

**HOOKSETT
TECHNICAL REVIEW COMMITTEE (TRC)
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING – room 204
Thursday, January 14, 2010**

CALLED TO ORDER

J. Duffy called the meeting to order at 9:10am.

ATTENDANCE

Town of Hooksett

J. Duffy, Town Planner, P. Rowell, Building Dept., C. Akstin, Assessing Dept., M. Hoisington, Fire Dept., S. Agrafiotis, Police Dept., D. Boyce, Transfer Station, Jay Smith, Central Hooksett Water Precinct, and D. Tatem, Stantec (arrived 9:20am).

1. (9:10 - 10:30am)

CRANTON VERNON, LLC “The Hamlet on Avon” (plan #09-27)

Hartley R. Cranton, owner, & R. Gordon Leedy, Jr., Vanasse Hangen

Brustlin, Inc. (VHB)

Thames Rd. & Avon Rd., Map 14, Lot 14-3

Proposal for the construction of a 31-detached unit residential development under the workforce housing regulations (phase I = 9 units, and phase II =22 units).

Representing the Applicant

Hartley Cranton, landowner, Bryant Anderson, Civil Engineer @ Vanasse Hangen Brustlin, Inc. (VHB), and John DiBietto, Agent. In the audience we have Mike DiBietto, neighbor, and Alan O’Brien, Cedar Management.

J. Duffy: We would like to welcome you to the TRC for the workforce housing. We will start with introductions.

J. Duffy: This applicant was before the Planning Board the other night for a discussion. Most people here at the TRC have not heard the discussion.

B. Anderson: We revised our plan since we the Planning Board meeting feedback. We eliminated the shared drives etc. Phase I is the workforce housing and phase II may or may not happen. For the workforce housing, north is Thames Rd., and Avon Rd. is to the right. It is Map 14, lot 14-3. We originally had 9 units, now it is dropped down to 8 units. They are 3-bedroom residential fee simple lots vs. condos. 1-2 access points changed to provide access by Thames Rd. and Avon Rd to cut down on pavement. It also makes it easier for trash and recycling collection with less cross easements. There will only be one shared driveway for the 2 units in the back. For wetlands, there are no impacts at this

time. There is a larger wetland off the proposed property line with a 40 ft setback buffer. There are no impacts to this wetland. There are water lines and sewer lines to Avon Rd. and the units can connect individually. We will extend the sewer lines up Thames Rd. This will provide sewer and water to all units.

M. Hoisington: What is the distance between houses?

B. Anderson: 15 ft.

M. Hoisington: 30 ft is required by fire code.

P. Rowell: General ordinances, you will need a variance from Article 3. The minimum separation distance or 40 ft, whichever is less.

B. Anderson: For the workforce housing regulations are some separations relaxed because it is workforce housing? For language other than environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection, I thought some setbacks could be relaxed.

P. Rowell: The Workforce Housing Ordinance Article 16-A is in control of the Planning Board.

M. Hoisington: The Workforce Housing ordinance doesn't supersede the fire code. Example: The Jensen's project was less than 30 ft, and we made them sprinkler the buildings, because it was a variance from the fire code. This applicant may have to go to the State Fire Marshall for a variance, because it is the Fire Marshall's code and they may make them sprinkler the buildings.

P. Rowell: What is the height of the buildings?

B. Anderson: They are two floors above grade (9ft each floor then a roof). The garage is at grade and it takes up space on the first floor. There is a basement under the living portion for utilities/mechanicals.

P. Rowell: So there is some living space near the garage and additional living space on the second floor.

B. Anderson: 1,200-1,400 sq ft of living space excluding the one stall garage.

P. Rowell: Visitor parking?

B. Anderson: For the two spaces per unit, does the garage count?

P. Rowell: Yes the garage counts, but if there is a party where are people going to park?

J. Duffy: Workforce housing is new to us as well. We have two other workforce housing projects before the Planning Board. We also do not have a Conditional Use Permit (CUP) for workforce housing yet. We are meeting this afternoon to put this together. There will be some additional requirements to meet the CUP. Workforce Housing, Article 16-A states in section F: Relationship to other ordinances and regulations “No portion of this ordinance shall nullify the provisions of any other town ordinance provisions . . . fire and life safety protection . . .”. The spacing between buildings fall under fire protection and the Planning Board can’t waive that. You would need a variance through the State Fire Marshall.

