

Official

HOOKSETT ZONING BOARD OF ADJUSTMENT

Tuesday, March 8, 2016

HOOKSETT MUNICIPAL BUILDING

CALL TO ORDER

Chairman Chris Pearson called the regular meeting to order at 6:30 pm.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Chris Pearson (Chairman), Roger Duhaime (Vice-Chairman) (arrived at 6:34), Don Pare, Gerald Hyde, and Richard Bairam.

ALTERNATES: Phil Denbow and Michael Simoneau.

STAFF: Matt Lavoie, Code Enforcement Officer

EXCUSED: Jim Levesque, Council Rep.

APPROVAL OF MINUTES

January 12, 2016 – R. Bairam *motioned to approve the minutes of the January 12, 2016 meeting. Seconded by G. Hyde. Motion carried unanimously.*

NEW PUBLIC HEARING

Harmony Place, LLC
1621 Harmony Place
MDR

Case # 16-01
Map 14, Lot 27

A Special Exception is requested from Article 5 Section B.1 of the Zoning Ordinance to allow the construction of a water tank on the property.

Jennifer McCourt (McCourt Engineering): There is an existing water tank on the property that is 200,000 gallons. In speaking with Hooksett Village Water Precinct , they would like to put a 950,000 gallon tank on the property in another location. It is 62' in diameter and 45' tall. We are following the contour of the land so that we don't have problems with water pressure. With this change the access to the booster pump station has been moved. The water main will come up the driveway. Previous access to the water tank was a seasonal dirt road through an abutters property which washed out on a regular basis.

J. McCourt read the requirements for the special exception into the record.

C. Pearson: You are still slightly down-slope from the buildings that you are pumping to?

J. McCourt: Yes. We are still going to have to have a booster pump station to be able to service the buildings. It is the same elevation as the old one, but providing more water capacity.

R. Duhaime: Are the buildings two or three stories?

J. McCourt: Three stories.

R. Duhaime: What is to the east of the water tower?

J. McCourt: Woodlands. The closest home is 700' away.

C. Pearson: Who is responsible for the removal of the old tank?

J. McCourt: The Hooksett Village Water Precinct.

C. Pearson: Is there a timetable on the removal of that after you install the new tank?

J. McCourt: They are going to be installing the new tank.

Michael Heidorn (Superintendent of the Hooksett Village Water Precinct): We don't have a timetable yet. It is necessary for us to get this done. The state is putting a lot of pressure on us. The tank is really old, in bad shape, and the volume is no where what it should be to serve the area. We are trying to get the site set up and get the engineering done for the new tank. At the same time we will be thinking about removing the old tank.

R. Duhaime: Regarding the tank that was put on top of Manchester Sand and Carriage Hill. I thought you pumped up to that with new wells and had enough capacity.

M. Heidorn: We have two different pressure zones within the system. The small (old) tank serves the low pressure system which is most of what you see on Rt. 3 and Rt. 3A. The new tank serves the large housing developments up on the hill. Those two systems are distinct in terms of pressure and they are separated by a booster station which is located at the bottom of Post Rd. That allows us to move water between the two if needed. We can fill the larger (upper) tank with the wells that are located by Pinnacle Pond but the water users on the lower end of the system are taking water from that lower tank.

R. Duhaime: When you put in the new tank are you going to be able to equalize the system? Is that what you are looking to do?

M. Heidorn: We are looking to replace the existing tank with a newer tank that is larger. With the top of the water in the tank that elevation has to be roughly the same as it is now because if you raise the elevation it creates a lot of pressure on the low pressure system and it will blow

out the water mains. We are trying to keep the pressure the same.

R. Duhaime: Could you put in a pressure reducer?

M. Heidorn: That would be up to engineering.

R. Duhaime: You are looking to increase the volume?

M. Heidorn: Correct. We are trying to create a tank that is sized appropriately for the demand and hopefully the operation of that will reduce our costs.

