

Unofficial

**HOOKSETT PLANNING BOARD MEETING
HOOKSETT TOWN HALL CHAMBERS (Room 105)
35 Main Street
Monday, September 12, 2016**

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

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

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

ALTERNATES: Denise Grafton and Christopher Stelmach

EXCUSED: M. Durakovic and Michael DiBitetto (Alternate)

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

D. Grafton will be voting.

APPROVAL OF MINUTES OF 08/15/16

August 15, 2016 Regular Meeting – T. Walsh motioned to approve the minutes of the August 15, 2016 meeting. Seconded by D. Grafton. T. Prasol abstained due to not being in attendance at the August 15, 2016 meeting. Motion carried unanimously.

DISCUSSION

**1. DR. DEAN SHANKLE
Presentation of CIP Plan**

Dr. Dean Shankle presented the Capital Improvement Plan for the fiscal year ending 2018-2023 in detail.

D. Winterton: Do you anticipate this will reduce the number of warrants on the ballot?

D. Shankle: It may stay the same.

P. Scarpetti motioned to approve the CIP Plan as presented. Seconded by T. Walsh. Motion carried unanimously.

2. LONG BEACH DEVELOPMENT ASSOCIATES/STERLING HOMES

**Summit View of Hooksett, Map 12, lot 24-22 – Churchill Drive
Proposed Fire Protection for Map 12, lot 24-22**

Keith Martel (Sterling Homes): Here with me is Keith Coviello of Long Beach Development Associates. When we originally came forward with the application we did not realize there was some ambiguity within the plan set regarding having two cisterns on the project. One of them is on the Bow town line. The other is at the intersection of Churchill Drive/Old Mill Lane. From a regulatory standpoint you have an ordinance that requires the cistern to be within 1,000' of a house for a CO to be issued. We were wrong on which was one serving which phase. One cistern is currently being installed and will be completed shortly. We have Lot 24-22 sold. We have met with the Fire Chief and have agreed to details to bring this up to the base coat of asphalt. We have reordered the second cistern, however, due to an unexpected prolonged manufacturer lead time there has been a delay in that production time. We are seeking permission to obtain a CO on a single house that is Lot 24-22.

J. Duffy: Staff is all set with this. The Fire Department looked at plan and are asking for conditions to be attached to the approval. The conditions are: 1) Financial surety is in place for the second cistern; 2) the second cistern will be installed within four months of the requested certificate of occupancy; 3) Old Mill Road will be constructed to station 1+65 with the required binder course of pavement; 4) it will be Sterling Homes' responsibility for snow removal in the cistern apron until the Town of Hooksett is responsible for plowing the roadways; 5) the first cistern must be installed and accepted by the Fire Department. The applicants are aware of the conditions and in agreement.

D. Winterton: Are they sprinklered and if not is there a requirement to have a cistern?

J. Duffy: There is a requirement for a cistern if there is no water available within 1,000' of the envelope.

T. Walsh: Is the list of conditions by the Fire Department typical?

J. Duffy: Normally if someone has a sub-division where there is more than one cistern, the cisterns are in before any of the CO's are issued. In this case they found someone who is interested in that Lot which is slightly outside of 1,000', however, there is a delay in receiving that second cistern.

F. Kotowski motioned to allow the Certificate of Occupancy for Long Beach Development Associates/Sterling Homes, Summit View of Hooksett, Map 12, lot 24-22 – Churchill Drive as long as the following conditions specified by the Fire Department are met: 1) Financial surety is in place for the second cistern; 2) the second cistern will be installed within four months of the requested certificate of occupancy; 3) Old Mill Road will be constructed to station 1+65 with the required binder course of pavement; 4) it will be Sterling Homes' responsibility for snow removal in the cistern apron until the Town of Hooksett is responsible for plowing the roadways; 5) the first cistern must be installed and accepted by the Fire Department. Seconded by D. Winterton. Motion carried unanimously.

