



TOWN OF HUDSON

Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

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HUDSON PLANNING BOARD MEETING MINUTES May 2, 2012

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:06 p.m. on Wednesday, May 2, 2010, 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, Tim Malley, Vincent Russo, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

Members

Absent: George Hall (excused).

Alternates

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

Alternates

Absent: None (All present).

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Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Russo seated Mr. Ulery in place of the absent Mr. Hall.

V. MINUTES OF PREVIOUS MEETING(S)

Chairman Russo addressed the minutes for the meeting of 04-25-12, asking if there were any changes or corrections. Mr. Della-Monica said he had not found anything amiss. None being brought forward, Mr. Ulery moved to accept the minutes as submitted; Mr. Barnes 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

No **Correspondence** items were addressed this 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. Form-Based Zoning Presentation by Alan Manonian, AICP, RE: Rte 111 from Greeley St/Kimball Hill Rd. to Burnham Rd.

Chairman Russo noted that Mr. Manonian was ill and could not be present this evening, so this item would be taken up at the May 23rd meeting.

B. Presentation and Discussion on Proposed South Hudson Corridor Study, Hudson, NH. Deferred Date Specific from the 03-07-12 Planning Board Workshop.

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

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

Mr. James N. Petropulos, PE, LEED AP, Chief Engineer of the HIS (Hayner/Swanson, Inc.) Civil Engineers/Land Surveyors firm, 1 Congress Street, Nashua, New Hampshire, appeared before the Board as the engineering representative of the applicant, Mr. Thomas Monahan, who was also present.

Mr. Petropulos noted that this was the third meeting, adding that he had asked Mr. Marty Kennedy, from VHB (Vanasse Hangen Brustlin, Inc.), to attend this meeting and to participate in the discussion.

Mr. Kennedy noted that his firm had done the original corridor studies and had done an update in 1994, as well as an update of the impact fee database in 2004. He outlined the process of doing such a corridor study, noting the need to analyze the existing traffic and to project traffic into the future, as well as to establish what it was the Town would be looking for (capacity, safety, etc.) and then to propose ways to accomplish that goal, evaluating the considerations of costs, impact on properties, and other concerns, and then to propose a final mutually agreed-upon plan.

Selectman Maddox noted that estimates would be a guess until the Board actually knew what would be going into these parcels, questioning how the roadways could be designed without knowing what the design would be for, noting that the needs would be quite different if retail development were put in, or residential. He said the Board of Selectmen felt it already had an accurate study from the previous proposals for the Green Meadows property.

Mr. Kennedy said any such study would need to get some input from the property owners. Mr. Petropulos expressed agreement, saying he could not tell the Board what kind of development was going to go onto Mr. Monahan's property, but they could provide a best-guess estimate based on developable land area and total tract area, taking out the wetlands and steep slopes. He said he thought it was a good time to do this planning exercise, saying it did not lock any developer into a specific use, but addressed sewer, water, and zoning issues. He said he was not sure how far the

Green Meadows traffic analysis went, noting that the Planning Board had suggested the entire route from the state line at the south to Central Street to the north.

Mr. Kennedy said a traffic study had been done, noting that the immediate area around Green Meadows had been covered. Chairman Russo said the impact on other areas of the town also needed to be considered.

Mr. Barnes asked how traffic had been modeled to make projects of impact on intersections, etc. Mr. Kennedy said there were two components: what was the best guess of impact on the corridor and when was that going to happen? He explained that the beginning step was to interview property owners and staff and then to factor in all the unknowns, such as traffic on the road but not having anything to do with those properties. Mr. Barnes suggested part of the study would be modeling assumptions on what the use of the land could be, with assumptions being made about some specific parcels.

Mr. Ulery said he thought Mr. Petropulos had said they would provide several different proposals, based on possible different developments—so that there would be several proposals, rather than just one. He expressed a belief that it would be beneficial to the Town to take a look at these types of information. Mr. Petropulos noted that there were some big tracts, including Mr. Monahan's property, Green Meadows, and the Friary property. He said different proposals could be looked at, starting with the most conservative one. Mr. Ulery said he did not think the Town had that kind of data. Selectman Maddox said the previous proposal had looked at 49 different intersections, based on what they intended on doing; he suggested the challenge would be to get land owners to come in and say what they were going to be doing with the properties. He said the current zoning would allow maybe 100 homes on Mr. Monahan's parcel, but that might not be what he wanted to do, and the Town would need to know what was being planned.

