

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, March 21, 2016**

MEETING CALLED TO ORDER AT 6:04 P.M.

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: D. Marshall (Chairman), Tom Walsh (Vice-Chairman), Muamer Durakovic (arrived at 6:08pm), T. Prasol, F. Kotowski, P. Scarpetti and D. Winterton (Town Council Rep.)

ALTERNATES: Denise Grafton and Christopher Stelmach

EXCUSED: Michael DiBitetto

STAFF: JoAnn Duffy (Town Planner), Carolyn Cronin (Assistant Town Planner), and Jim Donison (Town Engineer/Assistant Public Works Director).

D. Grafton will be a voting member of the Board at this meeting.

APPROVAL OF MINUTES OF 2/29/16 & 3/7/16

February 29, 2016 Regular Meeting – P. Scarpetti motioned to approve the minutes of the February 29, 2016 meeting, with amendments. Seconded by D. Grafton. T. Walsh abstained due to not being in attendance at the February 29, 2016 meeting. Motion carried unanimously.

March 7, 2016 Regular Meeting – D. Winterton motioned to approve the minutes of the March 7, 2016 meeting, with amendments. Seconded by T. Walsh. Motion carried unanimously.

COMPLETENESS

SNHU ATHLETIC COMPLEX (#16-04)

East Side Dr. & North River Rd., Map 33, Lot 67

Site plan for an athletic complex for intercollegiate and recreation sports programs on campus including sports fields and tennis courts, associated landscaping, parking and utility improvements.

- **Waiver Request** from Development Regulations (6/4/12) Section 6.01 “Approval Required Before Work Begins”

J. Duffy: The application is complete.

Gordon Leedy (Landscape Architect and Planner with VHB): We would like to do some of the clearing of the site prior to all approvals being in place. There would be no work done in the wetland buffer

areas or adjacent to sensitive portions of the site, but we would like to get a head start on clearing the land. To date we are not seeing any comments that would indicate that the plans would change in any significant way with respect to the limits of clearing. We would propose to implement BMPs to be able to avoid any siltation problems prior to the clearing activity taking place and propose not to do any grubbing and leave the stumps in place until we have our AOT permit.

D. Winterton motioned to find the site plan complete for an athletic complex for intercollegiate and recreation sports programs on campus including sports fields and tennis courts, associated landscaping, parking and utility improvements for SNHU Athletic Complex (#16-04) East Side Dr. & North River Rd., Map 33, Lot 67. Seconded by T. Prasol. Motion carried unanimously.

J. Duffy: The way the regulations read, they can do anything until the plan is accepted. Once the plan is submitted and accepted they are under the Planning Board's jurisdiction and cannot do anything until the plan is signed. They chose to come forward first and ask for the waiver.

J. Donison: I think a presentation would be helpful to determine whether or not they can meet all of the conditions prior to the signature happening and whether the waiver is justified or not.

D. Marshall: They would like the waiver tonight and anything else would be at the hearing. If we give them this waiver it would have a condition that they are at their own risk if they do any work.

J. Duffy: This was noticed as a hearing for the waiver. The abutters have been notified.

G. Leedy: As an overview there is North River Road, East Side Drive, and the new Victory Lane that connects to West Alice Avenue. The proposal is to build a new athletic complex with a turf field, NCAA running track, areas for throws such a javelin and hammer throw, a stadium with locker rooms and offices, seating for 1,500 in grandstands, and new competition tennis courts with access off of Victory Lane, and parking for 300 vehicles. When we get to the detailed review of the project we will present information to you with day to day operations and special event contingencies that will demonstrate that there is enough parking. They will be running events that are similar to what they do at the existing field. That field is not going away but the major interscholastic events will occur at the new facility. There is a curb cut proposed for parking, pedestrian circulation throughout the site, additional parking adjacent to the field house and the track and the field where the throws would be. We have been able to avoid any impacts to regulatory wetlands. We have a small impact proposed and I am currently drafting a variance application to the ZBA for a sewer and gas line crossing. That is a buffer impact of approximately 500 to 600 sq. ft. We could propose to put the sewer line and gas line in an existing woods road so we would not have any wetland impact. Aside from that all of this would be happening in uplands and outside of the wetland buffer. Currently the site is 100% wooded. There are some adjacent residences but the set back between this and those properties is between 300' and 400' and we believe there is adequate seclusion for this without impacting the neighbors.

