

**HUDSON, NH BOARD OF SELECTMEN**  
Workshop Meeting Minutes of December 4, 2007

1. **CALL TO ORDER** by Chairman Jasper at 7:01 p.m. in the Selectmen's Meeting Room at Town Hall.

2. **PLEDGE OF ALLEGIANCE** was led by Selectman Maddox.

3. **ATTENDANCE**

**Selectmen**: Shawn Jasper, Ben Nadeau, Ken Massey, Rick Maddox and Doug Robinson.

**Staff/Others**: Steve Malizia, Town Administrator; John Cashell, Town Planner; Attorney Jay Leonard; David Fried and son; Tom Tollefson, HLN; about 6 other people in the audience.

4. **DISCUSSION ITEMS**

A. **Motion taken following Nonpublic Session on November 27, 2007:**

*Motion by Selectman Robinson, seconded by Selectman Maddox, to adjourn at 11:22 p.m., carried 5-0.*

B. **Budget to Actuals**

Town Administrator Steve Malizia said the budget to actuals were through November 30, which means they are 42% through the year, but everything does not get spent in a linear fashion, in exact increments of 12 months. They've expended money on would be reserve funds in the Cable Utility, audit expenses in the Finance Department, paving costs in streets, so there will be some percentages that appear to be higher, but because that's because the activities occurred in certain points of the year. Summer programs in the Recreation Department, the Police and Fire are at or around the bottom line percentage where they should be. In the non-departmental, they fund earned time monies at the beginning of the year, so they get a skewing. They've also committed all of the money for the trash contract, so it appears to be 100% spent, but it's 100% committed. He included overtime for the three big departments, which the Board asked for, which was provided by department by cost center, where there was overtime budgeted. The Highway hasn't hit their peak season yet. Police is running more than they probably should, at this point. However, they have to take into account that the year starts in July and people take vacations, so there is back-filling for that. They are also waiting to get reimbursed back from the drug task force. The overtime for that person is in excess of \$9,000 so far; they are slow in processing it, but it will be reimbursed. In the Fire Department's, the administration line was overspent. He has alerted the Fire Chief about it, but hasn't gotten back a response yet. The Training Captain is in there, and that might be the reason. It used to be just the two secretarial positions. It seems like there is something skewed, so the Chief will take a look at that. They are in reasonably good shape revenue-wise. The tax bills have been sent out and are due tomorrow. Everything else is reasonable.

Selectman Robinson asked when they'd get a response to the questions. Mr. Malizia assumed the Chief would respond to him tomorrow, or the next day. Selectman Robinson said he wanted to make sure they have a date when they would hear back, within the next couple of meetings. Mr. Malizia believes it is definitely the Fire Captain.

Mr. Malizia said the Sewer funds and Water funds appear to be reasonable for this period of time. Sometimes, the Water Utility spends a little more in the summer months when there is heavier usage, with more chemicals, etc. Overall, they are in pretty good shape at this point in time. He does keep an eye on the Police and Fire accounts and they winter season is here, so they will see what happens with the plowing costs.

Selectman Robinson asked about sewer inspection fees, copy fees, and asked if \$5,000 year to date was right. Mr. Malizia asked what he was looking at. Selectman Robinson said 0132-90-4343, copy fees, and asked if they were collecting a lot of copy fees. Mr. Malizia said he'd have to look into that. Selectman Robinson said they were up 699.977%, or \$29,000 in copy fees. Mr. Malizia said it could be a posting error, but he'd double-check. Chairman Jasper said there really is something wrong there; that's a lot of copies. Selectman Robinson asked about Welfare reimbursement that was up 749%, 3401-4708. Mr. Malizia said when folks come in and they have property or whatever, the town can lien it. Either they've sold the property or something else has caused them to pay the lien. That's just natural revenue received.

Chairman Jasper said there are a couple interesting things to note. The building permits have dropped off and are at 33%, and they are going into the slow time. The Planning Board fees have dropped drastically. They budgeted \$45,000 and are just under \$2,400, collecting about 5% of what they anticipated, and that's important to note.

Selectman Maddox said it was challenging to receive this information on the night of the meeting. Almost all of the Police Department's are up; some are up substantially, and maybe that is some of the investigative, but it's difficult to receive this today because he can't formulate a question. These are going to be challenging, inasmuch as getting them on the table at this meeting makes it... it's the end of the month run, he understands. Chairman Jasper said that's the problem with that. Usually, they might have more of an opportunity, but not when the first on the month was Saturday. He was sure the Town Administrator would be glad to answer questions as they arise. Mr. Malizia said there was one big detailed printout that was in the Selectmen's office, for those who like to peruse that.

C. **Discussion w/personnel from Green Meadow Golf Club, Inc.**

Attorney Jay Leonard was recognized, saying he was present on behalf of Green Meadow Golf Club, Inc., who owns the property known as Green Meadow and he works for the company and he represents the Friel family. His goal tonight was to introduce the plan to the Board of Selectmen, and bring them up to date on things. They've been working hard since May. He's worked a lot with the Planning Board, adding that Selectmen Massey and Maddox

have probably already heard a lot of what he'll say tonight. He thought it was important to bring the Board of Selectmen, as a group, up to date with the same information. Atty. Leonard said he would be working off the set of plans that he had supplied for the agenda and he'd take them through, step by step, in the order that they were in the packet.

Selectman Massey asked what the objective was for tonight. Selectman Jasper said his understanding, in his conversations with Atty. Leonard, that this will be informational and, if the Board does have any feedback, to do that. This was to educate the Board because, obviously at some point, the Board is going to have a role in what goes on, so he felt it was appropriate to educate the Board on what is being proposed.

Atty. Leonard said he wasn't asking for any particular action tonight. He would try to give them a sense of where action may be required from the Board of Selectmen. First, he wanted to give a little of the history of how they ended up where they are tonight. As everyone knows, they had other developers involved in the project. The short story is they left and went across the river in May of 07 and, after that happened, the Friel family decided to re-group and learn from what happened, and that's what they have done. Through the past project, they heard a number of comments, so in May, they went to the Planning Board and told them they wanted to make sure they listened to comments--from the citizenry, businesses, Planning Board, etc.--and they wanted to work through this, step by step, with the community, understanding they needed to balance everybody's interests. That is the goal, to balance the interests of the land owner, the town and of those who live or use the roads and the land around it.

