



# TOWN OF HUDSON

## Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

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### HUDSON PLANNING BOARD MEETING MINUTES August 22, 2012

#### **I. CALL TO ORDER**

Chairman Russo called this Planning Board meeting to order at 7:10 p.m. on Wednesday, August 22, 2012, in the Community Development's Paul Buxton meeting room in the Hudson Town Hall basement.

#### **II. PLEDGE OF ALLEGIANCE**

Chairman Russo led 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, Vincent Russo, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

##### **Members**

**Absent:** Tim Malley (excused).

##### **Alternates**

**Present:** Irene Merrill and Nancy Bruckerman (Selectmen's Representative Alternate).

##### **Alternates**

**Absent:** Marilyn McGrath (excused) and Jordan Ulery (excused).

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**Staff**

**Present:** Town Planner John Cashell.

**Recorder:** J. Bradford Seabury.

**IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

Chairman Russo seated Ms. Merrill in place of the absent Mr. Malley.

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

Chairman Russo stated that there were no minutes to be addressed at this time.

**VI. CASES REQUESTED FOR DEFERRAL**

No cases had been requested for deferral for this meeting.

**VII. CORRESPONDENCE**

Chairman Russo noted that items of correspondence received in tonight's handouts would be taken up in conjunction with the associated cases, with any remaining items being taken up under **Other Business** at the end of the meeting.

**VIII. PERFORMANCE SURETIES**

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

**IX. ZBA INPUT ONLY**

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

**X. PUBLIC HEARINGS**

No **Public Hearings** items were scheduled for this evening.

XI. OLD BUSINESS/PUBLIC HEARINGS

A. New England Solid Surfaces Site Plan                      Map 161/Lot 044  
SP# 04-12    7 Industrial Drive

**Purpose of plan: To propose a 5,000-ft<sup>2</sup> (foot print) industrial/light manufacturing facility with 2,000-ft<sup>2</sup> office/storage mezzanine and associated parking and access improvements. Hearing. Deferred Date Specific from the 07-25-12 Planning Board Meeting.**

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

Mr. Patrick Colburn, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appeared before the Board as the engineering representative of the property owner, Mr. Dan Preston. He reviewed the plan and the operation of the business, noting that he had been before the Board at the June 13<sup>th</sup> meeting, noting that the Board had approved all four requested waivers at that meeting, and that the plan had been revised to address CLD's review comments. He confirmed that the storage trailers would be removed within one year of occupancy of the new structure, with the material in them being placed in the new building. He discussed the shared driveway of the existing access, noting that a permanent easement document had been prepared by Mr. Preston's attorney, and he passed copies of that document around for review by the Board members. He discussed his plan to show a demarcation between Mr. Preston's property and that of his neighbor, noting that there had been discussion about adding green space behind the retaining wall, which he had added, as shown on Sheet 3.

Mr. Colburn identified the plans mounted on the meeting room wall as follows:

- ***Existing Conditions and Removal Plan, New England Solid Surfaces, Map 161/Lot 44, 7 Industrial Drive, Hudson***, prepared by Keith Nordstrom Associates, dated March 26, 2012, with no revisions (the same plan shown at the June 13<sup>th</sup> meeting).
- ***Site Layout and Landscape Plan, New England Solid Surfaces, Map 161/Lot 44, 7 Industrial drive, Hudson***, prepared by Keith Nordstrom Associates, dated March 26, 2012, (Sheet 3 of 13), revised as of 08-09-12.

Chairman Russo opened the meeting for public input and comment, in favor or opposition. No one coming forward to provide input, despite two requests by the chairman for comment for or against, Chairman Russo declared the matter before the Board and asked if any members of the Board had any questions or comments.

Mr. Barnes referenced the CLD report about water and gas lines cutting across the property. He then referenced Sheet 5, saying he did not know if those lines connected to the abutter's property. Mr. Colburn said he also did not know. Mr. Barnes asked about the retaining wall, and Mr. Colburn discussed it, saying Mr. Preston was continuing to pursue arrangements with his neighbor behind him but had not been successful to date. Mr. Barnes said he had a small concern about that, but felt it could

be changed if necessary. Mr. Colburn said he had worked around the utilities, so as not to hold up Mr. Preston's negotiations, adding that he knew where the lines were horizontally but just did not know how deep they were, but his first order of business would be to confirm that elevation.