P. Rowell: Read from zoning ordinance for the need to get a variance. Development Regulations and Zoning Ordinances must apply. In the case of spacing between buildings, the Planning Board has no authority to waive.

M. Hoisington: How many hydrants are there?

J. Smith: 3 hydrants.

J. Duffy: Last time you presented a project (March 2008) there were issues with water & sewer capacity, and with Granite Hill Condo Association allowing you to do the project within their development. Jay from CHWP is here today.

J. Smith: Nothing has changed for water. DES approved 473 units up there. Unless there was another water tank OR a larger 10”-16” pipe, the capacity is just not there.

J. Duffy: At the Planning Board meeting you said you could potentially purchase the water. Sounds like Granite Heights is going bankrupt and you could purchase from them.

J. DiBitetto: Have they purchased the water rights?

J. Smith: You would have to ask the water precinct manager.

J. Duffy: For capacity, I think they have to put up some kind of funding.

J. DiBitetto: I am the manager of the Land Acquisition LLC. We bought the rights of the entirety of Granite Hill II 1995, this parcel (Map 14, Lot 14-3), Granite Heights II North as well as land for Granite Heights II South to total 425 acres. Our company sold everything related to the properties mentioned except for this parcel (Map 14, Lot 14-3) to Hooksett Development LLC. We purchased the tank and rights to the water. Prohibition no adjacent properties can tie into our water. We are fully entitled to the water tank and water we acquired and did not relinquish any of those rights. To say all water has been allocated is problematic, because I am not sure the right to do that was ever granted. We built the tower and all infrastructure and now to say we have no water? We need to talk about this in more detail. I have been working on this project the last 15 yrs. When we conveyed to Hooksett Development LLC, we owned the water tank and infrastructure and it was not granted to CHWP. I reserve those rights to service this site.

Water was not paid for and buildings were not built. Where I come from it is first come first serve basis for water. We installed water services when we constructed the water main for this site. We not only have a water main but also have water services and these were inspected by CHWP.

J. Smith: Two one-inch services can't serve 8 units. You deviated from the original two homes. Now you are adding units.

J. DiBitetto: The water main was constructed to service this site as well as future development. To say there is no water available would be inaccurate. We need to sort out how water is allocated.

J. Duffy: You are planning to meet with CHWP?

J. DiBitetto: Yes.

P. Rowell: Granite Heights is owned in common.

J. DiBitetto: There are two condo association: 1) Granite Hill I – 470 units, and 2) Granite Heights – partially constructed.

D. O'Brien: There are the Villages at Granite Hill condos, and Granite Hill condos.

J. DiBitetto: There is also the preserve multi-family and the preserve single-family.

P. Rowell: They received Planning Board approval, but they are not vested.

J. Duffy: Approvals expire in the spring.

P. Rowell: If the preserve expires, then you would have capacity.

J. Smith: Increase the water main on Rte 3 (doesn't meet demand now), or build a storage tank at the backside of the preserve.

P. Rowell: There is no capacity to build what is approved unless the Planning Board takes back some of the units.

J. DiBitetto: 372 units have water capacity, 88 have been built, leaving 284.

J. Duffy: The whole thing got approved with the condition there is only water capacity for certain units.

J. DiBitetto: The water tower is part of the preserve multi-family component. The tower was needed not for the land sold to Hooksett Development LLC, but for the land Hooksett Development LLC bought from MSG at an elevation considerably higher.

P. Rowell: Will you give back the 284?

J. DiBitetto: Will you be asking the Planning Board to pull back those approvals? The tower built on Granite Hill was built to service the entirety of this project.

P. Rowell: The mains on Rte. 3 are not large enough for the tank.

J. Smith: Referred to 3/11/2008 Janet Levy correspondence - current water capacity for 880 units, 276 units remaining are dedicated. 700 ft of water main needs to be replaced with a 16-inch water main.