3. MANCHESTER SAND AND GRAVEL

**Request to amend the Development Agreement to discontinue the requirements of Paragraph 7 concerning the Route 3 By-Pass/Parkway Easement
The Villages at Head's Pond**

**Manchester Sand, Gravel and Cement Co., Inc. and Town of Hooksett
Merrimack County Recording Book 3400, Page 812, recorded on 7/25/13**

Attorney David Campbell: We are here to formally request the Board remove requirement #7 contained in the Development Agreement, which required MS&G to transfer an easement consisting of a 102-foot wide corridor commencing at the southernmost boundary of the Town Pond land running southwesterly through MS&G's property, crossing Route 3 near Industrial Drive and continuing in a southwesterly direction, terminating near Martin's Ferry Cemetery as shown on the Master Plan for MUD-5 Zoned Land approved on August 18, 2003. It is a distance of about 3 1/2 miles. On the west side the parkway creates a burden on the property making it impossible to sell it, SNHU would have to be a part of this to make it go someplace, and there is no economic engine to pay for the road.

Ron Corriveau from Manchester Sand and Gravel showed where the parkway easements are on the west and east sides.

Attorney David Campbell: On the east side there are endangered species, sensitive wetlands, land owned by Bear Paw, the school lot, Town of Hooksett recreational land, land that has first right of refusal with Bear Paw, and a major beaver dam and wetland and abuts an approved sub-division. It is 3 miles and between wetlands and wildlife it would not get permitted for any type of roadway. There is also no economic engine to build a road of that length. Many years ago this was put into affect but there was much speculation as to what would become of the property. We respectfully request that you consider eliminating this from the development regulations.

T. Walsh: Has the right-of-way to the future school lot been resolved?

D. Campbell: The access would come from College Park Drive. It was never anticipated that this would connect to that.

T. Walsh: Would it help with your marketing of the industrial to do half and half?

D. Campbell: Yes but we would be coming back to ask for a waiver on the other part. The west side is imperative as far as our real estate goals but it would be impossible for the east side as well.

T. Walsh: Is this holding you back from marketing the other part of the land?

D. Campbell: It will become an issue for putting in retail use.

D. Winterton: I think the time has come to support this and return the funds to the taxpayers that are being held in the budget.

F. Kotowski: On the other side of the highway going up towards GE that will not be developed. The restriction seems to be that road easement. The parkway will not become a reality.

D. Campbell: It was good fore-planning at the time and done for the right reasons, but is not a reality.

J. Duffy: The additional funds that had been collected from Huttig were returned this past year. The CIP fund for this item has a balance of \$62,118. The total cost for the study is anticipated to be approx-

imately \$150,000 but that estimate is 20 years old. If and when that parcel were to be developed there is a lack of a traffic light by the GE intersections that will have to be dealt with.

D. Marshall: This may help you market your land, but if this is developed there will be a lot of funds needed to pay for improvements to Rt. 3. The state will not pay for it.

D. Campbell: We could go to a TIF zone next year, get help from the town, and get help with utilities. There will be cooperation necessary. It will be one step at a time. Once we get through this year we would like to amend the document on the registry. We have discussed that with the town attorney.

D. Winterton motioned to amend the Development Agreement to discontinue the requirements of Paragraph 7, which required MS&G to transfer an easement consisting of a 102-foot wide corridor commencing at the southernmost boundary of the Town Pond land running southwesterly through MS&G's property, crossing Route 3 near Industrial Drive and continuing in a southwesterly direction, terminating near Martin's Ferry Cemetery as shown on the Master Plan for MUD-5 Zoned Land approved on 8/18/03. Seconded by P. Scarpetti.

J. Duffy: We have been talking about the possibility of going through the development agreement, shortening it, and disposing of items that have been taken care of. At that time we can officially eliminate Item 7, the Board can confirm and sign off, and we can re-record the new agreement. It makes sense that way other than having to look through a long agreement to find out what was and was not done. This is a recorded document so when the Board votes the amendment should be followed up.

Motion carried unanimously.

D. Campbell: Erik Stevenson is here from Brox. At the end of Lehoux Drive there is a recorded plan that shows a lot of record to have a right-of-way to tie into the Brox property. Brox has stated that until the quarry is dissipated they have no interest in tying this on. We have an agreement with Brox to sell these last two lots to them. We asked the Sewer Commission if they wanted us to deed this to them because even though it will be burdened as a right-of-way they may want to have current use of it. The Sewer Commission recommended that we go Town Council. We are going to the Town Council Wednesday night, however, I wanted to let you know we could deed this over to Brox with the easement, but it might be a good thing for the Town of Hooksett and the Sewer Commission.

