



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

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HUDSON PLANNING BOARD MEETING MINUTES July 28, 2010

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:12 p.m. on Wednesday, July 28, 2010, in the Community Development meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Chairman Russo announced that the HCTV broadcasting system initially would be on audio, only, until repairs could be completed on the television equipment. He then asked Mr. Barnes to serve as Acting Secretary in the absence of Ms. Stewart and to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

Members

Present: James Barnes, George Hall, Vincent Russo, and Richard Maddox (Selectmen's Representative).

Members

Absent: Tierney Chadwick (resigned), Terry Stewart, and Suellen Quinlan (excused),

Alternates

Present: Tim Malley, Stuart Schneiderman, Ed van der Veen, and Ken Massey (Selectmen's Representative Alternate).

Alternates

Absent: None. (All present.)

Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Russo seated Mr. Malley in place of Ms. Quinlan, Mr. Schneiderman in place of Ms. Stewart, and Mr. van der Veen in the vacant seat created by Ms. Chadwick's resignation. He then took a moment to express his public thanks and gratitude to Ms. Chadwick for her participation on the Board for the past few years.

V. MINUTES OF PREVIOUS MEETING(S)

Chairman Russo addressed the minutes for the meeting of August 26, 2009, asking if there were any changes or corrections. None being brought forward, Mr. Barnes moved to accept the minutes as submitted; Mr. Hall 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).

Chairman Russo asked that members be prepared to review the minutes for May 12, 2010, at the next meeting.

VI. CASES REQUESTED FOR DEFERRAL

Chairman Russo noted that no cases had been requested for deferral for this meeting.

VII. CORRESPONDENCE

Chairman Russo stated 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

A. Kara's Crossing – 75 Speare Road – Map 186/Lot 020

Review Subdivision Status and Surety – See memo from Town Engineer Gary Webster, dated May 25, 2010. Deferred Date Specific from the June 23, 2010 Planning Board Meeting.

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

Town Planner Cashell said the unfinished subdivision was in process, with three lots left, and the developer was continuing and probably would finish construction next year. He said there was a surety bond in place but that Town Engineer Webster was working with the developer to put together a plowing plan and maintenance bond for the coming winter.

Chairman Russo said no action would be taken on this matter at this time.

IX. ZBA INPUT ONLY

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

X. OLD BUSINESS/PUBLIC HEARINGS

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

XI. DESIGN REVIEW PHASE

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

XII. CONCEPTUAL REVIEW ONLY

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

XIII. NEW BUSINESS/PUBLIC HEARINGS

**A. SL Chasse Welding & Fabric Subdivision
(Extension)
SB# 01-10**

**Map 110/Lots 37, 38 & 39
8 Christine Drive**

Purpose of plan: Extension request for a previously approved subdivision plan. Application Acceptance & Hearing.

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

Chairman Russo asked for a motion for Application Acceptance. Selectman Maddox questioned why this needed acceptance, since it was a request for extension, contending that this had not been done before. Town Planner Cashell said it was a real application, and Chairman Russo said it had to be accepted, as an application had been submitted.

Mr. Hall moved to accept the application calling for a 1-year extension for the site plan entitled ***Lot Line Adjustment/Consolidation Easement Plan, S.L. Chasse Welding & Fabricating, Inc., Map 110/Lots 37, 38 & 39, Map 105/Lot 14, Christine Drive, Hudson, NH.*** Mr. Barnes seconded the motion.

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

Mr. Patrick Colburn, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appearing before the Board as the engineering representative of the property owner, suggested that the next item be taken up at the same time. Chairman Russo noted there was no disagreement from members of the Board.

**B. SL Chasse Welding & Fabrication Site Plan
Extension
SP# 05-10**

**Map 110/Lot 39
8 Christine Drive**

Purpose of plan: Extension request for a previously approved site plan, which includes the proposed construction of a 13,800 sf² expansion to the existing SL Chasse facility and a new 12,800 sf² manufacturing/office building. Application Acceptance & Hearing.

Mr. Hall moved to accept the application requesting a 1-year extension for the Site Plan entitled ***Map 110; Lot 39 Non-Residential Site Plan SL Chasse Welding & Fabricating, Inc., 8 Christine Drive, Hudson, NH.*** Mr. Barnes seconded the motion.