Selectman Maddox referenced the 12 month period for removal of the trailers, saying this was the sort of thing that could become a nightmare. He asked if a sooner date could be provided, suggesting 60 days after occupation. Mr. Dan Preston, giving his address as 7 Industrial Drive, said the stuff in the trailer was going to be used in the new building—adding that 60 days, as suggested by Selectman Maddox, was a big difference from one year. Selectman Maddox asked that this be looked at. Mr. Preston said he could not do anything about the material until he had occupancy of the building. Chairman Russo asked if he would agree to a six-month period; Mr. Preston said he could do that.

Mr. Barnes asked about the hours of operation. Chairman Russo questioned why the Board should care, since this site was in the Industrial zone. Mr. Colburn said he did not have that information, but Mr. Preston currently operated from 7:00 a.m. to 5:00 p.m. Mr. Della-Monica suggested striking the draft stipulation; Chairman Russo concurred.

Mr. Della-Monica moved to approve the Site Plan entitled: ***New England Solid Surfaces, Map 161; Lot 044, 7 Industrial Drive, Hudson, NH***, prepared by Keach-Nordstrom Associates, Inc., dated: March 26, 2012, latest revision Aug. 9, 2012, consisting of Sheets 1 through 13 and Notes 1 through 25, 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 (hereafter referred to as the Plan).
2. The Shared Driveway and Access and Egress Easement document shall be favorably recommended on by Town Counsel prior to the Planning Board endorsing the Plan, after which the said document shall be recorded at the Hillsborough County Registry of Deeds, together with the Plan and Development Agreement.
3. After the issuance of a foundation permit for the new 5,000-ft<sup>2</sup> building, and prior to the issuance of framing permit, 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 shall be stamped by a licensed land surveyor. Any discrepancy between the approved site plan and foundation "As-Built" plan shall be documented by the applicant and shall be part of the foundation "As-Built" submission.
4. 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.

5. Onsite landscaping shall be provided for in accordance with the plant and tree species specified on Sheet 3 of 13 of the Plan.
6. Construction activities involving the subject lot shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction activities shall occur on Sunday.
7. Refuse removal shall be limited to Monday through Friday, 8:00 a.m. to 6:00 p.m. and Saturday, 8:00 a.m. to 5:00 p.m.
8. Prior to Planning Board endorsement of the plan, it shall be subject to final Engineering and Fire Department review.
9. The calculated CAP fee of \$3,360.00, prepared in accordance with the 2012 CAP Fee Matrix, shall be submitted to the Town prior to the issuance of the Certificate of Occupancy.

Chairman Russo suggested adding a tenth stipulation pertaining to removal of the storage trailers. Mr. Della-Monica concurred, adding that motion as follows:

10. The existing storage trailers on the southwest corner of the existing building shall be removed within 6 months of occupancy of the new building.

Mr. Barnes 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).

## **XII. DESIGN REVIEW PHASE**

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

## **XIII. CONCEPTUAL REVIEW ONLY**

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

## **XIV. NEW BUSINESS/PUBLIC HEARINGS**

- A. 36 Adelaide Street LLC Subdivision.                      Map 183/Lot 27**  
**SB# 03-12    36 Adelaide Street**

**Purpose of plan: to subdivide Tax Map Parcel 183-27 into two lots.  
Application Acceptance & Hearing.**

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

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

Mr. Michael D. Ploof, LLS, from Fieldstone Land Consultants, PLLC, Milford, New Hampshire, appeared before the Board as the representative of the applicant, handing out large-sized plans to those Board members who wanted them, as well as affixing a copy to the wall, which he subsequently identified as follows:

- ***Subdivision Plan, Prepared for 36 Adelaide Street LLC, Tax Map Parcel 183-27, (36 Adelaide Street), Hudson, New Hampshire***, prepared by Fieldstone Consultants, PLLC, dated July 10, 2012, with no revisions.