Town Planner Cashell noted that each parcel had its own requirements, noting that Mr. Monahan would be solely responsible for his parcel and would have to help the local roads that this project would impact in that area, whereas the Green Meadows plan had been a massive project having massive impact. He noted that the Town had pushed that developer into doing the whole-area study, to make sure that project would not create a Level Of Service F as opposed to Level Of Service C. He said the Town still did not know what the Green Meadows owners wanted to do, but the Town could plan ahead. He said the Lowell Road corridor definitely had build-out potential, but the real issues concerned whether any more could be done or planned for traffic to the north—in the Central and Library and Chase Street areas, for example. He commented on his belief that ultimately the building of the proposed boulevard roadway would be the required solution—acknowledging that the Federal Government in all likelihood was not going to come up with any money for that project, but that it was not inconceivable that the Town would want to do so.

Mr. Della-Monica said most of what was being talked about actually did not need to be known. He said the traffic study should deal with three things: how many vehicles were being added to the streets, where were they coming in, what time were they coming in, and where were they going. At either driveway location, he said, the impact

of traffic on Dracut or River Road did not need to know what was on those roads, but only how many cars would be using that passage. He said algorithms could be developed, but the problem was not knowing the scale. Mr. Petropulos said the proposed study would provide that for the three large tracts.

Mr. Kennedy said one kind of corridor study would estimate how much traffic would be generated and what would accommodate that amount of traffic, while another approach would be to ask how much capacity was actually able to be handled, and then to translate that back into development potential. He said it depended on what was desired: the build out of the whole corridor or more of something specific for various parcels. Chairman Russo asked if it would be fair to say the system was almost in total failure right now. Mr. Kennedy said the Town needed to define what was failure. Chairman Russo suggested that answers were needed to existing problems before starting to analyze the impact of future growth.

Ms. McGrath asked if Selectman Maddox had said the Board of Selectmen had discussed this. Selectman Maddox said there had been a brief discussion, and the Selectmen had not seen what they would get from such a study. Ms. McGrath asked Mr. Petropulos if he were anticipating seeking a zoning change of any kind for next March's election. Mr. Petropulos said he did not think that was likely this year. Ms. McGrath asked if they were willing to fund such a study, if the Board of Selectmen were not. Mr. Petropulos said he would have to consult with his client; Mr. Monahan said the answer was "No," declaring that that would not be fair. Mr. Petropulos said they had been trying to knock off the three challenges: traffic, water, and zoning.

Selectman Maddox said he felt the owners of the properties affected, suggesting from St. Kathryn's church to the bridge, should talk about where the properties were going to go.

Ms. McGrath said she had received a call from a friend who had noted fast-moving traffic, in excess of 75 mph, on Dracut Road—adding that she had noted that she had recently noted that the golf driving range parking lot had been completely full on one occasion. Mr. Ulery stated that the occasion had been a special golfing event. Ms. McGrath suggested such events had to be taken into consideration, as well.

Mr. Barnes said there had been about 1,000 people at that event. He then expressed a belief that the whole key was when peak traffic would occur for whatever was being proposed on the properties. Mr. Della-Monica said there were a lot of different things that could result in the same traffic flow, but one did not specifically have to know what was going into the property.

Mr. Ulery asked Mr. Kennedy, if this corridor study went forward, would statistical evidence or information illustrate the absolute need for a bypass to Route 111 or suggest it was a potential use, or would it only address the particular properties. Mr. Kennedy said a true corridor study looked for a wide range of potential solutions. Mr. Ulery said he did not believe the existing data from the Green Meadows plans gave that kind of information to the Board of Selectmen, but instead looked at the impact concerned with that particular development—adding that he was looking for something from the Board of Selectmen to say the data they had indicated that self-funding the boulevard would be a good thing.

Town Planner Cashell said the population in the area over the next 30 years was going to increase, easily almost doubling (from 1.2 million to two million), which would mean doubling the traffic flow. In order to move forward, he continued, the Town had to start planning—and Lowell Road was highly congested right now.