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

Mr. Colburn noted he had been here to request extension of these same permits last year, saying Mr. Chasse was hoping to expand his operation at the site, consolidating the three lots. He reviewed the process, saying they had been granted two Use Variances by the Zoning Board of Adjustment, and this Board had then approved the plan. He said they had started the process in March 2008, because business had been booming, but business had fallen off by the time the process was completed. Since Mr. Chasse had to acquire two pieces of property and also bear the cost of the expansion, it had not been feasible. He said he had stated last year that he had hoped to begin

this spring because business had appeared to be improving, but business was still down and he was now planning on purchasing Lots 37 & 38 this spring and then doing the construction. He noted that the Planning Board had granted the extensions based on extensions from the ZBA, adding that he had reapplied for new extensions and would be before the ZBA in August. He said all of the State permits remained valid.

Chairman Russo opened the meeting for public input and comment, in favor or opposition.

Mr. William Tate, 271 Nashua Road, Londonderry, said he and his brother had started this project in approximately 1978. He spoke in favor of Mr. Chasse's plans, saying his own business was also stagnant, and he noted that the CAP fees had been paid and that Mr. Chasse had agreed to contribute to the extension of the water line and was well vested. He then spoke in support of granting the extension.

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. Hall asked if the applications were identical to the previous ones. Mr. Colburn answered in the affirmative.

Selectman Maddox asked if anything had happened in zoning that would affect this parcel. Town Planner Cashell responded in the negative.

Selectman Maddox moved to grant a 1-year extension for the site plan entitled ***Lot Line Adjustment/Consolidation Easement Plan, S.L. Chasse Welding & Fabricating, Inc., Map 110/Lots 37, 38, & 39, Map 105/Lot 14, Christine Drive, Hudson, NH***, in accordance with the following conditions:

1. This 1-year extension is approved for the period from June 28, 2010, through June 27, 2011.
2. All terms and conditions of approval cited in the Lot Line Adjustment/Consolidation/Easement Plan-of-Record and the Decision of Approval, as approved by the Planning Board on June 25, 2008, shall remain in effect.

Mr. Hall seconded the motion.

Speaking to his motion, Selectman Maddox said nothing had changed, adding that the Board had done its due diligence in the first round.

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

Selectman Maddox moved to grant a 1-year extension for the Site Plan entitled ***Map 110; Lot 39 Non-Residential Site Plan SL Chasse Welding & Fabricating, Inc., 8 Christine Drive, Hudson, NH***, prepared by Keach-Nordstrom Associates, Inc., dated: December 27, 2007, revised thru November 13, 2008, consisting of Sheets 1 through 23 and Notes 1 through 30, in accordance with the following conditions:

1. This 1-year extension is approved for the period from July 28, 2010, through July 27, 2011.
2. All terms and conditions of approval cited in the Site Plan-of-Record and the Decision of Approval, as approved by the Planning Board on September 24, 2008, shall remain in effect.

Mr. Hall seconded the motion.

Selectman Maddox said he did not see anything about the decision being based on the ZBA's actions. Town Planner Cashell said there was no problem. Mr. Hall said the recent change in State law meant that the Planning Board did not need to hold up the approval until the ZBA had made its decision about extending the variances.

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

**C. Parkland Terrace II
SP# 03-10**

**Map 160/Lot 104
Windham Road**

Purpose of plan: To construct eight multi-family residential units with associated parking. Application Acceptance & Hearing.

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

Town Planner Cashell said the plan was ready for Application Acceptance.

Chairman Russo asked for a motion to accept.

Mr. Barnes moved to accept the site plan application for **Parkland Terrace II**, which called for the construction of eight additional townhouse-style units to the existing 13 townhouse units comprising Phase I of the Parkland Terrace Townhouse development, located at 45A/B/C Windham Road (Map 160/Lot 104). Mr. van der Veen seconded the motion.

VOTE: There being no discussion brought forward, Chairman Russo called for a verbal vote on the motion. All members voted in favor except for Selectman Maddox, who abstained, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

Selectman Maddox stepped down, saying he would have to recuse himself because he thought the Town had been snookered on the first round of this matter, as this was supposed to be apartments, which were much needed in Hudson, but they then became condominiums. Chairman Russo seated Selectman Massey in place of Selectman Maddox.