He described the property, saying 11,127 ft<sup>2</sup> of the existing house lot would be continuous upland area, and the new lot would be 11,571 ft<sup>2</sup> with almost all of it being usable upland area, with 214.276-ft frontage, with municipal sewer and water proposed for the new lot.

Chairman Russo noted that Application Acceptance had not yet been granted, and he asked if the application were ready for acceptance. Town Planner Cashell said it was, and Mr. Barnes moved to grant Application Acceptance, with Mr. Hall seconding 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).

Chairman Russo opened the meeting for public input and comment, in favor. No one coming forward to provide input in favor, he asked if anyone wished to speak in opposition or with questions.

Mr. Gary Lavoie, 4 Maywood Street, stated that he lived across the street, saying he was totally opposed to this. He said he was not sure what they were doing, saying the way he understood it, they would have to take down the existing house and build in two more, so that he would be looking at their back yard, with the quality of his neighborhood being very much downgraded. He said they would be using his road (Maywood Street) as their driveway.

Mr. Ploof said he would assume that the driveway would be right across from Lot 182-25 (next to Mr. Lavoie's lot). He said they were just proposing the subdivision at this time, saying orientation of the houses would be decided later—adding that the existing house was not going to be torn down but would be refurbished. Chairman Russo said the chances were that the frontage would be facing Maywood Street. Mr. Lavoie protested that the plan did not show where they intended to build a house, so he did not know what he could complain about, and he expressed concern about the quality of the neighborhood, questioning why another house was needed on that street. He said he thought the only place they could build would be the land directly opposite his neighbor's driveway. Mr. Ploof showed the wetlands buffer and the resulting building envelope on the plan on the wall. Mr. Lavoie questioned what kind of house or what size of house would be put in there. Mr. Ploof said he would not want to

speculate but he knew a 22-foot by 32-foot house would fit. Mr. Lavoie said the two houses would be kind of close together. Mr. Russo said the Planning Board could not control that but would ensure that the property was subdivided in accordance with the requirements, saying the applicant had come forward with a plan that met the regulations.

Mr. Jay Lafond and Ms. Theresa Lafond, 38 Adelaide Street, said they were concerned about this development in their back yard, noting that their property was elevated above the property being discussed, which tended to fill with water in the spring, going stagnant but then washing into the wetland. He said they had had a survey done, receiving a report that the surveyor could not put a marker in the wetland for their boundary line, but there was no concern because it was just woods. He said the property was mosquito laden, and he was concerned about fertilizer being dumped on the property, because he had a well. He said his concern was what they would be looking at, where the boundary lines were, and what the runoff would be. Mr. Ploof referenced a plan that had been done by Eric Mitchell a few years back; Ms. Lafond said that was her plan, as just discussed. Mr. Ploof reiterated that the existing building would be left where it was. Mr. Lafond asked if it were okay that it would be an irregularly shaped lot; Chairman Russo said the lot being created would be irregularly shaped but no more so than the lot line that currently existed between Mr. Lafond's lot and his neighbor. Mr. Lafond asked if the new house would make the current one nonconforming; Mr. Ploof said the setbacks would be in compliance. Mr. Lafond questioned the boundary point, and Mr. Ploof described the usual method for finding a line or point. Mr. Lafond said he wanted to know what the division was. Chairman Russo said the applicant would be marking a line for the new lot, noting it would be 75 feet away from the Lafonds' lot line.

Town Planner Cashell noted that a concrete bound had been found and an iron pin had been found. Mr. Lafond said he owned that adjoining lot, and he was concerned because he did not know where the back marker would be. Town Planner Cashell referenced Stipulation 5 of the draft motion, saying all boundaries would be marked, so there would be a monument marking the corner of the Lafonds' lot. Mr. Ploof asked what would happen if it were in the wetland.

Mr. Hall said he would expect that there would be new monuments, not existing ones, adding that he could not see creating a mess in the wetlands—adding that the developers would not be able to cut down trees in the wetlands anyway.

Town Planner Cashell said it was dry now but looked like a lake when it was wet. He said it was a wetland, and the owners would not be allowed to do anything in it.

