



TOWN OF HUDSON

Planning Board

Edward van der Veen, Chairman Rick Maddox, Selectmen Liaison



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HUDSON PLANNING BOARD MEETING MINUTES May 14, 2014

I. CALL TO ORDER

Chairman van der Veen called this Planning Board meeting to order at 7:05 p.m. on Wednesday, May 14, 2014, in the Community Development's Paul Buxton meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman van der Veen asked Mr. Della-Monica to lead the assembly in pledging allegiance to the Flag of the United States of America.

III. ROLL CALL

Chairman van der Veen asked Secretary Malley to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

Members

Present: Glenn Della-Monica, George Hall, Tim Malley, Ken Massey, Vincent Russo (arrived at 7:08 p.m.), Ed van der Veen, and Richard Maddox (Selectmen's Representative).

Members

Absent: None (All present).

Alternates

Present: Jordan Ulery (arrived at 7:15 p.m.).

Alternates

Absent: Charles Brackett (excused), Marilyn McGrath (excused), and Nancy Brucker (Selectmen's Representative Alternate, excused).

Staff

Present: Town Planner John Cashell.

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Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman van der Veen noted that all regular members were present and no alternate needed to be seated at this time.

V. MINUTES OF PREVIOUS MEETING(S)

No minutes of past meetings were addressed at this meeting.

VI. CASES REQUESTED FOR DEFERRAL

No cases had requested deferral from this scheduled date.

VII. CORRESPONDENCE

No **Correspondence** items were addressed at this meeting.

VIII. PERFORMANCE SURETIES

No **Performance Sureties** items were addressed this evening.

VIX. ZBA INPUT ONLY

No **ZBA Input Only** items were addressed this evening.

X. DESIGN REVIEW PHASE

No **Design Review Phase** items were addressed this evening.

XI. OLD BUSINESS

- A. Goodwill Industries of Northern N.E. Lowell/Wason Road.
SP# 03-14 Map 222/Lot 041**

Purpose of plan: To convert the existing Stop & Shop Supermarket facility into a Goodwill Retail Store and shipping/receiving center. Hearing. Deferred Date Specific from the 04-09-14 Planning Board Meeting.

Chairman van der Veen read aloud the published notice, as repeated above.

Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, serving as the engineering representative of the applicant, identified the plan he had affixed to the meeting room wall as Sheet 4 of 11, **Nonresidential Site Layout Plan, Goodwill, Map 222/Lot 41, 9 Wason Road, Hudson, New Hampshire**, owned by Manual D. Sousa, occupied by Goodwill Industries of Northern New England,

75 Washington Avenue Portland, Maine, dated February 5, 2014, revised through April 14, 2014.

Mr. Basso reviewed the remaining issues from the previous hearing, noting that five spaces had been eliminated to provide a landscaped island in the parking lot, with the wood section of the fence being replaced by a vinyl fence. He noted that a piece of guardrail had been removed at the Road Agent's request, and he discussed added directional signage and striping/markings changes in the parking lot. He noted that a concrete median would be extended and narrowed to prevent anyone from making an illegal turning move. He then discussed some architectural renderings showing changes pertaining to the proposed addition, presented as a handout.

He noted there had been discussion about the noise that would be made by the compactor, saying he had provided a noise study, showing the compactor would generate 46 dB at the nearest property line, which was below all allowed levels.

Mr. Ulery arrived at 7:15 p.m. and took his seat at the table as a non-voting alternate.

Mr. Basso said the roll-off containers would not be visible down in the docks, and he noted that the hours of truck loading/unloading and trash pickup operation had been changed to follow the Goodwill retail store hours in Notes 26 and 27. He then offered to answer any questions.

Chairman van der Veen opened the meeting for public input and comment, in favor of the application. No one coming forward, he closed the public hearing and opened the meeting to questions from the Board.

Mr. Della-Monica said the noise study showed that the compactor would be about two-thirds of Mr. Basso's conversational level while he had been commenting on it.

Chairman van der Veen said he had visited the Goodwill store on Amherst Street in Nashua recently, finding it was cleaner and neater than many other commercial stores he had visited.