Mr. Richard Maynard, Professional Engineer, of Maynard & Paquette, Engineering Associates, LLC, appearing before the Board as the engineering representative of the applicant, reviewed the history of the project, noting that it had been approved by the Board in December 2003 and had been recorded some two years later because of title problems, saying the property had subsequently been sold to Sousa Realty, which had constructed thirteen units, with the only thing remaining to be done being the playground on the far left-hand side of the site. He said the proposal tonight was for two more buildings, giving a total of 21 units, stating that this was a permitted use. He said 42 parking spaces were required but he would provide 54. He noted that four waivers (traffic study, noise, HISS mapping, and a second driveway) were previously granted but they were asking for waivers for a third driveway, as well as a "technical" waiver for overhead cabling for electrical wiring and telephone. He said the property otherwise was the same as before, with the same architecture and similar drainage (including an open swale) and fencing. He said the landscaping theme would be continued with the two new buildings.

Chairman Russo opened the meeting for public input and comment, in favor or opposition. No one coming forward to provide input in favor

Mr. Donald Wolfe, 66 Windham Road, said that half of the units in the original development were still were vacant. He expressed concern about the possible impact on the Town's tax base, and he questioned how the Town's needs could be supported with so many people on this parcel, saying there was too much traffic right now. He then expressed concern about safety of the children of its residents so close to Route 111.

Mr. Raymond Belanger, 60 Windham Road, said he had been involved in the original development, which he said had been knocked down from 16 units to 13 units because of sewer issues, and he questioned the safety of adding new units onto this very narrow parcel with respect to water, sewer, and safety.

Mr. Maynard responded to the comments by saying the Zoning Administrator had ruled this was a permitted use and there were letters in the file saying there was sufficient sewer and water allocations for this project. He then stated that all zoning and planning requirements were met with regard to this Phase II part of the project.

Chairman Russo declared the matter before the Board and asked if any members of the Board had any questions.

Mr. Hall asked how many of the existing 13 units were occupied. Mr. Manny Sousa, the principal, said six were occupied, with two under agreement, with the rest being unoccupied. An unidentified member of the audience identified which ones were occupied.

Mr. Hall noted that a problem before had been the configuration of the parking lot. He commented on the shape of the proposed parking lot, noting it was the same as before. Mr. Maynard said that arrangement was to allow handicapped spaces, which had to be 15 feet wide, but he was providing 20 feet. Mr. Hall said a vehicle in the corner would not be able to back out, where the parking lot did not have turnout space.

Mr. Maynard said they had a 30-foot driveway aisle, as opposed to a 28-foot aisle. Mr. Hall noted that this arrangement had not been tested as yet.

Mr. Barnes said he thought there originally had been more units but the Board had come down to the thirteen as being acceptable, because of issues. He said he would like to review the old minutes to see what the concerns had been at that time. He then asked how many bedrooms would be in the new units. Mr. Maynard said they would all be 2-bedroom units, same as the existing ones, adding that this was less than what had been allowed, as eight 3-bedroom units had been allowed for the original concept. Mr. Maynard then stated for the record that there were no school kids in the development, so the tax impact was positive.

Mr. Barnes noted there were two parking spaces per unit, plus some extras. Mr. Maynard said there were 11 extra spaces. Mr. Barnes said the two new buildings seemed to have exactly two spaces per unit. Mr. Maynard said that was correct, but then stated that there were two extra spaces, saying there were 18 spaces, with 16 required.

Mr. Barnes asked about the playground. Mr. Maynard said one would be constructed, as someday there would be a kid there, but there were no children at the site at the present time—adding that his client had previously agreed to do a playground and they would do one. Mr. Maynard then said there had not been a condominium meeting as yet, adding that the fourth building was still under AG review, saying this process was cumbersome with much paperwork, which was why they could not do purchase and sales at this time, but they could take reservations.

Selectman Massey noted that one of the speakers had mentioned a water problem; he asked why, if this was Town water. Mr. Belanger said ground water got into the system at the pumping station; he said this had been brought to the attention of the Highway Department, which had said the problem was groundwater.

Mr. Schneiderman asked what was different now, if the sewer was insufficient a few years ago. Mr. Maynard said the Sewer Utility Committee had changed the way the sewer capacity allocations were computed, reiterating that his client had the Committee's approval in writing for this project—adding that they had had surplus allocation before but had chosen not to use it at that time.

