to work on this also. I think Jackie Roy would be good as well.

D. Marshall: Whoever it is would have to make noon time meetings.

D. Winterton: Who generally writes those grants?

F. Kotowski: Unlike prior grants, the grants are requested through and written by the town only. Towns have to express an interest in expending monies they don't have right now that could be provided by the state for those purposes. I think Southern New Hampshire Planning Commission is involved with doing things like that as far as coordinating forces.

D. Marshall: Southern New Hampshire Planning Commission can assist in writing up those things. A name has to come to us. However, before names are tossed out I would like to know if they would be interested. JoAnn, please check with ZBA. Frank, please check with the Conservation Commission. If you could both get back to us and in August we can make a recommendation to Council.

L. Lessard: As you know we are reconstructing South Bow Rd. in phases and Summit View has a

section to redo for their development. Their plans have items pending, but while school is out I want them to do their off-site road improvements. I talked to Dr. Shankle about this and it would be like I am doing it, but because it has to do with that site that is the same contractor, Dean suggested that I bring it up to the Planning Board and make sure the Planning Board had no problems with me moving forward and doing this off-site improvement.

D. Marshall: Using town forces?

L. Lessard: No. It will be sub-contracted. The contractor that will do the site work for the site is doing the off-site improvements.

J. Duffy: They were doing the work with the impact fee monies. Instead of giving us the money they are doing the work.

L. Lessard: I wanted to start this in June, when school got out, but wanted to come here first to make sure I wasn't doing anything the Board did not know about.

D. Marshall: As long as you can accelerate it, it will be good.

L. Lessard: With regard to the setting of the bonds for site and road work, I have a couple to go over with you. One is Beaver Brook. They want to do the first only 1,800' before they get to the development. They came to me with what I want for a reclamation bond to do that. There are no houses or utilities, it is just putting in the road.

D. Marshall: Is this connecting to Jacob?

L. Lessard: No, 28. They are going to do the 1,800' first. It is a \$3.3 million job. In the past, they would have had to put \$993,000 in for a bond. I put everything together, just as a reclamation bond, and came up with a bond for \$453,000. I took that, divided it into the 5,600' of roadway, and then multiplied it by the 1,800', and came up with \$145,000 for a bond for that first 1800'. They will put that in and then walk away from it for now. I told them they had to post the \$145,000 for a bond, but once it is vegetated and all set, then we can reduce the bond.

D. Marshall: They are going to put in 1,800' of roadway and let it sit for how long?

L. Lessard: They are not sure. It will depend on the economy and how the houses sell. They are going to put the road in and then try to market the land.

D. Marshall: They will ruin it during construction.

L. Lessard: They are putting down binder which they would have to do anyway before they put their first house up. They are doing 90% of it. I wanted to come and let you know about this. Is the Board okay with that?

D. Marshall: Try it out and see what happens on this one.

P. Scarpetti: You will see how the binder is holding up. As they extend the road they will be traveling with trucks over it.

L. Lessard: It will be like Quimby Mountain, University Heights, and Post Rd. They had 50 houses at Post Rd. before they put the top down.

D. Winterton motioned to approve the Public Works Director to accept the reclamation bond in the amount of \$145,000 for the Beaver Brook 1800' of road. Seconded by P. Scarpetti. Motion carried unanimously.

F. Kotowski: Does that mean that every time Leo goes out to establish a bond it has to be brought to the Board for approval?

J. Duffy: No. It is only because it is a reclamation bond versus a regular bond.

L. Lessard: We also have not started to rewrite the regulation yet. We are waiting for an engineer to come on for that.

F. Kotowski: So until that is done you will bring them to us?

L. Lessard: If that is what you want.

D. Marshall: It keeps us posted on what is going on.

L. Lessard: I have another reclamation bond for the S. Bow Rd./Summit View project. Although it hasn't started yet I have the numbers and would like to take care of it now so I don't have to detain the builder. The original one from the engineer would have been \$576,000 and mine is \$371,000. This is for the complete site.

D. Winterton motioned to approve the Public Works Director to accept the reclamation bond in the amount of \$371,000 for the So. Bow Rd. project. Seconded by F. Kotowski. Motion carried unanimously.

L. Lessard: Another one is for the connector road at SNHU. I put that one for \$90,000/\$95,000 as a reclamation bond.

D. Marshall: Is that going to be public?

L. Lessard: No. That is all private.

D. Winterton: Carolyn, could you please comment on what the Town Council did and what was changed on that.

C. Cronin: At the last Town Council meeting the Council received a street name approval, for the

SNHU Connector Road. They want to name it Victory Lane. The Council was not comfortable with the way it was written seeing as it is not a public road. I re-clarified the street name approval and added more information about it so that everyone is aware that it would be gated on one end, they would have to come back to the Planning Board if they wanted it to be opened, and that it was an on-campus road for students and faculty, not a public road. I am hoping at the next Council meeting it will be approved and will get Victory Lane. In the future, I would be happy to put a full explanation of any road naming.

D. Winterton: The issue was that the application we were set to approve at Town Council said it connected Alice Ave. and it does not.

D. Marshall: When the gate is up it will.

D. Winterton: When the gate is up it will, but they will have to come back if the gate is going up.

D. Winterton motioned to approve the Public Works Director to accept the reclamation bond in the amount of \$90,000 for the connector road at SNHU, which will probably be called Victory Lane. Seconded by P. Scarpetti. Motion carried unanimously.

M. Miville: There is a circumstance in town that I am planning on talking to the Town Council about, but would like to mention it to you as well. This is with regard to the Market Basket property in town. There is turmoil and crisis on that property where the management is in major dispute in support of a former CEO who was terminated. Due to that, Market Basket is potentially going out of business. I work there part time so management asked me to address members of the town Boards. In the middle of this turmoil they have taken the time to want to express their concern. They know this may impact a lot of Hooksett residents. They appreciate everyone's patience and understanding. This is an internal matter but it also affects thousands of peoples lives. This property could potentially change if things get potentially worse, so they wanted to express their concern and let everyone know they are thinking about the Town of Hooksett. I have some information if you would like me to email that I was also going to forward to Council.

D. Marshall: I think that is an issue that is better addressed by the Council.

ADJOURNMENT

D. Winterton motioned to adjourn. Seconded by F. Kotowski. Motion carried unanimously.

The meeting was adjourned at 6:45 pm.

Respectfully submitted by,

**AnnMarie White
Recording Clerk**