

## **Official**

HOOKSETT ZONING BOARD OF ADJUSTMENT  
Tuesday, May 14, 2013  
HOOKSETT MUNICIPAL BUILDING

### **CALL TO ORDER**

Chair Pearson called the meeting to order at 6:30 pm.

### **PLEDGE OF ALLEGIANCE**

**ATTENDANCE:** M. Simoneau, D. Pare, G. Hyde, R. Bairam, C. Pearson, J. Roy, J. Levesque (arrived at 6:40 pm), Roger Duhaime (arrived at 6:48 pm)

**STAFF:** Matt Labonte, Code Enforcement Officer

### **APPROVAL OF MINUTES**

February 12, 2013 Regular Meeting – *R. Bairam moved to approve, D. Pare seconded. Motion carried.*

February 12, 2013 Non-Public Meeting - *R. Bairam moved to approve, G. Hyde seconded. Motion carried.* The non-public minutes will remain sealed.

April 17, 2013 Regular Meeting – *R. Bairam moved to approve, M. Simoneau seconded. Motion carried.*

### **CONTINUED PUBLIC HEARINGS**

**SNHU**                      **Case # 13-02**  
North River Road      Map 33              Lot 67  
MUD4

A variance from the Hooksett Zoning Ordinance Article 18, Section D.1 and G.2. (a) to permit filling of a wetland finger and impact within the 40' setback buffer along the connected wetland for development of a parking lot.

Jeff Kevan, TF Moran: I believe you did the site walk last week. My understanding is that there weren't any questions on this site.

Chair Pearson: No, not with this site. For the record, the site walk was done on Tuesday, May 7<sup>th</sup> at 5:30 pm. R. Bairam, R. Duhaime, D. Pare, C. Pearson, M. Simoneau, M. Labonte (CEO) and Evelyn Horn (Administrative Assistant) were there.

**Opened public hearing.**

No comment.

**Closed public hearing.**

***R. Bairam moved to grant the variance from the Hooksett Zoning Ordinance Article 18, Section D.1 and G.2.(a) to permit filling of a wetland finger and impact within the 40' setback buffer along the connected wetland for development of a parking lot at map 33, lot 67. M. Simoneau seconded.***

D. Pare: Is there going to be a walking path from the parking lot to the school? Will there be lighting?

J. Kevan: Yes, there will be a walking path and lighting with security box on campus.

**Motion carried unanimously.**

**SNHU**                      **Case # 13-03**  
Depot Road              Map 38              Lot 1  
MUD4

A variance from the Hooksett Zoning Ordinance Article 18, Section D.1 and G.2. (a) to permit filling of a section of wetland and impact within the 40' setback buffer along the connected wetland for development of a parking lot.

J. Kevan: Clear, the swale is not very well-defined from a combination of silt being washed over what have you. We're not proposing to excavate and clean out that channel to define that. The parking lot is raised up so that if I went in and have to clean out that channel I would have to file for dredge and fill and also file for the loss of the wetlands that would dry up by channelizing the yard area.

Chair Pearson: If you look at the first impact of wetlands as you're coming up the parking lot that was where the runoff was coming from. The water was really coming across there. It was all coming from there. What are you going to do to mitigate that problem?

J. Kevan: We're raising up the parking lot, paving it and the runoff will be tied and pumped through the pipe.

Chair Pearson: How do you keep the swale from failing again? It clearly failed.

J. Kevan: Once I put this in, I am allowed to clean up and maintain that pipe. That's what the school would have to do to maintain the path. That's why we're going with 20-24" pipes under the walk. Right now Depot Road floods on a regular basis. We're going to re-pave Depot Road and replace those culverts. I expect to see the area develop into more of a wetlands vegetation

over time. We'll work with the Town as far as the upgrades on Depot Road. The parking lot will be raised 3-4 feet.

**Public hearing opened.**

No public comments.

**Public hearing closed.**

***M. Simoneau moved to grant the variance from the Hooksett Zoning Ordinance Article 18, Section D.1 and G.2.(a) to permit filling of a section of wetland and impact within the 40' setback buffer along the connected wetland for development of a parking lot at map 38, lot 1. R. Bairam seconded. Motion carried unanimously.***

**NEW PUBLIC HEARINGS**

**Bass Pro Shops            Case # 13-04**  
2 Commerce Drive    Map 37            Lot 43  
MUD3

A variance from Article 19, Section D-9 to permit a boat service and maintenance area for use in conjunction with the proposed Bass Pro Shops Sportsman's Center.

