



TOWN OF HUDSON

Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6000 • Fax: 603-594-1142

-- FILE COPY --

HUDSON PLANNING BOARD MEETING MINUTES March 7, 2012

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:05 p.m. on Wednesday, March 7, 2012, in the Community Development's Paul Butler meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Russo asked Mr. Malley 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: Glenn Della-Monica, Tim Malley, Vincent Russo, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

Members

Absent: George Hall (excused) and James Barnes (excused).

Alternates

Present: Marilyn McGrath and Jordan Ulery.

Alternates

Absent: Irene Merrill (excused) and Roger Coutu (Selectmen's Representative Alternate, excused).

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 and seated Ms. McGrath in place of the absent Mr. Barnes.

V. MINUTES OF PREVIOUS MEETING(S)

Chairman Russo said he thought the minutes were caught up, until the next meeting.

Chairman Russo then proceeded directly to Workshop Item A.

X. WORKSHOP

A. Low Impact Development (LID) – Guidebook and Model Ordinance.

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

Town Planner Cashell reviewed the model ordinance, noting the considerable amount of development that had already taken place on the banks of the Merrimack River, saying it was already amounting to greater than 15% impervious impact. He said he did not think the Town of Hudson would want to tackle the proposed ordinance, noting that it called for state-of-the-art stormwater management. Noting that the model ordinance would encompass one-quarter mile from the river bank, he said the Town was already protecting impervious impact on a site-by-site basis. He then said he would suggest that, unless it was mandated, not to implement something such as this.

Selectman Maddox said the guidebook was just a guidebook. He suggested that the guidebook be provided to anyone proposing development along the river, but he felt this proposed ordinance was not practical. He noted that the Planning Board was digging out of the hole of being thought to be anti-business, saying this sort of thing would just top that off.

Town Planner Cashell said any stormwater reaching the river was already treated.

Mr. Della-Monica said he had seen a couple holes in the documentation, with one being that there was no restriction, so that people might wind up with “green space” on their rooftops. He said this approach would work in San Francisco but not in New Hampshire, and he suggested that some of the provisions would make water worse for people using wells within a quarter mile of the river.

Mr. Ulery said the quarter-mile distance had to be taken into consideration as to what it encompassed already, saying there was a lot of green space already. He

questioned what further development would take place, saying there was little open area left within that quarter-mile distance.

Chairman Russo said this was a good guide, noting that some of the techniques were new, but he would be gun shy at this point.

Mr. van der Veen expressed agreement with what had been said, noting that Hudson was sitting on 80 to 90 feet of sand along the river bank, which would filter the runoff. He said in most cases the Town already had a regulation that addressed the issues discussed in the model ordinance.

No motion being brought forward, Chairman Russo said the Board would not take action on this item at this time.

B. Review Proposed Amendment to §278-8 B (14), *Exterior Lighting*, of the Planning Board's Site Plan Review Regulation. (Deferred from the 02-01-12 Workshop).

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

Town Planner Cashell pointed out that in his staff report one thing led to another. He said he had received communication from Ms. Heidi Marshall, noting that CLD did have the illumination guidebook but that Hudson should have its own if the Town wanted to get into this. He said he would-be meeting with Ms. Marshall on the following day and would go over the issues with her at that time. He said the guidebook did get more into depth than the Bedford regulations did.

Mr. Della-Monica referenced the second page of the proposed site plan regulation, saying that something that always got left out was reflected light—adding that he did not know of any lighting fixture that would not provide indirect lighting on adjoining property. Chairman Russo said illuminating a neighboring property and being able to see a light from neighboring property were two different things. Mr. Della-Monica said there was not a property in Hudson big enough to put up an 85-degree light that would not cast light on adjoining property. He then referenced page 11-6, saying he really objected to not talking about the percentage of ambient light, saying the area on the other side of even a fairly dim light could not be seen. He said the Bedford regulation had a number of holes such as that.

Mr. Ulery said an ordinance would have to be presented to the voters, meaning it could not become effective until next March. Town Planner Cashell demurred, saying this would be in the Planning Board regulations, which could be voted in by the Planning Board at any time.

Chairman Russo expressed appreciation of the definitions being supplied at the beginning of the Bedford ordinance; he suggested that Town Planner Cashell could determine which of these was needed and not needed, but the question was whether the Board wished to move forward.

Mr. Malley asked if there had been any complaints about what the Town was doing now.

Chairman Russo said he thought the one thing that was missing was that there was nothing saying developments could not have light cast off their property. He then reviewed a couple recent cases in which problems had occurred. Mr. van der Veen noted that in those cases the applicants had said there would not be external lighting, but then had erected inappropriate lights.