P. Rowell: Beyond the 284 units, Janet recommends 16-inch pipes and another pump?

J. Smith: Shannon Rd has the ability for another pump.

J. Duffy: Sewer?

J. DiBitetto: Bruce @ sewer has said there are no issues with sewer.

J. Duffy: The last time (March 2008) there was no sewer capacity.

J. DiBitetto: A lot has changed since that time.

D. Tatem: Get it in writing to the Town. Could you have a community well?

J. DiBitetto: Yes.

P. Rowell: Have you considered a community heating system?

J. DiBitetto: They are detached single-family fee simple lots.

P. Rowell: So it is a subdivision.

D. Tatem: That changed a lot since Monday night's Planning Board meeting discussion.

J. DiBitetto: We eliminated a unit and eliminated the common driveway areas. We created a ton of open space. It was an added benefit to delineate lot lines.

D. Tatem: What is the lot size?

B. Anderson: 1/10 of acre.

P. Rowell: Buffer?

B. Anderson: If over an acre a 40 ft buffer is needed. We are under an acre.

J. Duffy: What is the acreage and frontage?

B. Anderson: 3/10-4/10 acres are the largest lots. 25 ft frontage is the smallest lot, and 85 ft frontage is for the largest lot.

D. Tatem: There are zoning change requirements for workforce housing.

B. Anderson: For individual deviations, the Planning Board would need to waive.

J. Duffy: We need the workforce housing financial info. to determine how many houses on the lot. If you are making homes with that less frontage and acreage, maybe the Planning Board would go for it. But if you are doing it for a profit margin, they may not go for it.

P. Rowell: The Planning Board determines the profit margin.

J. Duffy: We are working on this.

B. Anderson: We will provide the financial info. for approval under workforce housing.

P. Rowell: Part of what is missing is we don't have the workforce housing rules. I would say the Planning Board should take it out of the ordinance until they have the rules.

J. Duffy: I tried to get info. on workforce housing from the website, but it is not available yet. Another community lists all costs for economic, appraisal, land purchase price, etc.

D. Tatem: If small lots and making a lot of money, they don't want the project for workforce housing.

J. Duffy: When we first put the ordinance together, we had a much more detailed ordinance where it talked about density. Because it was so new, it was recommended by our legal counsel that we keep the ordinance simple, and see what happens years out. There is nothing in our ordinance that talks about density. It says you can do clustering, & medium, high and low densities are allowed. 5 or more units are by a special exception. For municipal services, if sewer and water is located within 1,000 ft you need to tie in. If not then it is septic and well.

J. DiBitetto: We engaged VHB to complete an analysis of wetlands on the site. We delineated those and laid out the setbacks. We looked at building areas that would be most conducive and in light of DES rules for treatment of drainage. That is what regulates what you can do with the land. Getting through DES these days, their regs are changing minute-by-minute and reporting requirements are strict. We are regulated every step of the way by the State, local and federal waterways and by workforce housing requirements with the financial level of the project. This box is making it very difficult to provide affordable housing. Every time a regulation is added, the costs go up. A road

with sewer and water is about \$500.00 per linear foot. We are making real efficient use of the land. The frontages are out of necessity. Site costs can get quickly out of hand.

D. Tatem: Drainage?

B. Anderson: I have been thinking about drainage, but have not done that yet. I have calls into the DES to set-up a meeting with them.

D. Tatem: Square footage?

B. Anderson: Under 100,000 sq ft for phase I, but if combined phase I & II it could be over. If have given rain gardens and swales a thought.

P. Rowell: How can you build a building 3-4 ft from a no disturb buffer?

B. Anderson: There may be a phase II in the future, but it may not look like that. If it helps, we can add to the plan that phase II is a potential phase.

J. Duffy: Phase II is 4.7 acres, and phase I is 1-1/1/2 acres.

M. Hoisington: If they do pursue phase II, you will need to come back to us.

B. Anderson: Yes.

J. DiBitetto: The previous ordinance was for 55 yrs + housing and we showed a different project. It was not well received by the Granite Hill I community. We wanted to show the potential phase II on this plan for the abutters. We believe this will win the abutters' support. We are good neighbors and they are good neighbors.

