

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, June 6, 2016**

MEETING CALLED TO ORDER AT 6:06 P.M.

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: Tom Walsh (Vice-Chairman), Muamer Durakovic, T. Prasol, P. Scarpetti, and D. Winterton (Town Council Rep.)

ALTERNATES: Denise Grafton

EXCUSED: D. Marshall (Chairman), F. Kotowski, Michael DiBitetto (Alternate), and Christopher Stelmach (Alternate).

STAFF: JoAnn Duffy (Town Planner)

APPROVAL OF MINUTES OF 05/16/16

May 16, 2016 Regular Meeting – *T. Parasol motioned to approve the minutes of the May 16, 2016 meeting. Seconded by P. Scarpetti. Motion carried unanimously.*

CONTINUED PUBLIC HEARINGS

- 1. BLUEBIRD SELF-STORAGE #16-12)
7 College Park Drive, Map 14, Lot 1-10
Waiver Request (APPEAL) to appeal assessment impact fees per Zoning Ordinance Article 30, Section H.1. Appeals Under Impact Fee Ordinance**

P. Scarpetti stepped down.

John Cronin (Cronin, Bisson & Zalinsky, P.C.): After this project was approved a calculation was done relative to the impact fees which were initially a little over \$100,000. That caused my client some concern and they asked us to take a look at the impact fee ordinance and the calculations. During that process it was uncovered that there was a simple math error through no one's fault and the fee was reduced down to \$79,000. As I researched the impact fee further I was concerned about the age of the data, the approved capital improvements plan, and the Master Plan. It did not seem that the rational nexus test for any type of impact fee was satisfied. I also looked at the table of uses in your ordinance and tried to get a handle on whether or not self-storage facilities were specifically defined and they are not. There is a general category for warehousing which would be a typical warehouse where heavy truck traffic would be generated. This facility will have very little traffic. I wrote a letter to staff expressing my con-

cerns. At a previous meeting we proposed \$29,000 to cover the impact fees. At that meeting we were instructed to meet with Miss Duffy, which we did, and there was some concern about the ability of the Planning Board to weigh in on this and discuss an appeal of this issue. That has been resolved. There is no dispute that your data is outdated. From a legal prospective even if it was updated it would not be retroactive to this application. If we challenged it I think we have a good shot at paying nothing, but that is not what we want to do. We would like to pay the \$29,000 and move on.

T. Walsh: You said the ability of this Board to weigh in on this was resolved. My interpretation of both the statute and the ordinance do not show that to me. I am interested in helping the non-residential growth of this town. I am just not sure if this Board has the authority to do this.

J. Cronin: Under Section D, Subsection H - Appeals, which is the impact fee section, it says: "a party aggrieved by a decision made by the Planning Board regarding the assessment or collection of impact fees authorized by this section may appeal such decision to the Planning Board." I think we are an aggrieved party made relative to a decision to assess an impact fee and that Subsection H is separate and distinct from Subsection E which would give the Planning Board the right to grant waivers. A waiver, in it's general sense, is looking for relief from the amount. On an appeal I would be asking to find that your ordinance is outdated, of no affect, and nothing can be assessed. I believe that under the general jurisdiction that you have under Subsection H, you could take the \$29,000 and call it whatever you would like whether it be a donation, impact fee, or something else. When I said I thought it was resolved was because there was some back and forth conversation stating that the hearing might not be able to go forward because of the authority of the Planning Board. I subsequently learned this would go forward so I believed you had authority of this.

J. Duffy: Attorney Cronin is correct. Initially he applied for the correct section and called it a waiver. It is an appeal. If this Board were to deny that appeal the next step would be court.

T. Walsh: That is from our town attorney?

J. Duffy: Yes.

T. Walsh: You had mentioned that they charged you \$24,000 for the Manchester facility?

J. Cronin: Yes. Bedford did not charge us anything.

T. Walsh: There is no use listed in our categories for this. It is not industrial or a warehouse. What did Manchester use for a formula? Did they grant you a waiver in Manchester?

J. Cronin: Yes. It was a situation where we thought is was a lot and going to generate a substantial tax base. They agreed that it was not a big traffic generator. They exercised their ability under the waiver standards to discount it. We were willing to pay something even though we had not paid anything in other communities.

