

## **TOWN OF HUDSON**

# Planning Board



Rick Maddox, Selectmen Liaison

SON NEW HAVE SON N

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6008 · Fax: 603-594-1142

## MEETING MINUTES October 22, 2014

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

#### **Members**

**Present:** Glenn Della-Monica, George Hall, Tim Malley, Ken Massey, Marilyn McGrath, Richard Maddox (Selectmen's Representative), and Nancy Brucker (Alternate Selectmen's Representative @ 7:05 pm)

### Members Absent:

Alternates

Present: Jordan Ulery

Alternates

**Absent:** Charles Brackett (excused)

Staff

Present: Town Planner John Cashell.

## IV. SEATING OF ALTERNATES

Mr. Ulery seated for Mr. Russo.

## V. MINUTES OF PREVIOUS MEETING(S)

A. 07-09-14 Minutes - 09/24/14 & 10/22/14 Pkts.

Ms. McGrath moved to approve as amended. Mr. Della-Monica seconded. All in favor – motion carried.

- VI. CASES REQUESTED FOR DEFERRAL
- VII. CORRESPONDENCE

#### VIII. PERFORMANCE SURETIES

A. Empire Circle Street Acceptance & Two-Year Maintenance Bond Reference memo dated October 2, 2014 from Gary Webster to John Cashell.

Ms. McGrath moved to forward a favorable recommendation to the Board of Selectmen, relative to the acceptance of Empire Circle as a public street, and as recommended by the Town Engineer, Gary Webster, together with the Police Chief, Jason Lavoie, Fire Chief, Robert Buxton and Road Agent, Kevin Burns, and per the following condition:

The Applicant shall deposit with the Town a 2-year maintenance surety, in the form of a Hampton-style letter of credit, and in the sum of \$5,000.00, as recommended in writing by the Town Engineer, Gary Webster (see his memo in file, dated: 10/02/2014).

Motion seconded by Mr. Ulery. Vote: 6-0-1 (RM abstained) Motion carried.

B. Senter Farm Road Street Acceptance & Two-Year Maintenance Bond Reference memo dated October 2, 2014 from Gary Webster to John Cashell.

Ms. McGrath moved to forward a favorable recommendation to the Board of Selectman, relative to the acceptance of Senter Farm Road as a public street, and as recommended by the Town Engineer, Gary Webster, together with the Police Chief, Jason Lavoie, Fire Chief, Robert Buxton and Road Agent, Kevin Burns, and per the following condition:

The Applicant shall deposit with the Town a 2-year maintenance surety, in the form of a Hampton-style letter of credit, and in the sum of \$8,000.00, as recommended in writing by the Town Engineer, Gary Webster (see his memo in file, dated: 10/02/2014).

Motion seconded by Mr. Ulery. Vote: 6-0-1 (RM abstained) Motion carried.

- IX. ZBA INPUT ONLY
- X. PUBLIC HEARINGS
- XI. OLD BUSINESS/PUBLIC HEARINGS
- XII. DESIGN REVIEW PHASE
- XIII. CONCEPTUAL REVIEW ONLY

#### XIV. NEW BUSINESS/PUBLIC HEARINGS

A. Tolles-Riverside LLR Map 173/Lots 12,14,15,16 SB# 08-14 Tolles Street

Purpose of plan: Lot Line Adjustment/Consolidation. Application Acceptance & Hearing.

Planning Board Minutes October 22, 2014 Page 3

Ms. McGrath moved to accept the Lot Line Relocation application for Map 173, Lots 12, 14, 15 & 16 Tolles Street. Motion seconded by Mr. Della-Monica. All in favor – motion carried.

Mr. Maddox moved to defer the Lot Line Relocation application for Map 173, Lots 12, 14, 15 & 16 Tolles Street, date specific, to the November 12, 2014 Planning Board Meeting. Motion seconded by Ms. McGrath. All in favor – motion carried.

B. Orchards at Nottingham Subdiv.SB# 09-14Map 231/Lot 05390 Gowing Road

Purpose of plan: is to subdivide the subject land, Map 231, Lot 053 into 16 single-family residential house lots and 2 open-space parcels, pursuant to Article XI of the Town of Hudson Zoning Ordinance. Application Acceptance & Hearing.

Ms. McGrath moved to defer the initial Public Hearing for the Orchards at Nottingham OSD Subdivision, located at 90 Gowing Road, Map 231 Lot 053, date specific to the December 10, 2014 Planning Board Meeting. Motion seconded by Mr. Malley. All in favor – motion carried.

#### XV. OTHER BUSINESS

A. Neil Lavoie & Denise Wilson, 157 Old Derry Road Map 106/Lot 015

Re: School Impact Fee Waiver Request.

Ms. McGrath moved to <u>deny</u> the request to waive the School Impact Fee for the duplex located at 157 Old Derry Rd. for the following reasons:

- At the time the Building Permit was issued (i.e., May 13, 2014) for the 1-bedroom apartment, thus making the existing single-family dwelling into a duplex, the Applicants were given due notice of the subject fee, its associated amount and that it (the fee) would be due prior to the issuance of a Certificate of Occupancy for the subject dwelling unit;
- 2. During the four succeeding months, i.e., from the time said permit was issued to September 2014, the Applicant's failed to bring the subject issue of appeal before the Planning Board or the permit granting authority, who in this case is the Town's Building Inspector.
- 3. Except for so-called "Older persons Housing Units", as provided by Article XIII, §334-70 73 of the Zoning Ordinance, as amended thru March 2012 (the most recent edition), the School Impact Fee is established and payment thereof required for all new dwelling units in accordance with the provisions set forth in Article XIV, Impact Fees, §334-74.5 thru 74.12 of said Zoning Ordinance.

Planning Board Minutes October 22, 2014 Page 4

Board.

XVI. ADJOURNMENT

Motion to adjourn by . Seconded by . All in favor – motion carried.

Meeting adjourned at p.m.

Timothy Malley
Secretary

4. By granting this waiver it would set a precedent that is unacceptable to this