Selectman Maddox said the problem was that the Town did not own the land for the boulevard route. He then expressed a belief that the Town should invite all the parcel landowners, by U.S. mail, to see if there were any interest from those abutters and to get their input. He said he believed the Green Meadows study absolutely proved that the boulevard needed to be built, and he then suggested that Mr. Ulery, a State legislator, might introduce legislature allowing the Town to purchase the State-owned property at a reduced rate.

Chairman Russo said the Town was in a tough spot, saying it would be irresponsible to pass up an opportunity to fix the existing problem, which was just going to get worse. He said developers had the responsibility to come up with a solution and to sell it to the Board of Selectmen, which would have to come up with the funding mechanism. He said the Planning Board would love to do something, but the Board of Selectmen did not feel they were going to get much from such a study as it was being proposed. He said he did not have an answer as to how to get everybody to come to the table, but the Town would be in trouble if nothing were done. He said the first thing would be to somehow solve the existing problems, suggesting it would be a balancing act, with the property owners needing to help the Town.

Mr. Barnes asked why the Board could not do what Selectman Maddox had suggested: use the Planning Board as a forum and invite the landowners to come in to discuss and provide input. Chairman Russo said maybe the best route would be to direct staff to issue that invitation—to find out who the landowners were and then invite them to come before the Board. He then noted that Atty. Jay Leonard also was present at this meeting, representing the Green Meadows owners' interests.

Mr. Della-Monica asked if that invitation would be just for property owners south of the bridge, suggesting there would be a great deal of impact to the north. Chairman Russo said any landowner in the development area should be invited. Mr. Della-Monica said the impact actually went all the way up Wason and Bush Hill Road. Chairman Russo demurred, saying those landowners were not going to sell off parcels or houses, saying a 30/30/30 split would not cut it. Mr. Ulery expressed agreement, saying he thought the Planning Board chair had it in its purview to direct staff to proceed.

Mr. Thomas Monahan, noting that he owned about 230 acres in the area, said he hoped to get something out of the meeting, adding they had originally come in to say it was important that the development of these large properties be done right. He said he felt this downtime was an opportunity to do something right and that the dialog should be opened up—adding that he was disappointed to hear that the Board of Selectmen did not have an interest, as this was all about foresight, looking up to 50 years into the future and considering the expected increase in population. He noted that the area of consideration had expanded, saying he wanted to contribute to the Town of Hudson study, but it should not be just a study for his property alone. He said they would be

willing to contribute to the study and would like to have the Town in agreement with what they wanted to do moving forward.

Atty. Jay Leonard, noting that he was here representing the Friel family, who owned the Green Meadows and World Cup Golf Center facilities, said he did not have anything specific to say but he could not help but think that the points that everyone had made were all very good points—adding that the comment that it was difficult to plan without knowing what was going on the site was legitimate, but the more information that was sought, knowing it was not available, meant that it became a barrier. He cautioned that Mr. Kennedy was used to doing corridor studies and had presented two points of view—one being to look at the existing corridor and get a maximum capacity in the present configuration, while the other would be to look at the proposed uses and try to accommodate those. He said a study would not get done if people got too detailed on what the uses would be to look at the proposed uses and try to accommodate those. If the Board tried to get too detailed on the uses, he continued, it would never get a study—adding that this was what had happened with the first Green Meadows study, as it became a barrier when some people wanted to plan conceptually and some wanted to plan specifically. He said Mr. Monahan's contention that this should be a Town study made sense to him.

Ms. McGrath asked if it would be appropriate, if there were interest from the other landowners, to include the Board of Selectmen at the proposed meeting, so that they could ask questions and make statements directly. Chairman Russo expressed agreement. He then suggested that what was needed at this point was a motion to direct Town Planner Cashell to look at the total area involved and to invite all affected property owners to a meeting.

Selectman Maddox said he thought this Board needed to define the scope of what should be studied, to contain the parameters so that a price could be established. He questioned whether the Friary property should be included, saying he did not feel anything beyond the Fairview nursing home should be considered at this time. Chairman Russo said he thought holding it to so small an area or to so small a group did not address all the problems; he expressed a belief that everyone involved should be given the opportunity to have their say and to contribute, adding that he was having a difficult time stopping it at points A and B.

