



# TOWN OF HUDSON

## Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

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### HUDSON PLANNING BOARD WORKSHOP MEETING MINUTES September 5, 2012

#### I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:10 p.m. on Wednesday, September 5, 2012, in the Community Development's Paul Butler meeting room in the Hudson Town Hall basement.

#### II. PLEDGE OF ALLEGIANCE

Chairman Russo asked Mr. Ulery 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, and Jordan Ulery.

**Alternates**

**Absent:** Nancy Brucker (Selectmen's Representative Alternate).

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**Staff**

**Present:** Town Planner John Cashell.

**Recorder:** J. Bradford Seabury.

**IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

Chairman Russo noted that all regular members were present and that no alternates needed to be seated at this time.

**V. MINUTES OF PREVIOUS MEETING(S)**

**A. 07-25-12 Minutes**

**- 09-05-12 Packet**

Chairman Russo addressed the minutes for the meeting of 07-25-12, as provided in the 09-05-12 packet, asking if there were any changes or corrections.

Mr. Della-Monica requested the following changes:

- Page 13, 5<sup>th</sup> paragraph, 2<sup>nd</sup> line — word “applications” should be changed to “plans.”
- Page 13, last line — misspelling of “oldest” should be corrected.

Mr. Barnes referenced Page 12, 3<sup>rd</sup> paragraph, 4<sup>th</sup> line from the bottom, requesting that the misspelling of Stuarts Corner be corrected.

No further change requests being brought forward, Mr. Barnes moved to accept the 07-25-12 minutes as amended; Mr. Della-Monica seconded the motion.

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

**VI. CORRESPONDENCE**

Chairman Russo noted that the Board had received one item of correspondence. Town Planner Cashell said that item was just for informational purposes. Chairman Russo then stated that the Board would discuss this item later in the evening.

**VII. PERFORMANCE SURETIES**

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

**VIII OLD BUSINESS/PUBLIC HEARINGS**

No **Old Business/Public Hearings** items were addressed this evening.

**IX NEW BUSINESS/PUBLIC HEARINGS**

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

**X WORKSHOP**

**A. Review Proposed Amendment to §278-8.B. (14) Exterior Lighting - of the Planning Board's Site Plan Review Regulation. (Deferred Date Specific from the 08-01-12 Workshop).**

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

Town Planner Cashell stated the amendment regulation draft was pretty-much finalized.

Chairman Russo asked what the Board wished to do about the proposed change.

Selectman Maddox referenced section B, asking about the phrase "incidental illumination." Town Planner Cashell said it was soft-peddling the issue.

Mr. Della-Monica said the primary purpose was to light one's property, and it was incidental if it lighted anywhere else. He then stated that this was for unwanted light that was not for the intended purpose, which was lighting the applicant's property—so, if it went beyond the property line, it was incidental, no matter what the wattage was.

Chairman Russo expressed a belief that the Board was in agreement that the word "incidental" probably could be removed from the text. Mr. Della-Monica concurred.

Mr. Barnes moved to forward the amended version to public hearing, reading the entire amendment text aloud, as follows:

Amend § 275-8.B.(14) by adding and deleting the following language to this section (added language shown in bold print and deleted language shown in strikethrough print):

§ 275-8.B (14) The location details and character of all exterior lighting. ~~or a note stating: "There will be no exterior lighting."~~

**(a) General Provisions**

**In order to facilitate vehicular and pedestrian safety, promote property security, and enhance the overall use of properties, permanent exterior building and lot lighting shall be required for all permitted uses subject to site plan review.**

**(b) Design of External Lighting**

All fixtures shall be positioned and/or installed in such a fashion as to prevent unwanted illumination of abutting properties and streets. {See Figure below: Photometric Distribution.}

Mr. Hall seconded the motion.

**VOTE:** No further comment being brought forward, 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).

**B. Review Existing Driveway Application and Regulations (Deferred from the 08-01-12 Workshop).**

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

Town Planner Cashell said he had nothing to add to the staff report but would answer any questions the members might have, confirming he had added the changes previously requested by the Board, which he then reviewed in detail, beginning with the driveway design criteria, as modified at the April 4<sup>th</sup> workshop.

Mr. Cashell noted that he had included the existing language, adding that he had enlarged the driveway illustration, including added spaces for the dimensions to be designated by the applicant. He expressed a belief that this was now a well-crafted application, adding that it would be digitized and become part of the file.

Selectman Maddox asked if the Zoning Administrator had looked at this. Town Planner Cashell said Mr. Oleksak had looked at it during the process, adding that the Zoning Administrator traditionally would not get too involved with driveways, which traditionally had been done by the Town Engineer.