P. Denbow: What is driving the need for the excess water? Is it the existing units or the increase in units?

J. McCourt: They came to us before we started the variance process and said they wanted to put in a new tank. That is why we are back with the variance. Sonny and myself did not realize what they were looking for as far as the proposed tank and the impacts on the development. The 63 units were approved with the 200,000 gallon tank. Hooksett Village Water Precinct has come to us because it is the entire precinct that needs additional water. To have a safety factor they need to have the storage.

P. Denbow: It looks like more people would benefit from this. Is that the best spot for the tank on the property? Is that what is driving this?

M. Heidorn: We looked at the existing property to see if we could work within that and we could not because there is too small of a footprint. Even to put in another tank of the same size we would have to take that tank off-line. We looked to see if that rough elevation with other properties might work. The timing of that evaluation and this project coincided. We don't have any other options at the moment and this is a good situation for us because it is close to our systems in terms of piping. It gets the water close to their development but also benefits us because we are saving money due to the connection to the piping.

P. Denbow: Who owns the tank?

M. Heidorn: The Hooksett Village Water Precinct.

M. Lavoie: The property owner has to apply for the special exception. The tank will be held on an easement so the property owner will still retain rights to that property. They are not breaking up the property for the tank. They still own the property and the tank is on it by easement.

C. Pearson: Are you leasing that property to the water precinct?

Sonny Sell: No. They just have a lease to Harmony Place, LLC.

C. Pearson: How long would it be to take down the other structure?

M. Heidorn: I am not sure.

C. Pearson: Is the plan to disconnect and stop service once the new one is up?

M. Heidorn: Our plan is to switch over and abandon the old tank.

Neil Helberg (Lewis Engineering): We are the engineers for Hooksett Village Water Precinct. To remove the tank it would have to be drained, anything in the bottom would be sucked out, and then the tank would be knocked down and the pieces taken out.

R. Duhaime: Wouldn't they want to put the tower as high as possible?

N. Helberg: No. There are two pressure systems. The upper system which is the 1 million gallon tank at the top takes care of everything up there. In order to fill the upper tank you need to have a volume setting down lower that can fill the upper one. This tank at the proposed location is a match of the existing tank and is following the contours along the hillside and within other constraints on that property such as wetlands and setbacks. The tank is going to be set on an easement which is common in the utility industry. As long as they have an easement that goes along with the sub-division it is fine. It will also have an easement as far as the water mains coming up.

Open public hearing.

No public comments.

Close public hearing.

A site walk was scheduled for March 22 at 5:30 pm.

R. Duhaime motioned to continue the public hearing for the special exception on Harmony Place, LLC, Case # 16-01, 1621 Harmony Place, Map 14, Lot 27, MDR until April 12, 2016. Seconded by R. Bairam. Motion carried unanimously.

Harmony Place, LLC
1621 Harmony Place
MDR

Case # 16-02
Map 14, Lot 27

A Variance is requested from Article 5 Section C.3.b of the Zoning Ordinance to permit 76-two bedroom units in four buildings of multi-family housing. The building facility and improvement layout will be similar as the previously approved 63-unit 55+ restricted development.

J. McCourt (McCourt Engineering): Had we known the full extent of this water tower on the property and the impact on the units we would have asked for this request previously. A couple of things that changed with the layout of the property is Building C will be a three-story building instead of a two-story building which is the same as Buildings A and B. We would like to add five

townhouses that will have a drive-under garage. The only parking outside is the visitor parking spaces required by the town regulations. Most of Building C will be looking at the tank and part of Building A. The advantage is that the road going to the old tank will not be needed so there will be a bigger buffer to the buildings from Rt. 3A. As far as the location, we tried our best to push it away from the buildings to minimize the impact. Building C had 15 units and we are asking to put in 23 units. It will still have the community room and security office. Each building has it's own elevator. The other buildings have 24 units per building. Each building has 26 parking spaces underneath with each having a handicapped space. We would add more parking outside to get the required amount of spaces. The development is still on top of the hill. I had the traffic engineer redo the traffic analysis for this intersection and the improvements will still be sufficient to take care of the additional units.