Mr. Della-Monica said he felt peak-hour traffic caused the most impact, saying one could drive up and down Lowell Road without problem at other times. He suggested saying to the developers that they could be limited by the peak-hour analysis.

Town Planner Cashell displayed an aerial view of the entire area, noting peak-hour queuing locations on Lowell Road—saying traffic moved better now than five years ago, because of the down economy and commenting on likely changes. He noted that traffic was backed up for half a mile on Wason Road in the morning, because people were using that for a circumferential highway, and he suggested a lot of that could be taken care of by adding another right-turn lane onto Sagamore Bridge, westbound. Chairman Russo said he saw these changes encouraging a lot more traffic, so it would create more of a problem while curing the present problem. Town Planner Cashell said something had to be done about Wason Road, which was being overused for its

design. He said the Town had the WS traffic study, suggesting those books should be opened up and reexamined, with the data from that then being applied to Mr. Monahan's property. He said what needed to be done for road improvements was to build up road potential for the area of the major properties, but there were other studies for other parts of the town that had already been done. He said getting the property owners within the confined area to participate needed to be done now. He noted that the Green Meadows was almost all buildable, whereas Mr. Monahan's property was limited. Mr. Monahan said part of his property had just been identified as valuable wetland (the holding property for Limit Brook). He then estimated that there were about 70 acres that were not developable—adding that he was focusing on the 120-acre area around the water tank at this time. Mr. Cashell noted that the existing zoning for that property was a problem for Mr. Monahan.

Chairman Russo said to do nothing would make things worse, so it would make more sense for the Town to do some rezoning to make it possible for Mr. Monahan to do something else with the property. He noted that the Planning Board had something in excess of \$61,000 available. Mr. Cashell said the Town already had some high-quality studies, and what was wanted at this time was an update of that. He then asked Mr. Kennedy for a rough estimate. Mr. Kennedy responded that in order to give any real estimate he would have to have a better sense of what was wanted.

Chairman Russo asked, if someone said a certain level of service existed and the Town's goal was to make it better, could not Mr. Kennedy give an answer on what the Town needed to do to bring it from Level Of Service F to Level Of Service C, for example? (No response was recorded.)

Selectman Maddox said a lot of the roadways belonged to the State and were out of the Town's control. Mr. Ulery declared that the State would not take action unless the Town demanded it of the State, adding that someone had to take the first action. Selectman Maddox expressed agreement, noting that the Town was now on Year Four of trying to get a chevron installed on Sherburne Road. He then expressed a belief that, if the Board wanted to get an estimate from Mr. Kennedy, the Board had to give him some parameters.

Mr. Ulery said he felt Chairman Russo's original suggestion to hold a public hearing to which the stakeholders would be invited was the first step, and the sooner the better—adding that he had a draft motion prepared to that end. He then moved that the Planning Board direct the staff at the first available date to hold a special public meeting (that would not interfere with the Board's regular calendar) regarding a potential corridor study and payment options for such study along Lowell Road, and invite all interested property owners, the Board of Selectmen, and the public to participate. Mr. Della-Monica seconded the motion.

Mr. Della-Monica suggested expanding it to say Lowell, River, and Dracut Roads. Mr. Ulery expressed agreement.

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).

Town Planner Cashell said the Planning Board had a long-standing account, saying that money could be used for the request of this Board for a request to be put before the Board of Selectmen, noting that this was corridor money that had been collected over the years, amounting to approximately \$61,000. He said there probably would be no more appropriate use of that money than doing such a study, adding that he did not see any restrictions against using this particular fund.

Chairman Russo expressed a hope that interested parties in the public would be satisfied, saying he believed this was a step in the right direction.

Mr. Paul Konieczka, AICP, a senior vice-president at CLD, said it had been an interesting discussion.

Selectman Maddox asked how far north the study would go. Mr. Ulery responded that he believed the purpose of the study would be to determine how far the interest went. Town Planner Cashell said this was what NRPC was all about, saying that agency could easily be another source of funding.

Chairman Russo asked if this present forum should be deferred to a date specific. Town Planner Cashell said June would be the last time at which to get people's attention until fall. Chairman Russo suggested a deferral until later in June. Mr. Ulery noted that the third Wednesday of any month was also available. Mr. Cashell said it could also be set for a regular meeting date. Selectman Maddox suggested using the last meeting date in June, June 25th. Mr. Barnes so moved; Mr. Della-Monica 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).