The most common concern is the obvious one--traffic. They asked their traffic engineers to look at the existing traffic situation, and come up with the best solution. Before they asked them to solve the problem, they asked the Planning Board and the community for comments. They did this through the Planning Board process and he appreciated their efforts, and they are continuing to work with them. At the present time, they have a preliminary traffic study, which will be delivered, if it hasn't already been, to the Planning Board, with a review from the town's independent traffic engineer. That is in the works so, at the next meeting, they will be talking specifically about traffic studies and the town's expert's comments on the traffic studies. The second plan he is going to show the Board is what the Planning Board is going to get at its next meeting on December 12. They looked at traffic and listened to comments and it really is something that probably makes sense to everyone. The concern is the backup on Lowell Road, which is directly related to two intersections--at Dracut Road/River Road/Lowell Road/Steele Road and the Sagamore Bridge and Lowell Road. Their traffic engineers looked specifically at those, as the problems on the present corridor, and address them specifically. Through that process, they also listened to earlier comments and concerns of the Planning Board and they listened a lot to the people in the area and they heard many comments from the industrial park. As a result of all of that, they had several meetings with the Planning Board and ended up with the beginnings of a plan and they started to focus on the interchange first. The reason for that was because, after all of the comments, it was clear that most of the traffic is either heading to or coming from the bridge. Their traffic engineers told them the only way to address the present problem, as it exists now without any development, is to develop two parallel road systems, and the two parallel road systems would be the Dracut Road to Lowell Road, which gets you to the bridge, or away from the bridge, and another road system, the River Road and the new connector road, which gets you to the bridge by the way of a new interchange. The interchange, as it turns out, has to be in a particular location, and that will determine one of the ends of the connector road, in order to establish the parallel road system he was talking about. So they first looked at the old interchange, and talk with people about where it failed and looked at the new interchange to make improvements. The comments were, and the solution is to address the problem as it exists now, and to come up with the best solution for the present situation. He invited questions, saying his goal was to convey information.

Selectman Robinson said one of the concerns before, not only with those two intersections, was the amount of traffic coming through Hudson, whether it be through Salem, the Dracut Roads, the Robinson Roads, and asked if the traffic engineers would be doing a study of what that impact would be for Hudson. Atty. Leonard said yes and, in fact, they've already done a preliminary study on that. Part of that will be answered in this discussion and part at another point, which he could answer in a very complete way. At the bottom of the plan was the Merrimack River and Nashua; at the top was Lowell Road. The focus was the Sagamore Bridge. He also pointed out where Green Meadow Golf Course and SAM's were on the plan, so they were seeing only a small portion of the property. The purpose of this first discussion is to focus on the interchange, itself. To the north is the industrial park, Flagstone and Executive Drive. As they started to look at the interchange, they listened and heard that businesses in the industrial park were concerned because they could not get on the bridge very easily and, in fact, they described what happened every day. The commuter traffic coming from either Dracut or Tyngsboro would get on Lowell Road, go through the two intersections, and beyond both, and take a left to get into the park. Those same commuters would have to leave, go through the difficult stretch, and head south. Similarly, all truck traffic would have to go through the intersection at Sagamore Bridge and Lowell Road, so the engineers came up with a solution for direct access. They heard that from the engineers, but they also heard that from the Planning Board. The Planning Board asked them to make sure that any interchange "here" alleviated the concerns at "this light" as much as possible. In particular, the Planning Board asked that the road and the interchange, specifically their site, try to have access from the north and east, and secondly, try to minimize the impact, or improve the impact at "this" particular light. They now have an interchange that allows for direct access to the industrial park. It allows for access from Lowell Road, without going through "this" light because there is an access that actually takes you right "here." If you're in Nashua and want to go to the industrial park, you'll go "this way." This is called a single light diamond interchange. It's similar to the interchange "here" that never was completed. To get to the industrial park, you will take a left. To get from the industrial park on to the highway, you access with a ramp "here." If

you're in Massachusetts using this connector road, you go straight into the park, so you will have missed the whole Lowell Road corridor in all three of those circumstances.

If you are north and east of the Sagamore Bridge, and you want to go south to Tyngsboro, or if you want to access the Green Meadow site, you will be able to take a ramp system that will come right through "here" and give you direct access without going through any light on Lowell Road. In effect, what they've done is maximize—they've taken as many car trips as possible off of the Lowell Road corridor and that allows for other cars to go on that corridor. In effect, they have a parallel road system getting to the primary destination or start, that being the bridge. The reason he showed them the intersections first is because there are some physical constraints, and that determines where the interchange is. They have to accept that and deal with it as best they can. There are physical constraints that will not allow other kinds of interchanges, adding that this is very much conceptual. His plan was to present it to the Planning Board first, let them comment, and then present it to the Board of Selectmen. Eventually, they will have to go together, should the Board agree, to the state. The state has not seen this, so he didn't know what their comments would be. He didn't want to go to the state and get comments without first showing it to the Selectmen. The next step will be to discuss this with the state and they will have to talk about some of the physical constraints.

As an example, all of "these" are underneath the existing road. They will build an overpass, so there will be an overpass "here," "here," "here," and a large overpass "here." The radius of every curve is usually set by the geometry required for DOT. They have done their best to meet all of those standards, but there are some that are difficult to meet, within the constraints. The constraints to keep in mind are the SAM's Club property and building, which prevents access "this" way. They could not have a ramp in "this" way. They could not have a ramp that would create access to the east. Right now, that's not important. The reason they tried to do that was the Planning Board wisely noted they should make sure that no matter what they do or propose, they do it in a way that's consistent with the future possibility of a circumferential highway, whether it be two lanes or four lanes, and they did that. There is nothing they are talking about "here" that would prevent "this" road extending along the existing state right of way. He's not commenting on whether that should or shouldn't happen. They were simply saying they were trying to plan for all circumstances.