Applicant Representatives: Austin Turner (Tetra Tech), Walter Grammer (Bass Pro Shops General Manager), Blake Phillips (Bass Pro Shops Parts Manager) and John Faraday (Bass Pro Shops Service Manager)

A. Turner: We are seeking a variance from Article 19, Section D-9 to allow for boat service and maintenance area for the new Bass Pro Shops facility. Bass Pro Shops will occupy the now vacant Lowe's facility. The location is within the groundwater district. The boat service area will be inside the structure. All service and maintenance work for all boats and ATV's will all be done inside. The concern is potential runoff into the groundwater. The drainage is connected to the floor drain system, which goes to a 1,500 gallon holding tank. The holding tank is not connected to the subsurface septic system, it goes to a holding tank. When the holding tank reaches or is close to its capacity, an alarm goes into the store to call and get the tank pumped. Similar to what Lowe's was doing when they were open.

Chair Pearson: Just to clarify, the application is for boats. You're saying you will service ATV's also? Is this service for new boats or regular maintenance?

A. Turner: Both

R. Duhaime: Is there an oil and water separator in that system?

A. Turner: No. It's connected to the concrete holding tank. The holding tank is located in the front parking area, south of the septic system. When the tank is 75% at full capacity it will alert the store. It's the same holding tank approved for Lowe's.

Chair Pearson: I don't remember us approving a holding tank.

M. Labonte: That was there for Lowe's Garden Center. That didn't fall under the purview of the groundwater protection district. It may have been approved by the Planning Board.

R. Duhaime: Do you have an oil and water separator in the floor drains?

W. Grammer: In this project we will have an oil/water separator.

Chair Pearson: That's something you have to provide us. I want to know what's underneath that ground. You have to show us the system. I don't know what was put in there.

J. Roy: The holding tank is primarily from washing the vehicles.

A. Turner: In an event of a spill, it will not be connected to septic system.

Chair Pearson: How about the 55 gallon oil tanks, where do you store those and how often do they get taken out?

A. Turner: They are stored in the Boat Maintenance part of the facility and get taken out by a registered hazmat company usually 4-5 times a year on average.

J. Levesque: How much waste oil do you think you may generate a year?

B. Phillips: On average no more than four 55 gallon drum of waste oil per year.

J. Faraday: Anti freeze is incorporated with the waste fuel and disposed of the same way. Anti-freeze and the gas could be mixed.

**Public hearing opened.**

Jo Ann Duffy, Town Planner: We've been working very closely with Bass Pro to make it an easy process. We met with NHDOT yesterday. They need an amended driveway permit. The traffic count was actually less than what was projected. Trying to accommodate their needs as much as we can. The staff has reviewed the application and feels comfortable with allowing what they are proposing. They are using it as an overflow. They have been working with the Sewer Commission. They will be hooking onto the sewer system as soon as it is available. In the meantime, they also agreed to construct an additional septic tank. They've been doing everything that we've asked for. I asked that you grant the variance and be assured that the staff is looking at this very carefully

Steve Green, Green's Marine: Over the years, I've also looked at properties inside that zone. I was told that if we service an engine, any kind of engine, we were not allowed inside that zone. There was no discussion. That was it, cut and dry. The State also told me I couldn't mix anti-freeze with gas. 1,500 gallon tank doesn't seem to be enough in my view. I generate approximately ten 55-gallon drums of waste oil, six 55-gallon drum of gasoline and one drum of anti-freeze. For reference, this may help you understand what these folks are doing. I was just confused. I couldn't do anything in that area that had to do with an engine. It didn't matter what I did.

**Closed public hearing.**

J. Roy asked for clarification if the Town had an ordinance or the State has to approve.

M. Labonte: It's a Town Ordinance. The State could get involved with their required permit for oil/water separator and drain set up.

A. Turner: We will be reviewing the application with the Town and NHDES.

Chair Pearson: My concern is that we've never seen this tank.

R. Duhaime: That is also my concern. There is no oil/water separator. That was pretty much a requirement that we've done before. Everything has to be on pavement. That's my only question. You don't have anything showing that.

A. Austin: We will be meeting with the Building Department. The building plans will be in here next week.

Chair Pearson: I was surprise you didn't submit a more detailed plan.