R. Duhaime: You said 76. One of these buildings only has 23 units?

J. McCourt: Yes. We would be adding 8 units to Building C for a total of 23 and an additional 5 units down below. There is one common room and we will be maintaining that. When we originally came and got our first special exception to do the elderly housing it was approved for 76 units. Before we could get Planning Board approval the zoning changed and that is why it went down to 63 units. This project has many public incentives that Harmony Place LLC has agreed to and we would be adding another which is the water tank. We would be providing an abutter with a driveway and two abutters with sewer. We would also be upgrading the drainage system in Beauchesne Drive and providing all season access to the water tank. We would have had to do some upgrades to Rt. 3, but the Planning Board asked us to do left and right hand lane turns due to the speed of traffic in that area which we agreed to which is more than DOT would have required. There is a section where we would not be cutting trees because access will not be needed to the old tower and that will be a visual improvement. We want to have a project that we can build and this project has so many good public incentives.

J. McCourt read the application into record.

C. Pearson: When you say burden, is it correct that you will draw income from having the water tower on the property and not incur any expenses?

S. Sell: It is a 99-year lease that we don't get any income from.

R. Duhaime: You say that this is consistent with the neighborhood. I can't think of anything like this in that area. Could you spread these buildings out?

J. McCourt: That is why they are pushed so far back and there is such a big screening between us and the rest of the neighborhoods to try to isolate them on the flatter portion of the site.

R. Duhaime: They are tall. Will they be above the wood line?

J. McCourt: There are some larger pine trees. They are about 100 vertical feet above Rt. 3. and

they would all have underground parking.

C. Pearson: We have granted a couple of variances and it makes me nervous as to what may come down the line. We granted a variance for the building with 63 units, you are extending another building, and you are adding something. The questions for height and site line were answered at that time. There are some red flags that I see.

J. McCourt: The additional burden has been added and we don't want to get into the same problem we had before.

C. Pearson: Are you saying the tower will depreciate the site?

J. McCourt: Yes. When you are dealing with developers and trying to get the prices you want it is all about looks, views, and site lines and now we have this large tower. We want to make sure we have a project we can get financed and be able to build.

R. Duhaime: We want what is good for the town. You are part of this town and would like to help you develop this but it is not our job to make sure it is financially solid. There is nothing else like these units and we do not want to set precedent with something like this.

J. McCourt: With all of the other developments do they have the additional public facilities that we will be building along with this property?

C. Pearson: We initially granted the 63 units when 10 is what you could have done without coming to the Zoning Board. A big reason was the 55+ because of less impact on the schools and the burden on the town. Now we are talking about increasing units with no age restriction and an impact on the town.

R. Duhaime: When we first saw this project it had the age restriction and that would have less impact. Elderly housing would have been fine, even though 63 units seemed to be a reach. It has now changed to residential housing which will have more people and impact, and now you are asking for more units which would have even more impact. We understand you are trying to do a lot of great things with the property, but with too many units. It would be great for a lot of things, but isn't in character with the town. You can't do that for one person and not anyone else.

J. McCourt: Is it the additional town house building? The buildings up top are basically the same.

R. Duhaime: There could potentially be additional students in our schools and increased traffic which will all add impact to the town.

J. McCourt: You were having that with the 63 units and I have the traffic study that shows the improvements that we would be doing on Rt. 3 are more than adequate to handle the traffic

that would be generated from this property. Is the increase in units from 63 to 76 where the concern is?

R. Duhaime: Yes. I think it is a reach because there are too many units being added and it is too big of an impact. I understand the economical part of it, but this town has a rural character and this looks like it is going in a direction that is way past what I am willing to do.

G. Hyde: These are the reasons I voted no on the 63 units. As much as this would add to the town in the positive we are also adding potentially 163 cars to Rt. 3. I understand there is a traffic study but I don't buy the traffic study. 163 potential cars doesn't equal 47 trips during peak hours on a weekday, and on weekends cars will be traveling in and out all day. Feasibly of a project financially has always been something I have taken into consideration but it is not the only thing. I am not going to change my vote because you need to make more money. I don't think the water tower will drop rent enough especially with what you would be putting in there. How many bedrooms for the townhouses?