Another major constraint is the entrance ramp that brings you on to the bridge from Nashua, and there is an exit ramp that brings you off of the bridge, right in front of Tully. There are specific requirements about merging and weave distances and they've done the very best they can with that. He thinks they've complied, but there's always discussion on that. He didn't want to mislead the Board. They have not had this reviewed by the state, at this point, but they believe they have the very best solution, conceptually, for the interchange to meet the needs of the present traffic problems. Once they went through the interchange and developed the idea of it, they located it in order to meet the different requirements, and that became the fixed point. He asked if there were any questions on the interchange before he moves on to the bigger picture.

Atty. Leonard said the second plan he was presenting was what was going before the Planning Board next week. At the bottom of the page is the Merrimack River and Nashua and Lowell Road is at the top. This shows an aerial view of the parallel road systems that he was talking about. It shows Dracut Road connecting to Lowell Road, getting on to the Sagamore Bridge. River Road connects to the new connector road and then to the new interchange. In locating this, the old plan had located it in a way that caused some concern. One of the things they heard from a number of different people was the location of the connector road involved too great of an impact to wetlands. They spent a lot of time of that issue. The other thing they heard was concern that there would be traffic in the south end of town, Dracut area on Dracut Road that would want to come to the new intersection with the connector road and River Road. They tried very hard to address those concerns. They had their traffic experts actually go out and drive the different alternative routes, measuring the time it takes and they went only at peak times. The studies for traffic focus on the difficult times during the day. Peak times, in this case, is 4:00 – 6:00 during the week and mid-day on Saturday. The most difficult time is in the afternoon, during the weekdays. Many of them have experienced that and know exactly what he is talking about. Right now, traffic comes Dracut Road and Lowell Road and River Road on to Lowell Road and that's where you get the backups. He believes they all understand when he says the goal is to take traffic off of Lowell Road to allow it to flow more easily. In effect, what happens is, because they separated the two parallel road systems to get to the bridge, in effect, a large percentage of the traffic that used to go from River Road on to Lowell Road, is put on to the connector road because only those cars that need to go to some area "in here," or north of the Sagamore Bridge would use that. The numbers vary, depending on usage and a number of other things. In a very general sense, in the afternoon peak of a weekday, there are 1,900 cars an hour coming up Dracut Road and 1,300 cars an hour coming up River Road, heading north and south from Lowell Road. Of those 1,300 on River Road, 700 are going to take the connector road. A very substantial percentage of the traffic will move to the connector road, thereby avoiding Lowell Road.

They studies how traffic would come from Dracut to the new interchange, and they have also proposed some changes. They've also proposed some signage. Their experts are waiting to hear from the town's experts, but at this point, their experts don't believe there is a concern. As a practical matter, it is so much longer to drive the alternative routes, it is not likely a vehicle would want to do that but to be cautious, they will protect that goal with signage.

The next thing they did was look at the location of the connector road. The primary concern was wetlands and wetland impacts, and that brings up an important point. As they went through the whole process, they heard comments about traffic and that's how they decided that would be their top priority, but they also heard comments

about wetland impacts and natural resources. They heard comments from some people who thought the earlier plan was too intense. They heard comments that some of the uses were conflicting. The old plan had three anchor stores, which is at the south end of the Green Meadow site, right next to a residential community, Fairway Drive. So they tried, in the recent process, to address those specific concerns that they heard and try to meet those concerns. With regard to the wetlands matter... the Friel family is local and he's been with them a long time. He has been before town boards for a long time and they know the preferences of the boards. From personal experience, they know that not only do the boards want to protect the wetlands, but they respect and want to protect the buffers to those wetlands as much as possible, so they analyzed all of the roads and they did the same for all of the proposed buildings throughout the site, and they took everything as much as possible out of both the buffer and the wetlands. One of the questions the Planning Board asked if he could do was say they have minimized the impact to wetlands. They've had engineers look at the entire road; they've looked at where they will be putting in drainage; they've looked at grading that will be necessary for the road; they've taken into consideration the fixed point of the interchange and all of the other access ways, and they have moved the road to a point where it has a minimum impact and has caused approximately 40% reduction in the impact of the earlier plan. They have been very successful in that regard; they've tried very hard to respond to the comments. As a result of that process, that road moved "this" way, and it is now as seen on the plan.

Selectman Robinson asked if the 40% was natural or man-made wetlands. Atty. Leonard said it relates to both. In this process, they had a biologist and a wetlands scientist look at each wetland on-site and each wetland that may be affected by anything that they do, and they analyzed those wetlands for how they function. They tried very hard to make sure that if they had to have an impact of a wetland, it would be a wetland that had a lower value, in terms of function. For example, the wetlands at Limit Brook have been identified by the federal and state agencies as the most important wetlands on the site, so everything has been taken out of there. Likewise "these" wetlands were identified (wooded wetlands near Vectron) as relatively important, so they've done everything they can to move outside of those and outside of those buffers, and believes they have accomplished that. Relative to man-made wetlands, he referred to a certain area on the map, and all of the ponds on site were man-made. They have done everything possible to stay out of those man-made wetlands. There is a pond that was proposed to be filled in earlier, but they heard comments from the Conservation Commission that they preferred that not be done, so they have changed their plan and will not fill it in. The building that was there has been taken off the plan and the proposal now does not call for filling that wetland. Their goal is to work with the town, with everyone reviewing the plans and with the community. They are trying hard to listen, and they have come a long way on that. It's a credit to the Friel family, who feels connected to the town and they want to do it the way the town wants it to be done, in a responsible way.