Mr. Della-Monica said any activity in the way of construction back there was not appropriate and should be reported. He said the lot was upland where the new house would be built, but that the Lafonds should not be concerned if they were 75 feet away from the property. Chairman Russo asked how deep the wetland was when wet. Mr. Lafond said it was marshy but occasionally got two feet deep.

Chairman Russo said the developers would mark the new lot line, and the Lafonds should not be concerned until they saw development within 50 feet of their marker.

Mrs. Lafond asked where the yard for the new property would be, asking if children would be playing in the wetlands. Chairman Russo said there was a delineated building area, and he predicted there would be more discussion on that point.

Mr. Lafond said the trees at the rear provided some buffer, and he was concerned that they might be cutting some of that down. Town Planner Cashell asked what the nature of the wetland was. Mr. Ploof said it was designated in accordance with the US Army Corps of Engineers Wetland Delineation Manual, saying he was not a wetland scientist but felt it would be hydric soils. Chairman Russo asked if drainage from the power line went in there. Town Planner Cashell said it was a pocket and the area drainage went into it. Mr. Lafond said it was wet almost all summer. Town Planner Cashell displayed the elevation layer of the area, saying the building on the new lot would be at an elevation of 290 to 291, while the elevation at the border of the wetlands was 288, saying it appeared to be a shallow wetland.

Selectman Maddox said he thought this would be challenging lot for anyone to build on, noting that the smallest house in the neighborhood, at 32 Adelaide Street, would fit, but it would be a challenge, and he felt the Board should be concerned about the wetland buffer.

Mr. Lafond said his back yard dropped off and fell about eight feet to that property, saying it basically was a pocket—adding that the developers would have to build up the yard in order to get a yard there. Chairman Russo questioned how much the Lafonds would be able to see, as there was a lot of treed area. Mr. Lafond expressed concern about the trees being taken down. Mr. van der Veen said they could not take the rest of the trees down, as most of the trees were in the wetland area. Mr. Lafond then expressed concern about there not being a back yard for the new house, as one would walk out of the house into the wetlands. Chairman Russo said it would be at least 15 feet—saying it was going to be tight but would have to be marked. He said the Board's hands were tied if the applicant met the regulations.

Town Planner Cashell pointed out that the plan would not be before the Planning Board if it did not comply with the requirements.

Atty. Gerald Prunier, appearing before the Board as the legal representative of the applicant, said the Board members had all said the same thing. He said his client had purchased the property, which met all the requirements, so he was entitled to build.

No one else coming forward to provide input, Chairman Russo declared the matter before the Board and asked if any members of the Board had any questions.

Mr. Barnes said there would have to be a stipulation that the wetland buffer line had to be marked. He then asked where the sewer and water connections would go. Mr. Ploof said they would go down Adelaide Street, in the 15-foot stretch. Mr. Barnes said the flow of water was going to come across the new lot from Maywood Street. Mr. Ploof said it looked like a gentle slope, from 298 feet at Adelaide Street down to 288. Mr. Barnes said his concern was that a house and a driveway would interrupt that flow, and he asked if it would cause problems on other lots in the neighborhood. Mr. Ploof said this property was pretty much the same as the others. Mr. Barnes responded that



those others were already there, but putting in a house would possibly change the flow. Mr. Ploof said they would take a look at that.

Selectman Maddox asked about CLD comments. Town Planner Cashell said the developer would have to raise the house on an elevation, saying they would try to keep; water out of the basement.

Chairman Russo asked what was to be removed. Mr. Ploof said there was a cantilevered section at the back of the house in the garage region that would be removed, in order to meet the required setback. Chairman Russo said he did not see a 15-foot rear setback, asking if Mr. Ploof were saying that part of the existing garage would have to be removed to get that setback. Mr. Ploof answered in the affirmative, saying the garage was very close to the setback line.

Mr. Della-Monica said there would be exactly 15 feet.

Chairman Russo asked if input had been obtained from CLD on this plan. Town Planner Cashell answered in the negative, explaining that there was no construction. Mr. Ploof said it had not been engineered. Chairman Russo commented that this development would be very tight, commenting that it would be 25 feet by 25 feet. Mr. Ploof said it would be 22 feet by 32 feet. Town Planner Cashell said they would have to get a waiver, as they would be in the buffer. Chairman Russo expressed a belief that the length to the backside buffer would be 30 feet.