T. Walsh: They do not need this waiver granted to cut those trees down?

J. Duffy: They do now because they have submitted the application.

D. Winterton: I recognize you are asking permission rather than forgiveness and I appreciate that.

G. Leedy: There are notes on our proposed clearing limit plan that say the contractor shall flag the limits of clearing and coordinate a site walk with the engineers prior to the tree clearing. We are planning on surveying that line to provide an accurate limit of clearing. It also says the contractor shall inspect and maintain erosion control measures per the plans and there shall be no clearing within wetlands or wetland buffers as shown on the survey plans.

D. Winterton: Do you have a timetable on the completion of the project?

G. Leedy: We want to drop the trees prior to May 15. We should have our permits in June. Then we could start earth work and construction and open in Fall of 2017. Anything we can gain at the front end helps us to not get into winter conditions.

P. Scarpetti: Do you plan on clear cutting that whole area?

G. Leedy: Yes.

P. Scarpetti: What is the size of the area?

G. Leedy: It is 12 to 14 acres. We will have to work with DES in terms of a sequencing plan. They do not like to have more than 5 acres open at a time. It is not open or disturbed until it is grubbed.

D. Marshall: What is the elevation of the field relative to the neighboring residences?

G. Leedy: We would be below them. This would be approximately 30' vertical. The residences are even with the grades and we are cutting it in.

D. Marshall: During events will there be a glow in the sky?

G. Leedy: We are proposing state of the art cut-off field lighting. There there may be some glare but no direct light trespass.

T. Walsh: I cannot support this waiver request at this time. I would be more comfortable going through all of the waivers we have just received before approval of this one. If we say yes to this today and have issues down the road, there will be a hardship because the trees will have been cut down. I keep looking at one site after another getting developed by SNHU without seeing a master plan. I think we should deal with this as a whole package.

P. Scarpetti: What permits do you have now and which are you waiting for?

G. Leedy: We are initiating the site plan permit process tonight. We need an Alteration of Terrain permit, we need to go to the ZBA for a variance for the buffer impact. That will be submitted Wednesday for a hearing prior to the public hearing on this project.

J. Donison: You will need a sewer permit from the Hooksett Sewer Commission as well as a water permit from Manchester Water Works.

G. Leedy: Both of those have been secured. We are only waiting for the AOT permit and site plan permits.

J. Donison: We have done a review based on the submitted plans. There are some minor technical issues that can be addressed as far as some notes on storm water. The major items are approval from the Fire Department for the vehicles, Alteration of Terrain, and the Hooksett Sewer Commission and Manchester Water Works which you have. I did a review of the lighting and a comment I have is I would like to have a comprehensive master plan study on the traffic.

T. Walsh: You mentioned 300 car parking. Where would the traffic be coming from?

G. Leedy: It will depend on the type of event. If it is a large event we would plan to put a contingency plan in place, but we have not worked out the details of that.

Monther Mardini (Associate Vice President of Capital Projects for SNHU): We currently accept up to 2000 spectators during the weekends and put plans in place of where any overflow would park.

D. Marshall: All of the contingency plans you put in place are based on the roads being open to travel today. Previously it was voted that the gate does not get open for anything whether it is a special event or not, unless you come in front of this Board and show us what corrective measures you are going to make to Bicentennial Drive and Donati Drive.

G. Leedy: Part of the traffic investigation that we are currently completing is to look in detail at what the existing conditions are and what the future conditions may be on Donati Drive and Bicentennial Drive.

D. Winterton: 13 acres is a lot of logging. Are those trucks going to go down East Side Drive and exit on River Road?

G. Leedy: I do not know the answer to that. If that is a concern we can work with the contractor to accommodate the trucks.

M. Mardini: They will most likely enter and exit through Victory Lane and go down to N. River Road.

D. Grafton: It appears as if you want to clear a lot of land and replant trees instead of preserving those that are in existence?

G. Leedy: Because of the way the grades work, we are not going to be able to save a lot of the vegetation in the developed portion of the site. There is a significant amount of landscaping that is proposed to replace those in an appropriate way.