Selectman Robinson said if he remembers correctly, 80% of the wetlands that were affected by the previous roadways that were being put down on the property. It appears that they got around that by moving the roadways. Atty. Leonard said yes. Moving the roadway reduced the wetlands impact significantly. They also have only one wetland area that will be impacted by something other than the roads, which is a man-made pond. It is presently about 10' below grade and it doesn't even have water in it a lot of the time. It's a wetland that cannot be saved with any value. It really doesn't do anything. Other than that, all of the impacts are directly related to the road system. The road system cannot be moved away from them because of the constraints of the physical constraints of the property, primarily the interchange and its location next to the wetlands and a fixed point, which requires a crossing somewhere.

Continuing, Atty. Leonard said through this process, as the Planning Board reviewed it and they heard from the neighbors, a number of different people asked why they didn't have more connections from Lowell and Dracut Road to the new road, should people want to get to the site. The original plan proposed for RiverPlace showed just Vectron Drive. That was the only access from Lowell Road, outside of the intersection at River Road. This plan has added a proposed cross access from the Stewart Street area to Friel Golf Road and Steele Road, which intersects the new connector road. They kept Vectron Drive and added a connection behind SAM's Club. Everything proposed is on land either owned by the Friels, or by the state, or by individuals who have an agreement with the Friels, who have agreed to buy the property. There are rumors out there about eminent domain, but they are absolutely false. Eminent domain is not a part of this plan.

Back to the access points, they did "these" two, which turned out to be the southerly most and northerly most access ways, as a direct result of comments from the Planning Board. They also analyzed each of those to be sure they have a minimum impact on the wetlands. "This" road used to be located more over "here." They actually moved it and moved "this" road in order to minimize impacts. As it turns out, there is a road "here" already, so there's very little impact, if there's any at all. The road for SAM's Club is all in uplands, so there is no impact there. The present road system they are talking about is a parallel system, Dracut Road to Lowell Road to the bridge, River Road to the new connector road to the bridge. Keep in mind the reason for this is the present traffic situation. The present Lowell Road can't be improved because the right of way is limited. The beauty of this plan is, right now, this is an open canvas and as they suggested to the Planning Board, it makes all the sense in the world to plan now, before something interferes with the plan. Their goal is to come up with the best plan they can for the present problems, right now, and he represented to the Planning Board that they will come up with that solution; they will come up with the best interchange they can and with the best connector road they can. That road system will, in turn, provide a capacity and the development will be built within the capacity of that road system.

As they went through that process, members of the Planning Board were very concerned about the proposed uses. The old plan had uses that caused concern, some of which he talked about. That was one reason for the Planning

Board's concern. The other reason was they have to have some assumptions for determining traffic and traffic impacts. Before they prepare the traffic impact study, he was asked, in a general sense, to provide uses, and that is the next step in the process. The plan they started with is "this" plan. The Merrimack River is at the bottom, Dracut Road/Lowell Road to the bridge and then River Road/the new connector road to the bridge. There is the access from Stewart Street/Friel Road to Steele Road and the connector road. They've got Vectron Drive and Wal-Mart Blvd. "This" is the new interchange that provides access to the Industrial Park and provides access to the northeast, both to the south and to the site, itself. The goal, in looking at the plan, is to identify uses consistent with the comments they heard and to designate those uses for areas in the project.

The first thing they addressed is the area "down here," the Fairway Drive residential area. This area had shown in the earlier plans three or four anchor stores. That had caused some concerns, so they addressed that. They heard comment on some of the uses out there, people that are looking for different uses and they have designated that area as an area as assisted living/retirement campus. Many people refer to it as a continuing care retirement campus; some people call it assisted living retirement campus. Basically, it's a residential campus for older people, and it's developed as a unit. It allows older people to age at this particular campus. Usually, you enter at the age of 75. The average age in the communities they visited is either 80 or 82. It's not "over 55" housing. You start out with an independent-type unit, but even those units have common dining and recreational facilities. They're in a building with other units and there is care available. As they come in need of more services, they are available either on a temporary or permanent basis. Finally, there is a nursing home associated with the whole project. This use is allowed in the zone. The more intense development, the retail, etc., is at least 1,000 – 1,200 feet from any of the residential homes. This is a good distance and a residential buffer use. It almost looks like a low-key college campus. It's a set of residential-looking buildings.

They recognized the importance of the site in terms of entering Hudson. Many people have said they were excited about the prospects of a lifestyle center, so they identified "this" area as the lifestyle center and it sets the tone for the property, it presents the town of Hudson and continues to add that different kind of shopping that many had mentioned. They located the larger retail anchors in the middle. They won't be visible from the surrounding residential properties. They are in the middle of the site so traffic can be handled, but put in an appropriate place. To the east, there had been proposed earlier some office use, 200,000 sq. ft. In the RiverPlace plan, the buildings were out of the wetland area, but a great deal of the parking was in the buffer area and wetland area. They knew the Planning Board and Conservation Commission does not like that, so through this whole process, they took it all out of the buffer and out of the wetlands. There is now an office park, which they will continue to market, but all the buildings and all the parking are outside of the areas the town wants protected.

In addition, they had an area down at the bottom that was a hotel and more retail in the earlier plans. They have had some interest in hotels and a number of people have suggested that a convention center is needed. They decided that it makes sense to try to make that happen. He was representing to the Board that they are trying to plan the entire site and they will be seeking that as a use. It makes sense to a lot of people, such as the Chamber of Commerce, etc. It's a goal to make that work as a package, the different uses where they've shown them.

In the earlier plans, there was talk about a riverfront park, but it was part of the rest of the development. It was not clear on how all that went, or the extent that it would be open to the public. At this early stage, they have identified about a mile of frontage on the river and about 150' – 200' in depth. They have committed to the Planning Board they will protect that riverfront and they will work with the Planning Board to assure that it is public and open to the public all the time. That doesn't mean they are going to ask the town to accept it and pay for it. They are just putting it on the table to talk about and it will be open to the public, if that's what everybody wants. Similarly, they've represented to the Planning Board that the important wetlands in "this" area, the important wetlands "out here," and the wetland areas around the offices will be protected and remain open so that they can always be assured that those natural resources that the town considers most important are protected.

