

Official

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, July 18, 2016**

MEETING CALLED TO ORDER AT 6:05 P.M.

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: D. Marshall (Chairman), Tom Walsh (Vice-Chairman), T. Prasol, Muamer Durakovic, T. Prasol, P. Scarpetti, F. Kotowski, and Robert Duhaime (Town Council Rep.)

ALTERNATES: Denise Grafton, Michael DiBitetto, and Christopher Stelmach

EXCUSED: None.

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

APPROVAL OF MINUTES OF 06/20/16

Alternates will not be voting.

June 20, 2016 Regular Meeting – *P. Scarpetti motioned to approve the minutes of the June 20, 2016 meeting. Seconded by M. Durakovic. T. Parasol and T. Walsh abstained due to not being in attendance at the June 20, 2016 meeting. Motion carried unanimously.*

DISCUSSION

**1. STAN GRANTON/JEFF LARRABEE – GRANITE WOODS/LILAC CENTER DEVELOPMENT:
PROPOSED FUTURE LOCATION OF A SECTION OF THE LILAC BRIDGE**

J. Larrabee: Stan Granton and myself collaborated to see if we could put one section of the Lilac Bridge into the Exit 11 development. Stan will disassemble it. It will be approximately a 5 year time frame for reclamation. I will have a landscape architect plan where to put that section which will be prominent within the development. I am trying to create a botanical garden, concert festival park. This would have historical significance. I wanted to make you are aware of our plans and hope that I have your support. Stan Granton was the only bidder.

T. Walsh: How will he move it?

J. Larrabee: He will take it apart and bring it in sections to a designated place on the property. When I am ready to re-assemble it he will come to do that and put it in its place. I will have a placard describing the history of the bridge as a lasting memorial. It will be the newest section of the bridge.

J. Donison: Back a few months ago the town advertised for bids for contractors. We received one bid for \$1 from Stan Granton with the understanding that the town would compensate the low bidder for \$240,000 for the relocation of the bridge. As part of his bid he indicated that Jeff Larrabee would be the recipient of it. We have not awarded anything as of yet. We are still working with the Division of Historical Resources as well as the NH DOT who is funding \$600,000 towards the demolition of the bridge. This money would come from the \$600,000. We are trying to tie loose ends together to make sure the Division of Historical Resources, the DOT, and the Town are comfortable with what they submitted as a bid. We wanted Jeff to come tonight to make a commitment that his intent is to bring it over to his property and show the potential locations.

M. DiBitto: Will the rest of the bridge be scraped?

J. Donison: Most likely. The bidder only bid on the newer span that was built after the flood around 1936.

F. Kotowski: Nothing will be done until 5 years down the road?

J. Levesque: Depending on how long it takes to reclaim it. It will be approximately 3-5 years.

F. Kotowski: Will the bridge be on-site for that time?

J. Levesque: Yes, it will be on blocks and wrapped.

F. Kotowski: I think it is great we are trying to save the bridge, I just question how long it will take to see it turn into something other than a dream.

J. Larrabee: I am paying a substantial amount of money to have it there but I wanted that type of prop in the development. I want to erect it as soon as possible. I don't want to put it up and have to work around it. I would like to have a couple of benches in it, and have it so that people can walk through it. It will be sitting on the ground. It would be great if I could get it done closer to 3 years.

R. Duhaime: That is the only section that is movable. He only bid on that one section. It is a considerable amount of money the taxpayers will be spending to remove that bridge and put a new bridge in its place. We can recover some metal for scraping but the intent of the Town Administrator and Town Council of having Jeff coming in front is that in the future he is going to make a commitment that this will be added to the site and be restored.

J. Larrabee: It was going to be as expensive even if it was scraped. It was not a matter of the town paying more for this. It was a wash and by contributing money for this I feel it is a win-win for everyone.

2. SNHU REQUEST FOR RECLAMATION BOND V 30% SITE BOND FOR ATHLETIC COMPLEX PROJECT

Alex Regnery (Project Manager with SNHU Facilities): Concerning the proposed athletic complex project, we are requesting the construction surety be reduced from the 30% of construction costs to the \$5,000 per disturbed acre for the project. The construction cost is approximately \$5 million which would result in a fee of \$107,000. The acreage is just over 21 acres.

J. Donison: The development regulations require that, for any construction project, the contractor/owner post a bond for 30% of the value of the site work. 30% of \$5 million is a \$1.5 million bond. SNHU has requested a reclamation bond which the Board has voted in favor of for other developments. There are 21+ acres and at \$5,000 per acre would be a \$107,000 bond.

T. Walsh: We have done this in the past. Is it the same formula?

J. Donison: Yes. They need to go through the Planning Board unless the development regulations are changed to make this an option.