Mr. Barnes said two of the 18 spaces were labeled for handicapped, so there would be no extras, unless the residents were handicapped.

Selectman Massey said he seemed to recall that the trash was going to be in an enclosed area, which was not shown on the new plan—adding the site was not eligible for residential pickup. Mr. Maynard said he thought it was eligible, saying the program was for individual trash cans per unit, placed at the curb, not a central dumpster. Selectman Massey noted that there were only two curb cuts, and he asked how the trash cans would be stacked up so that the truck could get at them without creating a problem on Windham Road. Mr. Maynard said it would be done in accordance with standard procedure, with the containers placed along the side of the road and the truck picking them up and moving on.

Chairman Russo said it was supposed to be private pickup and a closed area, as this was to be an apartment building. Mr. Maynard said "private pickup, yes; closed area, no."

Mr. Manny Sousa, the principal, said the project did have a closed area for the containers, but the homeowners put them out to the street. Mr. Russo said the concern originally had been about having all of the containers lined up on the street. Selectman Massey said he recollected that there was a dedicated spot for container pickup; he suggested that Mr. Barnes's concerns about reviewing the minutes should be followed up.

Mr. Belanger said he had attended the meetings for the original plan, and it had been specified that the dumpsters would be closed in, but there were no fenced in area at this time. He said there had been a number of issues, saying he did not think the trash had been done properly, noting that there had never been a playground. Selectman Massey said the original plan was for apartments, with the requirements based on apartments, but the new plan was not for apartments, and he felt the Planning Board needed to look at the different needs of the change in use.

Chairman Russo said there would be 84 containers when the site was fully occupied, and interference with snow removal would be a problem.

Mr. Maynard said he would look into the trash pickup and other issues again. He then asserted that the Board could not distinguish between types of ownership under the ordinance, saying multifamily was multifamily, and adding that the previous owner had intended to rent these units but the Town could not hold him to that if he subsequently decided to sell them. He said he did not recall that the project was knocked down to thirteen units, but he would review the minutes in that regard, as well. Chairman Russo asked Mr. Cashell to provide the Board members with copies of the minutes of the several meetings at which this matter had been discussed.

Mr. Barnes referenced Sheet 2 of the plan, saying the existing building did not have the same approach to the supposed play area as what was planned. Mr. Maynard said this was an oversight, adding that a walkway would be extended.

Mr. Barnes referenced Sheet 4, with regard to trees, asking if this were the same pattern and species with respect to species. Mr. Maynard said he was sure his engineer had just copied. Mr. Barnes said he was surprised that White Pines had been approved.

Town Planner Cashell said the actual CAP fee, on Page 4, was \$324.01, not \$32.01

Chairman Russo referenced Waiver #4 (overhead utilities). Mr. Maynard said overhead utilities were not normally shown on the plans because PSNH did not know where they would be, but these were existing.

Mr. Maynard asked if the Board could deal with some of the waivers, saying he did not think they affected any of the questions that had been raised.

Chairman Russo asked for Board input. No one came forward with any motions, despite a second request from Chairman Russo.

Mr. Maynard said five waivers were being requested, but one (HISS study) was no longer needed. He listed the others (traffic, noise, location of existing electric utilities and telephone cables, and a third driveway), saying every one of those waivers in one form or another had been approved in Phase I, so he would think it would be routinely approved in Phase II.

Mr. Barnes said he was going to wait until he could review the minutes, saying he would not vote for multiple driveways until he was convinced that they had not voted to limit the size of this development.

Selectman Massey said he felt all of the other waivers fell in the same category, as none of them fell into play if there were a reason to only have thirteen units.

Chairman Russo said the Planning Board wanted to move forward cautiously.

Mr. Schneiderman said the plot plan stated there would be no outside storage, asking if the outside storage of trash conflicted with that. Mr. Maynard said trash was not considered storage when separated by an enclosure.

Selectman Massey referenced Note 20, asking if this meant that trailers and boats and trucks greater than one ton, or did the one ton limit apply to everything. Mr. Maynard said "No trailers, no RVs, no boats, and no one-plus-ton trucks." Selectman Massey suggested that the word "No" should be added ahead of trucks so there would be no ambiguity. Mr. Maynard contended that this did not make sense. Selectman Massey suggested text he felt was clearer ("Trailers, recreational, vehicles and boats shall not be permitted to park on the site and anything greater than one ton shall not be permitted")—saying the way the present note was worded could be construed as saying RVs could be approved if they did not weight more than a ton. Mr. Maynard protested that this was the same exact note approved for Phase I.