That brings him back to the summary of the whole thing. The goal of the Friel family, who has a large piece of land that is presently vacant, is to plan. To come up with the best solution for the present traffic situation, to take that road system and come up with a reasonable development plan that will balance the needs of some of the people in the surrounding area but, at the same time, acknowledges this site as a very important site for the town. This site offers tremendous tax revenue, if it is done appropriately. They recognize they can't just go do anything; it has to be thoughtful, and they will be thoughtful. The Friels have committed to a responsible, thoughtful development. They do need to also recognize that it's very important, and it would be a bad mistake, if this were not considered an asset of the town because the only way a town can generate revenues is with improvements to land, so that has to be balanced with the other interests that has been discussed.

After they came up with this analysis and this land use plan, put it in with the road system, they took the next step, which was his last plan, and they put a little detail on it. This plan says they have those uses, let's make sure they make sense in a practical way. In earlier plans, there had been a large anchor store shown on a plan, but the anchor store only had two parking spaces per 1,000 sq. ft., which does not meet town regulations, nor does it meet the requirements of a store owner, so they decided to be realistic and said let's take our plan, put some buildings on it, put parking on it, let's take parking lots, as they are approved by the Planning Board. The earlier plan had shown parking spaces that were 9 x 18. That is not the size place the Planning Board wants. It is not the size space the regulations require. They enlarged all of the spaces to meet the requirements of the Planning Board's regulations and to meet the practices of the Planning Board regulations. In the end, they tried to put reality on the plan and, as a result of all of the different things, proposing new uses, proposing new locations for the uses,

the road changes, the access changes, the new interchange, looking at the whole picture, they have the lifestyle center "here," which is probably 60% of the old plan. There is a 40% reduction in smaller pedestrian-style shopping. They have the three larger anchors in the middle. They have sufficient parking, based on town regulations and what users demand. They have the continuing care campus for older people, or assisted living. They've scaled back the office space. They have three offices that will be in a campus type office park, with appropriate parking for each. They have minimized the wetlands impacts throughout all of this. There is no building that is being proposed that is requiring any filling of wetlands, unlike the earlier plan. And they have preserved the open space, as they represented. In effect, because of all of the changes, the old plan had a total of 2.5 million sq. ft. of retail space, this plan has just short of half of that. The hotel/convention center is just a location, at this point in time, and they have discussed with the Planning Board what that means because they don't have a plan. Part of the reason for this plan was to develop some assumptions for purposes of traffic analysis. They looked at the traffic generated from each area and, for purposes of the hotel, they assumed that the hotel would also have 200,000 ft. of retail space. That's not to say they think it will, but they made that assumption as a worst case. From that, they developed a preliminary traffic impact study, which is the next step of review before the Planning Board.

The last plan in the set of plans is really the old plan. The most important thing that has happened in the last five months is that the Friel family has become involved in the process. That's not to say they neglected their responsibilities earlier, but they sort of passed it along and they learned from that that they have to be more a part of it. As a result of their involvement and their commitment to the town, they have changed the intersection completely. They've added "this" road. All of the roads have moved down, away from the wetlands. Atty. Leonard displayed the former plan and the proposed plan side by side and pointed out the differences in the comparisons. He said the main point was there are many changes in the plan, the direct result of earlier comments by the Planning Board, Conservation Commission, citizens and businesses. The changes have occurred over the last five months. Now they are at the stage where they, as a group, the Board of Selectmen, the town of Hudson and Green Meadow, have to decide if this plan makes sense.

In the next month or two, he will be asking the Selectmen to support the notion of a new interchange and a new road system to address the present concerns. The Sagamore Bridge road is a state highway, controlled by the state DOT and is presently a no-access road. In order to have an interchange, they have to ask the state to allow for a break in the access and that application will be one that they will put together, but they can only do it with the support of the town, so it is very important that the Board of Selectmen be part of the process. He's not asking for a decision tonight because this is the first time the Board has seen these plans, but in the end, that's where they are headed. He will be asking for support for that idea.

Selectman Robinson said he had about a half dozen questions that occurred to him, which might be premature. He asked what the estimated increase in traffic was if this is built. Atty. Leonard said he had a lot of information on that subject. Traffic is one of those things that matters when they come. The peak time is the important time. It also matters where they go and how they get there. There really is no one number where they can say they've created capacity for a certain number of cars because it all depends on what those cars do. They can say that the proposal of uses that he showed tonight were analyzed in some detail, and while there may be other road improvements they have to do in the area, and they've started to identify those road improvements, those uses can be handled with the new capacity created by the connector road and the interchange. The traffic in 2020 will be better, if they do these road improvements and have full build-out, then it will be if they do nothing. There is a major improvement that happens as a result of these road improvements. It's a complicated thing, so he didn't know if that answer was sufficient or not. The 700 cars was one leg. By including the industrial park, they take about the same amount, maybe even 800 cars per hour at peak time out of "this" intersection because they go directly on the bridge or they skip and go south "this" way. There are several different segments of improved traffic flow, as a result of this.

Selectman Robinson asked if the traffic studies would involved signalization throughout the town because the Board had significant discussions regarding VHB and their traffic studies and how comprehensive it was or was not. Atty. Leonard said they need to explain where they were in the process. Eventually, they will get to where "you" are. At the present time, they are in a process called design review. They are planning, rather than reviewing a specific plan. They are trying to come up with the big picture, like if you were looking from an airplane. They will then make things fit in later. Their present traffic study is preliminary in nature. Everybody acknowledges they will have to expand it and, in the expanded version, there will have to be 30 or more different intersections that will be studied. The present traffic study focused on the new road and the interchange and those intersections in the immediate plan. The present preliminary traffic study says they will need to do more.

Selectman Robinson asked how many assisted living units were they talking about, which is directly related to town services, such as fire, police, etc. Atty. Leonard said he couldn't answer that now, but it's not like housing units where there is a person in each unit. You have a nursing home with a number of beds, but they are not separate units. Developers who do these projects usually do 1,000 or 1,500 units, so that would be the number of people serviced.