Chairman Russo declared a break at 8:41 p.m., calling the meeting back to order at 9:05 p.m.

C. Review Proposed Amendment to §278-8.B.(14) Exterior Lighting – of the Planning Board's Site Plan Review Regulation. (Deferred from the 03-07-12 Workshop).

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

Town Planner Cashell noted that this was a follow-up from the March 7th meeting. He noted changes he had made in the documentation since the previous meeting, as a

result of that discussion. He said what was needed was to avoid going too far, and he asked if the amended language he had proposed were acceptable.

Mr. Malley asked if this meant flag-pole lights would no longer be legal, noting that the text simply said external lighting fixture. Mr. Della-Monica noted that it was addressed to area lighting, landscaping lighting, and building lighting. Mr. Ulery asked what would be done about exterior door lights, questioning where one could buy one with a deflector.

Chairman Russo suggested this text simply pertained to site plan review and had no bearing on residential homes. Town Planner Cashell said the other school of thought was that government should not get too involved. Selectman Maddox expressed agreement, saying someone would have to be hired to interpret this, and he asked what the ultimate goal was. Town Planner Cashell said the goal was to add an amendment to 278-8 B (14) and amending the language in subsection C, saying it was general all-purpose language to require developers to install exterior lighting for safety purposes, saying it was all parking-lot related.

Mr. Malley asked if it would not be easier to require that exterior lighting must be shown on every site plan as not escaping the property, adding he did not know that a 75-degree cutoff was needed. Chairman Russo expressed agreement. Town Planner Cashell said it had to do with the Dark Skies regulations. He said no one would be forced to change what they already had, although they would change during future rehab. Mr. Malley said he saw lights beyond that cutoff. Chairman Russo asked if Mr. Malley would rather see text that said there would be no light spillage beyond the property. (No response was recorded.)

Mr. van der Veen said he had thought the objective was to have a lighting plan showing the light would be restricted to the property, adding that he thought the proposed text was too restrictive and would prevent a lot of innovative lighting.

Chairman Russo expressed a belief that lighting plans were most often put forward—and on those occasions on which they were not, and someone on the Board thought of it, the Board would see it at the next meeting. He noted that what had brought this forward had been his comment at an earlier meeting that there was nothing in the regulations to prevent light from going off the property.

Mr. Della-Monica expressed agreement with Mr. van der Veen's concern, saying the 75-degree diagram could be eliminated and an exception could be made for the lighting of flags.

Town Planner Cashell said it would be even simpler to delete the text after "lighting" in the proposed statement. Chairman Russo objected that the reason for the request was that there needed to be a statement on the plan in the absence of a lighting plan. Town Planner Cashell demurred, saying there could not be a site plan without exterior lighting, as it would not be safe.

Mr. Malley expressed agreement, saying exterior lighting should be required.

Town Planner Cashell noted that exterior lighting was one of the elements listed in HTC §275-8 (20).

Chairman Russo expressed a belief that life-safety codes were already addressed by the Fire Department's Life Safety Code.

Mr. Malley questioned how many plans had come before the Planning Board that did not have exterior lighting. He then asserted that they all did have exterior lighting. Chairman Russo concurred.

Chairman Russo pointed out that the Planning Board could waive its regulation requirements when appropriate.

Mr. Della-Monica expressed agreement with the idea of changing 275-8 (14) to read "lighting," with everything after that word being eliminated, because it was covered elsewhere. Noting that there was a 275-8 (14) A and C, but no B, he suggested just having an A, eliminating #1, saying light would not go into the sky if it could not escape the property.

Mr. van der Veen said he thought it was a bit of a stretch to include air as part of the property, saying he did not think the Board wanted to restrict light from air. Mr. Della-Monica said that he had only been referring to down-turned lighting.

Mr. Della-Monica reiterated his suggestion of eliminating everything after "lighting" and under C striking #1 and making #2 the new #1, minus the word "further," with C becoming B. He said the first diagram could be eliminated, but the second diagram was excellent, covering everything the Board needed to cover.

Chairman Russo suggested changing the wording of C to "Design of external lighting," not light fixtures.