Chairman van der Veen asked if any member wished to make a motion. Town Planner Cashell noted there were two waiver motions remaining to be addressed.

Mr. Della-Monica moved to grant the requested waiver from the requirements off HTC 275-9 C, *Noise Study*, citing the reason for granting that waiver as being because such a study was unnecessary, taking into consideration that the majority of the commercial activities associated with the proposed use shall be conducted inside the subject building, thus reducing the noise impact upon abutting properties, which are primarily existing commercial uses—and, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan Review regulations.

Mr. Hall seconded the motion.

Selectman Maddox suggested striking the clause reading "which are primarily existing commercial uses," noting that the property to the rear was residential. Mr. Della-Monica concurred, saying he would strike that. Mr. Hall concurred, making it a friendly amendment.

VOTE: Chairman van der Veen called for a verbal vote on the amended motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7–0).

Mr. Della-Monica moved to grant the requested waiver from the requirements of HTC 275-9 (A), *Stormwater Management*, citing the reasons for granting that waiver as being because (1) a full stormwater management report and analysis was approved for the previous use (i.e., Stop & Shop, Inc.), (2) as reported by the applicant, all stormwater infrastructure called for in the previously approved Site Plan was completed and properly maintained since implementation, and (3) the new use called for a reduction in onsite impervious surface, resulting in less stormwater outflow—and, as such, the granting of this waiver was not contrary to the spirit and intent of the Planning Board's Land Use regulations, as the same pertains to best stormwater management practices and infrastructure improvements required thereof.

Mr. Hall seconded the motion.

VOTE: Chairman van der Veen called for a verbal vote on the motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7–0).

Mr. Della-Monica moved to grant approval for the Site Plan entitled: Amended Site Plan Goodwill Industries Map 222, Lot 41, 9 Wason Road, Hudson, New Hampshire, prepared by Keach-Nordstrom Associates, Inc., dated: February 5, 2014, latest revision date April 16, 2014, consisting of Sheets 1 through 11 and Notes 1 through 30 in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the Hillsborough County Registry of Deeds, together with the Site Plan-of-Record (hereinafter referred to as the Plan).
2. Prior to the Planning Board endorsement of the Plan, the Development Agreement and the future road widening easements along Lowell Road and Wason Road shall be favorably reviewed and recommended on by Town Counsel.
3. All improvements shown on the Plan, including Notes 1 through 30, shall be completed in their entirety and at the expense of the applicant or his assigns.
4. After the issuance of the foundation permit for the proposed addition, and prior to the issuance of the framing permit thereof, the applicant shall submit to the Hudson Community Development Department a foundation "As-Built" plan on a transparency and to the same scale as the approved site plan. The foundation "As-Built" plan shall include all structural dimensions and lot line setback measurements to the foundation and be stamped by a licensed land surveyor. Any discrepancy between the approved site plan and foundation "As-Built" plans shall be documented by the applicant and be part of the foundation "As-Built" submission.
5. Prior to the issuance of a final certificate of occupancy, an LLS-certified "As-Built" site plan shall be provided to the Town of Hudson Community

Development Department, confirming that the site conforms with the Planning Board approved Plan.

6. Onsite landscaping shall be provided for in accordance with the plant and tree species specified on Sheet 7 of 11 of the Plan.
7. Exterior construction activities on the site shall be limited to between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction activities shall occur on Sunday.
8. This approval shall be subject to final engineering review.
9. Note 25 on Sheet 1 shall be amended prior to endorsement of the Plan, relative to citing 30 notes on the Plan instead of 25.

Mr. Hall seconded the motion.

Mr. Della-Monica asked about Stipulation 7, asking if the word “exterior” should be added so that the second sentence would read “No exterior construction activities shall occur on Sunday.” Mr. Hall concurred, making it a friendly amendment.

VOTE: Chairman van der Veen called for a verbal vote on the amended motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7–0).

XII. DESIGN REVIEW PHASE

No **Design Review Phase** items were addressed this evening.

XIII. CONCEPTUAL REVIEW ONLY

No **Old Business** items were addressed this evening.