J. Roy: I think I'd rather see a holding tank collect everything as long as it's maintained and properly pumped.

R. Duhaime: I think having an oil and water separator will take care of my concerns.

The application was read into the record (see file.)

Note: "Boat/ATV Service" will be added to the application.

***R. Duhaime moved to grant a variance from Article 19, Section D-9 to permit a boat/ATV service and maintenance area for use in conjunction with the proposed Bass Pro Shops Sportsman's Center with conditions that oil and water separator be installed and no service to be performed outside the facility. R. Bairam seconded. Motion carried unanimously.***

**General Electric Company Case # 13-05**  
31 Industrial Park Drive Map 18 Lot 42  
IND

A variance from Article 11, Section B.4 to permit a new guard house associated with the existing General Electric campus at 31 Industrial Park Drive to be located on the front property line, providing a zero foot setback.

Applicant Representatives: Nick Golon (TF Moran), Ron Breton (GE Senior Principal), Susan Niquette (GE Security Leader), Tom Murphy (GE Facilities)

N. Golon: We are here to request a variance from required setbacks relative to the construction of a new guard house.

S. Niquette: GE has been there for over 40 years. After 9/11, our security got a lot stronger. We fenced in our plant and hired a security guard to man the plant 24/7. Because of its location, we do not have internet communication with the guard house. Moving it inside the boundary of the facility will be able to provide that service. There should not be any disruption to traffic.

T. Murphy: We're looking to move the entrance and exit further down Industrial Drive. Open it up to make it wider so we'll have less cue coming into the plant.

N. Golon went through the design of the proposed guard house and the configuration of the entrance. It will be a monitored traffic flow. They are requesting for zero setbacks but no component will go over the property line.

The application was read into the record (see file).

**Opened public hearing.**

No public comments.

**Closed public hearing.**

***R. Bairam moved to grant a variance from Article 11, Section B.4 to permit a new guard house associated with the existing General Electric campus at 31 Industrial Park Drive to be located on the front property line, providing a zero foot setback. M. Simoneau seconded. Motion carried unanimously.***

**John and Sandra Merrill Case # 13-06**  
8 Highland Street Map 6 Lot 61  
MDR

A variance from Article 5, Section A.6.a to permit operation of a licensed in-home child day care provider.

S. Merrill: I currently operate a child day care facility out of my home for the last 2 and a half years. I have worked with children for over 25 years. I have children coming in the morning and leave for school in the afternoon. If there is a snow day or emergency, I'll be over my numbers. I want to rectify that and be legal at all times.

Chair Pearson: The max is four. What do you typically run into?

S. Merrill: I could run into 6 children if there's a snow day or any type of emergency, i.e., parents being called into work. The State would like me to get licensed for 12 children but that's not something I'd like to do so I am requesting for 9.

The application was read into records (see file).

Discussions regarding parking and shared driveway. The property is on Town water and sewer.

**Opened public hearing.**

No public comments.

**Closed public hearing.**

***R. Duhaime moved to grant a variance from Article 5, Section A.6.a to permit operation of a licensed in-home child day care for 9 children. R. Bairam seconded. Motion carried unanimously.***

**Paul Scarpetti**                      **Case # 13-07**  
27 Londonderry Turnpike      Map 49              Lot 10-2  
IND

A special exception from Article 11, Section B.2.a to permit a commercial office building that would house the offices of a general medical practice with up to 4 practitioners. Co-located in the building would be some adjunct health services to serve that practice and the community. This would include a satellite laboratory (actual specimens shipped out to the main lab for testing) and perhaps a physical therapy service.

Roger Dignard, Architect: The application is for a special exception. We are proposing a medical facility which is a commercial and business use in this zone. This building would be similar to the Regency Mortgage Company across the street. The building would be facing Londonderry Turnpike. The building would be between 9,500 and 12,500 square feet. This is a conceptual plan and not an engineer plan. There would be an on-site septic system. In the context of an industrial zone, this would be an attractive property, which would increase the value of the surrounding property. Landscape enhancement is planned.

The application was read into the records (see file).

**Opened public hearing.**

No public comments.

**Closed public hearing.**

Site walk was scheduled for Monday, May 20<sup>th</sup> at 6 pm.

**ADJOURNMENT**

The meeting adjourned at 8:17 pm.

Respectfully submitted by,

Evelyn F. Horn  
Administrative Assistant