T. Walsh: Was the facility in Manchester of similar size?

J. Cronin: It is larger.

D. Winterton: I would like to confirm with staff that our Town attorney stated that if we were to grant an appeal to this with a certain amount that he would be supportive of that and we would not be overstepping our authority.

J. Duffy: As far as the legal process, it is allowed in the ordinance. I would caution the Board that you do not want to set precedent. This instance is different because we do not have that category listed. I have met with a firm that put in a quote to update the matrix and the Town Engineer is doing a staff report to bring to the Town Council on June 22 to try to get this resolved so as not to face the same issue again.

D. Winterton motioned that we grant the waiver request (APPEAL) to appeal assessment impact fees per Zoning Ordinance Article 30, Section H.1. Appeals Under Impact Fee Ordinance for Bluebird Self-Storage #16-12), 7 College Park Drive, Map 14, Lot 1-10 and accept an amount of \$29,000 from the applicant because this is a use that is not in our list of uses and this use is a self-storage facility. Seconded by T. Prasol. Motion carried unanimously.

P. Scarpetti returned.

PUBLIC HEARINGS

2. SOUTHERN NH UNIVERSITY (#16-15) 2500 North River Road, Map 33, Lot 67 300-Bed Four Story Residence Hall

Jeff Kevan (TF Moran): (Showed the Master Plan on the project). A 4-story 300 bed dormitory is being proposed. As part of that we will be taking down a building on the opposite side of campus and possibly more. Units that are aging will be replaced. We will assess and come back to propose another dormitory that will be replacing other dormitories in the future. We are targeting a one-year construction period. They will be ready in August, 2017. We are putting 15 parking spaces in front of the building, a couple of drop off spots, the resident director will have a space, visitor spaces, and a couple of drop-off spaces. There is fire access with hydrants in two locations. Overall on the campus before the athletic complex and this building there were 2,589 parking spaces on campus. We are trying to get to a walking campus. With the construction of the athletic complex and this dormitory we will have 2,915 parking spaces as well as accessible parking closer to the buildings. The building would be serviced by municipal sewer. We have been before the Sewer Commission. There will be no increase in flow and may even be a decrease. The site of service is by Manchester Water Works. There is a 12-inch line that runs down East Side Drive and loops through the property. There is a private drainage system. In order to provide a flat green area for recreation, in the back of the building we are putting in an underground chamber system for stormwater treatment. That application has been filed with the State of NH and we expect that permit within a week. As far as landscaping, we would like to preserve trees, tuck this building within the woods, and add low maintenance native plantings along front of the the building and in a couple of other areas.

J. Duffy: There are a few outstanding issues but they are minor. If you were to approve this tonight they could be worked out prior to the plan being signed.

T. Walsh: We talk about the trade off and balance. Is there anything such as a note to guarantee that if we approve these 300, 300 will be coming out?

J. Kevan: A letter was provided by the University to the Sewer Commission and staff.

D. Winterton: The 300 coming out are coming out of Manchester?

J. Kevan: Yes.

Monther Mondini: The balance will be between the east and west side of campus.

Waivers:

1) Development Regulations, 11.12.1 Rainfall Intensity

J. Kevan: The state changed the rainfall intensities for the drainage calculations. They are more conservative than what the town has in their regulations so we are using the more conservative version.

2) DR, Completeness Item #19, overall boundary survey and metes & bounds description

J. Kevan: We have researched the property, surveyed along North River Road and the rear property line, and have put a deed restriction on the land next to Messer Brook that is a conservation restriction. There are a couple of small corners next to I-93 and Martins Ferry where we do not have a complete boundary. Based on the 210 acres we have asked for the waiver.

3) #24, Shape, size, height and location of existing buildings within 200 feet of the site 4) #31, Size and location of all existing landscaping within 100' of the site

J. Kevan: We have shown the buildings based on ariel view but we have not given height and size of the buildings themselves. The same for landscaping size and location within 100' of the 200 acre parcel.

5) #33, Location of existing utilities within 100' of the site; 6) #35, Sufficient, acceptable information to readily determine location, bearing and length of every street line, lot line and property boundary.