R. Corriveau: The roadway to the Heads Pond Development is going to be graded next week. There are 5 parking spots that will be gravel. There will be two gates and part of the walking trail will be re-surfaced.

**4. SOUTHERN NH UNIVERSITY
Presentation of Traffic Counts
Victory Lane**

Jeff Kevan (TF Moran): Victory Lane was opened the first week in May from 7am to 7pm on weekdays and was directed toward students and faculty. VHB took counts of Bicentennial and Donati Drive and Bicentennial and River Road when they were doing their study for the athletic complex so we used that as a base with the gate closed. We also ran two counts on Victory Lane the first week in May and the last couple of weeks in May. The students were taking finals the first week in May and then were

off campus after the middle of May. The last section is not a good identifier of what would happen with that road opened. We found that in the first couple of days there were approximately 1,300 daily trips coming and going on Victory Lane. It dropped once the exams were over down to about 600. AM peak was 7:15 to 8:15 with 111 at the highest. There were 94 trips coming in and 7 leaving. During the PM there were 157 trips coming in and going and the majority were leaving the campus. There was relief of the traffic on the intersections of North River Road, Bicentennial and Donati. I don't know if it would be a good short cut for the public. Maintaining it for college use and having it signed that way is a reasonable approach and it would be limited to certain hours for security reasons.

D. Marshall: You can put a sign there but it would not stop someone from cutting through.

J. Kevan: Correct, however, I don't think many would use it unless they are going onto the campus.

D. Winterton: Who would handle speeding violations?

J. Kevan: That would be a campus issue, however, the speed bumps regulate speeding.

D. Winterton: If some of that traffic has been alleviated that is a good thing. I like the idea of having the gate closed at certain times. I would like to see the counts when there is a full student body present.

D. Marshall: There will be a gate at one end but nothing at the other?

J. Kevan: It is currently barreled off when the road is closed.

D. Marshall: Once you open the gate there will not be barrels put out due to the work of that task.

Monther Mardini (Southern New Hampshire University): We have to maintain public safety. We thought opening Victory Lane through the AM and PM peaks would benefit the student and faculty, and eliminate a lot of the traffic on Bicentennial and Donati. When we did a count it reflected that traffic will be alleviated. We are willing to open Victory Lane during these peak hours, but it will be closed in between and during the weekends and evenings. During large events, which would be to our discretion, we would consider opening Victory Lane.

D. Marshall: Do you propose any changes at the 90 degree turn as far as stop signs?

J. Kevan: Victory Lane is the stop.

D. Marshall: Are you looking to do another three month trial when the students are present?

M. Mardini: We said we would do two counts, one in May and one in the Fall. We did the one in May and the evidence is there. Would you like another study done?

D. Marshall: How did you notify the facility and students about the road being opened? I would like to see counts done for another month.

M. Mardini: There was a mass announcement. I would like to open it during peak hours moving forward and not do another count, however, we can do whatever you would like.

J. Kevan: The construction vehicles coming and going are now off of the main roadways and they have been going down Victory Lane.

F. Kotowski: Wouldn't it be best to do the study again at a time when there is normal road movement?

J. Kevan: We can do that. I don't see a down side to having the gate open.

F. Kotowski: The traffic that goes through that campus it perilous. The crossing where the light is can be dangerous. I think any traffic we can take off of that roadway that avoids that crossing at the light on North River Road is good and opening Victory Lane does that.

F. Kevan: It is up to the Board as to the time frame of another trial.

D. Marshall: How are you counting?

J. Kevan: We did a manual counts at the two intersections.

D. Marshall: There is no need for that. You could put a tube at each turn.

F. Kotowski: Pernaw did the counts at the two intersections.

D. Marshall: I would suggest a 30-day count and there does not need to be a person out there for 30 days. If you put tubes across each approach of each intersection you can determine the turning movements. In the meantime open the gate because you will be taking the counts.

D. Winterton: Our original discussions stated that we wanted a count in the Spring and in the Fall. We need to follow up with what we originally said. We are trying to make data driven decisions.