Mr. van der Veen noted that there were two Note 22s.

Mr. Hall moved to defer further review of the Parkland Terrace II Townhouse development, date specific, to the August 25, 2010 meeting. Mr. Malley seconded the motion.

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

Selectman Maddox returned to his regular seat, with Selectman Massey returning to his nonvoting alternate status.

**D. Fairview Nursing Home (Expansion)
SP# 04-10**

**Map 216/Lots 1 & 2
203/205 Lowell Road**

**Purpose of plan: To construct an expansion to the existing Fairview Nursing Home facility to include 31 additional beds, and a new facility (23,000 ft² footprint). The proposed new facility will consist of a three-story building, which will include 73 units of assisted living and ancillary facility space.
Application Acceptance & Hearing.**

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

Town Planner Cashell said the application was ready for acceptance.

Selectman Maddox moved to accept the site plan review application for the proposed expansion to the Fairview Nursing Home facility, located at 203/205 Lowell Road, Map 216/Lots 1 & 2.

Mr. Malley seconded the motion.

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

Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appeared before the Board as the engineering representative of the property owner, representing Merrimack Real Estate Investors, LLC.

Mr. Basso outlined the proposed expansion, describing its location and saying there would be two phases, with the first expanding the current nursing home to add 31 beds in a T-shaped addition, with a corridor connecting to the first leg of the nursing home, including a new entrance on Lowell Road and eliminating a currently existing entrance at the south end of the building. He said there would be a covered area for drop off and some parking. He said Phase 2 would be a 73-unit addition with associated parking. He discussed stormwater drainage requirements, explaining how the system would tie in with other systems in the area. He noted they had received a Wetland Special Exception in October 2009, adding that in March 2010 they had obtained a dimensional variance to allow an added corridor. He noted that the plan had been reviewed by CLD, and the current plans reflected changes based on that, but they had not received a second comment letter to date. He said the Fire Department and the State had approved.

Mr. Jason Plourde, from the firm of GPI, discussed the research his company had performed with respect to traffic needs, noting that traffic studies had been performed. He noted that the northern driveway did not allow left turns out and the intersection was signalized as part of the Compass Point development. He said Town Planner Cashell had suggested they provide a supplemental analysis, which they had included with their studies. He discussed accident data (stating there had been one accident on that stretch of roadway). He noted that part of the proposed development would enclose the middle driveway, commenting on the benefit of the current turns and the two-way

left-turn lane. He said the development did not warrant further traffic improvements. He noted that they had worked with NRPC growth rate projections to 2021 (noting that one driveway was left-turn-out, while the other was left-turn-in and signalized), saying this matched the goal of taking turning traffic out of the through traffic.

Chairman Russo asked if Mr. Plourde could provide visual descriptions. Mr. Plourde addressed the wall-displayed plan. Mr. Hall objected that Mr. Plourde was showing proposed conditions on an existing plan.

Mr. Basso said the proposed plan anticipated the construction of Hampshire Drive as being completed, so that the other driveway would be eliminated--noting that it was expected to start in October. Mr. Merrit (also of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire) put a black-and-white plan on the board, but Mr. Hall objected that he could not see the details on that plan. Mr. Basso marked the black-and-white plan with a marker, but Town Planner Cashell suggested Sheet 3 of the plan would be better. Mr. Basso continued, identifying the driveways and their access and egress. Mr. Plourde returned to the colored drawing, marking it up to show locations and changes. He said there would be no changes except bringing the driveways up to State standards, with the middle one closed, and he commented on the changes. Mr. Basso said Hampshire Drive was bonded and would be built, either by the developer or by the Town.

Mr. Schneiderman asked how far the entrance was from Lowell Road. Mr. Basso measured the distance on the map and gave a figure of about 150 feet.

Selectman Massey said it was his understanding that the curbcut for the adjoining house would be eliminated.

Mr. Schneiderman said the distance seemed to be a bit short.

Mr. Plourde said they wanted to maintain the southern driveway so that people could turn in from a protected 2-way left-turn lane rather than have to drive around the entire development to get in. He said the low traffic generation of the site did not need further changes, as there would be no detrimental impact.