Selectman Robinson asked what the projected tax revenue to the town was, adding that was a loaded question. Atty. Leonard said it was and he couldn't really answer it because it depends so much on all of the things they haven't begun to address, but it is an important question. The tax revenue will depend on the specific development and the specific building—what kind of building, how big a building, etc. This site will have a very substantial revenue to the town. After they take into consideration all of the services that are necessary to address whatever

needs to be address, they will go through a process, allocating to each user a certain impact. He is certain that the net revenue to the town will be very substantial. It stands to reason because usually the biggest drain to a town is housing. That's a terrible thing to say because it's so broad, but as a practical matter, the largest expense for towns is school, and they will not be generating any school children in this site, so it will be a very substantial revenue to the town.

Selectman Robinson said there is an organization in town called "Grassroots Central," with a significant amount of people that believe this will affect their quality of life; it'll affect the smog in town; it'll affect the traffic to a negative degree. He asked Atty. Leonard to address those three areas so folks who don't belong to that organization can hear the information straight, right from the designers, so they can get away from misinformation, which may have happened with the previous project—smog, quality of life and traffic.

Atty. Leonard said in terms of the traffic, they've already had a discussion on that. The short story is that the traffic will be improved. They are offering very substantial road improvements, which are needed already. The present traffic situation is a problem. They'd resolve the present traffic problem and improve it so they can say that if they do nothing, they will be worse off than if they have this plan, and that's true in 2020. It takes into consideration growth and all of the things that are going to happen, without regard to them. In terms of smog, he can't answer that because he didn't believe there was any information on that. Selectman Robinson asked if this would push cars through the town faster. Atty. Leonard said it definitely would. (Talking over each other.) Selectman Robinson said if this plan will push cars through town faster, going from point A to point B more quickly, and get people to work more efficiently in the morning, then yeah.

Atty. Leonard said one of the advantages of this site, and the reason why there are people interested in this site, is it is located in an area that has infrastructure. It has good roads, even though people think they are at capacity, but the bridge has huge capacity. The turnpike on the Nashua side has capacity. They can build a new road to create capacity. The new tower has water, so that's not going to be an issue. It is right in the middle of the developed area of Nashua. It happens to be 300' away, but it's still right there. That's why people are interested in it and it makes sense to plan a development where the infrastructure is. With regard to the quality of life, the way to plan for that is to identify areas of town that are appropriate for a particular use. Open space is important to a town, but open space should be where it can be used and function best. It doesn't function best across from the retail development that is in Nashua, or in the area of Lowell Road where they already have SAM's and Wal-Mart, with industrial buildings. This isn't where they want the open space as much as the development because development will go only where it wants to go. You don't want to put development 20 miles out of town, or on the outside edge of town. He's not even sure what that question is. They want to do things responsibly and he appreciates that they need to address the impacts of the development, but he didn't even understand what it means when someone says "quality of life." There already is Wal-Mart and SAM's Club on this corridor. They are just trying to improve it, and they have. With regard to the group, he wants to address their concerns and appreciates that people have legitimate concerns and they are trying to address them. There is some misinformation, such as the eminent domain that he already mentioned, and there is other misinformation out there, such as the size of the project. Some things are not accurately portrayed. There are suggestions that this is the same plan as the old plan, and it just is not. He would enjoy the opportunity to talk with people, personally, if they'd like.

Selectman Maddox said he'd be very cautious, as this is not a Planning Board meeting. Atty. Leonard spent a lot of time explaining the new interchange, nipping around the edge that the Board of Selectmen needs to bless that. That is premature. It needs to go to the Planning Board. What would be the effect upon the project if the town's engineer says that interchange will not work for the cars planned on that site? What will then happen? Atty. Leonard said the interchange is presently under review by the town's expert, who may have comments that will have to be addressed. He would be very surprised if there is not a way to address them. They are in the early stages, so he feels very confident that they can address whatever concerns may come up. He's not sure how to answer that because he doesn't think it will ever be that clear-cut. It may be he needs a ramp change or a building change, or whatever, but that can be addressed. He didn't think it would ever come to the point where someone will stand up and say these roads can't handle that development. The development is over time, and it can be adjusted. The roads are over time, and they can be adjusted. If the issue is they need another lane, they can add another lane. He can't guess at all the possible issues. Selectman Maddox said he'd stop there and wait till the 12<sup>th</sup>.

Selectman Robinson asked if he could ask it another way because he's not on the Planning Board. Selectman Maddox said but he may be, and that is the concern they need to be concerned about. Selectman Robinson asked if that interchange was a no-go, if the project was a no-go. Atty. Leonard said no; it definitely does not mean that. Selectman Robinson said as in the previous project. Atty. Leonard said it doesn't mean that, but it would definitely change substantially.

Selectman Massey said he has lots of questions too, but as Selectman Maddox said, given that he is the alternate to the Planning Board, he thinks some of them need to be reserved until after they hear what the traffic analysis is. There are lots of things that need to be answered.

Chairman Jasper thanked Atty. Leonard for the presentation, which has been helpful for the people who don't serve on the Planning Board. This is a much more responsible plan than what they saw before. He looks at this as compared to what was presented before and there's a world of difference. There was an awful lot of things crammed into that site, which at first blush, didn't meet zoning, height requirements, etc. This doesn't seem to be

the case. The roadway system is much better and it's a good start. Hopefully, they will find the town cooperative, as it should be, with anyone who comes in and seeks to have the lawful use of their land and, at the same time, recognize that they need to make sure the traffic is better than it was when it started. Obviously, they can't make the traffic worse because it is already bad.

Atty. Leonard said this was the start, which they acknowledge. There are a lot of questions to be answered, and they are in a planning phase. They are not reviewing a specific plan, and that's on purpose. The last time, there was a review of a specific plan, and there was a backlash. Their goal is to work with the town. They feel they have made many responsible steps and they've received much response, for which he is grateful. It has been much more than he guessed would happen. He thinks they are on the right path, but that does not mean they are at their goal; and they know that. He thanked the Board for it's time.