A. O'Brien: My concerns are parking and traffic. There is more than a 90-degree bend at Thames Rd. and Avon Rd. It is a very dangerous corner and there is no lighting. When snow banks build up, it is a blind corner. I don't know what the length of the driveway to the corner looks like; 60-80 ft is a problem. What about visitor parking? Visitor parking on roadways creates numerous problems. There is no parking at all on roadways at any time; fines are assessed per easements within the condo association docs. If roadway parking is permitted, Granite Hill and probably Granite Heights will object. Visitor parking is needed, but not on-street parking. Curb cuts need sight line distance.

D. Tatem: That is 100 ft and 50 ft apart.

A. O'Brien: The corner is dangerous. There should be lighting to accommodate this corner. Stop signs are needed. As the Preserve grows, I understand a 4-way stop sign would be put in to make it a safer area. Never mind the wintertime, summer congestion is also a problem. Since 1995 there has been a Board of Directors for the condo association. As John and Mike DiBitetto discussed, they tried to create buffer areas of no development within a 100 ft buffer between property lines. Does this apply to phase I?

You are only affecting single-family homes for phase I. But certainly for phase II, you are within 20-25 ft from the Granite Heights property. They should stay within the scenario that a 100 ft buffer is potentially necessary. Is there an immediate impact to homes in that area? Maybe or maybe not, but this buffer has been discussed in the past. I can foresee issues: 1) parking, 2) lot and block homes with shared driveways on a main road; on a private roadway with a number of driveways and congestion of these driveways not so much in summertime, but definitely in winter. Since June of 1996 I have been managing this property. Water and sewer are up for discussion. There are a number of variances. The only thing I haven't heard is how they have refined the sales price of \$200,000-\$250,000.

H. Cranton: Sales price of \$235,000 for a 3-bedroom 1,400 sq ft house.

A. O'Brien: Is that affordable housing?

H. Cranton: It is \$167 sq ft.

A. O'Brien: As I mentioned at the Planning Board meeting, there are a number of existing units at Granite Hill for sale at that price. In Hooksett, there are in excess of 100 homes under \$200,000.

H. Cranton: The deed will have perpetual workforce housing. Does each home you mention in the current market need fixing?

A. O'Brien: Those lots I am talking about are a lot bigger than 1/10 acre. Your lots are 30-40 ft wide. Where is there green space for the kids to play? They will end up in the asphalt road that is not lit.

H. Cranton: What is the speed limit?

A. O'Brien: 15 mph at Granite Hill, 15-20 mph at Granite Heights. I would be interested in drainage and wetlands studies/impacts. Now there are a number of drains and runoff from Granite Heights that does affect the ponds at Granite Hill. Titcomb Pond (with no obstructions) did overflow the roadway on one of those major rain events in the past few years. Studies or impacts of drainage have to include the entire areas of Titcombs, Sussex, Hamlet to Maidstone Pond to the cooperative park and across Rte 3 near CRW.

J. DiBitetto: For open space, workforce housing is not necessarily family housing. A typical family may be co-habs such as a divorced person with one son or daughter. At Granite Hill we are running .1 child per household. We propose 8 houses, which would result in 1 child for all 8 of houses. In the case 2 or 3 children, we have more than adequate space. The goal is to build a product that is marketable from pricing and functionality. We feel strongly what we are proposing is right for Hooksett and we have the right area of land. We are aware there are three applicants for workforce housing in Hooksett, and that is because the ordinance just came out. There is not a lot of land in Hooksett to build on.

P. Rowell: Why don't you buy a cluster development and build on that? I see you are crowding workforce housing into a site that may not be the best site. You have wetlands. There is reasonable land in Hooksett. When is the other road from Thames going to get built?