Mr. Basso said having two entrances was important because of the different nature of the two. He addressed Mr. Schneiderman's concerns, saying the location was needed to get the 400-foot sight distance, adding that it served well by creating a little loop at the front so that people could be dropped off and the vehicle then parked.

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.

Mr. Schneiderman asked about the left-turn prohibition at the northern driveway. Mr. Basso explained that the situation was restricted because of the proximity to the traffic signal, since Mission Pont Drive was offset and Hampshire Drive has not been constructed as yet. Mr. Schneiderman asked if there would be a left-turn prohibition at the southern driveway. Mr. Basso responded in the negative, saying it would be a full-

movement driveway, as presently allowed—noting again that one of the current driveways would be eliminated.

Selectman Maddox asked if he had heard correctly that there had only been one accident between Wason Road and Reflection Drive. Mr. Plourde said this was true for the stretch from Hardy Drive to Oblate Drive. Selectman Maddox said there had been thirty accidents on the stretch to Reflection Drive; he then asked about the issue of elderly people trying to cross traffic. Mr. Plourde said many of the other driveways in the area (Market Basket, Haefner's, etc.) were busier. Selectman Maddox said this would be an assisted-living facility, and the residents were still mobile; he questioned why it would not be better to bring them to a traffic-controlled intersection. Mr. Plourde said they still had that option.

Selectman Maddox noted that the Road Agent was absolutely opposed to the southern driveway. Mr. Basso objected that Selectman Maddox was getting E-mails from the Road Agent that he did not get, himself, and that discussions were being held that he had not been privy to; he said he had called Mr. Burns after learning from Town Planner Cashell's staff report that there was an issue and would be meeting with him when Mr. Burns returned from vacation. He questioned why he could not get E-mails from Mr. Burns the same as he did from everyone else. Mr. Basso then addressed the fact that the driveways for Market Basket and Haefner's service station were incredibly wide, so drivers did not know where they were supposed to be, with broad undefined curbcuts. He said people also lined up side-by-side to make the same turn, saying he had seen four cars at a time side-by-side on those driveways. He said he was proposing a channelized curbcut, so people would know where they were supposed to be—adding that he was not surprised that there were many accidents there, and describing that setup as a disaster. He then pointed out that this Fairview site was not a big retail use.

Selectman Maddox again asked why they would not want to egress from Hampshire Driveway and put all the patients and family members into a safe signalized intersection. Mr. Basso reiterated that it was two separate facilities, saying there would be too much going on at that one driveway. Selectman Maddox suggested that what he was saying was a second entrance onto Hampshire Drive. Mr. Basso said he could not meet the sight distance for such an intersection, because of vegetation on unrelated properties. Mr. Plourde said there was also a 50-foot grade change in that area. Mr. Basso said he had looked at that, but could not meet the sight distance. Selectman Maddox said he would be more in favor of granting a waiver of the sight distance than he would be of approving the second driveway. Mr. Basso said he would look at it again, for the next hearing.

Mr. Plourde pointed out that this was an existing driveway. Chairman Russo predicted that there would be a problem on this Board with left-turning traffic crossing five lanes. Mr. Basso said he would discuss this with his client, the owner.

Chairman Russo said he had been surprised to see the plan providing left turns out onto Lowell Road, saying that this was a fast road, with people driving very rapidly, and he noted that no deceleration lanes were being provided and also that there were no acceleration lanes. He said he agreed with Selectman Maddox totally, saying he did

not want to see traffic dumped out onto Lowell Road, which he thought was a bad idea, and he predicted that Mr. Basso would hear the same thing from other Board members.

Mr. van der Veen expressed concern about fire and the need to get fire equipment into the facility, saying he agreed that residents should exit via a signaled intersection and that he did not think the Board could just get rid of that southern driveway. Selectman Massey recalled that there had been similar concerns with respect to the Mission Point development, saying he had seen people taking the wrong turn out of that development, making a left-turn exit out of the right-turn-in-only access—adding that there was the same problem as at the Nottingham Square development, even on a road that had been engineered to make it almost impossible. He noted that the southern curbcut at the Fairview site had been there throughout the 31 years he had lived in the town and had seen left-turn exits from that curbcut many, many times.

