



TOWN OF HUDSON

Planning Board

Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison



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HUDSON PLANNING BOARD MEETING MINUTES September 25, 2013

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:06 p.m. on Wednesday, September 25, 2013, in the Community Development's Paul Buxton Meeting Room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Russo asked Selectman Brucker to lead the assembly in pledging allegiance to the Flag of the United States of America.

III. ROLL CALL

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

Members

Present: James Barnes, Glenn Della-Monica, George Hall, Tim Malley, Vincent Russo, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

Members

Absent: None. (All present.)

Alternates

Present: Irene Merrill, Marilyn McGrath, Jordan Ulery, and Nancy Bruckerman (Selectmen's Representative Alternate).

Alternates

Absent: None. (All present.)

Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Noted that no alternates would be seated at this time, as all regular members were present.

V. MINUTES OF PREVIOUS MEETING(S)

No minute of previous meetings were addressed this evening.

VI. CASES REQUESTED FOR DEFERRAL

No cases had requested deferral from this scheduled date.

VII. CORRESPONDENCE

Chairman Russo stated that he would take up the correspondence item at this time.

**A. Street Acceptance
600 feet of Wall Street**

Reference: memorandum dated August 29, 2013 from Patrick Colburn, Town Engineer, to John Cashell, Town Planner.

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell stated that he had nothing to add to the staff report.

Mr. Barnes asked if everything had been completed as far as the Town Highway Department was concerned. Town Planner Cashell answered in the affirmative.

Mr. Barnes moved to forward a favorable recommendation to the Board of Selectmen relative to the acceptance as a public street that portion of Wall Street bordering Lot 18-9 and Lot 18-10, as shown and described on the Plan entitled **Map 26, Lot 18, Subdivision Plan – Unicorn Industrial Park II Constitution Drive, Hudson, New Hampshire**, prepared by Edward N. Herbert Assoc. Inc., dated July 7, 1999 and referenced on Sheet 2 of 9 of the plan set. Mr. Barnes noted that this action was taken in accordance with the favorable written recommendations by the Town Engineer, Patrick Colburn, together with the Police Chief, Jason Lavoie, Deputy Fire Chief, Rob Buxton, and Road Agent, Kevin Burns (see their recommendations in file).

Mr. Hall seconded the motion.

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

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VIII. PERFORMANCE SURETIES

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

VIX. ZBA INPUT ONLY

A. Derry Street Retail ZI# 02-13

Map 165/Lots 145 & 146
66 & 68 Derry Street

Purpose of plan: Wetland and Buffer Impact for the proposed building and associated parking, and fill slopes with the re-development at 66 & 68 Derry Street. The permanent wetland impact is 2,636 ft², and the permanent buffer impact is 20,670 ft².

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell said he had nothing to add to the staff report.

Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, serving as the engineering representative of the applicant, distributed full-size copies of the plan and posted a copy on the meeting-room wall, identifying the plan as **Wetland Buffer Impact, Derry Street Retail, Map 165; Lots 145 & 146, 66 & 68 Derry Street, Hudson, New Hampshire, Hillsborough County**, dated August 28, 2013 (no revisions). Mr. Della-Monica asked Town Planner Cashell to display an aerial view of the parcel, as well.

Mr. Basso identified the parcel as the former Hogan Nursery property on Route 102 across from Ledge Road, noting it had been abandoned for some time. He said his client was proposing to develop the property for a retail nature, adding that a traffic study was ongoing for a full design process, but he was here tonight because of a piece of wetland in the rear of the property, which was basically a drainage path for drainage behind the car-wash parking lot to a culvert heading down toward Webster Street. He said it was not a very big wetland and was not a very good wetland, being loaded with invasive species and sediment. He said the Conservation Commission had conducted an inspection, concluding that the only value of this wetland was stormwater attenuation for the parking lot, which he could provide on the site. He said they were proposing to impact 2,636 ft² of the wetland as well as 20,000 ft² of buffer, and the Conservation Commission had approved forwarding this to the Zoning Board of Adjustment for a Wetland Special Exception. He noted that he had agreed to remove all the invasive species and dispose of them.