Mr. Ulery suggested changing "all fixtures" to "all lighting." Mr. Della-Monica said all lighting came from fixtures and what was being discussed was the positioning of fixtures.

Town Planner Cashell suggested making reference to the lower figure as a photometric distribution, and using that as its title.

Chairman Russo asked Town Planner Cashell to redo the text as had been discussed.

Mr. Ulery moved to defer further action on this matter to the meeting of June 6, 2012. Mr. Della-Monica seconded the motion.

Selectman Maddox questioned what kind of light threw off oval-shaped illumination. Chairman Russo assured him that such fixtures were available.

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).

D. Driveway Regulations relative to allowed slopes. (Deferred from the 04-04-12 Workshop).

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

Town Planner Cashell said the Board had discussed driveways at the April 4th workshop but did not get to driveways, so he had separated them. He said he had concluded with a proposal to amend the driveway regulation, using the bold-text language, to establish a maximum driveway grade of 10% and to establish a 20-foot length of the apron for all driveways with a 1% positive grade to make water drain toward the driveway, with the driveway to be designed so as not to interfere with the flow of stormwater. Chairman Russo asked if the text should specify no more than 1%, saying he wanted a barrier.

Selectman Maddox asked if Town Planner Cashell had run the proposed changes by the Road Agent, saying he did not think the Road Agent would want barriers. Chairman Russo concurred, but noted that the Board had an objective.

Mr. van der Veen said one did not normally see a barrier without curbing. Chairman Russo said he had done precisely that on his property.

Mr. Malley said the definition of a driveway needed to be cleaned up, questioning how far the Town had control.

Mr. Ulery referenced a recent law case, asking about the liability issue involved in defining who owned the property.

Mr. Della-Monica asked how the 10% slope had been derived—noting that there were many buildable lots in Hudson that did not have 10% available, so the Planning Board would be looking at a lot of waivers.

Selectman Maddox said there was the issue of needing to get a fire truck up the driveway, saying he thought the 10% had been determined on that basis.

Chairman Russo said he felt there should be a requirement for a platform at the top, before the garage, so that there would be a safe place to park.

Mr. Barnes noted that he had found no definition of “driveway” in any of the other regulations from other towns. Town Planner Cashell said the Town was only interested in the intersection with the roadway, but the Fire Department had an interest in getting into the property. He noted that the Fire Department reviewed every Building Permit, and this was part of the review.

Selectman Maddox suggested having a discussion meeting between Town Planner Cashell, the Road Agent, and the Fire Department. Chairman Russo expressed agreement.

Mr. Malley asked why the Board only allowed one driveway. Chairman Russo said that was an excellent question, saying he felt it would be a benefit to the town to have a loop driveway if the property owner had the room. Town Planner Cashell said the State authorities had a desire to minimize curbcuts on the main corridors. Chairman Russo then suggested having that subject also discussed at the proposed discussion

meeting—whether there would be any consternation if someone wanted two access points. He suggested that Mr. Hall might have some insight on this for the Board.

Chairman Russo asked for a deferral motion to the June 6th workshop meeting. Mr. Della-Monica so moved; 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).

Mr. Ulery questioned talking about the application at this point, since there was going to be all this discussion. Chairman Russo expressed a belief that there should be a brief discussion.

E. Review Existing Driveway Application. (Deferred from the 04-04-12 Workshop).

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

Town Planner Cashell noted that the Board had suggested nine changes. He noted that the phrase “(to exceed 10%)” should be scratched.

Chairman Russo asked that the acronym ROW superimposed on a large L be removed, to avoid confusion.

Selectman Maddox suggested that the Town Planner find some volunteers to try to fill the form out, as a usability test. He questioned the “lot location” designation, saying it should just say street address. He suggested the text should be made more basic, suggesting that Mr. Cashell test it by having other people in Town Hall look at the text. Town Planner Cashell said the office staff worked with applicants to fill out the form. Selectman Maddox objected that the goal was to get the form online.

Mr. Della-Monica suggested crossing out “(to exceed 10%),” as already noted. He said the text should say “unobstructed sight distance, taken from 3.5 feet above the intersection of the driveway and the street.” Similarly, “with the drive” should say “*where*.”

Chairman Russo said Town Planner Cashell would have to craft the subsection better. Mr. van der Veen suggested that the use of capital letters throughout should be dropped, saying this seemed like yelling.