D. Marshall: Is there a reason we have not changed the development regulations?

J. Donison: No. It is something that should be discussed.

R. Duhaime: This is a cost savings to you which is why you are moving forward?

A. Regnery: Yes.

T. Walsh motioned to approve SNHU's Request for a reclamation bond v. a 30% site bond for the athletic complex project. Seconded by F. Kotowski. Motion carried unanimously.

COMPLETENESS

3. 1378 REALTY, LLC: 1135 HOOKSETT ROAD, MAP 41, LOT 10: SITE PLAN TO CREATE 2-MULTI-FAMILY BUILDINGS, CONSISTING OF THREE UNITS IN EACH BUILDING ON 1.116 ACRES OF LAND: WAIVER FROM SECTION 27 OF THE SITE PLAN CHECKLIST FOR SOIL SPECIFIC MAPPING

J. Duffy: These plans came in and they were for 6 multi-family units in the Performance Zone. They went to ZBA in 2014 with a plan that showed 8 units in the Performance Zone. The plan was different from the one you see today. There were more units and they were turned a different way. They showed a lot more tree buffer between the current Lot 31 that faces Mammoth Road where there is an existing residence and the proposed project. The abutter from Lot 31, Charles Windhausen, came in with a letter for the Board outlining his concerns for the project. Peter Holden, Chris Mastriano, the owner, Doug, Jim and I met with Mr. Windhausen and his attorney to go over some of the issues in the letter. We were questioning the set-backs that were required. The ZBA granted a variance to allow residential in the Performance Zone but they did not set out any criteria for what the buffer, set-backs, or frontage should be. Therefore we have to go by what the criteria is for a commercial project. Because of the difference of the plan when the ZBA originally approved the variance in 2014 and the plan we have today I spoke with the town attorney and he agreed the application should go back to the ZBA to hold a new hearing and get further clarification on things that were not taken into consideration. Once a variance is approved the Planning Board has to work with that approval. Eight multi-family units in the Performance Zone were approved. Both of the abutters driveways abut the proposed new driveway. Our regu-

lations say that driveways need to be 50' apart from each other. This would be dealt with by a waiver. The DOT has a plan that was submitted two years ago that shows a cut into Mr. Windhausen's property. They do not have the revised plan. Mr. Windhausen asked them to remove that cut because he does not want to be connected to this driveway. The DOT told me the permit has not been issued. There are other issues particularly drainage problems. They also said the way it is designed right now won't work coming out onto Mammoth Road. My recommendation is to find this incomplete. Perhaps we could have a joint meeting with the ZBA and go over this together.

D. Marshall: This is the Performance Zone and residential development is supposedly not allowed. If the ZBA grants a variance to allow the residential, they need to specify which criteria to follow or eventually this will end up going back to the voters to change it to residential.

J. Duffy: The way it was described is if they are going under the performance regulations they need to adhere to everything that is in those regulations because it is in that zone.

D. Marshall: Can this development meet those criteria?

J. Duffy: I am not sure. They wanted to go to Mammoth Road versus Hooksett Road because they said the grade is too steep. There was prior approval to do an automotive repair facility coming in from Hooksett Road. I found the driveway permit on that but there was a different configuration for the building.

T. Walsh: Last time we talked about this, before it went to ZBA, there was an abutter talking about snow removal and trade off on land. Is that still being talked about?

J. Duffy: Snow removal is still an issue with the abutter because of those driveways being so close together. We have not heard from the abutter to the south. I heard from an abutter to the north that is on Hooksett Rd. She has a dug well and her concern is that they hook her up to public water.

P. Scarpetti: From the other plan, why did you shift the building closer to the abutting neighbor.

Doug Brodeur (Holden Engineering): My understanding is that the grades did not work. I don't think there was a grading plan done at the time of the ZBA meeting.

R. Duhaime: From a zoning point of view the problem with the Performance Zone is there is no judicial relief except the ZBA. Once it is in the Performance Zone this Board cannot grant any relief from those rules and that has been an issue for development in the Performance Zone. People keep going back to the ZBA for relief and they are getting it. I was going to see if you could educate the ZBA to help them with set-backs and the other requirements in the Performance Zone. The ZBA is more sensitive when it comes to abutters because that is what they are there for. The ZBA will not be pleased if you shift the building to one side to get the correct grades. They want to appease the neighbors.

D. Brodeur: I am not aware of the ZBA requirements and I don't know what issues we need to address with Mr. Windhausen other than eliminating the curb cut going to his driveway. It was never the intent to force him into our site's driveway. That was a favor we were allowing him so that his driveway would be safer. I understand the other abutter is happy we are allowing him to do the same. I am not aware of any Performance Zone requirements we are not meeting.

R. Duhaime: Residential would be the first one.

D. Brodeur: A variance was granted to put residential in the Performance Zone.

J. Duffy: In the Performance Zone, for non-residential sites, you need 24' minimum width for a driveway. You have 22'. I know this is residential, but the way it was told to me is that you have to comply with everything that is there. Just to point out, for density purposes, the MDR zone only allows 2 units for every 2 acres. This lot is only 1.116 acres and it would have 6 units versus 1 unit which would normally be allowed. Most of the houses surrounding that lot are zoned MDR.

D. Marshall: It doesn't meet the density requirements either?

D. Brodeur: We are not in the MDR, however, I can understand the correlation JoAnn is making.

D. Marshall: Residences are not allowed in the Performance Zone. The ZBA did not address the question of density?

J. Duffy: They allowed 8 units in their motion to approve and there was no discussion of density when it went to the ZBA.

R. Duhaime: Now you are looking for a driveway and a set-back waiver.

D. Brodeur: We can change the plan and make it 24' wide.

R. Duhaime: That would need a waiver.

J. Duffy: When they originally went to the ZBA, the ZBA wanted the Planning Board's opinion and asked for comment. The Planning Board commented that there was not a consensus that residential should be allowed in the Performance Zone, you were allowing the frontage on Hooksett and Mammoth to add up together to equal the frontage that would have been required, and the proximity of the driveways on Mammoth Road was in conflict with the requirements of the development regulations. They discussed those items and then approved it.

T. Walsh: Our attorney recommended that this be found not complete.

T. Walsh motioned that the site plan for 1378 Realty, LLC, 1135 Hooksett Road, Map 41, Lot 10 be found incomplete and a joint meeting be scheduled with the ZBA for August 1, 2016. Seconded by P. Scarpetti.

F. Kotowski: I think it is time that this Board and ZBA get together and work things out in advance of calling in a applicant to take action on something if there are questions.

T. Walsh: I don't agree. We made our recommendations to the ZBA and they ignored our comments. In this matter our hands are tied.

F. Kotowski: I am talking about in general. When we know there are issues coming before this Board that have not been resolved I think that is the time we call a meeting with the ZBA to resolve the issues before the time of the public forum.

D. Marshall: The statutes clearly lay out the process that if there is a need for a variance the applicant first appear before the ZBA and what they decide the Planning Board complies with. We have also taken a stand that if there is a variance issue we will not comment. Meeting every time that there is an unresolved issue would be an added meeting each month. The intent of the legislation was not to have the ZBA and Planning Board in a joint meeting to make a decision that belongs in the hands of the ZBA. The relationship between the ZBA and the Planning Board has been positive. I think the ZBA needs to look at the impact of their decisions when granting a variance.

J. Duffy: The ZBA meeting on this was in October of 2014.

Motion carried unanimously.

COMPLETENESS AND PUBLIC HEARINGS

4. BEAVER BROOK DEVELOPMENT, LLC: LONDONDERRY TURNPIKE, MAP 48, LOT 26 AND 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

J. Donison: There were 7 comments that were raised by Stantec Engineers and they have addressed all of the them.

F. Kotowski motioned to waive the completeness checklist for Beaver Brook Development, LLC: Londonderry Turnpike, Map 48, Lot 26 AND Map 49, Lots 49 & 58. Seconded by P. Scarpetti. Motion carried unanimously.

T. Parasol motioned to find the plan complete for Beaver Brook Development, LLC: Londonderry Turnpike, Map 48, Lot 26 AND Map 49, Lots 49 & 58. Seconded by T. Walsh. Motion carried unanimously.

J. Rokeh (Rokeh Consulting): The project was started in 2013-2014 and part of the road got built, they were going to put the bridge in and the AOT ran out at the end of 2014. They had already done the extension so they hired me to go back to the State of NH and update the AOT permit. I did that in 2015, got the permit in 2016, and made the application to come before you for the edit to the plan.

Micheal Klass (Bernstein Shur Law Firm): We were before this Board in early May as to the active and substantial piece which the Board granted.

J. Rokeh: We got a list of comments from Stantec in March. We met on Friday and finalized everything. All of the plan changes have been done, he just needs the hard copies. As far as engineering and state permits we are complete. The documents are ready. We are ready to get started on the project again with your approval.

Open public hearing.

No public comments.

Close public hearing.

*P. Scarpetti approved the amended sub-division plan for Beaver Brook Development, LLC: Londonderry Turnpike, Map 48, Lot 26 AND Map 49, Lots 49 & 58 with the condition that all of the legal documents are signed and submitted to the Planning Department so they can be recorded with the plan set. Seconded by M. Durakovic. **Motion carried unanimously.***

5. DON JAN, LLC/DON DUVAL: 14 DARTMOUTH ST., MAP 18, LOT 23-2: TWO LOT SUBDIVISION: WAIVER FROM ITEMS #18, 22 and 37 OF THE CHECKLIST

D. Duval: We received a variance from the ZBA for use. I closed my business and we are trying to sell the building. With the sub-division, we would like to build a residence on the remaining lot. I have a letter from Mr. Donison with his comments. Most are note related. I talked with the Sewer and Water Department today and they were supposed to provide their approvals. I have a 4' fence that goes over the property line that will either be moved or removed. I want to wait until we either build or sell the lot to see what the buyer wants to do.