J. Kevan: We have shown all of the utilities within the adjacent roadways but not within 100' of the 200 acre parcel.

P. Scarpetti motioned to approve the six waivers as listed 1) Development Regulations, 11.12.1 Rainfall Intensity 2) DR, Completeness Item #19, overall boundary survey and metes & bounds description; 3) #24, Shape, size, height and location of existing buildings within 200 feet of the site; 4) #31, Size and location of all existing landscaping within 100' of the site; 5) #33, Location of existing utilities within 100' of the site; 6) #35, Sufficient, acceptable information to readily determine location, bearing and length of every street line, lot line and property boundary. Seconded by T. Parasol. Motion carried unanimously.

Open public hearing.

No public comments.

Close public hearing.

*D. Winterton motioned to grant conditional approval based on minor items being worked out with staff for a 300-Bed Four Story Residence Hall for Southern NH University (#16-15), 2500 North River Road, Map 33, Lot 67. The Chairman will not sign the plan until all of the items are addressed. Seconded by M. Durakovic. **Motion carried unanimously.***

**3. BOONE/ASSURED REALTY TRUST (#16-14)
South Bow Road, Map 12, Lot 14-2
Four Lot Residential Subdivision**

Eric Mitchell (Eric Mitchell & Associates, Inc.): The property is owned by Daniel Boone and is vacant. The total acreage of the site is 21.7 acres and we propose to sub-divide it into 4 single family house lots. It is in the Low Density Residential District which requires 2 acres and 200' of frontage. Three of the lots, Lots 1, 2, and 3, have approximately 3 acres and one of the lots has just under 3 acres. They all have at least 200' of frontage. They are proposed for single family house lots. In the future 14-2 may be looked at as access to get to property to the rear which was subject to a previous approval. We are not here for that this evening, however, we wanted to bring it to your attention that may at some point be an access. That would have to come back before the town if that was the case. The lots would be on septic systems and wells. We have state sub-division approval for the three lots which are under five acres. We have asked for three separate waivers. There was a question on the original review about the cisterns. We originally put on the plans that we would have sprinkler systems in each house, but then it was determined through the town that was not required for lots on So. Bow Road or for lots that were not part of a new sub-division street so we took off the note for the sprinkler systems. There is a dry hydrant across the street in the pond area and it is not always reliable. There was a question that was raised from engineering regarding the site distance to the remainder lot, Lot 14-2. As was on the original plan, we have site distance but the brush and trees need to be cut in order to maintain that. We do not have any cutting or excavation to the road. There was a concern that if the trees are not cut back or if they grow back it may potentially be the responsibility of the town to maintain it. We put on the plans a site distance easement so that whoever owns the property will know that area is to remain clear of all brush and trees to maintain the site distance.

T. Walsh: Do you have any objection to the solution by the town engineer?

E. Mitchell: The only question I had was we and many other communities have worked with site line easements and improvements and the question has never come up of who is supposed to maintain it. Often there are lawns so the trees and brush do not grown back. In this case it might be because the house will not be built near the road. In my experience, the town does their own maintenance along all of the roadways to cut that back, but if the solution is that the town requires the homeowner maintain that and if they do not maintain it they get charged for it and liened if necessary, we will accept that.

J. Duffy: When I spoke with Jim he said if it were a road in the future the town would be responsible for maintaining the brush. It is just an issue because it is currently a driveway.

Jim Coughlin: Generally, in those frontage lots, there would be reference in the plan that those lots are responsible for the maintenance of the visibility of the site distance. We also put it in the deed.

E. Mitchell: We understand that a driveway versus a roadway would be looked at differently.

J. Duffy: The new plans were dropped off tonight and I have not had a chance to look at them yet. There was a review letter from J. Donison dated 6/2/16.

E. Mitchell (in reference to the letter from J. Donison dated 6/2/16): The clarification of the runoff has not been submitted but that can be done. There are driveway culverts on these lots to make sure the water does not go into street and the culverts. It is not an issue to show that with an amended drainage report. We will have the plans and the drainage report stamped by a professional engineer. We have received state sub-division approval. Regarding the water system we have 75' radii that we show on the plans. We are no longer proposing the sprinkler systems. The only thing we have not done to the plans is remove the reference to the dry hydrant. There is one across the street, however, it is not always usable so we can take the note off for liability reasons. Regarding the waivers, the 4th waiver is not necessary because we are not doing the sprinkler systems or cisterns. The Board needs to act on the other three.

Waivers: 1) utilities to be above ground; 2) existing wells and septic within 200' of the property not be shown; 3) site specific soils.

T. Walsh: Please explain Waiver 3 - site specific soils.

E. Mitchell: We have mapped all of the wetlands by a certified wetland scientist on the site. Part of the section regulation talks about site specific soil mapping that maps the uplands as well. Because all of the lots are more than the two acres required we have mapped the wetlands, have appropriate setbacks, and are not providing a new road which the Alteration of Terrain permit would require to do site specific soils. Because of what we are doing we are asking for a waiver for the site specific soils.

D. Winterton motioned to grant the waiver for Part 2, Section 2.0-111 about site specific soils for Boone/Assured Realty Trust (#16-14), South Bow Road, Map 12, Lot 14-2. Seconded by T. Prasol. Motion carried unanimously.

T. Walsh: Please explain Waiver 1 - Section 11.15, Underground Utilities.

E. Mitchell: Currently the utilities are above ground on So. Bow Road and the poles are on the opposite side of the street. We asked for a waiver to have the services to these houses be above ground so we would not have to cut up the road.

D. Winterton: Have you considered bringing them over and burying them on your side of the road?

E. Mitchell: Part of this comes from the utility company. I think we can go 100 or 125 above ground without requiring a additional pole. If they were beyond that we may do that. The houses are built 75' off the road. The request we have is to have above ground to the houses but the Board can choose to modify that if they desire.

D. Winterton: If the houses were more than that you would have to put in an additional pole?

E. Mitchell: Yes and the additional pole has to be paid for.

D. Winterton motioned to grant the waiver request for underground utilities for Boone/Assured Realty Trust (#16-14), South Bow Road, Map 12, Lot 14-2. Seconded by T. Prasol. Motion carried unanimously.

T. Walsh: Please explain Waiver 2 - existing wells and septic within 200' of the property not be shown.

E. Mitchell: We have shown the houses that are within 200'. We have not gone on the individual properties to locate the actual wells or septic. You can see by the placement of our potential septic systems and well locations that we are more than 200' from anybody's property lines. Nothing that we are doing internally would encroach on what they have and nothing that they have would encroach on our properties.

P. Scarpetti motioned to grant the waiver request for existing wells and septic within 200' of the property not be shown for Boone/Assured Realty Trust (#16-14), South Bow Road, Map 12, Lot 14-2. Seconded by T. Parasol. Motion carried unanimously.

Open public hearing.

William Burke (55 South Bow Road): We have concerns going forward more so than the present. This is a blind spot. They talk about an easement going back on our property. I had the understanding that would be for a road widening not for adding a road.

T. Walsh: There are two easements, the town easement for the future widening and an additional easement on their property. It is an easement beyond an easement just on their property.

W. Burke: If they don't put in a road who is responsible for maintaining that easement?

J. Duffy: The town holds the easement so the town is saying if you are putting in a driveway the developer needs to make sure the trees within the town's easement are cut down. Instead of the town doing it they would expect the homeowner to do it.

Eileen Bens (55 South Bow Road): After they cut the trees down who is responsible for maintaining it?

J. Duffy: If there is not a road it would be the homeowner. If there is a road it would be the town.

E. Bens: So we will be responsible for clearing the easement in front of our home?

J. Duffy: No. The people who are at 14-2 would be responsible.

E. Bens: For clearing the easement that is in front of our house?

J. Duffy: Correct.

W. Burke: This map does not reflect what a blind curve that is. We have a hard time getting out of our driveway. I cannot imagine a road coming out there. We also don't want a road that will lead out to 30 or 40 houses going down our property line. It would change our quality of life having a busy street there as well as years of construction.

E. Bens: They also just repaved So. Bow Road last year. We already have a lot of construction vehicles going up and down the street. We are getting ahead of ourselves, but we have concerns about drainage and how that could impact us.

T. Walsh: That is not part of this evening's approvals.

W. Burke: Before they develop and sell Lot 14-2 we would like them to consider that.

T. Walsh: Right now they are treating it as a house lot. JoAnn, do you know the status of Austin Woods and if they are looking for another access?

J. Duffy: That project no longer has approvals. Mr. Coughlin is in the process of trying to obtain ownership.

T. Walsh: Where were the original access points to Austin Woods?

J. Duffy: The original access was at the end of Mountain View Road but that would no longer be feasible.

W. Burke: If they could not access it another way, they would only have one way in and one way out.

T. Walsh: I am being fair in saying that is not what is being proposed tonight. At this time it is being treated as a 4-lot subdivision.

W. Burke: We wanted them to know our concerns going forward.

J. Coughlin: The conditional approval that the Planning Board granted has expired. The state Alteration of Terrain and the wetland permits are still approved. Any additions or modifications that we make on the original plan will go back to the Planning Board.

W. Burke: The road across from Mountain View is approved?

J. Coughlin: The conditional Planning Board approval that was granted as Austin Woods has expired. There was a controversy between the Mountain View road owner and Homes for a Lifetime. There were 7 or 8 ZBA variances and special exceptions granted which are still valid.

W. Burke: How many homes were proposed?

J. Coughlin: I believe 36.

W. Burke: So if there was a road next to our house that is where the traffic would be?

J. Coughlin: There is another access further up coming out to So. Bow Road heading towards Bow. This would be the second access. It would not go through to Mountain View, it would go through the Austin property and come down through Lot 14-2 to So. Bow Road, if it materializes.

W. Mitchell: The reason they do not want to go through any of the other four lots we are proposing tonight is they would have to cross a large brook and add a bridge.

W. Burke: I do not see that as a problem and think other options should be looked at.

T. Walsh: We are getting ahead of ourselves and that is not what is being presented tonight.

W. Burke: I just wanted them to consider a different configuration before they sold all four lots.

Close public hearing.

T. Parasol motioned to conditionally approve to include

- *LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Community Development Department.*
- *All recording fees are paid in a check made out to Town of Hooksett.*
- *All outstanding Federal, State and local permits are obtained and submitted to the Town.*
- *2 Mylars, 9 paper copies (22x34), 1 paper copy (11x17), and 1 digital copy of the final plan are submitted to the Community Development Department.*
- *All outstanding comments from the Town Engineer are addressed to his satisfaction (see memos dated 6/2/16 and 6/6/16).*
- *All waivers noted on plan.*
- *Applicant agrees to attend a required pre-construction meeting after a) all sureties are submitted and approved; b) the plans are signed and recorded; c) contractors schedule of work is submitted.*
- *Applicant agrees to remit \$8,419 in impact fees per each single family home ten days prior to the issuance of the Certificate of Occupancy, subject to NH RSA 674:39.*

Seconded by P. Scarpetti. Motion carried unanimously.

WAIVER AND EXTENSION OF TIME LIMITS FOR FULFILLING CONDITIONS OF APPROVAL

**4. HARMONY PLACE, LLC (#16-19)
1621 Hooksett Road, Map 14, lot 27**

Waiver Request to the requirement of requesting an extension 30 days prior to approval. Extension of Time Limit for Fulfilling Conditions. Applicant is requesting a one-year extension. Previous extensions were granted in 2012, 2013, 2014 and 2015.

Jennifer McCourt (McCourt Engineering): We were trying to go through the Zoning Board process to make this viable and we did not submit in time. We still think this is a viable project. We are in negotiations with the Hooksett Village Water Precinct to try to come to an agreement to be able to move for-

ward. We would like you grant us another extension of a year to get something put together because things were looking better.

T. Walsh: You mentioned it was the process going through ZBA that held up the submission. Did that process prevent you from submitting it or was it an oversight?

J. McCourt: It was an oversight. If we had gotten ZBA approval we would not have needed the extension because we would have been able to submit the plans in time. Unfortunately we were declined and missed the deadline.

T. Walsh: Is this the fifth extension?

J. McCourt: I believe so.

T. Walsh: Is there any comment from staff?

J. Duffy: They have conditional approval at this point and the regulations state that the Board can grant a one-year extension. At this point they have conditional approval and plans have not been signed or recorded so they can ask for another extension. The time period that ran out was originally March 16, 2016, so I would suggest that if you were to grant one-year it would be from that date.

J. Duffy read the original conditions that were approved in 2009.

J. McCourt: The conditional approval list needs to be updated. Some of it has not been submitted. A lot of the conditions have to be done before the CO and they are things that we do not have to do. We still have the fees and milars and paper prints.

Sonny Sell (Owner): To clarify at the Town Council meeting we agreed to pay \$150,000 not \$190,000 with regard to Bouchesne, and the town agreed it was going to pick up the rest.

J. Duffy: The \$190,000 is the fee the Planning Board had set and you went to the Town Council after that. Normally applicants come in with their milars, paper prints and the electronic copy and we go through all of the conditions to make sure everything has been satisfied. Then we have the Chairman sign the plans. I will look into what you are saying you agreed to with the Town Council.

S. Sell: I also wrote a check to the Sewer Commission for \$76,000 because, at the time, we had 76 units. They cut us back 13. It was a long time ago when they did not have sewerage. They are still holding that money in escrow. A lot of things have happened since 2004 through this process.

T. Walsh: JoAnn, what would happen if they don't get the extension?

J. Duffy: The project is no longer valid.

P. Scarpetti motioned to grant the waiver request to the requirement of requesting an extension 30 days prior to approval, extension of Time Limit for Fulfilling Conditions for Harmony Place, LLC (#16-19), 1621 Hooksett Road, Map 14, lot 27. Seconded by T. Prasol.

T. Walsh: If we need a waiver to offer an extension, without the waiver the project is dead?

J. Duffy: Correct.

D. Winterton: The project has been rejected at ZBA?

J. McCourt: Only going to 76 units. We still have the 63 conventional two-bedroom apartments. We will have to come back to you for this. We are still talking with Hooksett Village Water Precinct about their tower to come to an agreement with them to be able to make this a viable development.

Roll Call

M. Durakovic - Yes

P. Scarpetti - Yes

T. Parasol - Yes

D. Grafton - Yes

D. Winterton - No

T. Walsh - No

Vote 4-1

Motion carries.

T. Prasol motioned to grant a one-year extension beginning March 16, 2016 and ending March 16, 2017 for Harmony Place, LLC (#16-19), 1621 Hooksett Road, Map 14, lot 27. Seconded by D. Grafton.

P. Scarpetti: You have less than a year to get this done.

J. McCourt: Understood.

D. Winterton: A lot of the development costs that were negotiated in 2009 may have a different price tag now. If the developers cost is fixed and the cost of the project is not known, how much are we putting onto the taxpayers by granting this extension?

J. McCourt: That would only be if we went with the 55+ housing. If the housing is non-age restrictive we need to come back to you for an amendment of the approval. At that time we get to reassess all of those costs and impact fees. We would have to conform to what is happening now if we are asking for an amendment to the site plan approval.

T. Walsh: Since 2004 this keeps changing and nothing moves ahead. This is after the deadline and needing a waiver just to get to the extension.

T. Prasol: A big part of this is the water tower which is significant to the Hooksett Village Water Precinct. I think that is something worth keeping the discussion going.

S. Sell: If this was denied this doesn't help anyone. If it is approved it helps a lot of people including the Hooksett Village Water Precinct. They told us that if they had to put the tower elsewhere it could

cost them \$400,000 to \$500,000. I am going to give it to them for free, except for their own expense to build it.

T. Walsh: The Hooksett Village Water Precinct is not the Town of Hooskett.

Roll Call

M. Durakovic - Yes

P. Scarpetti - Yes

T. Parasol - Yes

D. Winterton - Yes

D. Grafton - Yes

T. Walsh. No

Vote 5-1

Motion carries.

WAIVER REQUEST

5. BERRY HILL ESTATES/RONALD MACLAREN (#16-20)

Berry Hill Road, Map 25, lot 26

Waiver Request to the requirements of Section II, 2.24, Residential Sprinklers

Judith O'Donnell (representing Ronald Maclaren/Builder): The builder has submitted a request for a waiver of the fire suppression system in the homes to be build at Berry Hill. We understand that a portion of them were built with sprinkler systems by approval of the project, however, since then that law was negated. Since the owners have petitioned and received a request for that waiver, we are asking that all future building have the fire suppression waived.

D. Winterton: Are any of those units going to be three family units or are they all one and two family units?

J. O'Donnell: One and two family units.

T. Prasol: Is there sufficient hydrant access?

J. O'Donnell: Yes.

T. Walsh: With the statute and ordinance change I see no issue.

T. Prasol motioned to grant the waiver request to the requirements of Section II, 2.24, Residential Sprinklers for Berry Hill Estates/Ronald Maclaren (#16-20), Berry Hill Road, Map 25, lot 26. Seconded by P. Scarpetti. Motion carried unanimously.

CHANGE OF USE

1. Longfellow Service/Yves Gagne, 1115 Hooksett Road, Map 41, lot 55. Proposed use is auto repair. Current use is auto repair. Walk thru required to insure proper separation between uses.
2. NH Custom Tattoo/Jacob Noury, 1338 Hooksett Road, Map 25, lot 9. Proposed use tattoo parlor. Existing use tattoo parlor. Fire inspection required. Building Inspector will inspect, per Tattoo Ordinance.
3. Dana Stark, 1100 Hooksett Road, Unit #111, Map 41, lot 86. Proposed use DC's Tavern. Existing use butcher shop. **Approved with conditions.**

D. Winterton: At the Sewer Commission today they were concerned about grease trap issues.

T. Walsh: The Hooksett Sewer Commission no longer allows under the sink grease traps. They can open without doing anything with a paper plate license.

J. Duffy: Is that a big expense?

T. Walsh: Potentially yes.

D. Winterton: They are going to have a discussion with their landlord.

4. Jocelyn Bouchard/Red Bouchard Custom Builder, Inc., 1100 Hooksett Road, Map 41, lot 86-101. Proposed use shop and storage facility for carpenter. Existing use auto sound shop. **Approved pending inspections.**

BOARD DISCUSSION

P. Scarpetti: Where JoAnn does the Change of Use I think we should give her more authority to make suggestions for something to be done to buildings outside esthetically because that is our opportunity to have them do something to make the properties look better. As far as the impact fees, I think we need to look at that. I called Manchester, Bow, Concord, Auburn, Nashua, and Salem and a lot of them do not have impact fees for commercial. I am not sure about Goffstown. Some charge for traffic.

J. Duffy: I believe Goffstown does it per trip.

P. Scarpetti: A lot is for square footage for residential. We do not want to shun people away from coming to Hooksett.

J. Duffy: The way it was explained is that if we have a chart with the uses listed and columns, the end column is the amount that is actually charged and the column previous to that is a credit column. The town decided that a 25% credit should be given. It was explained that 25% can be adjusted either way. If we wanted to update the matrix but not have the fees go up, we can adjust that 25% to keep the fees that same but have today's prices and the other uses we do not include. There is a discussion on impact fees at the next Economic Development meeting.

T. Walsh: This is an obstacle that people are having moving their business into this town and I am glad attention has been brought to it. Can we separate residential and non-residential so we can see what impact this may have?

J. Duffy: I believe I can ask for a breakdown of that.

T. Walsh: This justifies a workshop.

D. Winterton: This would be an important discussion.

P. Scarpetti: We need to think about things looking esthetically pleasing and look at a short-term gain versus a long-term loss.

J. Duffy: We can have a general discussion with the Economic Development Committee and invite them to a workshop.

OTHER BUSINESS

J. Duffy: The Town Council appointed Leslie Boswak as a representative to the Southern New Hampshire Planning Commission.

D. Winterton: JoAnn, I would like to request that the Fire Department come before this Board to explain why they are telling applicants information that is not part of our regulations or ordinance. I am concerned that applicants are being told incorrect information at TRC meetings.

J. Duffy: At the TRC meeting they talked about the fire pond and how it was not reliable because of the Beavers and how it does not always have water in it. The applicant stepped forward and stated he would put in sprinklers. After the discussion that we had as the previous meeting, I had contacted the applicant and told him that if he wanted to remove the sprinklers he could and he agreed to that.

D. Winterton: I would like to have that told to me by the Fire Department here in public.

J. Duffy: Okay.

ADJOURNMENT

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

The meeting was adjourned at 7:40 pm.

Respectfully submitted by,

**AnnMarie White
Recording Clerk**