

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)**

**35 Main Street
Monday, March 9, 2015**

MEETING CALLED TO ORDER AT 6:03 P.M.

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: D. Rogers (Chairman), T. Prasol, P. Scarpetti, T. Walsh, and D. Winterton (Town Council Rep.)

ALTERNATES: Muamer Durakovic (Alternate), and Michael DiBitetto (Alternate).

EXCUSED: Dick Marshall (Vice-Chairman) and Frank Kotowski.

STAFF: JoAnn Duffy (Town Planner), and Carolyn Cronin (Assistant Town Planner).

FIRST PUBLIC HEARING FOR PROPOSED ZONING CHANGES 2015

Amendment 1

Are you in favor of the adoption of Amendment No. 1, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to remove Article 32, Development Phasing per its expiration on January 1, 2013?

The purpose of Amendment No. 1 is to remove Article 32, Development Phasing.

J. Duffy: This was put on the books roughly five years ago. It was during a time period when we were much busier and the Board was looking to slow down the growth of development. It had a sunshine clause that expired last year. It is no longer effective so we thought we would take it out of the ordinance.

M. DiBitetto: Were any developments triggered?

J. Duffy: No, because it happened at the same time the economy crashed.

Open public hearing.

No public comments.

Close public hearing.

Amendment 2

Are you in favor of the adoption of Amendment No. 2, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to remove Article 20, Signs, Section E.VI., Political Signs and replace it with the following: “All political advertising signs shall, at all times, be in complete compliance with applicable State and Federal laws regulating the same. Please refer to RSA 664:17.”
The purpose of Amendment No. 2 is to replace existing political sign regulations with state statutes.

J. Duffy: There is some language included in the sign ordinance where the town would get involved with political signs, and the town doesn't want to get involved because there is a state RSA that covers that. This removes the involvement of the town.

T. Walsh: That was an oversight of the Sign Committee last year so it would be good to see it changed.

Open public hearing.

No public comments.

Close public hearing.

Amendment 3

Are you in favor of the adoption of Amendment No. 3, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 22, Definitions, to include “Alternative Treatment Center (ATC)” as “A not-for-profit entity registered under RSA 126-X:7 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses cannabis, and related supplies and educational materials, to qualifying patients, designated caregivers and ATCs. For the purpose of this definition, ‘not-for-profit’ means a corporation that is registered with the NH secretary of state under RSA 292 and is a charitable trust pursuant to RSA 7:19 et seq. for the benefit of qualifying patients.”

The purpose of Amendment No. 3 is to add the definition of “Alternative Treatment Center (ATC).”

T. Walsh: JoAnn, is this similar to what other municipalities are may be enacting, as far as limiting to industrial as opposed to commercial as well?

J. Duffy: I think there are a few communities that are looking into this, but I am not sure of the final outcome. In the Town of Goffstown, it was proposed for the industrial zone which is very tiny and it was pulled out all together. The reason we are putting this definition in there is because the state statute is currently changed and now allows these types of facilities. Although they will be limited to four in the state, we don't know where those four may be. This was a way to have a definition which mimics the state definition exactly to describe the type of facilities these are. Otherwise, they could say they are a medical facility and fall under the medical facility definition. In that respect, they could go in any zone that would allow a medical facility. I spoke with the police chief about choosing the industrial zone and he agreed that would be the best place because they will not only be coming in as a retail facility selling the product, but they will have the cultivating portion of it which would require more space.

T. Walsh: I have no issue with the definition. I just didn't want to limit ourselves or any potential properties by not allowing commercial.

Open public hearing.

No public comments.

Close public hearing.

Amendment 4

Are you in favor of the adoption of Amendment No. 4, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 11, Industrial Districts - IND, Section B.2., Special Exceptions, to include “Alternative Treatment Center (ATC).”

The purpose of Amendment No. 4 is to limit Alternative Treatment Centers to the Industrial District by Special Exception.

J. Duffy: If they need a special exception that would require approval from the ZBA.

Open public hearing.

No public comments.

Close public hearing.

Amendment 5

Are you in favor of the adoption of Amendment No. 5, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 5, Medium Density Residential District - MDR, Section D.2., which currently reads “Building height shall not exceed thirty-five (35) feet in height” and include “with the exception of multi-family dwellings, which shall not exceed fifty (50) feet in height.”

The purpose of Amendment No. 5 is to increase the height of multi-family buildings in the Medium Density Residential District.

M. DiBietto: For many years we had a 75' height. A couple of years ago there was a movement to reduce it to 35'. This is to split the difference.

T. Walsh: I have been going over the articles and the definitions between medium density and high density. The article seems contradictory. How long have multi-story apartment buildings been considered medium density. If they are not considered high density, I am not sure what is. If I had a 75' building built across from me I would not be happy, nor would I like to see a 50' high building and I cannot imagine anyone else would. If a three-story apartment building is not considered high density, what is? I am looking for some understanding.

M. DiBietto: The density is determined by the units per acre.

T. Walsh: Correct. Two units, per two acres.

M. DiBietto: What differs between medium and high density is the intensity of the development of the site, not the building type itself. Multi-family buildings have been allowed since we have had medium density zoning. They go back to the beginning of the ordinance. This is a consistent use and has been on-going for 25-30 years. Granite Hill is medium density. That goes back to the early 1980's. That is the history. There is no change in the usage, this just defines the building type. It is precipitated to a large degree by an action the Planning Board took a few years ago to increase the roof pitch on multi-family buildings for esthetic purposes. That changed the dynamics of the height definition because the

roof comprises half of the height of the building. If we were to change the roof architectural standards it would not be such a burden, but right now the combination of the two makes for strange architecture. We had a case and point in the high density district on Mammoth Road that tried to comply with the 35' height. We corrected that last year, and this is an attempt to correct it in the medium density this year. There won't be sky scrapers. This is just the reality of the architecture, unless we want to get into unusual roof designs.