Selectman Maddox said not every lot should be built on, and this was one of those gray areas. He said the Planning Board's duty was to clearly delineate the wetland buffer, both preconstruction and post-construction, and he suggested the Board should ask for a cedar split-rail fence.

Mr. Della-Monica asked if there were any way they could construct this without having construction equipment in the wetland buffer. Mr. Ploof said it depended on the size of the house, adding that it would be tough. Chairman Russo said there was no way to construct a home there without going into that area, to dig forms; he then suggested having a stipulation so that the Town would be aware of how tight it was when people came for a Building Permit.

Mr. Della-Monica said construction in the path of water leading to the wetland would require a lot of silt mitigation and other things to deal with the conservation boundary.

Town Planner Cashell stated that everything to be done would have to be done with the awareness and approval of the Building Department. Chairman Russo expressed concern about the Town remembering, five or six years in the future, that this had to be looked at closely—adding that the only thing he could think of would be that, if a fence were built, the Building Department would see that it had been moved. Selectman Maddox said this was why he felt both pre-construction and post-construction means should be used.

Town Planner Cashell commented about including a requirement for a split-rail fence. Chairman Russo expressed strong agreement.

Chairman Russo asked if anyone wished to address the draft motion.

Mr. Della-Monica moved to approve the subdivision plan entitled: **36 Adelaide Street, LLC Tax Map Parcel 183-27 (36 Adelaide Street), Hudson, NH**, prepared by Fieldstone Land Consultants, PLLC, 778 Elm Street Suite C, Milford, NH 03055, dated: July 10, 2012 and revised through 8/14/12, consisting of Sheet 1 of 1 and Notes 1 through 13, 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. A cost allocation procedure (CAP) amount of \$1,027.73 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
3. A public school impact fee in the amount of \$3,578.00 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
4. A recreation contribution in the amount of \$400.00 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
5. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of-Record, together with the installation of a split-rail fence along the entire wetland buffer area on Lot 183-27-1.
6. Approval of this plan shall be subject to final engineering review.

Mr. Barnes seconded the motion.

Selectman Maddox said he did not think it made sense for the buffer-marker fence to go all the way (about 200 feet) into the property. Mr. Della-Monica amended that stipulation to read "along the buildable envelope." Mr. Barnes concurred, making it a friendly amendment to change the stipulation to read as follows (as reiterated by Mr. Della-Monica):

5. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of-Record, including the installation of a cedar split-rail fence along the area of the wetland buffer margin of the building envelope on Lot 183-27-1.

**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).

Chairman Russo noted that he would be taking a walk out there to ensure that the fence was in place before signing the plan. Mr. Della-Monica commented that this would be a case in which compliance would have to be enforced. Chairman Russo expressed agreement.

**XV. OTHER BUSINESS**

**A. Review of Senior Center Plans – Kimball Hill Road**

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

Town Planner Cashell referenced his staff report and displayed a PDF file illustration, noting that Selectman Luszey could not be present tonight, but Bernie Manor was present and Selectman Maddox would help; with the narration. He noted that, contrary to what he had said in his staff report, the Board of Selectmen had not yet taken any action with respect to whether or not they would implement RSA 674-54 I.

Selectman Maddox said the Senior group wanted to have a conceptual discussion with the Planning Board, noting that Mr. Bernie Manor was shepherding the process. He referenced the displayed drawing, noting there would be one-way access off Kimball Hill Road, together with a primary access from the Benson Park parking lot, with the proposed new parking lot providing space for 62 cars. He said the Senior Center would be primarily used during the daylight hours, with the Hudson Community Television use occurring more at night. He noted that the building was meant to look like a barn, saying it had been moved closer to Kimball Hill Road in order to keep the ground level level.

Chairman Russo asked if the Fire Department had looked at this plan. Selectman Maddox said they had done so repeatedly. Chairman Russo asked if the Fire Department were okay with having no access out from the back television studio in case of emergency. Mr. Manor said that, according to the architect, it met the code. Chairman Russo said he would like to hear from Deputy Chief Buxton about this.