D. Grafton: Is there a way to allow natural growth that is already there? Are you clearing just where the stadium would be?

G. Leedy: The plan is to leave as much as possible but because of the way the grades work it is a large open space.

D. Grafton: The new planting of the trees will be the outline?

G. Leedy: Correct.

D. Winterton motioned to approve the waiver request from Development Regulations (6/4/12) Section 6.01 “Approval Required Before Work Begins” for SNHU Athletic Complex (#16-04) East Side Dr. & North River Rd., Map 33, Lot 67. Seconded by T. Prasol.

T. Walsh: The Town of Hooksett has been very fair with SNHU and we always will be. We just received a lot of waiver requests and we haven't had a chance to review them. I think it is presumptuous to act on one waiver without seeing the others. We cannot even get direct answers on how this waiver will be handled. I think it is too early to approve this waiver.

P. Scarpetti: If you hire the right logging company you are not saving that much time. It doesn't take that long to do this. You have been talking to Manchester about the traffic light. We have not seen a traffic study. It seems as if Manchester should be involved in this discussion as well due to the size of this project. I think it is premature to start cutting the trees right away.

Motion denied unanimously.

G. Leedy: Would it be possible to reapply for the waiver at a later date?

D. Marshall: When were you planning on coming back to this Board?

G. Leedy: April 18, 2016.

D. Marshall: For what purpose?

G. Leedy: A waiver on the site plan.

D. Marshall: At that time we would cover all of the waivers including this one.

G. Leedy: We can have another discussion about the clearing at that time?

D. Marshall: Correct. If everything is available you could have a discussion and decision on the same night.

COMPLETENESS & PUBLIC HEARING

BEAVER BROOK (#06-18) CONTINUED TO APRIL 4, 2016

Londonderry Tpke., Map 49, Lots 49 & 58

Amended subdivision plan for modifications to the grading, drainage and erosion control of the original approved plan set in order to satisfy current NHDES Alteration of Terrain regulations for an updated permit.

- **Waiver Request** from Completeness Checklist

D. Marshall: It was suggested that this be completely withdrawn and the abutters be re-notified. Both of the necessary applicants were not on the original request. After everyone is notified we will be notified.

COMMENTS TO THE ZBA

HARMONY PLACE, LLC (ZBA CASE #16-01)

1621 Hooksett Rd., Map 14, Lot 27

A Special Exception is requested from Article 5, Section B.1 of the Zoning Ordinance to allow the construction of a water tank on the property.

Jennifer McCourt (McCourt Engineering): We are here for a special exception to put a 950,000 gallon tank on the property of Harmony Place. The existing 200,000 gallon tank which is on the southern boundary of the property is 60 years old and at it's useful life end. NH DES is pushing to get a new tank put in. This is the lower tank for the lower pressure area and then there is the higher pressure tank that was put in recently. This tank feeds the 1 million gallon tank. They want to keep this tank in place while the other one is being built. Their property cannot hold the new and existing tanks at the same time so they need to get an easement, lease, or purchase another piece of land to be able to have both tanks at the same location. The 1 million gallon tank would be built and then the 200,000 gallon tank would be disassembled. We need to get a special exception to have utilities in the MDR zone.

J. McCourt read the special exception criteria into the record.

J. McCourt: We tried to tuck this away from the buildings as best we could but it was difficult because of the nature of the topography. The other tank is tucked into the tree lines so it isn't really visible to the project site.

D. Marshall: The existing tank is owned and leased by Hooksett Village Water Precinct?

J. McCourt: Yes.

D. Marshall: What about the new tank?

J. McCourt: It will be owned and operated by the Hooksett Village Water Precinct. They would just have a lease or easement on the land.