Ms. McGrath said there had been some instances in the past where lighting was a problem, noting that Sam's Club was an example, which had subsequently been toned down.

Selectman Maddox said he thought some of the definitions should be added to Hudson's regulations, noting that there was one for a "nit." He noted that the Planning Board often dealt with small businesses, where the developer was just not thinking about lighting, but larger developments would have their own lighting experts.

Chairman Russo said Merrimack had a good document, but the last three pages could be tossed, as Hudson had the rest pretty well covered. He suggested this could be whittled down to what was really needed.

Town Planner Cashell noted that Ms. Marshall had had an issue with Section B, which she felt was too encompassing—adding that the required handbook would require a huge amount of money. He suggested that, working with Ms. Marshall, he should be able to come up with a good working regulation.

Mr. Ulery noted that the company he and Selectman Maddox had visited recently had come before this Board for a minor modification, but it was an essential one, noting that that building also had another set of standards from its parent firm, and the associated insurance company had still another set of requirements, adding that these might well vary from what the Town might require.

Mr. Della-Monica said Page 11-02 required professional expertise, but to require this for a small project should not be necessary. He expressed a belief that some of the document got into too much detail and would require the developer to spend too much money to prepare a plan. Chairman Russo suggested that the documentation was not talking about engineers, saying it might just be referring to someone who installed lights on a regular basis.

Mr. Della-Monica said there was a lot of good information in the document.

Selectman Maddox suggested that the Town Planner should show what the Town had now, rather than trying to reinvent the wheel. Town Planner Cashell noted that the Town had been studying and critiquing exterior lighting for some time, but just did not have enough of it in the regulations. He expressed a belief that the Town's practices had been pretty much in compliance with the Dark Skies concepts.

Mr. Della-Monica moved to defer further review of this issue to the May 2nd workshop. Ms. McGrath 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).

C. Review Statutory Requirements for Updating a Master Plan.

Chairman Russo read aloud the published notice, as repeated above. He noted that the Board had received correspondence from Atty. Buckley, suggesting that updating of the Master Plan could be deferred to 2015.

Selectman Maddox pointed out that the town was already in the 2013 budget; he suggested having Town Planner Cashell look into what it would cost to update a few sections, such as updating from the statistics now available from the 2010 census by using summer interns, and the getting a price from NRPC for rewriting some small pieces so that the cost could be put into the next budget—maybe half the money one year and the other half the next.

Town Planner Cashell said the country did the census every ten years, noting that Hudson had started the last Master Plan update fairly early in that decade but the process dragged on so that it was 2006 before the document went to print. He noted that it had taken a full year for the census data to become processed and almost another year to become readily available. He said it conceivably could take four years to publish the next Master Plan.

Selectman Maddox said NRPC would do it, for a community of Hudson's size—depending on how much the Planning Board did and how much NRPC had to do—for somewhere between \$60,000 and \$110,000.

Mr. Ulery said the whole Planning Board concept might be under review in the next legislative session, suggesting there might not be an NRPC.

Mr. J. Bradford Seabury, the recorder, noted that there were five people at the table who had not been present for the previous Master Plan update. He advised that the Board members should not think they could come charging in at the last minute and produce a Master Plan, adding that it would be apt to take from two to four years to accomplish, as Mr. Cashell had suggested, and this should be taken into consideration, in view of what Selectman Maddox had pointed out about getting the cost entered into the budget.

Chairman Russo expressed concurrence with what Selectman Maddox had said, suggesting the Board should look at just updating a few of the existing sections. Town Planner Cashell expressed a belief that it should be much less of an effort than had taken last time. Selectman Maddox concurred, saying NRPC had put a lot of things in that the Planning Board had then taken out. He pointed out that the Master Plan was just a guidebook.

Mr. Della-Monica said he would like to see the Master Plan be a little more user-friendly, saying there was a lot of stuff in the Master Plan book that was not needed. He said someone doing a project in the town would have to go through a lot of stuff before finding anything useful.

Chairman Russo noted that no action would be taken on this item at this time.