Mr. Barnes noted that the handout for tonight included a proposed sign, which he presumed was to deter people from trying to drive out the one-way access path from Kimball Hill Road—adding that, from its proposed location, people might not even see that sign. He said there would be a fairly long walk, asking if there were any intent to put in a sidewalk. Mr. Manor said that would not be that big a deal. Mr. Barnes said he would hope there would be some lighting on the driveway, as people would be coming in at night and turning right.

Selectwoman Brucker asked why the one-way traffic access had been set up, asking if this were because the Committee did not want people turning left on Kimball Hill Road. Mr. Manor said the idea would be to prevent them from having to make that turn from that location, where the sight distance would be tough. Selectman Maddox said that angle would be a challenge.

Chairman Russo suggested that many people going to Benson Park would consider this a cut-through. He suggested that some improvement, such as widening of the road, would be a good thing.

Selectman Maddox noted that a “future carriage shed” was shown on the plan, which he said was just a cute euphemism for a garage for the communications studio.

Mr. Della-Monica noted that the main gate at Benson Park was closed after dark. Mr. Barnes said the gate in fact was totally gone, saying the only control was down at the parking lot entrance.

Chairman Russo noted that the Benson Parking lot, listed for overflow parking, was just grass. He asked about maintenance. Mr. Barnes said there was nothing that he was aware of. Selectman Maddox said the intent was to keep the park open during the winter.

Mr. van der Veen asked if there were anything planned for lighting at this time. Mr. Manor responded in the negative, and he then asked what the minimum parking space the Planning Board felt should be there was. Town Planner Cashell said the original plan had a lot more parking but it would be very expensive, whereas this plan provided sufficient parking for 90% of expected activities. Mr. Barnes questioned why parking lot lights were needed, since the Park closed at dusk.

Chairman Russo said occupancy for 262 people had been calculated for the building but there were only 62 parking spaces. Selectman Maddox said that would be taken under advisement, saying Town Planner Cashell would be asked to calculate the number of parking spaces needed for the place of assembly.

Mr. Hall said that using the Benson Park parking lot for overflow meant people would be asked to walk up a pretty steep grade for quite a distance. He suggested it might be easier to build a walkway with a stairway and a few lights. Mr. Manor said they had looked at that, but the stairway became pretty big and would be too much for the seniors. Selectman Maddox said the Dog Park had not taken all of its allocated space, so some of that could be used; he reiterated that these comments would be taken into advisement.

Selectwoman Brucker said it got dark early in the winter, with snow on the ground, and it was hard to imagine older people parking in the lower main parking lot and walking that far. Mr. Manor said he felt they could easily expand the proposed parking lot, for easily more than 30 additional spaces. Selectman Maddox said they could show it as future parking, if necessary.

Chairman Russo asked about the size of the television studio, saying this would be a huge studio compared to what the HCTV organization had now. Selectman Maddox said he would reserve comment—adding that he was hoping some future Board would see the benefit of using this building rather than a 100-year old building in which the television people could not get the lighting and sound right, so as to keep the taxpayers' costs as low as possible by utilizing a new state-of-the-art building.

Mr. Della-Monica asked if the Fire Department had commented about going to the lower level with its equipment, on a 9% grade with a curve, in the snow and the dark, without an area to turn around in. Selectman Maddox said that would be a question.

Mr. Barnes asked if there were any intent to take this conceptual before the Benson Park Committee for review and comment. Selectman Maddox answered in the affirmative. Mr. Barnes then stated that, as a member of that Committee, he would like to make a formal request for that to happen.

Mr. Manor said the Highway Department had bought into this and would take on some of the work involved.

Chairman Russo commented about striping the pervious surface of the main parking lot not having lasted more than a few weeks, predicting that the parking lot would have to be paved within the next ten years, and he then expressed a hope that this plan would come back before the Planning Board for a final blessing.