P. Scarpetti: Do you think if we go to the 50' in the medium density, if they apply that, should we increase the side yard set-back?

M. DiBietto: It does not increase the number of stories. That is another way we could define this. I am surprised the town has not defined building height by stories because it would be more consistent and understandable. We could discuss that for next year.

P. Scarpetti: If I was next to a building, and they were able to follow the setbacks, I would not be happy. I think if they want to go up, they should push it into their lot more.

M. DiBietto: We would have to address that next year. Is there a minimum lot size requirement for multi-family?

J. Duffy: You need to have two acres for every two units.

M. DiBietto: A two-family unit has to be on two acres?

J. Duffy: That is in medium density.

T. Walsh: That is what led me to these questions. I have been up through Granite Hill, and when you look at two units for every two acres it seems like a lot more highly dense than that in that area.

J. Duffy: Granite Hill is not zoned medium density.

M. DiBietto: It is, but it was designed under the old standards which were six units per one acre that were allowable in 1984. Interestingly, it does not reach that density. I believe it is less than 4 units per acre. The new zoning is one unit per acre. That increases the open space necessary to do a multi-family.

T. Walsh: Now that the density is spelled out so that it is one unit per acre, do you think anyone would request the 50' height?

M. DiBietto: Yes. It is still feasible to have a three-story building.

T. Walsh: I would guess townhouses in particular.

M. DiBietto: I don't see that altering it. It just gives more open space to the plan.

Open public hearing.

No public comments.

Close public hearing.

Amendment 6

Are you in favor of the adoption of Amendment No. 6, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to rezone Map 13, Lots 52 & 56 and portions of Map 17, Lots 5 & 7-1 from Low Density Residential (LDR) to Commercial (COM).

The purpose of Amendment No. 6 is to rezone Map 13, Lots 52 & 56 and portions of Map 17, Lots 5 & 7-1 from Low Density Residential to Commercial.

M. DiBitetto: Do we have a plan showing this?

D. Rogers: Yes and there will be public input.

Open public hearing.

Nick Golon (TF Moran): I am here as an authorized agent of Jeff Larrabee. Mr. Larrabee apologizes for not being able to be here. We were before you at your last meeting to spell out the nature of the request to rezone two lots that Mr. Larrabee presently owns, as well as portions of two lots in which he is in the process of acquiring. We also provided a snapshot of the zoning in that area. We are requesting the lots to be rezoned. We would be adding commercial lots contiguous to existing commercial lots without exposing any other abutters to being an abutter to a commercial lot that are not presently. This is advantageous to the overall development that has been proposed. As that project moves forward, it provides more of a benefit and more use availability. We originally envisioned the need for a variance for what is being proposed. This would extinguish that need, and would provide more commercial taxable land within the Town of Hooksett.

J. Duffy: Mr. Golon, it says you are changing a portion of 17-5 and 7-1.

N. Golon: Correct.

J. Duffy: Parcel A is from 7-1, but where does the 5 fit into it?

N. Golon: Parcel B is coming out of 17-7-1. It is contiguous to 17-5. That piece that jets out makes sense for both owners being that it is not particularly to the present owner.

J. Duffy: So A is coming from 5?

N. Golon: Yes.

Open public hearing.

No public comments.

Close public hearing.

T. Prasol motioned to send all six amendments as read to the ballot. Seconded by T. Walsh. Motion carried unanimously.

OTHER BUSINESS

P. Scarpetti: I am not able to attend our next meeting, so I would like to bring up the property on Hackett Hill that come before us. I went out and took a look at it. There is a proposal to build 152 condos on Hackett Hill Road in the Manchester area. Three-tenths of the road of Hackett Hill is in Hooksett up to end of Countryside. There was no offer to do any improvements for Hooksett, other than the widening of the road. We had discussed resurfacing, but I wanted to bring it to your attention, for when a vote is taken at the next meeting, that three tenths of a mile the road is in Hooksett. A consideration may want to be taken as far as getting some money in the future to resurface up to the end of Countryside Boulevard.

T. Walsh: Do you know if they looked into the things Mr. Marshall brought up in terms of the old agreements?

P. Scarpetti: They did not bring any of that up.

D. Rogers: It was a sparse plan. They are basically asking us for a curb cut.

Board Resignation

D. Rogers: I am resigning effective April 1 from the Planning Board. I am moving to Hillsboro. Next Monday will be my last meeting. I apologize for any surprises. I was hoping Mr. Marshall would be here tonight because he is not aware of this. I have submitted my resignation. I want to thank everyone for their support, assistance, and patience on the Board. I have appreciated everything and have enjoyed my time on the Board. This is a good opportunity for me to move, but not without sadness that I am leaving this Board and this town.

T. Walsh: The pleasure has been mine.

D. Winterton: On behalf of the Town Council we will miss you. You have been a spectacular Chairman, and I have shared that with many people outside of this Board.

P. Scarpetti: It has been a pleasure and I have learned a lot from you.

D. Rogers: My approach to this is the same as when I do my job for the Labor Department. I believe in giving people the opportunity to be heard. That is for transparency, but also so people feel they have been heard. They may not like the outcome or the vote, but at least they have been given that chance. It is important to not cut people off and treat everyone with respect. It is not a difficult philosophy, but sometimes it can be hard to implement for some Boards. Maybe there are other ways, or better ways, but that is my approach. Thank you for all of your kind words.

ADJOURNMENT

D. Winterton motioned to adjourn. Seconded by T. Prasol. Motion carried unanimously.

The meeting was adjourned at 6:30 pm.

Respectfully submitted by,

AnnMarie White
Recording Clerk