XIV. NEW BUSINESS/PUBLIC HEARINGS

A. Prime Motor Group Site Plan SP# 06-14

**201 Lowell Road
Map 216/Lot 011**

**Purpose of plan: Site development for expanded vehicle display area.
Application Acceptance & Hearing.**

Chairman van der Veen read aloud the published notice, as repeated above.

Town Planner Cashell said that there had been major changes pertaining to the stormwater since the plan was submitted. He said the owner of the property had made modifications last year, bringing the water to the rear of the property, but those changes had not been incorporated into the revised site plan, so he had asked for a deferral to the May 28th meeting. He said CLD had already fully commented on the original plan and would be ready to make additional comments by that date. He said that the new Town Engineer, Laurie Stevens, would work with them.

Mr. Massey moved to grant the requested waiver from the requirements of HTC 289-26 B.4, Utilities, citing the reason for granting this waiver as being because no construction activities were planned with this application—and, as such, the need to provide utility detail for the subject lots was not required, hence the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

Mr. Hall seconded the motion.

VOTE: Chairman van der Veen called for a verbal vote on the motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7–0).

Mr. Massey moved to approve the Lot Line Relocation Plan entitled **141 and 137 Belknap Road, Hudson, NH 03051**, prepared by Maynard & Paquette, Engineering Associates, Inc., 23 East Pearl Street, Nashua, NH 03060, dated: January 20, 2014 (no revision date), consisting of Sheets 1 & 2 and Notes 1 through 9, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the Hillsborough County Registry of Deeds, together with the Plan.
2. Prior to Planning Board endorsement of the Plan, deeds for the newly configured Lots 26 & 27 shall be submitted and recorded at the Hillsborough County Registry of Deeds, together with the aforementioned Plan and Decision Notice of Approval.
3. All monumentation shall be set or bonded prior to the Planning Board endorsing the Plan-of-Record.

Mr. Hall seconded the motion.

VOTE: Chairman van der Veen called for a verbal vote on the motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7–0).

C. 4 Candy Lane Site Plan (Extension)

**4 Candy Lane SP# 07-14
Map 101/Lot 027**

Purpose of plan: Remove the existing paved parking area and construct a 25,000 square foot commercial building and associated site improvements. Application Acceptance & Hearing. (Request for Extension) Approved 07-24-13.

Chairman van der Veen read aloud the published notice, as repeated above.

Town Planner Cashell said the applicant was asking for a 1-year extension of the approval granted by the Planning Board on July 24, 2013, adding that the extension would range from July 24, 2014, to July 24, 2015.

Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, serving as the engineering representative of the applicant, explained that

the owner had a person with a lease, who was moving on June 3rd, and Mr. Sousa did not know if he would be able to get the foundation in on time, so he was asking for an extension so he would have this summer to work on it.

Selectman Maddox asked if Mr. Basso felt it would be done next year. Mr. Basso affirmed his belief that this would be done.

Town Planner Cashell confirmed there were no zoning issues.

Selectman Maddox moved to grant a 2-year extension (i.e. from July 24, 2014, to July 24, 2016) for the 4 Candy Lane Site Plan Approval, with the provision that within the said extension period the applicant shall submit the Site Plan-of-Record and an executed Development Agreement for Planning Board signatures and for recording at the Hillsborough Country Registry of Deeds.

Mr. Hall seconded the motion.

VOTE: Chairman van der Veen called for a verbal vote on the motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7-0).

XV. OTHER BUSINESS

No **Other Business** items were addressed this evening.

XVI. ADJOURNMENT

All scheduled items having been addressed, Mr. Hall moved to adjourn; Mr. Della-Monica seconded the motion.

VOTE: Chairman van der Veen called for a verbal vote on the motion. All members voted in favor.

Chairman van der Veen then declared the meeting to be adjourned at 7:40 p.m.

Date: June 16, 2014

Edward van der Veen, Chairman

J. Bradford Seabury, Recorder

Tim Malley, Secretary

These minutes were accepted as amended following review at the 07-09-14 Planning Board meeting.

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**HUDSON PLANNING BOARD Meeting Minutes
May 14, 2014**

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The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 107-09-14:

Page 3 1st full paragraph, 6th line — changed “concrete medium would he extended” to read “concrete median would be extended.”