### **B. Report on Meeting in Preparation for Public Hearing on Corridor Study**

Selectman Maddox reported that he and Town Planner Cashell had met with Marty Kennedy to try to put something together for a plan for the south end study. He said they had asked Mr. Kennedy to provide three quotes:

1. As one project, to take a look at the existing studies, so as to take the known existing problems from the Massachusetts Border, on both River Road and Dracut Road, up to Hampshire Drive.
2. To consider the impact of a 25% increase in traffic over the next 15 years on those same known problem situations.
3. An update of those roads in accordance with the newest and current State law.

He said the purpose in giving Mr. Kennedy these parameters was so that he could have some numbers to work with and so that the Board could discuss these numbers with the developer.

Town Planner Cashell said one of the things coming out of that meeting was to look at Dracut Road and River Road, specifically, to identify traffic issues, safety issues, and what the Board should be working on to make intersections on both of those roads safer. He said Mr. Kennedy would come back before the Board at the September 12<sup>th</sup> meeting with a couple estimates. He noted that Route 3-A would be examined, noting that a number of accidents were still occurring on the stretch of roadway in front of Market Basket. He also noted that Mr. Kennedy was aware of the property that Mr. Monahan owned along Dracut Road, adding that Mr. Monahan would ultimately be responsible for his own traffic studies, depending on the density of what he intended to develop there—adding that the same was true for the Friels' property.

### **C. Comment on Efficacy of Split-Rail Fencing as Conservation Boundary**

Mr. J. Bradford Seabury, 4 Meadow Drive, noted that the Board had earlier expressed a great deal of concern about marking conservation boundary lines, concluding that a split rail fence was necessary. Stating that these fences did not last, he reminded the Board members of the very lengthy discussion that had taken place six years ago about a path leading into the woods behind the Town Barn from Bradford Circle, with the Board finally requiring that a clearly delineated path be provided, with cedar split-rail fences on either side. He then challenged the members to find that path now, five years later, saying the fence was completely gone and the area was heavily overgrown. He then stated that he was aware of another split-rail fence set up as a

conservation boundary having disappeared after a new property owner moved in, reiterating that these things did not last.

Chairman Russo asked what Mr. Seabury would suggest as an alternative. Mr. Seabury responded that he felt a real wall, concrete or fieldstone, was needed, as had originally been suggested.

Chairman Russo expressed a belief that the removal of split-rail fences with conservation markers on them was unlawful, saying enforcement was needed. He suggested permanent ground markers be used. Mr. van der Veen suggested using granite posts.

#### **D. Reminder that Law Lecture Series To Be Held in October**

Chairman Russo noted that the Law Lecture Series were coming up, reminding the Board that it had canceled October meetings in the past so that members could attend. He outlined the nature of the talks, noting that the Board's 10-03-12 workshop meeting was not in conflict but that Law Lectures would be held on the 10-10-12 and 10-24-12 Planning Board meeting dates. Chairman Russo suggested that Board members interested in attending the Law Lectures let Town Planner Cashell know, saying a decision would be made later as to whether the conflicting meeting dates would be canceled.

Town Planner Cashell noted that meetings were scheduled for November 7<sup>th</sup> and 14<sup>th</sup>, with no meeting scheduled for November 28<sup>th</sup> because of the Thanksgiving holiday.

#### **XVI. ADJOURNMENT**

All scheduled items having been addressed, Mr. Barnes moved to adjourn; Mr. Della-Monica 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 9:13 p.m.

Date: August 24, 2012

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Vincent Russo, Chairman

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**HUDSON PLANNING BOARD Meeting Minutes  
August 22, 2012**

**Page 15**

J. Bradford Seabury, Recorder

\_\_\_\_\_  
Edward van der Veen, Secretary

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

**-- FILE COPY --**

**HUDSON PLANNING BOARD Meeting Minutes  
August 22, 2012**

**Page 16**

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 09-26-12:

Page 11, 5<sup>th</sup> paragraph, 4<sup>th</sup> line – removed extraneous apostrophe following period at end of sentence.

Page 11, next to last paragraph, 1<sup>st</sup> line – removed words “lot of” so that the phrase now reads “Chairman Russo suggested that many people going to Benson Park....”

Page 12, 7<sup>th</sup> paragraph, next-to-last line – changed “slighting” to “lighting.”

Pages 13 & 14 – Added new paragraph headings for separate topics in place of extra space.