D. Marshall: You would give them a 99-year lease on the land?

J. McCourt: Yes at no cost.

T. Walsh: When this development was originally approved as 55+, the existing water tank was sufficient?

J. McCourt? Yes.

T. Walsh: Why is it not anymore and how did this conversation begin?

J. McCourt: This upgrade to the tank does not have to do with the proposed development. It has to do with the precinct itself. The Town of Hooksett has grown in 60 years as well as the water needs. The 200,000 gallon tank is not of sufficient size to serve the community. The new tank will be 1 ½ times the water storage and it is a gravity supply to about 1/4 to 1/3 of the population of Hooksett. Using numbers that were given to me by the Hooksett Village Water Precinct, the precinct serves approximately 4,300 people. There are approximately 14,000 people in Hooksett. The tank is at the end of it's useful life and looking at NH DES standards they need to have a larger water supply to be able to service Hooksett Village Water Precinct. At 200,000 gallons it is filled multiple times per day. If there was a point of emergency the current tank would only have between 1.4 and 2.2 days of water which is a concern.

T. Walsh: Are you still willing to do this for the Town of Hooksett if you do not get the variance for the apartment complex?

J. McCourt: We came forward for the 63 non-restrictive housing variance. Had I know that Hooksett Village Water Precinct was going to ask to put the 1 million gallon water tank on our property I would not have asked for that variance. I was asked by the Hooksett Village Water Precinct if we would work with them and we said yes. We were already going to provide them access to their current tank. Then they told us they wanted the 1 million gallon tank on this property. We worked with them to try to find a place to put it. This property has a long history of trying to be a viable project. There was a huge concern raised on the impact that would occur due to the tank. Because we would be providing all season access to that tower and because of the location the tower would have to be, there will be impact to the development. Sonny Sell could not be here tonight, but it is my understanding that if we do not get the waiver for the 76 units we cannot build the development with the water tank where it is located on the property.

J. Donison: There are some consequences by approving the special exception. I agree it is a good idea to have the larger tank due to the calculations I have done. However, the consequences of providing positive comment to the ZBA and having them approve the special exception is that you are going to have a water tank on the property, the applicant is going to say that the property has been depreciated, and due to that they are asking for a variance.

T. Walsh: I am not saying we do not need a larger water tank, however, I am feeling pressured.

D. Winterton: Did the water precinct look at replacing the 200,000 water tank where it is?

Michael Heidorn (Superintendent of the Hooksett Village Water Precinct): Yes and that is why we were talking with Jen. We currently do not have another option. Not only would the precinct and the people

receiving the water save money, but in terms of maintenance and access with getting up the hill it would be helpful.

D. Winterton: This Board should recognize that the water precinct is an elected entity. You only have voice in the Hooksett Village Water Precinct if you if you are in the precinct.

D. Marshall: Has the Hooksett Water Village Precinct determined there is a need to replace the tank?

M. Heidorn: Yes.

D. Marshall: If you had to replace the tank without the benefit of Harmony Place what would you do?

M. Heidorn: We would have to find another parcel and negotiate the ability to put it there and it would have to be at the right elevation and location relative to the existing system, or we would have to take the existing tank offline and build a tank in the same place but we cannot foresee a way to do that without negative impact.

D. Marshall: Does the hook-up between the Central Precinct and the Village Precinct still exist?

M. Heidorn: Yes.

D. Marshall: So you could temporarily open that gate?

M. Heidorn: You could, however, the period of construction of the new tank would take months and the cost we would incur would be significant. There are limitations to that agreement and currently it is up to 300,000 gallons per day. It is also subject to the needs first of Central and Manchester Water Works.

D. Marshall: For the benefit of the village area, does having a 1 million gallon water tank benefit that area of town significantly?

M. Heidorn: Yes. Our service area extends from Memorial School, to the Pembroke town line, and on the other side of the river from the Bow town line to the Northeast Records Retention Center on Rt. 3A. That is both drinking water and fire protection. In the summer our demand is roughly 800,000 to 900,000 gallons per day.

P. Scarpetti: If they don't build this are you prepared to build the road and put the line in? How many years can you go before you have to put that tank in?

M. Heidorn: I do not know the answer to that.

C. Stelmach: How many new wells would have to be drilled to keep up with the new tank? Are there any existing wells that would feed it?

M. Heidorn: We are currently searching for an additional source but it is not related.

J. McCourt: This tank is filled multiple times during the day. With a 1 million gallon tank it would not have to be filled as often so there will not be pumps cycling on and off once it is full. They would fill it over time so as not to tax the wells.

M. Heidorn: One of our biggest operation costs is electricity for those pumps so we are hoping a bigger tank would reduce those costs.