Selectman Maddox said he had thought there was a requirement for a corner lot that it would have a 15-foot setback on the side. Town Planner Cashell said he did not recall seeing that as a reference. Mr. Hall said a corner lot would still have one road as the side yard and the other as the frontage, depending on the orientation of the house.

Mr. van der Veen said the plan had a 15-inch designation (15") as the setback, suggesting this designation should be changed to feet (15'). He then asked if the right-hand side arrow was for the setback line or the property line. Town Planner Cashell said it was to the property line.

Mr. Hall suggested moving the arrow in. Mr. Della-Monica suggested putting the arrows on the outside of the line.

Mr. Barnes asked if the driveway grade of 10% maximum fit with what the Board was being directed by Town Counsel. Town Planner Cashell said there might

sometimes be a longer distance, or within the allowance of the RSAs to take into consideration any portion of the driveway that would impact the roadway, which could be an area of restriction. He noted that he was expecting to get another legal opinion addressing a recent change in the statute. He said the Fire Department might have additional jurisdiction. Mr. Ulery questioned why the Fire Department would have any authorization, other than the issue of accessibility. Town Planner Cashell noted that Legal Counsel had recommended that the Fire Department not be a signatory to the application.

Ms. McGrath recalled that the Fire Department had been considered because of a recent incident in which the Fire Department in Pelham could not reach a house to put out a fire because the driveway was too steep. She said this would be a problem to the residents and to the Town. Town Planner Cashell said he remembered that the Board had wanted to do something to make this application a better document, and there had been discussion initially about having a maximum grade, at which time the Board had deferred in order to get input from the Fire Department. He noted that the Town Counsel's legal opinion did state that the Board could consider requiring the applicant to have a turnaround.

Ms. Merrill noted that identifications were required for abutters on the side and facing the front of the lot, but not for behind the lot. Town Planner Cashell said the abutter to the rear would not be affected, and he then suggested that there really was no need for any of the abutter identifications on the application form. Chairman Russo noted that the illustration could be made larger if the abutter identifications were removed.

Mr. Ulery said the process should be made as simple as possible.

Mr. Malley said the driveway length requirement should be deleted if the Board could not regulate it. Town Planner Cashell suggested having Town Counsel weigh in on that issue. Chairman Russo said the big issue was where the driveway intersected the roadway.

Selectman Maddox suggested this application form was premature, saying he felt the Board needed to hear from Town Counsel and from the Fire Department.

Chairman Russo asked if this form were for all lots. Town Planner Cashell said these applications were for individual lots on existing roadways, adding that subdivision plans usually had the driveway location already identified. He then added further, however, that subdivision plans sometimes left that determination for later, but these applications were for individual lots on existing roadways. Selectman Maddox noted that it would also pertain to second driveways.

Ms. McGrath referenced a recent letter from John O'Brien (Deputy Chief Support Services) of the Fire Department to Town Planner Cashell, noting that the Fire Department would be in favor of a turnaround for driveways in excess of 300 feet or with a grade of 10%. Town Planner Cashell said the new RSA addressed dramatic changes to the Fire Department's authority, and he agreed that the existing draft was premature.

Selectman Maddox moved to defer further discussion on this item to the October 3<sup>rd</sup> workshop. Mr. Della-Monica seconded the motion. Selectman Maddox said it would

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be automatically deferred if there was no input from Town Counsel or the Fire Department at that time.

**VOTE:** No further comment being brought forward, 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).

**XI OTHER BUSINESS**

A. 2012 Municipal Law Lecture Series (Registration Forms)

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

Town Planner Cashell said two members had signed up. Chairman Russo asked that others let the Planning Office know. Chairman Russo noted that he, Mr. Hall, Mr. Della-Monica and Mr. Barnes were going, for sure. Recorder Seabury noted that he was also going to all three sessions.

Town Planner Cashell said there would be five items at the next meeting, with four of them being brand new.

**XII. ADJOURNMENT**

All scheduled items having been addressed, Selectman Maddox 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 7:52 p.m.

Date: May 9, 2012

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Vincent Russo, Chairman

J. Bradford Seabury, Recorder

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Edward van der Veen, Secretary

These minutes were accepted as amended following review at the 09-26-11 Planning Board meeting.

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**HUDSON PLANNING BOARD Workshop Meeting Minutes  
September 5, 2011**

**Page 7**

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 09-26-11:

Page 5, 1<sup>st</sup> full paragraph, next-to-last line – changed “onion” to “opinion.”