Chairman Russo noted that that there was a need to accept the application. Mr. Della-Monica so moved; Mr. Malley seconded the motion.

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

Chairman Russo opened the meeting for public input and comment, in favor of the application or in opposition or with questions. The only member in the audience declining to come forward, Chairman Russo closed the public hearing and asked if any members of the Board had any questions.

Mr. Hall asked where the outlet for the storm drain was located. Mr. Basso said it would be under the parking, with a few low-impact things currently under design, saying he would provide treatment, infiltration, detention, and retention.

Mr. Barnes noted that the existing wetland served as drainage for the adjoining parcel, asking if that drainage would continue. Mr. Basso answered in the affirmative, saying he would add a treatment device at the corner of the parking lot. Mr. Barnes said he had some concern about the condominium property to the rear, saying the Board would need to make sure there was no impact to that property.

Mr. Della-Monica moved to forward favorable correspondence to the ZBA citing that the Planning Board concurred with the Conservation Commission's attached recommendation and with its stipulations and findings relative to the Wetland Special Exceptions permit application calling for a proposed permanent wetland impact of 2,636 ft² and the permanent buffer impact is 20,670 ft², noting that the said impacts were depicted on the plan entitled: **Wetland Buffer Impact Plan – Derry Street Retail – Map 165; Lots 145 & 146, 66 & 68 Derry Street, Hudson, New Hampshire**, prepared by Keach-Nordstrom Associates, Inc., dated: Aug. 28, 2013 (no revisions), consisting of Sheet 1 of 1 and Notes 1 through 10. Mr. Barnes seconded the motion.

Mr. Hall said he would have to vote against this motion because of the wording, protesting that the function of Planning Board was not to check on the Conservation Commission and to decide if the Conservation Commission had done a good job. He said the only reason for the applicant to come before the Planning Board after going through the Conservation Commission process was to see if the Planning Board had any issues from a planning perspective. He clarified that he did not have a problem with the project going forward, but he had a problem with the wording of the motion and why the Board was making the motion.

Mr. Della-Monica said he would agree to taking out the parenthetical elements about the Conservation Commission, saying it was not necessary, as the Planning Board either recommended it or did not. Mr. Hall said the Planning Board either had planning concerns or did not. Chairman Russo suggested that Mr. Della-Monica reword the motion to say simply that the Planning Board did not have planning concerns with the proposed project and citing that the Planning Board had no concerns with the proposed Wetland Special Exception. Mr. Della-Monica concurred, and Mr. Barnes agreed to the change, making it a friendly amendment.

Town Planner Cashell said it was hard for the Planning Board to come up with planning concerns when just looking at a proposed wetland impact. He cited a hypothetical example.

Mr. Hall said the most common one in the past was when someone applied for a Wetland Special exception for a crossing that only allowed access to a certain point on a Town road, which the Planning Board might have a problem with. Once the applicant received a Wetland Special Exception for the crossing, he explained, the crossing had to be at that location. He then suggested that another example would be a crossing to an area that the Planning Board did not think was appropriate to be developed, recalling that this had been the case on a proposed development on Belknap Road, where the developer had shown a number of crossings into backland. In most cases, he pointed out, there were not any planning concerns, but the rules were that proposals come before the Planning Board. and he thought it was a good process to go through.

Mr. Della-Monica recalled there had been concern expressed about this instant case, when Mr. Barnes had noted concern about possible impact to the adjoining condominiums, which was a planning issue—adding that it had been asked and answered. Mr. Hall said that was something that could be addressed at the time of site plan review, saying Mr. Barnes' concern could be taken care of at any point during the site plan review. Once the developer was allowed to impact the wetlands and the wetland buffer, he continued, that part was not going to change, so that was the part that the Planning Board should be concerned about. In his opinion, he said, it was what the impact would be that was important.