T. Walsh: When this was approved for 55+ the 200,000 gallon tank was fine. Now they want to change the development to general population which would add children to our schools. Something tells me that we will get a revised site plan to make this 3 bedrooms instead of 2 and due to that there is the need for a bigger tank. I cannot support this or the next.

J. McCourt: We have a variance in place for the 63 units to be non-age restrictive multifamily. Part of that variance was that they were all to be two bedrooms. The size of the tank is not dependent upon the development. We did not ask for this and it happened out of control. We are trying to make the best out of the situation, be as generous as we can, and also have a successful development.

J. Duffy: You need to send comments to the ZBA even if it is no comment. I caution you on commenting on a variance. The ZBA is specifically looking at the 5 criteria for the variance and you are looking at something different from a Planning Board prospective. I think in the future, if something like this comes up, it would be good to have a joint meeting so that everyone is on the same page and hears the same presentation.

J. Donison: A suggestion I had as a comment was to place the tank in another area.

J. McCourt: We looked at putting the tank in the cut through. As you were coming up you would see the tank and it would be right next to the town houses. In this area it would be much more visible. The wetland and building setbacks and elevation are also impacting the location. That would be more than less of an impact.

D. Marshall: Under the rules we have to submit comments back to the ZBA on special exceptions. If all of the requirements of the special exception are met use caution on sending back a negative recommendation.

D. Winterton: Could we have those requirements?

D. Marshall: The special Exception Criteria is as follows:

1. The specific site is an appropriate location for such a use.
2. No factual evidence is found that property values in the District will be reduced, due to incompatible land use, by such use.
3. No nuisance or hazard will be created by the proposed use.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
5. The requested use will not impair the integrity or character of the District or adjoining Zones nor be

detrimental to the health, morals, or welfare of the community.

J. Duffy: This is just on the public utility.

D. Winterton: In terms of No. 2, I believe part of the discussion was that the location of the tank would reduce the value of those apartments.

J. McCourt: It would reduce the value if we kept it at 63 units.

J. Donison: The variance request is stating that there would be a devaluation of the apartments due to the tank.

D. Winterton: Isn't that the 2nd criteria?

D. Marshall: There is a difference between factual and perceived evidence.

J. Donison: It is not my opinion that the tank will devalue the property. The applicant is saying that it will.

J. Duffy: They are the applicant so they are looking at the surrounding properties as well.

J. McCourt: We are trying to be up front and honest and trying to do a good thing for a third of the town by allowing the water tank, but we also want to have a viable development.

D. Winterton: This would be for the precinct, not the town.

P. Scarpetti: If we grant the special exception do we have a voice in where the tank is located?

D. Marshall: We only send a recommendation to the ZBA on the special exception. They will grant or deny it.

J. Duffy: Then they would come back for site plan approval.

P. Scarpetti: If this development does not get built this then it would do the precinct no good by granting this because the tank won't get built because they do not have the money to build the road to where it would be located. If it was located where Jim mentioned and the project did not take place, they could build the water tower by crossing over beside the tank that is there now. Is this 45' high?

J. McCourt: Yes and 62' wide.

P. Scarpetti: Is it wooded there where you could hide it from the development?

J. McCourt: No. They will be looking right at it due to the elevation. We just felt it would have less of an impact where we placed it. We have a realtor putting together numbers to show the devaluation. Harmony Place is the applicant for the special exception. We were looking at is as impact to the

abutting properties, not our property. If the project doesn't go forward there is an entire new negotiation that the precinct has to do with Harmony Place. Could it be moved next to the tank so they could have access? If negotiations were successful I don't see why not. There are always other options, but this is the one we felt was the least impacting.

T. Walsh: The devaluation due to the water tank is why you want to go to the 76 units instead of the 63?

J. McCourt: Correct.

D. Grafton: Mr. Sell has been very accommodating and it seems as if he is willing to be accommodating again for something that really “isn't his problem.” Mike, what is the age life of the tank?