5. **OTHER BUSINESS/REMARKS BY THE SELECTMEN**

**Selectman Nadeau** said he didn't have anything.

**Selectman Massey** reminded everyone that the American Legion will be holding their annual Pearl Harbor Memorial Ceremony this Sunday, December 9 at 11:30 a.m. The ceremony will start at the American Legion Hall, proceed to the river to put a wreath in, and back for some closing comments. He encouraged everyone who has an opportunity to join the Legion in remembering this important day in the nation's history.

**Selectman Maddox** said for an hour and 10 minutes, a Planning Board meeting almost broke out. There's a lot of people sitting at home, saying they'd love to be a part of that. They meet tomorrow night for their workshop and next Wednesday. It's now that time of year when they are looking for volunteers and he was going to be even more of a stickler than he has been about people on some of the land use boards. If you've got the passion after watching this presentation tonight and would like to be on the Planning Board—there are a couple of open seats right now—it would be nice to see some people at the Planning Board meeting tomorrow night, or next Wednesday to get a feel for it and certainly apply. People can apply on line on the web site. It is with the dedication of the hardworking men and women on the land use boards that a lot of things get done, begrudgingly, very slowly. Great reading. He did bring, in case a discussion broke out, the traffic study from the last go-around. Great reading. If you have insomnia, sign up. Again, they need to get people interested in being part of the community, and he hoped they have more applicants than they have positions.

**Selectman Robinson** said he could attest that if someone does want insomnia, to read that book. He read the book; it's pretty dry reading.

**Selectman Jasper** said he had a few things. He didn't know if they had anything planned for a January workshop. Mr. Malizia said because of the way the date falls—on New Year's Day--they weren't going to have one in January. Selectman Jasper said at some point, they need to get back on track with having discussions with the Fire Department about their facilities and the studies that have come in. As soon as possible, they need to start talking about that. They have that review that came in; the number Selectman Maddox was looking for is available. He hasn't seen it, but understands it is available. They better start pulling those things together and talking about where they want to go and actually do some planning. The Budget Committee has talking about the facilities, asking where they were going and what they were doing, if there was going to be a plan. It's always hard for a Board of Selectmen to plan anything long term because the majority is likely to change every couple of years, so unless they want to extend the terms of Selectmen, it's hard to have a plan. As they've seen so often, one Board will have a plan, for instance combined dispatch, and another Board will come along and say no, we don't like that idea, so all the planning in the world doesn't get them too far, if they go out too far. But they've got to do some short-term planning that should result in some long-term changes. So far, the Budget Committee sessions have gone very well. At this point, money has been added—the two things the Board authorized and some additional mileage for IT, based on the fact that there was only \$50 for mileage and when the questions were asked where they were going and what they had to do, then the number was bumped up to \$500. The \$70,000 was put in the contingency account and the \$9,000 was added for the protective fire gear. The Budget Committee recognizes that the Board put forward a very responsible budget. They're back at it tomorrow night and on Thursday, they start the school budget. Although there is only one contract between the two, the contract won't be taken up until December 27.

Last night, during the commercials of the football game, he scrolled down, looking at the bills that have been introduced in the Legislature and there are some interesting ones that affect the towns. There will be an effort to change "Selectman" to "Selectperson" and "Selectwoman," and all of that. Another one would allow a Board to designate one person to sign the payroll instead of a required majority. He thinks that's a bad idea. If they don't want to do the job, don't run for it, particularly with what they've seen recently in Newmarket indicates that the more people that are involved, the less likely they are to have problems. He will continue to keep an eye on things that affect the towns, and there are a lot of them out there. He didn't get through them all, and many of them are not available for review yet; they haven't been drafted—they just have titles. Anyone can go to the state's web site and click on "2008 Legislation," and scroll down through. Do a search, or look at them all. There's no end to the ideas people think need to be legislated. For instance, the definition of milk. Who would have thought they needed to define "milk," but there it is.

Selectman Maddox said he thinks they need to have more of a program for their workshops. A year ago, they knew when the Police was coming in, the Fire, etc. They need to bring in some of the committees. Some of the things they heard this year was they have a liaison, but maybe once every year or two, they need to bring in the Rec Committee, or the Recycling Committee. It would be a good idea to calendar those out, and have it set up so they have it before they get to the departments talking about the budget, and start into that process. They really need to look at what they want to do in these



workshops. He was always under the understanding that was their way to have more face time with people, rather than the Cable Committee coming in, wanting to buy a piece of equipment. What is their plan? Where do they see themselves going? What support do they need? They've kind of fallen away from the workshop environment, so he's hoping they try to get back into that and do more workshops with other boards, commissions, committees and departments.

Chairman Jasper said, to that end, that's a good idea. The liaisons to the departments have to figure out when a good time is for that to happen, to talk with their committees to find out when they want to come in. They can certainly task Steve with putting together a schedule, if that's the Board's desire. Nobody had brought anything up, and they've been putting in a lot of hours with budgets. He was approached with this and it was hard to tell how long this was going to take. He had no idea how many questions Board members were going to have, so he hesitated to bring anybody else in tonight. Given his meeting schedule this week, he didn't want to be here till midnight.

Selectman Robinson said it was interesting that Selectman Maddox brought up this subject because he was going to bring it up under Other Remarks next week. He pulled out the meeting notes from March 26, 2006 Selectmen's meeting, and that is where the idea came from, to have monthly workshops so that they could get a better feel, a better idea, to spend with the department heads so the Board would become more knowledgeable. He was wondering what they would look like because they seem to have gotten away from that, as he was checking the meeting minutes of each monthly workshop that they had. While driving, he was thinking they have seven departments, seven months worth of meetings, and then they have 20-odd committees that could be integrated throughout the year with those departments, and that schedule could be very easily done in a couple hours. If they'd like him to put together a schedule for the workshops, he'd be glad to. Chairman Jasper said he was hesitant to bring in a department, just for the sake of bringing it in. It's important to have something to discuss. For the police, they know where the Chief wants to head with the building, but he doesn't have anything yet. They did a pretty good job in the review of the budgets of finding out what their goals and objectives are, and this should be if something pops up. For instance, they really need to meet with the Rec Committee to figure out where they want to go with the idea they've been floating around about Robinson Pond. They know they have issues with the Fire Department. He didn't want to just put people on. Kevin has capital plans for replacing equipment; he's got a new building; he does his roads. Putting him on an agenda just to put him there is wasting his time and the Board's time. They really have to have some need to have people in. It's important for the people who are liaisons to request to bring in a particular committee. He didn't want to bring in people just for the sake of bringing them in. The two that come to mind immediately for him are Rec and Fire.