VI. CORRESPONDENCE

A. Letter from Haynor/Swanson, Inc., dated February 27, 2012

Chairman Russo noted that there had been an item of correspondence in the handout packet indicating a recommendation for a corridor study; he asked who would be paying for that suggested traffic study. Town Planner Cashell said the correspondents were representing the Monahan properties and were working on the suggestion of partnering with the Green Meadows site owners and the Town to do this, noting they had talked with CLD. He said the total costs would be in the neighborhood of \$60,000, covering the area from Dracut Road up to Executive Drive. He noted that one of the ideas was that, where Lowell Road met Sagamore Bridge Road, a major jug handle within the right-of-way of the Circumferential Highway route might be considered. He noted that Mr. Monahan owned about 275 acres and the Green Meadows property amounted to almost 500 acres, saying development of these properties would result in significant traffic increase, whether it was commercial, residential, or whatever. He said this study would be putting the amount of thought together to envision what would be required for road improvements in conjunction with development of the significant properties involved.

Ms. McGrath said the Monahan property had been before the Board about 15 to 20 years ago, and she recollected that there had been a substantial amount of wetlands involved. She said the neighbors in that area had been quite concerned about what was being proposed at that time. Town Planner Cashell displayed the aerial view covering that area, commenting on details of its extent.

Ms. McGrath said she would like a review of the discussion in the minutes from that previous proposal.

Mr. Ulery said additional material had been put into the wetlands by the legislature since Ms. McGrath previously served on the Planning Board, saying those restrictions to which she had referred probably no longer pertained. He then suggested that the Board would find out within the next two weeks about development on the Green Meadows property.

Ms. McGrath said a corridor study would benefit those two developments, saying she felt the lion's share of the costs should be borne by those property owners, not the residents of the town.

Town Planner Cashell said the Monahan property was zoned R-2, so they would have to get it rezoned to do anything different. Mr. Cashell agreed that there would be a political process. He then stated the Monahan representatives would like to come in at a workshop meeting, and he suggested the April 4th workshop would be available.

Selectman Maddox said he thought the Board members should see what was out there. Without some sort of east-west corridor study, however, he continued, he

thought the Board would be short-changing itself. He said this was the sort of discussion that the Board ought to have, saying the voters normally followed the Planning Board's recommendations.

Town Planner Cashell said that, for developments of this magnitude it was not inconceivable that the long-discussed boulevard connection from Lowell Road to Route 111 could be integrated into the plan.

Selectman Maddox suggested that some of the study that had been done for the previous Green Meadow plan, such as the traffic study, might be usable.

B. Letter dated February 29, 2012, regarding 210 Robinson Road

Chairman Russo referenced the letter pertaining to 210 Robinson Road. Town Planner Cashell explained that this pertained to the old Hoffman Dance Studio, saying the correspondents wanted to put a Gourmet Shop inside a part of that existing building. He said it was zoned Industrial, noting that Note 13 on the previously approved plan said that no modifications would be allowed. Chairman Russo said Ms. Hoffman, the owner, would have to be the one making any application.

Selectman Maddox said they should have come in tonight for a conceptual. Town Planner Cashell said this had come up rather quickly and he had asked them to write a letter, noting they were not planning on altering the building other than by some interior construction.

Ms. McGrath suggested that there would be added traffic if the proposed Gourmet Shop included a little restaurant, saying she would like to see the applicants before the Board so that questions could be asked, as more information was needed.

Selectman Maddox said the Planning Board could modify the stipulation if they came in and explained things, saying he did not think an engineer was required for internal rework. Town Planner Cashell said it could be handled by a note referencing the site plan.

Chairman Russo suggested Town Planner Cashell bring them in for a conceptual.

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.

-- FILE COPY --

**HUDSON PLANNING BOARD Meeting Minutes
May 7, 2011**

Page 8

XI. OTHER BUSINESS

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

XII. ADJOURNMENT

All scheduled items having been addressed, Ms. McGrath 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 8:17 p.m.

Date: March 7, 2012

Vincent Russo, Chairman

J. Bradford Seabury, Recorder

Edward van der Veen, Secretary

These minutes were accepted as amended following review at the 03-14-12 Planning Board meeting.

-- FILE COPY --

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 03-14-12:

Page 6, 4th paragraph from bottom, 1st sentence – changed “but” to “by” and modified wording so that the text now reads “additional material had been put into the wetlands by the legislature since Ms. McGrath previously served on the Planning Board, saying those restrictions to which she had referred probably no longer pertained.”

Page 7, 1st paragraph under item B, 1st sentence – changed “Russ” to “Russo” to properly identify Chairman Russo.

Page 7, 3rd paragraph under item B, 1st sentence – changed “Ms. McGrath said the addition of a little restaurant would add traffic” to “Ms. McGrath suggested that there would be added traffic if the proposed Gourmet Shop included a little restaurant.”

Page 7, 1st full paragraph, 1st sentence – corrected phrase “Lowell road to rolute 111” to read “Lowell Road to Route 111.”