M. Heidorn: No engineer can give a definite number. The new tanks will vary but approximately 75 years.

D. Grafton: So this will have to be faced because the tank is currently 10 years from the end of it's life?

M. Heidorn: The current tank is close to it already. The newer tanks are built better so they will last longer.

D. Grafton: Is that part of the consideration as well?

M. Heidorn: Yes.

J. McCourt: If they keep that piece of land they could put another tank there in the future and work them back and forth. It gives them a back door plan.

D. Grafton: Mr. Chairman, could you please explain what would happen if they had to tie back into Manchester water if that was a Plan B.

D. Marshall: At one time there was only Village and Central. When SNHU got built there was a link between Central and Manchester put in because of the fire protection for SNHU. Over time the wells for Central were not functioning as well so they decided to bring Manchester water into the Central system. The people who use Central pay for Manchester water. At the time they were building Granite Hill they put a link between Central and Village for emergencies. If something went wrong they would have no choice but to deal with Manchester and pay whatever the cost is to get that water. It is the Village Precinct that has to deal with that and it is not up to this Board. If they needed it open for a temporary period of time that is negotiable.

D. Grafton: If we are heading this off and allocating funds toward the building of the new tank, then double dipping would not be an issue at any time.

D. Winterton: This is not a town issue, it is a precinct issue. The precinct is a voting body and unless

you are in the precinct you don't get to vote. I understand what the applicant and the water precinct are trying to do. As the representative on this Board from the Town Council, I am trying to figure out why going from 63 units to 76 units of 2 bedroom housing in that area is good for the town, especially with the current costs of education.

J. Duffy: Ultimately not allowing Hooksett Village Water Precinct to locate a new tower affects the town in terms of development. The map that Jennifer held up shows the area that could be affected if something were to happen to this tank. It is a large area and there is a lot of commercial land on the Rt. 3A side as well as North Hooksett Road, University Heights, Granite Hill. It would not directly affect the town because it is not a town entity, but it does affect the town greatly.

T. Walsh motioned to send no comment to the ZBA. Seconded by D. Winterton. Motion carried unanimously.

HARMONY PLACE, LLC (ZBA CASE #16-02)

1621 Hooksett Rd., Map 14, Lot 27

A variance is requested from Article 5, Section C.3.b of the Zoning Ordinance to permit 76 two-bedroom units in four buildings of multi-family housing. The building facility and improvement layout will be similar to the previously approved 63-unit 55-and-older age restricted development.

T. Prasol motioned to send no comment to the ZBA. Seconded by D. Grafton. Motion carried unanimously.

CHANGE OF USE

Lisa Lucciano, 114 Londonderry Turnpike, Map 43, lot 33-2 – Proposed use bakery (Eaton's Chocolate building) – approved.

New England's Tap House Grille, 1292 Hooksett Road, Map 25, lot 70 – Restaurant expansion – approved.

Roots Catering, 9 Riverside Street, Map 8, lot 39 (Robie's) – approved.

Mike Tremblay/Renovations Plus, 1123 Hooksett Road, Map 41, lot 14 – Proposed use display products for Renovations Plus – currently used as warehouse – denied – requires site plan.

Manchester Sand and Gravel, 1365 Hooksett Road, Map 18, lot 38 – former Outdoor World Retail site – proposed office space for MS&G – approved

OTHER BUSINESS

J. Donison: It was indicated previously that staff was going to work on a update to the Master Plan. We would like to solicit information from the Planning Board so it is not just a staff update. We are proposing to dedicating the first half hour of your second Planning Board meeting of the month to work on this. Staff would present the old master plan as well as some updates. Within that window you

would review it. It would be done chapter by chapter and you would approve the draft version of each chapter. When we have addressed all of the chapters we could have a public information meeting. We could also hire a consultant to take the chapters we worked on to pull it all together. There are funds available for that.

D. Marshall: Could we do it at each Planning Board meeting?

J. Donison: Based on the impact to staff it would be best to do it once a month. We could try to do it at each meeting if it is running smoothly.

D. Marshall: What is the status on Benton Road house?

J. Donison: We received approval from the judge to allow the town to remove the debris. A dumpster company will be hired.

ADJOURNMENT

*T. Walsh motioned to adjourn. Seconded by D. Grafton. **Motion carried unanimously.***

The meeting was adjourned at 7:39 pm.

Respectfully submitted by,

**AnnMarie White
Recording Clerk**