There was a consensus of the Board to have Southern New Hampshire University do an additional 30-day traffic count on Victory Lane.

COMMENTS TO THE ZONING BOARD OF ADJUSTMENT

5. SUPREME INDUSTRIES (#Z-16-12)

Hackett Hill Road, Map 17, lot 7

A Special Exception is requested from Article 18, Section G.2.a) of the Zoning Ordinance to permit wetland buffer impacts of 7,350 sf to provide access to their proposed regional office, contractor's yard and mulch sale area on a portion of said lot.

T. Prasol stepped down.

N. Golon (TF Moran): We are here in regard to Phase 3 of the Lilac project. We have a variance and special exception with regard to wetland buffer impacts before the ZBA. They are looking for comments from you. We talked about why it makes sense for Supreme Industries to be part of the Lilac Park project. We provided some details, but were lacking in others. It was determined to do a site walk which was done two-weeks ago. We looked at site lines, site related items, and the wetland area buffers

that would be impacted. It appeared that there was a comfort level with those. There is fair amount of interweaving logging trails to cut through. We are here for comments, to make sure that what you saw is consistent with the application, and to have you provide a recommendation to the ZBA.

T. Walsh: What we are being asked is only regarding the wetland buffer. I saw no issue in terms of what they are asking for as far as a variance or encroachment onto the wetland buffer.

F. Kotowski: Nor did I.

P. Scarpetti: If the road did not go out to Hackett Hill in the residential area, would you need that impact?

N. Golon: We need to be able to impact those areas. We are trying to be sensitive to our neighbors and it's intensity. We want to limit the commercial traffic. Oversized vehicles would be restricted to the secondary entrance and that will be incorporated into our condominium documents. We met with the Conservation Commission. They will be providing a recommendation to the ZBA. We provided them a mitigation proposal. There is a fee associated with the buffer impacts.

F. Kotowski: Was Chairman Couture on the site walk?

N. Golon: Yes.

F. Kotowski: Would you agree that their comments are more important than ours regarding wetlands and wetland buffers?

N. Golon: The Conservation Commission is leaned on when dealing with wetlands and wetland buffers.

C. Stelmach: Has anyone approached the homeowner that is closest to that road?

N. Golon: I met with that abutter. We are going to follow up with him to make sure that what we are proposing is consistent with what his expectations are? He is here. We are zoned commercial and it is a commercial use. Having a commercial driveway next to a residential property is not ideal but the idea is to work together.

Kevin Clark (87 Hackett Hill Road): My driveway and that road would come together to become one road. Approximately 20 years ago it was determined that would never be a trucking route. What defines a trucking route and a truck? What kind of vehicle will be going to purchase mulch? Will there be a sign that defines this? I lose five mailboxes per year because of the danger of that intersection and this will make it more dangerous. I am also concerned that if they tear that up what it will do to my land and property. How many cars will be going up and down that driveway? If they are building a road to come in the other side why isn't that enough. That would not impact me, my other neighbor, or the wetlands.

D. Marshall: This access section is on residential land?

J. Duffy: No. The driveway will be on commercial land.

D. Marshall: Is his house commercial?

J. Duffy: No.

D. Marshall: We are accessing commercial property in a basic residential area?

C. Stelmach: The lot line is in the middle of his driveway.

N. Golon: His radius overlaps onto our property. The driveway we are requesting relief for is our driveway for our office. We will provide details as to how the condominium documents will be written relative to the restrictive use of that driveway.

D. Marshall: Granted that we are dealing with the piece on the upper right, I cannot divorce that from the other entrance. The Planning Board is going to have to deal with the overall project and will have to deal with both of these things.

T. Walsh: Who enforces the use?

P. Scarpetti: As far as the enforcement, if the building gets sold who is to say that will not become the main entrance. If you have the money to put that road in, why not improve the Lilac project to that building and focus on coming in through the secondary roadway.

N. Golon: We are committed to working with our neighbors to come to appropriate solutions and these all need to be addressed as part of the site plan approval process.

C. Stelmach: Would there be a sign on Hackett Hill Road for the sale of mulch?

N. Golon: We would have to follow the sign ordinance. I took this back to the engineer and owners and asked if mulch sales is necessary. Your comments are heard.