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

Mr. Basso said he would like to ask about the parking design, asking if he could ask for some guidance. Chairman Russo allowed for discussion. Noting that the regulations allowed for smaller 9-ft by 18-ft parking spaces, Mr. Basso said he had never heard the Planning Board approve such smaller sizes, adding that he did not intend that for the main customer parking lot out front but would like to place smaller spaces for employee parking out back, as this would let him reduce the footprint. Mr. Hall asked what the benefit would be. Mr. Basso said there would be less pavement, allowing more green space and more landscaping.

Mr. Hall said he would be willing to look at it, and he suggested that Mr. Basso provide two different alternative plans to show the difference. Mr. Barnes concurred, saying he had been going to suggest the same thing. Mr. Basso said the difference was actually fairly significant.

Mr. Della-Monica asked if the employee spaces would be marked for employee parking. Mr. Basso responded in the affirmative. Mr. Della-Monica suggested making a couple of the spaces larger size, to accommodate employees with trucks or full-size vehicles.

Mr. van der Veen questioned the number of spaces being provided; Mr. Basso assured him he would have enough spaces, saying the idea was to reduce impact not to gain more spaces.

Chairman Russo expressed a belief that the Board was open to the concept.

X. DESIGN REVIEW PHASE

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

XI. OLD BUSINESS

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

XII. DESIGN REVIEW PHASE

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

XIII. CONCEPTUAL REVIEW ONLY

No **Conceptual Reviews Only** items were addressed this evening.

XIV. NEW BUSINESS/PUBLIC HEARINGS

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

XV. OTHER BUSINESS

A. Discussion on proposed Charrette projects.

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell referenced his memorandum, saying the idea was to introduce the idea of getting a charette project for Chairman Russo's previously discussed idea of changing the traffic flow into Hudson from the Taylor Falls Bridge by using Chase street and Library Street as a large roundabout.

Chairman Russo said he was not prepared to present on the topic at this time.

Town Planner Cashell said he had responded to Mr. Seabury's original suggestion of this idea by saying he would like to propose a charette study for the intersection of Greeley Street, Central Street, and Kimball Hill Road, the original town center. He noted that the town had never been able to form a traditional town center. Mr. Cashell then displayed a plan that had been developed in the 1990s for use of the Benson property by former Town Planners Cynthia Reynolds and Michael Reynolds.

Mr. Ulery pointed out for the viewing television audience that this was not a plan, merely something to outline what a charette study would do. Mr. Barnes concurred, saying this plan had not been realized but was history. Town Planner Cashell concurred, saying this was just an example of what had been considered back then. If the Board wanted to get into any idea having to do with municipal facilities, Mr. Cashell said, the Board could do that, using the charette process.

Selectman Maddox noted that there was a roundabout being planned by Nashua for the shore on the other side of the bridge. He noted that a charette process had been

performed in Hudson many years ago, saying it would be interesting to see how many of the things that had been proposed had been accomplished.

Mr. van der Veen said Nashua was still talking about a lot of development on its side of the river; he then asked if any study was going to be done for what might be done on this side of the river. Chairman Russo said this discussion was probably a year early, but it might be time for this Board to start contemplating what should be done on this side of the river to complement what was going to happen on the other side of the bridge.

Town Planner Cashell said he and Town Administrator Steve Malizia had recently attended a meeting with the Nashua Mayor, saying all of that development was a long ways off in the future. He said the work being done over there at this time pertained to inflow/infiltration of stormwater.

Chairman Russo reviewed the upcoming Law Lecture series. Town Planner Cashell said online registration was preferred, saying he and Ms. Lavoie would take care of it once the members had indicated which lectures they would be attending.

Town Planner Cashell noted that the application for the property next to Subaru had been put on hold as of this afternoon, adding that it was the only thing that had been on the next agenda.

Town Planner Cashell reported that a Low-Impact Development subdivision off Gowing Road would be coming before the Board in the winter months.

XVI. ADJOURNMENT

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

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

Chairman Russo then declared the meeting to be adjourned at 7:59 p.m.

Date: October 10, 2013

Vincent Russo, Chairman

J. Bradford Seabury, Recorder

Edward van der Veen, Secretary

These minutes were accepted as submitted following review at the 11-13-13 Planning Board meeting.