Selectman Robinson said he wasn't one for meetings for the sake of meetings, but he is a firm believer in the five "P's" of life—prior planning prevents poor performance. At the March 26<sup>th</sup> meeting, the statement was made that they seemed to be a reactive Board, versus a pro-active Board. They certainly know what they'd like departments to look like a year from now, or two, three years from now. While he agrees with the Chairman on the changing of the board, there is room for discussion. No, they don't need to bring in Kevin, but there are certain concerns in the town, such as IT cabling. A year from now, what's that going to look like for the town? Do they have a plan in place? What's the marriage between the Fire Department and the IT Department and the Cable Committee? There are so many things. (Talking over each other.)

Chairman Jasper said those are the kinds of questions that should be brought up. Initially, when they started this, they hadn't met with or talked with anybody about anything. The questions about IT are very timely, and they did a lot of that when they put the department together and, in a few months, it will be time to review that. Selectman Robinson said he's not one to micro-manage. Chairman Jasper said what he meant was to put some questions together and bring them up at a meeting and ask if it's a good thing for a workshop. If so, they bring in the IT Director and talk about those issues. That's what he sees the workshops more about. If there are issues, bring them in as they come up, and the Board can react to them. That's where he has always wanted to go with the workshops. Given that they have just gone through the budgets, he felt this was appropriate at this time. He wants to sit down with the Rec Committee and, for him, he was surprised they did not come in with some sort of a proposal to start the process for Robinson Pond.

Selectman Nadeau said it's something they've been talking about and when he goes to the meeting this week, he'll talk to them about getting on the February workshop agenda and see where they want to go.

Selectman Massey hoped they wouldn't look at just Robinson Pond as an alternative, but at the original plan of expanding the Rec Center. He didn't take it as a given that Robinson Pond is the best place to put a facility that, in the winter time, is going to be extremely remote. Chairman Jasper said he wasn't considering that any more, but those are the things they can discuss. Maybe it's viable, but one of the big problems was how much the neighbors hated the noise and how it ruined their summer.

Selectman Robinson suggested an agenda item of a workshop on their workshop philosophy, maybe brainstorm or come to that agenda item or some items they may wish to look at. Chairman Jasper said this is the appropriate time to do that. It's relatively early. Selectman Robinson said he wanted to talk to his department heads and get their feedback and input and drive it from the bottom up, but he'd talk about it now if they wanted to. Chairman Jasper said he (Selectman Robinson) was talking about a philosophy. Selectman Robinson said he didn't say philosophy; he said they should get together with their ideas and see where they want to go and what they want to talk about.

Selectman Massey said to that end, and given some of the conversations that occurred during the budget hearings with the Conservation Commission, he will be talking to them this month. It would really be useful for the Board of Selectmen to understand what the Conservation Commission is really trying to do, especially in looking at their goals and objectives for next year. Chairman Jasper said it would be helpful to have them come in. Selectman Massey said he was thinking about asking them to come in in March, which he'll talk to them about. It's important for the citizens to hear about their activities.

That's a group that's doing a lot of work, but nobody knows about it, so it would be worthwhile to shed some light for the people in town.

Selectman Maddox said, in this workshop discussion they're now having, having a penciled-in calendar to say they know these four months are going to be taken up by the departments coming through that are planning for budget. If the Planning Board knew they were going to come in once a year, they could start their list for the Selectmen's meeting. Same with the other commissions and boards; have a mindset they are going to meet with these people and get their questions together, rather than wait until there is a problem and then try to respond to it. Small things multiply when you leave them along long enough. The people they are asking to do the trench work for them—Rec, Recycling, Cable and the land use boards—all need some face time with the people that set up the budgets and approve a lot of the programs. Something as mundane as looking at the street acceptance program. The Planning Board is getting squeezed by developers, waiting to the very last second to get everything in so the town will pick up plowing those roads. To support them, the Selectmen ought to have a plan that says they must have all applications in by September 15, and no street acceptance will happen after November 1. If the Board of Selectmen works with the Planning Board, they won't get slammed by problems that they have to deal with and the Selectmen have to react to. Those are the kinds of things the workshops are meant to do.

Chairman Jasper said he absolutely agrees and will put it back on all of the Board members. Neither Steve nor any Chairman can just start putting that schedule together, as effectively as the liaison bringing forth their department or committee. The calendar is open; it's free. Realistically, they can do two or three of these a month, so when they're ready to bring their people forward... Mr. Malizia said they may be busy in March, so April or May will work better. He may not know that in advance. Chairman Jasper agreed, saying the onus has to go back on liaisons to set this up and to work with the calendar. Give Priscilla call to see if anything is on. (Talking over each other.) People have to use their judgement when calling. If the Fire Department is on, it's not a good idea to schedule the Planning Board that night. Selectman Robinson said they know that. Chairman Jasper said not to wait for somebody else to do this; this has got to be a team effort and it has got to be liaisons making the decisions with their boards as to when this will work for them to come in.

6. **NONPUBLIC SESSION**

There wasn't any.

7. **ADJOURNMENT**

*Motion to adjourn by Selectman Maddox, seconded by Selectman Robinson, to adjourn at 8:44 p.m. carried 5-0.*

Recorded by HGTV and transcribed by Priscilla Boisvert, Executive Assistant

**HUDSON BOARD OF SELECTMEN**

---

Shawn N. Jasper, Chairman

---

Benjamin J. Nadeau, Vice-Chairman

---

Kenneth J. Massey, Selectman

---

Richard J. Maddox, Selectman

---

Douglas K. Robinson, Selectman