T. Walsh: It seems our recommendation to the ZBA is coming premature. It would make more sense if we were going to give you an approved site plan with that driveway. I am not completely in favor of that driveway, however, I don't have an issue with the buffer impact.

T. Walsh motioned to send a recommendation to the ZBA that they grant a special exception from Article 18, Section G.2.a) of the Zoning Ordinance to permit wetland buffer impacts of 7,350 sf to provide access to their proposed regional office, contractor's yard and mulch sale area on a portion of said lot only specific to the upper right for Supreme Industries (#Z-16-12), Hackett Hill Road, Map 17, Lot 7. Seconded by P. Scarpetti. Motion carried unanimously.

COMPLETENESS AND PUBLIC HEARINGS

- 7. EVERSOURCE (#16-33)
13 Legends Drive, Map 25, lot 80
Site Plan for Telecommunications Facility to include 120' Tower for Eversource use only**

J. Duffy: They are asking approval for a telecommunications tower which would be 120' tall with a 10 x 10 area for the equipment. It would be used to run their equipment if there was a power outage. It is an upgrade to the system they are currently using. I checked with the Fire Department to see if there would be any interference with the tower at the safety center and they were going to contact the Police Chief. They are asking for a waiver for the completeness criteria because this is an amended site plan. State law requires that towns within a 20-mile radius be notified that was done. They are going to the ZBA tomorrow for this application because a special exception is required for telecommunication facilities. Normally they would need to provide surety that if the tower were abandoned there would be funds there to move it.

F. Kotowski motioned to grant a waiver from the completeness criteria for Eversource (#16-33), 13 Legends Drive, Map 25, Lot 80. Seconded by T. Walsh. Motion carried unanimously.

D. Winterton motioned to find the site plan complete for the telecommunications facility to include a 120' Tower for Eversource use only for Eversource (#16-33), 13 Legends Drive, Map 25, Lot 80. Seconded by T. Walsh. Motion carried unanimously.

T. Walsh: They are going to ZBA tomorrow night and will schedule a site walk?

J. Duffy: Yes.

D. Winterton: What were the comments from the Fire and Police Departments.

N. Golon: This location was selected due to the limited amount of interference this would create. The Police Chief provided us with the name of their vendor for communications.

Alan Topliff (Eversource): I spoke with Stephanie at the company that handles the Town of Hooksett's communications equipment. Her opinion was that there would be no interference expected from us to the Police and Fire Departments.

F. Kotowski motioned to send a recommendation to the ZBA to grant a special exception for Eversource (#16-33), 13 Legends Drive, Map 25, lot 80. Seconded by D. Grafton. Motion carried unanimously.

F. Kotowski: Unless they have the ability with the right kind of apparatus it delays response time.

D. Marshall: If they will meet with ZBA tomorrow, when will the ZBA make a decision?

J. Duffy: The public hearing for this will be October 17, 2016.

D. Marshall: Any abutters that are here have now been notified on that public hearing.

T. Prasol returned.

COMPLETENESS

6. HARMONY PLACE (#16-37)

**1621 Hooksett Road, Map 14, lot 27
Amended Site Plan for a 63 Unit Multi-Family Development**

J. Duffy: This is regarding a 63-unit multi-family development including the water tower. Some changes have been made to the parking and they have some waivers they are asking for. Tonight they are asking for completeness. The public hearing would be held on October 3. Staff has found that it is complete.

T. Walsh: This is an amended site plan?

J. Duffy: Yes.

T. Walsh: The last time they were here there were conditions. Have those been addressed?

J. Duffy: The only thing they are changing from that plan is they are reducing the parking spaces but they are showing them as future spaces, if needed, and in the meantime it is shown as grass space. They are showing the water tower with a paved driveway going into that site. The parking spaces that are near the poles will be reduced by a few inches so that there is enough clearance.

D. Winterton motioned to find the application complete for Harmony Place (#16-37), 1621 Hooksett Road, Map 14, lot 27 complete. Seconded by D. Grafton. Motion carried unanimously.