Chairman Russo asked for a motion to defer to the June 6th workshop. Mr. Malley so moved; Mr. Della-Monica seconded the motion.

Mr. Della-Monica referred to the top paragraph on Page 2, suggesting that it perhaps should be checked with the Town Attorney.

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).

XV. OTHER BUSINESS

Town Planner Cashell referred to Veria's Pizzeria, noting there was an empty storefront at the corner of the building and an entrepreneur would like to transfer that former use into an ice cream stand. He said he wanted to run that by the Planning Board, noting there would be lots more of a parking issue.

Ms. Merrill noted there had been an ice cream shops on further up Lowell Road years ago, recalling that the parking had been packed.

Ms. McGrath said her concerns would be the open aspect on the front of the property, noting that people came out via Birch Street and shot diagonally across the corner to avoid the traffic light. She said she absolutely agreed that that change of use would increase the traffic and parking, requiring site plan review.

Mr. van der Veen said all the ice cream stands he knew of had a very intensive parking situation during the summer.

Mr. Malley expressed concern about outside consumption of ice cream, saying site plan review was probably required.

Selectman Maddox said his concern truly was safety, as there was great potential for issues because of the lack of curbing. He asked about the possibility of putting product windows on the Birch Street side.

Selectwoman Brucker said she felt a new site plan was needed, but it was a big enough shop that there might be seating inside. Town Planner Cashell confirmed that the applicant was planning on seating inside.

Ms. McGrath said it did not matter if they had indoor seating, as the change of use was concerned with the fact that there were no barriers for ingress or egress, and it really truly was a safety issue.

Mr. Ulery said he was a frequent visitor to Veria Pizza, noting that it also had a very strong delivery service. He questioned if putting curbs in would interfere with that firm's operation, saying the Board should not detrimentally impact a thriving operation.

Mr. Barnes said he felt site plan review was needed, noting that there was a lot of T-Bones Restaurant customers parked on that side of Birch Street on Friday and Saturday evenings.

Mr. Della-Monica noted he had taken part in liquidation of a business that had been put out of business because visiting nurses came in to an adjoining unit, taking all the parking in a common parking lot. He also expressed concern about taking the woods out in the back, saying it was the only greenery.

Mr. J. Bradford Seabury, a member of the Zoning Board of Adjustment, suggested that review of the property records be checked, saying there had been a significant wetland issue there many years ago.

Chairman Russo said Town Planner Cashell had enough info to go back to the Zoning Administrator.

Town Planner Cashell referenced Don Dumont's property on Route 111, near the Burnham Road and Central; Street intersection. He noted that the duplex no longer existed on the 13,000 ft², property, and Mr. Dumont wanted to build a triplex building. Chairman Russo asked what the question was. Mr. Cashell said it was a nonconforming lot relative to size. He noted that single-family or a duplex would not be allowed in the Business zone, which did allow multifamily, but there was a lot size issue.

Chairman Russo suggested waiting to see if Mr. Dumont could go through the zoning hurdle, as he had to go to the Zoning Board of Adjustment.

XVI. ADJOURNMENT

All scheduled items having been addressed, Selectman Maddox moved to adjourn; Mr. Malley seconded the motion.

Chairman Russo reminded the Board that the May 9th meeting had been cancelled.

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 10:19 p.m.

Date: June 10, 2012

Vincent Russo, Chairman

J. Bradford Seabury, Recorder

Edward van der Veen, Secretary

These minutes were accepted as amended following review at the 07-11-12 Planning Board meeting.

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**HUDSON PLANNING BOARD Meeting Minutes
May 2, 2011**

Page 16

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 07-11-12:

Page 2, Section VI — corrected spelling of “Correspondence.”

Page 3, 3rd paragraph under B, 1st line, last word—changed “Hayman” to “Hayner.”

Page 4, 3rd paragraph, 4th line, last word — corrected spelling of “all.”

Page 5, 4th full paragraph, 2nd line — changed “River Road” to “Dracut Road.”

Page 6, 4th paragraph, 2nd line — changed “quorum” to “forum.”

Page 9, 4th full paragraph, 3rd line— changed “REPC” to “NRPC.”

Page 10, 1st complete paragraph, 1st line — changed “linger” to “longer.”