A. O'Brien: There is a ½ mile of dirt road off Thames with no utilities.

P. Rowell: Does the road built out have condo fees?

A. O'Brien: Road usage fee is \$190.00 per unit.

P. Rowell: You need 50 ft for 911 frontages.

M. Hoisington: We need to look at that whole area.

A. O'Brien: Demographics are changing all the time, but I question the number of children you came up with. The demographics of the Hamlet and Dove Rd property is different than the single-family number of children at Granite Heights. Single-family vs. condos. Isn't this geared for a 4-person family? Workforce housing is geared off the median income for a 4-person family; husband and wife and 2 kids. The income level formula has to run on a 4-family. I agree there probably will not be 3 kids per household, but I think there will be more than just 1 child for all 8 units.

J. Duffy: Diane, will there be town pick-up?

D. Boyce: Yes.

M. Hoisington: What is the height of the building?

H. Cranton: Under 35 ft for 2 stories with no attic and 9 ft ceilings.

B. Anderson: What is the fire height?

M. Hoisington: 75 ft and the bedroom must be within 25 ft of grade for the code of egress.

B. Anderson: So there are the workforce housing regulations, variance from the State Fire Marshall for the building separation, and everything else is a waiver with the Planning Board.

P. Rowell: Is this a subdivision or a site plan?

J. Duffy: A subdivision. What he is saying is that if he doesn't meet something else under the zoning ordinance, how does that work.

P. Rowell: Everything except the building separation for a variance would be under the Planning Board.

J. Duff: If there is any conflict with this workforce housing ordinance vs. another ordinance; lot size, density . . .?

P. Rowell: Under the MDR, the Planning Board can grant waivers for lot size. Can the Planning Board grant building separation?

M. Hoisington: What if the Fire Marshall grants the variance for the building separation and it is resolved with fire, does there also need to be a ZBA variance?

P. Rowell: If it is OK with the Fire Marshall, do they have to go to the ZBA for a variance?

J. Duffy: Yes because it says it in the ordinance.

D. Tatem: They are not meeting any setback from any ordinance in Town. With the Fire Dept. input they maybe can go straight to the Planning Board and not the ZBA.

B. Anderson: The first step is to get the waiver with the State Fire Marshall and have the Fire Dept. state there are no fire safety issues for the building separation (40 ft whichever is less if the waiver for the side yard setback meets the ordinance).

P. Rowell: Let the Planning Board send them to the ZBA if needed.

J. Duffy: So you are saying let the Planning Board decide if they need a variance and send them to the ZBA if needed.

D. Tatem: People are writing a handbook on workforce housing, we can get input from the Town attorney, and you guys can meet with staff for answers ahead of time.

P. Rowell: You still need to get something to fire.

B. Anderson: Do we have to resolve the variance with the Fire Marshall first before applying to the Planning Board?

D. Tatem: You need the water and sewer capacity resolved.

J. Duffy: And you need the water and sewer in writing for completeness.

M. Hoisington: It will take a month to get the Fire Marshall to process a variance.

P. Rowell: For public safety, they should have a light at the intersection.

D. Tatem: If a Town road would have control over installing a light, but it is a private road. Who pays and installs? Also there is the light pole base on their property with an association and maintenance.

J. Duffy: These people here would not be on this association.

D. Tatem: They could form their own association. Someone has to pay for a light, the Town won't.

A. O'Brien: Lighting is something that has to happen at this corner.

P. Rowell: How is it currently work for lighting?

A. O'Brien: Granite Hill has lights, and Granite Heights has no lights. Jo Ann traffic? The driveway cuts are close enough to the intersection.

D. Tatem: They will need a waiver because it is in the regulations. I have not seen a waiver issued yet except for driveways on a cul-de-sac.

P. Rowell: Get the waiver from the Fire Marshall and the Planning Board will deal with waivers for everything else, unless the Planning Board decides they need a waiver through the ZBA. \$224,000 probably puts the majority of homes in Hooksett under workforce housing. Manchester and Nashua doesn't need to put workforce housing in their regulations.

ADJOURNMENT

J. Duffy declared the meeting adjourned at 10:30am. The next TRC meeting is scheduled for Thursday, February 11, 2010, Hooksett Municipal Building, 2ND FLOOR ROOM 204.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator