

**HOOKSETT
ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
September 11, 2007**

HOOKSETT PUBLIC LIBRARY

I. CALL MEETING TO ORDER AT 7:00 P.M.

II. INTRODUCE MEMBERS OF THE BOARD

Tracy Murphy Roche, Chair; Richard Johnston, Roger Duhaime, Chris Pearson, Ronald Savoie, James Levesque, Alt; Richard Bairam, Alt; Gerald Hyde, Alt arrived at 7:20pm

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III. CONTINUED PUBLIC HEARING

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JOHN BOURGOIN

46 Morrill Road Map 40, Lot 7

Variance

from Article 26 C, to permit the extension of an existing building on a nonconforming lot greater than 50% of the existing gross floor area of the structure

Chris Pearson – They came before us at the last meeting and a site walk was done.

Dick Johnston – I was at the site walk. I did not see anybody else I waited for about 15 minutes. I have no problem with this they are not changing the setbacks all they are doing is adding another floor. It is your typical style ranch house. I see nothing wrong with this.

Tracy Murphy Roche – This started out as a special exception and is now a variance are we sure that this is correct?

Michelle Bonsteel – Yes it is correct. We had to re-notice it because it was noticed to the abutters incorrectly.

Dick Johnston Motioned to grant the variance from article 26C, to permit the extension of an existing building on a nonconforming lot granter than 50% of the existing gross floor area of the structure Ron Savoie Seconded voted unanimously.

MANCHESTER SAND & GRAVEL

22-27 Lehoux Drive Map 22, Lot 36-4

Special Exception from Article 18, Section E.a to work within a wetlands area to replace a failed culvert.

David Campbell representing Manchester Sand – We are here to talk about a Special Exception from Article 18, Section E.a to work within a wetlands area to replace a failed culvert. During the spring rains in April the culvert failed and we really should have filed an emergency culver repair right then but we didn't and now we have to go through the entire permitting process. We did go before the Conservation Commission and they did recommend it they also did a site walk tonight. The water comes from route 3 and runs underneath the road. Right no there is a 24" culvert that is failing. We had originally planned on replacing it but with a new roadway coming in, in the next two years we do not have an exact location of where roadway will be. So instead of replacing it now and then coming back in two years because we may have to move it we would like to repair it now and then come back once we know exactly where the roadway location will be and fix it permanently.

So what we would like to do is restore both sides of the roadway with a lot of texture so the water will not run over the roadway again. We will stabilize the slopes with riprap and stone.

Chris Pearson – On our site walk you were going permanently fix the culvert. So this will now be just a temporary fix correct? With this fix are you going to have the width for the trucks to make it through?

Peter Holden, Holden Engineering – Yes we will. They will not be able to pass at the same time but they will have the width to pass over the roadway.

Tracey Murphy Roche – Who was on the site walk?

Chris Pearson – Jim, myself, and Roger

Dick Johnston – I have been down there many many times.

Jim Levesque – Do we have a letter from the Conservation Commission stating there support?

Jodi Pinard – We reviewed it Wednesday night.

Tracey Murphy Roche – I would like to see some type of documentation that they are in agreement, not just on this project but also on future projects.

Jodi Pinard – They reviewed it Wednesday night and are in support of this repair. They did have a site walk tonight on the Heads

Pond Project and they were also going to look at this as well.

Tracey Murphy Roche – I think we should have something in writing from the conservation commission prior to the meeting from this point forward.

Chris Pearson Motioned to grant the special exception from Article 18 E. a., to work within a wetlands area to replace a failed culvert Ron Savoie Seconded voted unanimously.

David Campbell – If I could just address another issue why I am here, our other item did not get on the agenda for the Heads Pond project. I was wondering if it was possible to set up a site walk now so that when we come back next month the board would be able to vote on the matter.

Ron Savoie – How much of a change is this from the other proposal? We have been through there many times. I know I have been through there three times officially.

David Campbell – We have made a 95% reduction in our wetland crossings. We just did it with Conservation Commission and we got a van and did it tonight.

Tracey Murphy Roche – I know in the past we have not done this. Was this a clerical error?

Michelle Bonsteel – I asked the individual who at the time was responsible for these items if we had all of the applicants for the agenda and I was told yes. When I went to gather everything I found the Manchester Sand application that had been received on time but I was not told about. Due to this error the application did not make onto the agenda but should have been on it. I take full responsibility for this

Tracey Murphy Roche – Site walk is scheduled for 9/18/07 at 5pm across from Green's Marine. 8 Members will be attending.

OMNIPOINT COMMUNICATION

305 Bicentennial Road, Map 44, Lot 3

Variance

from Article 5.A. to allow for a wireless communications facility in the medium density residential district, and a Variance from Article 28, Section O.5.a for side and rear setbacks.

Continued until October 9, 2007

NEW PUBLIC HEARING

Norman Leeds, Jr.; 217 Hackett Hill Road,

Map 22, Lot 44 & Map 23 Lot 13. A request for special exception from Article 18, E.a. to permit the crossing of a wetland area to create access to a back lot.

Don Duval – We are here tonight regarding a wetland crossing. It was our intention that this land would not be built on for a few years and we would deal with the wetland crossing then. We went to the Planning Board and they said no you will need to deal with it now. At the same time the Planning Board did not like the variance that you had granted for the lot line adjustment.

Tracey Murphy Roche – Do they want you to go back to the original?

Don Duval – They said with all of the turns it would be very hard to figure out. So I adjusted it and spoke with the town engineer and he said he was happy with that. I am not sure what I have to do now. I am not sure if I have to come back to you for a new variance. The frontage was 59ft and now it is 69ft. I just cut some of the angles.

Michelle Bonsteel – Are they going to be satisfied by this?

Don Duval – I was standing right there when she called the engineer and he gave verbal approval.

Tracey Murphy Roche – Do we have to re-notice this?

Michelle Bonsteel – I am not sure I am confused at this point because it is better not worse so I am not sure what exactly we do.

Dick Johnston – Do we have to re-notice for a lot line adjustment? Basically this is all it is.

Don Duval – We asked for a 50ft right of way and the Planning Board said two many angles and so we straightened it out a bit.

Michelle Bonsteel – This has more frontage now it is better than before.

Don Duval – We are here for the special exception for a wetlands crossing because we a woods road right here and it crosses a wetland. It had been there for about 12 years since he bought and he is just trying to make it legal. We do have a Permit by Notification to streamline this application. It was submitted to the conservation commission and I am not sure if they acted on it yet.

Tracey Murphy Roche – We would have to do a site walk. The site walk will be 9/25/07 at 5pm at the property.

Pennichuck East Utility, Inc.; 16 Springer Road, map 5 Lot 116 W. A special exception from Article 12.B.1. to permit the replacement of a water pump station in the MUD1, Mixed Use District 1.

Donald Ware of

Pennichuck East Utility, Inc – We are here tonight to request a special exception from Article 12.B.1. to permit the replacement of a water pump station in the MUD1, Mixed Use District 1. In the permit application what this is, is to replace the existing pumping station that was built in 1974-1975. If you refer to page 123 of the plans it gives you an overview of the lot that we will be building on with the existing station. The existing pumping station is right here and provides water to Springer Road and Brandywine Drive consisting of 28 homes. We have an easement that says the pumping station must be built on the same footprint as the current station this is almost impossible to do. So we went to Mr. Acurus the easement holder and asked if we could build it somewhere else on the easement. He gave us this location to build it on.

Tracey Murphy Roche – Why would it be impossible to build in the same footprint?

Donald Ware – We have to keep the pump station running to provide water service. You have storage tanks and a generator. This will stay in service then entire time we are building the new station and since we are adding a generator this is so when there is a power outage people still have power. The plan is to reconstruct the station and continue to use the other station until the new station is complete. The new station is on the same lot and we feel it is a good place to reconstruct with the restrictions of the easement. We feel it is far enough away from the Croteau homes with a landscaping butter proposed along the backside. This pumping station is actually in the ground with only part of it exposed with only a door way right. The only thing that is visible is the roof.

Chris Pearson – The location of the old pump station will that be returned to it's original state?

Donald Ware – Yes it will be. This is being shown as demolished and the tanks are being removed. Everything will be removed.

Dick Johnston – Where will this new pump station get its water?

Donald Ware – It will still be services by Hooksett Village Water Precinct.

Dick Johnston – Ok, that means you will not be drilling another well and you have it here as capping off the old well. How big is that well?

Donald Ware – That is correct. It is a six-inch. We will be filling it with concrete.

Jim Levesque – How far will this be from Springer Road?