J. McCourt: Two bedrooms.

R. Duhaime: I think we are looking for you to prove that it is not contrary to public interest. You have to meet all of the criteria and I don't think you are able to do that.

J. McCourt: We are not looking to make more money. We are looking to be able to afford to build the development. As far as the traffic study, Steve Pernaw has been doing these for over 30 years. He gets a lot of his numbers from physical traffic studies that he has done at similar developments. He has gone back to developments after they have been built to prove his numbers. He is a professional engineer and is well respected in the State of NH for the work that he has done. He works for municipalities and for private developers doing these type of studies and much more complicated ones also. There is a need for the housing and it will bring in more tax revenue to the town. As part of the variance and with the special exceptions there will be an impact to the property base and the value of the property. With the tower it will have an impact on this development. It is a large structure.

R. Duhaime: If they took down the tower and built another one where it currently is, you will still have some site line but not as much.

J. McCourt: It is in a completely different place which is a huge difference.

R. Duhaime: Is it still viewable where it is right now?

J. McCourt: To some extent, but it is a lot smaller, is off to the side, and is kitty corner to the buildings so it is not as visable as the new one would be. The existing one is only 33' in diameter and 38' tall. The width of the new tank would be almost doubled.

G. Hyde stepped down at 7:30pm.

J. McCourt continued to read the application into record.

R. Duhaime: The acreage that these buildings would go on is small compared to what other properties in the area are on. It is unique but you are putting a lot of units on a small property. We haven't done anything like this with this many units on such a small piece of property.

J. McCourt: When you talk about the density, the variance application asks if the property is unique compared to those surrounding it. We have battling issues in the variance request.

R. Duhaime: There is a lot going on with the traffic, ledge, height, water tower, etc. It is a tough piece of property. You are trying to make it work. It is a lot of units for this property and you are saying that is what you need to make it work. You are one that has to do the math. Webster Woods is 55+, it is laid out, small homes, spread apart, and it is a small impact.

Open public hearing.

Christopher Lampron (1617 Hooksett Rd.): I have been talking to the contractor and the engineering for the development about concerns about my access and what the project would potentially do. They made suggestions that will allow me an easement to use the driveway for Harmony Place which alleviates my concerns for pulling out of my driveway where I cannot see what is coming from either direction. It would give me a much safer entrance and exit point and they addressed all of my concerns. I have no concerns about the current proposal.

Close public hearing.

M. Simoneau: Jennifer, you mentioned that the 55+ demonstrated that it would not be feasible?

J. McCourt: Yes. The financing for those type of developments went away. In the beginning there was federal funding and you could get tax credits to do those developments but that isn't available anymore. That type of development would not be able to be financed.

M. Simoneau: Those are just incentives. There are still opportunities for 55+ communities.

J. McCourt: You do not see them like you did before 2009 because the incentives are not there. The 2015 residential rental cost survey that was done by NH Housing shows that townhouses and rental apartments are in great need.

P. Denbow: We have a lot of 55+ units that have been approved but not built because the market doesn't call for it anymore.

C. Pearson: I would like to get input from the Planning Board and we have the upcoming site walk.

M. Simoneau: I think that is a great idea.

C. Pearson: When it came to the 55+ the reason it was palatable to some is that is was 55+. There would not be any additional children in the school system and active lifestyles coming in and out of the development.

R. Duhaime: As far as drainage are you able to retain the run-off?

J. McCourt: Yes. We won't be adding to it.

R. Bairam: I would like to get the Planning Board's input as well.

R. Duhaime motioned to continue the variance request from Article 5 Section C.3.b of the Zoning Ordinance to permit 76-two bedroom units in four buildings of multi-family housing for Harmony Place, LLC, Case # 16-02, 1621 Harmony Place, Map 14, Lot 27 MDR to April 12, 2016 and request that the Planning Board review and offer feedback to the Zoning Board on this variance request. Seconded by R. Bairam. Motion carried unanimously.

R. Bairam motioned to adjourn. Seconded by D. Pare. Motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:51 pm.

Respectfully submitted by,

AnnMarie White
Recording Clerk