**8. JEFF LARRABEE AND KOKOSING, LLC (#16-34)
51 and 53 Hackett Hill Road, Map 13, lots 56 and 57
Lot Line Adjustment – Parcel A to be consolidated with 13-56**

Continued to October 3, 2016.

**9. CHUCKSTER'S MINI-GOLF (#16-38)
Hackett Hill Road, Map 13, lots 56 and 57
Amended Site Plan**

Continued to October 3, 2016.

**10. MICHAEL TREMBLAY (#16-35)
1123 Hooksett Road, Map 41, lot 14
Site Plan for a commercial office building consisting of 965 square feet.**

J. Duffy: This site is on the south end of Hooksett Road. It is an existing building that was used as a dentist's office and a real estate office. It is a residential home. There was something from Ken Andrews stating they could only use it for that one use and if any changes were to be made they needed to go back for a site plan. This is the site plan for the animal physical therapy business. They are here for completeness and public hearing. Staff finds the site plan complete. They have three waivers: 1) Site specific soil mapping; 2) landscaping; 3) drainage design criteria.

T. Walsh motioned to approve the waivers for Michael Tremblay (#16-35), 1123 Hooksett Road, Map 41, Lot 14. Seconded by D. Winterton. Motion carried unanimously.

*F. Kotowski motioned to find the site plan for a commercial office building consisting of 965 square feet for Michael Tremblay (#16-35), 1123 Hooksett Road, Map 41, Lot 14, complete. Seconded by T. Prasol. **Motion carried unanimously.***

Open public hearing.

Alden Beauchemin (Keyland Enterprises): Dick Wood who is the engineer on the project is with me. The building is existing and we are proposing a change of use. I have seen the engineering and fire department comments. We are in agreement with stripping the lines as well as the Fire Department's recommendation to install a Knox Box. I have pictures of the proposed sign. It is conceptual. We noted the sign was to be on the building, however, the tenant would like to have it out front. We would not be able to accommodate it on our lot so we are working on a potential easement.

J. Duffy: You would need a variance to have it on another parcel.

A. Beauchemin: If we can not get approvals we would have it on the building.

D. Marshall: If the sign, as shown, was put on the building it would be fine. If you want to go for a variance we would hold back our approval. We can approve the site.

F. Kotowski: Will there be active kenneling in that that building?

J. Duffy: The occupant said there would not be kenneling.

P. Scarpetti: On the site plan it shows the asphalt is on the abutters property. Is that an issue with them?

A. Beauchemin: We held our stripping back so that it would not encroach on their property. If it did become an issue we would cut it.

No public comments.

Close public hearing.

*P. Scarpetti motioned to approve the site plan for a commercial office building consisting of 965 square feet for Michael Tremblay (#16-35), 1123 Hooksett Road, Map 41, Lot 14. Seconded by T. Parasol. **Motion carried unanimously.***

11. BUSINESS OCCUPANCY

1. E.T. Associates, LLC d/b/a KliQget, 1461 Hooksett Road, B3-B4, Map 18, lot 49-C. Existing use was Benson Driving School. Proposed use is electronic repairs, sales of accessories, gifts, trade-in's. Approved pending receipt of Hawker's and Peddler's License.

2. Traffic Jamz, 203 Londonderry Tpke, Units 4 and 5, Map 36, lot 42-6. Proposed use mobile electronic retail and installation. Approved.

3. Granite Tapas and Cocktail Lounge, 1461 Hooksett Road, Map 18, lot 49-C. Existing use – office space. Proposed use – restaurant/cocktail lounge. Approved.

12. **BOARD DISCUSSION**

None.

13. **OTHER BUSINESS**

Manchester Sand and Gravel will begin construction on improvements to the Head's Pond trail and beach area, as required by Item #6 of the Development Agreement. The improvements include the grading of the existing haul road so as to also create a walking path that connects the existing town path and Route 3, the construction of a beach, gravel parking lots and boat access area as detailed in the plans. An Access and Indemnification Agreement is required. This agreement shall expire on October 31, 2016. Waiting for response from Town Attorney as to who is authorized to sign this document.

14. **ADJOURNMENT**

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

The meeting was adjourned at 7:52 pm.

Respectfully submitted by,

AnnMarie White
Recording Clerk