Donald Ware – It ends up being about 50 feet from the road. On page 4 of 14 you should have a view of the station with the setbacks. Two out of the four sides of the building are buried. The station will be visited twice a week. The station is being built with brick and mortar and the station along with all of the equipment is meant to last 50 to 60 years. We have an agreement to but

water from Village Water and that is enough to supply the 28 houses right here and 42 houses being built in Bow.

Jim Levesque – What is the noise level going to be?

Donald Ware - These are 3 horsepower pumps. You will hear an audible hum. Then 50 feet away from the building you will not hear anything.

Tracey Murphy Roche – Is the reason for building a new station the Bow development?

Donald Ware – No, there are two reasons we would like to build a new station. We bought this station in 1999 and immediately following that a developer from Bow approached us and we saw this as a partnership and he is paying for ½ of the construction of the new pumping station. We have held off from building a new station for 7 years just to take advantage of this opportunity. We went through this process backwards.

Application:

The specific site is an appropriate location for use the proposed Pump station there is an existing pumping station that has been there on the same lot. There is no evidence found that the property values in the district would be reduced because the pumping station was there before the existing homes. No nescience or hazard will be created by the proposed project. The pump station with the exception of the roof is not visible to any of the abutters. Adequate and appropriate facilities will be provided for the proper operation of the proposal because the booster station such, as this have to go through DES. The use will not impair the integrity or character in the district, adjoining zones or be detrimental to the health or welfare of the community because it is actually a reversal, a failure to build a new pump station would result in a stoppage of water service.

This new pump station will actually provide better service than the homes have now.

Abutters:

Serge Croteau, 14 Springer Road – I don't think this should be done. The original easement was written this way because if Hooksett was to have water problems in the future they would be able to drill where they are going to build the new pumping station. Once this buffer is removed then the whole responsibility falls onto Hooksett. You guys are going to have another problem with having to supply water to a guy who gave a way the easement for wells. That is what it was intended for. PEU Knows about it everybody knows about it. We worked on this for years and spent a lot of money to make this happen. Now I don't even know why we are here to make it go away when it was put into plan for a safety for the town. That's what that was for. The reason why PEU has it's hands tied now is because that this the property that Tony's allowing them to have. The intended use for this easement was for wells and now if the pump station is moved there could be the potential for development. This was not what it was intended for. We are the ones who provided the easement. Our family provided that. We gave it for water. Another thing they don't mention is that they are going to use dynamite. Where they are right now that's ledge and they will be blasting right next to my house. I've got

my septic tank that's already between ledge right now. I have four flues that are 40 feet tall; the whole back of my house is already pinned against ledge. I am against dynamite and the release of the easement that was meant for water and nothing else. Roger Hebert was not even aware of this project until last Friday. I just don't agree with it at all. What they are doing is trading 6 acres for a small parcel over here.

Donald Ware – There is a 275ft easement that was investigated for water and there is no water there. Mr. Hebert was aware we spoke to him back and 2000 and had not remembered it. Now would I prefer to build here yes I would it would be less expensive. If I could set up and move to one side I would. But again I have to go the property owner and easement holder and he wants us to build here. We have an easement over this area.

Dick Johnston – Is that a deeded easement?

Donald Ware – Yes it is. The lot is owned now by the Acures. They have never discussed taking the 6 acres back from the easement but this right here has no water. This system used to run out of water all the time. We have done drills for water and found nothing. That was one of reasons that the Public Utilities Commission to take it over.

Michelle Bonsteel – Can I suggest we issue a memo to Roger Hebert to have him at our next meeting to discuss what they have agreed to with Village Water?

Donald Ware – I will bring all supporting information from DES and all other parties to the next meeting.

Tracey Murphy Roche – We will have a site walk immediately following the Norman Leeds 9/25/07 @5:30pm. We will also keep the public portion open until next meeting.

VI. REVIEW OF CORRESPONDENCE
All correspondence was reviewed

VII. APPROVAL OF MINUTES.
Chris Pearson motioned to accept the meeting minutes from August 14, 2007 with correction made by Jim Levesque seconded by Ron Savoie voted unanimously
June 12 meeting minutes will be approved next meeting.

VIII. OTHER BUSINESS
The board voted unanimously to send a letter in support of the promotion of Jo Ann Duffy to Town Planner to the Town Council.

IX. ADJOURN

Dick Johnson motioned to adjourn the meeting at 8:41 pm seconded by Jim Levesque voted unanimously.

Respectfully submitted

Jodi Pinard