J. Duffy: We have no objections to the plan completeness or the waiver.

*T. Walsh motioned to find the plan complete for Don Jan, LLC/Don Duval: 14 Dartmouth St., Map 18, Lot 23-2. Seconded by T. Walsh. **Motion carried unanimously.***

*P. Scarpetti motioned to grant the waiver from Items #18, 22 and 37 of the checklist for Don Jan, LLC/Don Duval: 14 Dartmouth St., Map 18, Lot 23-2. Seconded by T. Walsh. **Motion carried unanimously.***

J. Donison We have a review letter from July 14. The conditions were to provide a plan showing the extension of the sewer line and the sewer manhole and provide the details. The Sewer Commission responded that the sewer capacity is available so it is just a matter of providing details. The Central Hooksett Water Precinct has provided a letter saying that a service connection can be provided to service the lot. The only other item was adding a note to the plan reflecting the fence needs to be removed or relocated once the lot is sub-divided.

J. Duffy: I have one additional item that the new lot be changed to 23-2-1 instead of 23-2-A.

D. Marshall: Do you agree to make all of the note changes before the plan gets signed?

D. Duval: Yes.

Open public hearing.

No public comments

Close public hearing.

*T. Parasol motioned to approve the two-lot subdivision for Don Jan, LLC/Don Duval, 14 Dartmouth St., Map 18, Lot 23-2. Seconded by F. Kotowski. **Motion carried unanimously.***

6. PALMHILL INVESTMENTS: 5 EASTPOINT DRIVE, MAP 49, LOT 11-2: RECONFIGURATION OF UNITS WITHIN CONDOMINIUM

P. Scarpetti stepped down.

J. Duffy: The only comments are from the Fire Department and I sent those to Mr. Wichert. As long as those changes are taken care of staff is fine with this. It is the same footprint, with some internal changes. They submitted a proposed, amended by-law declaration and the floor plan so if it is approved it will be filed at the registry.

T. Walsh motioned to find the plan for Palmhill Investments, 5 Eastpoint Drive, Map 49, Lot 11-2 complete. Seconded by T. Prasol. Motion carried unanimously.

Open public hearing.

Joe Wichert: This building was constructed in the early 90's with site plan approval. Two years ago we went back and it was a 28 bay condominium that we configured into 17 condominium units. That was approved and recorded. Palm Hill still owns all of them. They have steady tenants. Bays 1 and 2 is East Point Lasers. They were going to buy 1 and 2 which were previously known as A and B but after reviewing it they opted to consolidate those two units into Unit A. Soil Away owned Bays 19-23 and wanted to do the same thing. There is no physical change to the property but instead of a 17 unit condominium it will be a 14 unit condominium. Previously there were two units that had only two parking spaces and one of those was vacated. We are reassigning the parking. Each bay will now have 4 parking spaces. There will be 15 visitor spaces and 4 handicapped spaces. In regard to the Fire Department comments, because they are existing tenants, there will be no change in address. Their physical address will be the same. There will still be the same number of bays but less units. There should be no change for 911 or mailing purposes because those tenants are the planned buyers of the units.

No public comments.

Close public hearing.

T. Walsh motioned to approve the reconfiguration of units within the condominium for Palmhill Investments, 5 Eastpoint Drive, Map 49, Lot 11-2. Seconded by M. Durakovic. Motion carried unanimously.

P. Scarpetti returned.

7. RANDY MILLER//ICON PROPERTY: 1170 HOOKSETT ROAD, MAP 39, LOT 2: AMENDED SITE PLAN FOR THE ADDITION OF VEHICLE STORAGE IN THE REAR OF THE PROPERTY: WAIVER FROM COMPLETENESS CHECKLIST: WAIVER TO ALLOW 62.7% IMPERVIOUS AREA ON THIS SITE

J. Donison: They asked for two waivers. The first was pertaining to the maximum 60% impervious area and the seconded was pertaining to the completeness checklist. I made some comments to the 60% maximum buildout because the plan as shown results in cutting down an area between the rear property line and the proposed parking lot and converting that into a vehicle access isle. As a result of that the overall imperviousness goes up to 62.7%. The other has to do with the checklist. I am not sure what is

being requested as far as waiving the completeness checklist. There were some items that I recommended as being part of the plan such as landscaping, lighting details, and whether or not a dumpster is required.

Jennifer McCourt (McCourt Engineering): The waiver for the impervious is because this site has municipal sewer but not municipal water. The municipal water is approximately 600' away. If it was closer and economically feasible to connect into we would and then would not have to request the waiver. As far as the buffer out back. There are large bull pines and behind that is deciduous. The majority of the deciduous are bittersweet which is an invasive species and should be removed. The original plans showed a 6' tall fence with slats. J. Duffy said it needed to come around the corner because there is a mobile home park. I submitted new plans to extend that and also added the arborvitaes spaced appropriately along with the existing tree line that will remain to create the required buffer for the Performance Zone. We are providing storm water treatment and a detention pond which was not required before. This plan was amended in 1993 to add the service building. My waiver for the checklist is for all of the improvements from that building to Rt. 3 because they were already approved in the original site plan approval. I submitted a lighting plan and showed light poles on the plan for the new parking lot. We are not changing anything from that service building forward. Regarding the additional impervious area, any storage that he can get makes it so that the storage of the vehicles will be in the paved areas. I have allowed for a fire lane and there is an access isle through the middle so he can get his own vehicles in and out.

R. Duhaime: The edge along Hooksett Rd. has vehicles against the road that are parked on the grass up to the property line. I do not see anything on the plan set to address that or update this. You are in violation of parking the vehicles on the grass when they are supposed to be on pavement. Why is there nothing to address the front of the property?

J. McCourt: At the time this picture was taken he was not allowed to park any vehicles out back. That is what this pavement is for.

R. Duhaime: The parking on the pavement will cease?

J. McCourt: In 1993 it was not required to put trees so that is one of our waivers.

R. Duhaime: This is part of the Performance Zone now and we would like everyone to adhere to that and we want to see improvements on the lot.

Randy Miller (ICON): I agree with you. I think the front is a mess and would like to figure something out to make it look better. I was thinking a walkway or a curb cut.

J. McCourt: Would you mind putting a couple of trees in there?

R. Miller: What about a walkway?

J. McCourt: We would have to go to DOT for a curb cut or walkway.

R. Miller: I am not opposed to putting in trees.

R. Duhaime: If you got the back parking you would be able to work on the front?

R. Miller: I have big plans for the property and if I can get the funding it will look really nice. I do not like how it looks now and want to improve it. I want it to be landscaped with a green lawn and build one two-story building into the hill with a lower level to utilize as much space as possible. I have plans drawn up for that. I have not yet turned the numbers to respectfully ask for a loan that would grant the funds needed to do that. This would have to be done in phases. In the past the lot was fine, but today the parking is needed because the property is too small to generate any money. I think it deserves to have new buildings, brand new paving, and landscaping across the front so it looks nice for the town and the business. I called the town about connecting to the water and they told me it would be \$132,000 to move that 600' and would not be feasible at this time, but if another person wants to connect they would send me a letter inviting me to come on and it would be more affordable. I am looking actively to connect to the water. If we can get a curb I will call DOT and am willing to pitch in for a walkway. I am on board with any recommendations to make it look nicer. I feel that things are positive financially. We have been there just under 2 years and within the next 6 months I am hoping we can approach a bank and make the lot look as it should.

D. Marshall: The problem is there is a previously approved site plan and a business has been operating at this site for a number years. The zone has changed. The site plan regulations have become the development regulations. What are you specifically asking for?

J. McCourt: This is an approved site plan. It was built per the site plan regulations and has been operating under that assumption for years. This is to ask for a general waiver on that because it was originally approved in 1988. They came back in 1993 with the expansion of the building out back. We are not changing anything out front so it should be grandfathered especially since it is an approved site plan.

D. Marshall: Is staff supporting the waiver?

J. Donison: I was asking specifically what they were asking for a waiver for. We did not receive the lighting plan.

D. Marshall: If a waiver is granted it is saying that everything that is in place in the section from the road to the buildings is grandfathered. Therefore none of the regulations for landscaping would apply. Normally a waiver applies to a specific section. You are asking for a blanket waiver for everything.

J. Duffy: They are not making any changes to the front and are concentrating on the back. We were concentrating on the back and the buffer versus new landscaping. If the applicant is agreeing to plant trees that could be a condition of approval.

D. Marshall: How far from the property line do the vehicles out front need to be?

J. Duffy: Fifteen feet.

D. Marshall: If the waiver was granted the condition would be everything would need to be moved 15' back from the right-of-way.

T. Walsh: There is no way he can do the improvements to the back unless the rest of the lot conforms to the Performance Zone ordinance?

J. Duffy: In most cases when people come in with an existing lot and they are amending a site plan, they ask for waiver of the completeness checklist which means they have an approved site plan so they are not required to bring the entire site plan up to compliance.

T. Walsh: I agree with that. Why don't we have the waiver with just the items on the checklist?

J. Duffy: Jen, did you check off the items that you are not complying with?

J. McCourt: I did it for the improvements.

R. Duhaime: Once you grant the waiver to the impervious, the front of the property still remains an issue.

J. Duffy: The additional pavement is making that impervious requirement go over what is allowed due to the changes they are making.

R. Duhaime: When you have a site that is a residential site in a commercial zone, you would not make it more residential you would work to make it commercial. Over time we want this to come into Performance Zone regulations.

T. Walsh: He would need to get another site plan approval.

J. Duffy: Without that waiver he would not be able to enlarge the parking lot out back.

R. Duhaime: The impervious would be added in the back. The front of the property will not be improved but the back will be paved.

J. Duffy: His proposal was strictly to pave the back area to move the cars out to the back so the front would not be as congested.

R. Duhaime: So the front would not be brought into Performance Zone regulations.

D. Marshall: You will get the 15' because he will be moving the cars back.

J. McCourt: Without water and sewer it is 50% pavement going to 62.5%. If there was water and sewer it could be up to 65%. You are saying that if anyone comes into the Performance Zone that has an approved site plan, and they want to improve their site, their approved site plan is no good and they need to get a new site plan approval?

R. Duhaime: No. I would just think you would want your client to clean up the front of the property and then get to the back. My concern is he will do the back and not get to the front.

P. Scarpetti: Was there pavement put down without a permit?

J. McCourt: Yes.

J. Donison: Regarding the imperviousness, they are trying to have a net zero increase in run-off from the site as a result of the development. Where the cluster of trees is showing, they will have a infiltration swail and a detention pond that will help with the net zero increase. That area ends up being im-

pacted with the parking as well as the detention pond and that brings the imperviousness up. My comment was to go with the higher imperviousness at 62.7% or cut back on the expansion of the parking lot. I did not realize there was not municipal water.

J. McCourt: If there was water we would not need the waiver. Those bull pines are outside of the 20' buffer so those will come down. That is why we are proposing the 6' fence with the arborvitaes and leaving the trees and bushes along the property line.

T. Walsh: This is typical of what is done to recognize the existing site plan when there are changes someplace else?

J. Duffy: Yes.

T. Walsh motioned to grant the waiver from the completeness checklist for Randy Miller/ICON Property: 1170 Hooksett Road, Map 39, Lot 2. Seconded by T. Prasol.

D. Marshall: I would like to add that you must move those vehicles back 15' from the right-of-way per the regulations.

J. McCourt: I have a copy of the 1993 approved site plan that shows one of the parking spaces half over the right-of-way line and parking spaces right up to the property line.

J. Duffy: The regulations were different back then.

T. Walsh: If the 15' rule from the right-of-way was in place prior to the Performance Zone this waiver would not grandfather that.

J. McCourt: I have an approved site plan that says there can be parking there.

Motion carried unanimously.

D. Marshall: Regarding the waiver requesting the maximum impervious surface, if this will go to 62.7%, it will be offset by the sewer and water treatment area and the detention and infiltration?

J. McCourt: There will be a treatment swail and a infiltration detention pond. To comply with the 20' buffer we will put in the fence and the arborvitaes and keep the tree lines. Along with that off-set is vehicles are also stored off-site so there is more traffic going in an out of the curb cut to bring cars back and forth.

D. Marshall: Jim do you agree that the retention pond will take care of the impervious area?

J. Donison: There is a 50% imperviousness requirement on this site. The intent of this plan is to increase the paved area to the limits shown on the plan to the left between the property line. To the edge of the parking they are proposing to put in a screened fence with the arborvitaes. At the bottom corner there is a retention pond with grass and arborvitaes. 62.7% of the the entire lot is paved. The rest of it includes the grass, detention pond, and swail.

T. Walsh: Are the bull pines going to be cut down and replaced with the arborvitaes?

J. McCourt: Yes. They are a hazard and are in bad shape. The swail and detention pond are designed per the Town of Hooksett development regulations so that there will be no net increase off-site, or to the volume or peak flows for the increase of the pavement.

D. Marshall: You are planning to put in a string of mission arborvitaes?

R. Miller: Yes. I am getting pre-grown ones that are a minimum of 6' tall.

J. Donison: Regarding the imperviousness, my concern is that the proposed fence is going to be less than 10' away from the mobile homes. Is there a way of changing the site plan so there is more of a buffer.

J. McCourt: The fence will be less than 10', but the pavement will be 32' from the property line. It will also provide more of a year long buffer than is there now.

R. Duhaime: It has distance now and the buffer will be shrunk down?

J. McCourt: Yes. It is a 20' buffer which is required in the Performance Zone. We have 32' to the pavement and we are providing storm water.

R. Duhaime: It is close to those mobile homes.

J. McCourt: You can see the mobile homes through the trees. In the past the mobile homes were allowed to be put along the property line. A 50' buffer would be required today. The arborvitaes will be on the berm so they will be as high as possible.

T. Walsh: Didn't we change this to a 40' buffer between residential and non-residential?

J. Duffy: Yes, except for the Performance Zone.

R. Duhaime: You are not giving us anything to show what you will be doing to clean up the front of this property.

R. Miller: Currently back there is a really bad area with vines, weeds, poison ivy, and ticks. When we are done there will be a fence with a privacy screen and we are adding the arborvitaes to make it look nice as well as provide an additional natural buffer. This will be more like a country club view. I believe improving the rear will make this look professional and will provide a buffer that is not currently there in the winter. Improving the back is an improvement in the right direction.

D. Marshall: Is the property level?

J. McCourt: No.

D. Marshall: What is between the paved area and the first building?

J. McCourt: Erosion stone.

D. Marshall: How much of that parking can you push toward the building?

J. McCourt: It is a 2:1 slope. We would have to put in a retaining wall.

D. Marshall: It would make the back wider.

R. Miller: To maximize the buildings design, it was designed to fit directly behind that building and into that hill. Building a retention wall would kill the plans for that building and utilizing that space. In the future I would like to remove the two buildings that are there now and then the front would be re-done. If we go closer to that building now new designs would have to be done. When the plans were put together for that building they were also done so that we could still operate during construction and people would not be out of work.

J. McCourt: What I am hearing is that you are looking for more space between the rear property line and pavement. You still have the solid fence along the property line. What are you looking for? We are trying to put enough parking there to make sure there is enough room to park these cars without putting them on the grass and keeping the 15'. It is a long narrow lot.

R. Duhaime: I would like to see you reduce the square footage.

C. Stelmach: What do the neighbors think of this?

J. McCourt: The park is the abutter not the neighbors so the park is notified.

F. Kotowski: The percentage of impervious area is the biggest issue. I think what they are planning to do will look nice and it seems like this is a good idea. My concern is where the rules are different in the Performance Zone. It seems like whenever someone tries to do something in this zone there is something holding them back and I think it needs to be addressed. Any improvement along the Performance Zone is better than it is currently. The job of the Board is to make sure the environment is taken care of and that what is being done is better than is what is there now.

J. McCourt: I would like to offer that we increase this by 50% with a mixture of more of a variety of tree plants.

T. Walsh motioned to grant the waiver to allow 62.7% impervious area on this site, with the condition that the landscape be increased by 50%, for Randy Miller/ICON Property, 1170 Hooksett Road, Map 39, Lot 2. Seconded by F. Kotowski. Motion carried unanimously.

T. Walsh motioned to find the site plan complete for Randy Miller/ICON Property, 1170 Hooksett Road, Map 39, Lot 2. Seconded by T. Prasol. Motion carried unanimously.

Open public hearing.

J. McCourt: I was confused by what we got from the Fire Department. We got a letter from the Captain that had no comment.

J. Duffy: They are okay with this.

J. McCourt: We are willing to take care of the rest of J. Donison's comments.

Open to abutters.

No abutter comments.

Close to abutters.

No public comments.

Close public hearing.

P. Scarpetti: As far as the lighting, landscape and dumpster comments are those issues that have to be addressed?

J. McCourt: Not the dumpster and the lighting for the back. We do not need a dumpster in the back and I have the lighting plan.

T. Prasol motioned to approve the site plan with the condition that all the conditions from J. Donison, in reference to the new area, be inserted on the plan or a statement be included before the Chairman will sign it. Seconded by T. Walsh. Motion carried unanimously.

8. MARK MANZELLA/MOWTOWN: 242 WEST RIVER ROAD, MAP 24, LOT 1: AMENDED SITE PLAN TO ADD A 3,265 SF ADDITION TO THE EXISTING BUILDING FOR PERMANENT INDOOR STORAGE WITH A LOADING DOCK; WAIVER TO COMPLETENESS CHECKLIST AND A WAIVER TO NOT SHOW THAT THE POST DEVELOPMENT IS LESS THAN THE PRE-DEVELOPMENT PEAK FLOW

J. McCourt: This is zoned commercial and the lot is 2.54 acres. There was an access easement granted for the lot to the north in 1973. There is 22' vertical and 165' long and 30' wide. A site plan was approved in 1996 for the building, driveway, parking, and septic. The lot is serviced by Hooksett Village Water Precinct. They are currently using portable storage trailers on site. They would like to construct a building instead. The Hooksett Fire Department said we needed a fire lane around the building due to not having sprinklers. That encroached upon the wetland buffer. The fire lane would be in an area that was already lawn so we went to the ZBA and received a zoning variance for that with a condition that within the 10' building barrier a stormwater detention/retention would be put in to treat the water that flows into the brook. Putting the building where it allows for a loading dock, and for the proposed fire lane to be graded so the outside edge matched the existing grade without having to disturb the edge of the buffer line along the trees. This site sits almost at the bottom of the water shed for this brook. To do a storm water study would cost thousands of dollars to show there is not any volume of peak run-off to the brook. The water shed area for the brook is 1,645 acres where the site watershed is about 2 acres. The water will run off this small portion off the property within minutes where it will take hours for the brook to come through. I added additional language in the waiver as requested by Jim. We are not affecting either the septic or water. The new addition is strictly for storage. I added some additional parking spaces where the storage trailers are now to conform to the regulations. The naturally existing trees meet the street tree requirement for the regulations as they stand now. The existing building uses two dumpsters and they meet the requirements.

J. Donison: As far as the drainage, they added the information that I requested. Landscaping, lighting and the dumpster units are acceptable.

T. Parasol motioned to grant the waiver to not show that the post development is less than the pre-development peak flow for the runoff. Seconded by P. Scarpetti. Motion carried unanimously.

J. Duffy: The uses of the surrounding properties are not listed on the plan. The use to the south is a home with a hockey shop that is the addition. If these trees are removed, and that side of the building has a loading dock, it seems like there should be some trees there.

J. McCourt: We could put a fence along the property line.

D. Marshall: The question is which takes precedent, the business or residence.

T. Walsh motioned to grant a waiver to the completeness checklist for Mark Manzella/Mowtown, 242 West River Road, Map 24, Lot 1. Seconded by T. Prasol. Motion carried unanimously.

T. Prasol motioned to find the amended site plan complete for Mark Manzella/Mowtown, 242 West River Road, Map 24, Lot 1. Seconded by F. Kotowski. Motion carried unanimously.

Open public hearing.

J. McCourt: Is this a commercial or residential use?

J. Duffy: The buffer goes by use not zone.

D. Marshall: It is used a both commercial and residential. If it is commercial there needs to be a buffer. If it is residential there is no buffer required.

Board consensus

M. Durakovic: Residential

P. Scarpetti: Commercial

T. Prasol: Commercial

F. Kotowski: Commercial

T. Walsh: Residential

D. Marshall: Commercial

J. Duffy: The zone is commercial.

D. Marshall: The house got grandfathered because it is in a commercial zone.

R. Duhaime: I think some buffer should be added.

M. Manzella: I have no problem adding greenery between the two properties but it will need to be 25' to 30' arborvitaes because the abutting property is up high. Right now he has 25 to 30' trunks before there are any branches so he can see clearly underneath any. We see and talk to each other often.

J. Duffy: The building is going much closer to the property line and a loading dock is being added.

D. Marshall: Was Mr. Butler notified?

J. Duffy: Yes. He was here but left.

No public comments.

Close public hearing.

P. Scarpetti motioned to approve amended site plan for Mark Manzella/Mowtown, 242 West River Road, Map 24, Lot 1. Seconded by T. Prasol. Motion carried unanimously.

CHANGE OF USE

J. Duffy: Universe Auto, LLC, 63 Mammoth Road, Map 45, lot 27 – existing use is an auto salvage yard, scrap metal and recycling, dismantling and selling of auto parts, motor vehicle dealer. Proposed use is the same. Approved.

BOARD DISCUSSION

None

OTHER BUSINESS

J. Duffy: There may be an opening coming up for SNHPC. Two people have applied for the position. I suggested that if a resignation comes in they can come before the Planning Board and you can make a recommendation.

D. Marshall: We held a tour and meeting with SNHU on March 31, 2016. Caroline took minutes and Jessica Call asked us to sign off on them for town record.

F. Kotowski motioned to approve the Chairman sign off of the Planning Board minutes of March 31, 2016. P. Scarpetti, T. Walsh, and T. Prasol abstained due to not being in attendance at that meeting. Motion carried unanimously.

T. Prasol motioned to keep the current officers that serve on the Planning Board. Seconded by T. Walsh.

D. Marshall: I have reluctance to keep my current position. I find that this Board is coming under a great deal of pressure from sources that don't belong in the business of this Planning Board. It is becoming political. For us to do our job right there has to be an autonomy that does not provide for interfering authority, including the Town Council. There is a cry to grab any business into town regardless of the town impact. No matter the business, everything has an impact on the town. If you don't get from those developers what you need the price will be paid down the road. I want you to be pro business but I want you to remember your responsibility, which it the members of the town. Business is great, but everything that happens has more of an impact on the town than a residence. If it is the pleasure of the Board I will continue on.

Motion carried unanimously.

It was unanimously decided that the special meeting of the Planning Board for the purpose of updating the Master Plan is going to be changed from July 25, 2016 to August 22, 2016.

D. Marshall: Staff is at a premium and the Town Council needs to get off our back about updating the Master Plan if they are not going to supply the staff to work on this.

R. Duhaime: Getting on the Board 15 years ago was enlightening. Everyone has a job. If you are sitting on the Planning Board you are not going to make everyone happy. I have mentioned to the Town Council we do not have enough staff. We are looking for a quality of life in Hooksett. It is not if the town of Hooksett is going to develop it is when. I am glad we have a Town Engineer and the Chairman will have to train for his position in the future.

ADJOURNMENT

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

The meeting was adjourned at 9:04 pm.

Respectfully submitted by,

**AnnMarie White
Recording Clerk**