Mr. Hall asked how the entrances functioned. Mr. Basso reviewed details on the wall-displayed plan. Mr. Hall questioned how visitors would know where to go. Mr. Tim Beaulieu identified himself as the owner of the property, saying people could go into either end, but there would be a reception area at both entrances. Mr. Hall then asked about signage, asking how people would be directed so as to know where they were going. He then expressed a belief that the southern-end entrance would be the entrance of choice, as it was central and the first one seen, whereas the existing entrance would become somewhat hidden. Mr. Beaulieu said the entrances would be clearly defined, but walking through the facility would not be a problem. Mr. Beaulieu then stated that none of the existing residents drove and he did not expect any of the residents in the new units to be driving. Selectman Maddox commented on the plan note that stated that facility management had determined a need for as many parking spaces as were feasible. Mr. Beaulieu said there was a tremendous shortage of parking today, saying his staff had had to increase with new types of staff (such as therapists) to work with the new types of patients, so they were looking for parking spaces for employees. Mr. Basso noted that full physical therapy and dining facilities would also be added, causing further staff increases. Mr. Beaulieu said the assisted living people did not want to have anything to do with the other facility. He said there would be a big rehab unit, with adult daycare, and they did not want cars circling the development.

Selectman Maddox questioned the claim that no one in the assisted living area would be driving. Mr. Beaulieu and one of his staff members reiterated their claim that none of the residents drove, saying they were not independent. Mr. Beaulieu said there might be one gentleman who kept his car there but never used it. Selectman Maddox commented on other assisted living places he knew of, where residents drove; Mr. Beaulieu insisted that none of his did, saying they required quite a bit of care—adding that he would challenge Selectman Maddox to find any assisted-living facility that had residents who drove. Mr. Basso said something such as the Huntington Home in Nashua was an whole different animal, with four different levels of care.

Mr. Barnes said he had a mother-in-law in a multi-stage place, 86 years old, who was now in the assisted-living stage, still had her car, and still had her driving license. He then predicted that there would be instances of residents driving out onto Lowell Road from this site.

Mr. Barnes asked about the sizes of the two facilities. Mr. Beaulieu said there were currently 101 beds in the nursing home, including 4-bed rooms and 3-bed rooms in stages built many years ago. He said they were converting those into 2-bed rooms and converting the existing 2-bed rooms into 1-bed rooms, but there would be no net increase in the number of beds, with the expansion being to provide more private rooms. He said there were 24 residents in the current assisted-living units, and there would be 73 in the new free-standing building.

Mr. Barnes asked the number of employees at the current facility. Mr. Beaulieu said the first shift had a total of probably 60, with 30 in the second shift, and 30 more in the third. He said there would not be much increase in the expansion, but the new facility would bring in 30 or more. He noted that the first shift was 7:00 a.m. to 3:00 p.m., so the traffic would not occur in peak hours.

Mr. Barnes referenced the traffic, asking if there had been any analysis of accidents at the Subaru driveway. Mr. Plourde responded in the negative. Mr. Barnes asked that these be obtained.

Mr. Barnes referenced the staff report note about ancillary storage space. Mr. Beaulieu reviewed the planned uses of the facility, noting details on the wall-displayed plan.

Chairman Russo declared a break at 9:06 p.m., calling the meeting back to order at 9:24 p.m.

Mr. Barnes noted that there was a request to waive the fiscal impact study; he asked if anyone had done analysis on additional cost to the town for services to the residents of this facility. Selectman Maddox expressed a belief that it would be positive, as ambulance service rides to the hospital was a chargeable ride, paid for by the patients or their insurance. Mr. Basso said the approximate construction costs would be near \$20,000,000, saying this would generate some significant tax revenue to the Town.

Chairman Russo referenced Selectman Maddox's comment about ambulance service, asking if the facility tended to use the local service. Mr. Richard Lavoisier, the facility administrator, said they called 911 and got in touch with the Fire Department and the paramedics, but used a private provider for consult visits to the hospital.

Mr. Malley asked how many people would be coming in for the adult daycare. Mr. Plourde said the traffic rates for similar facilities accounted for visitors and employees. Mr. Basso said there would be about twenty adults. Mr. Malley asked if they would be dropped off at the southern driveway. Mr. Plourde said they had wanted to send as much traffic as possible to the signalized intersection—adding that ultimately people would choose whichever way was easier for them.

Mr. van der Veen asked where the official drop-off point would be. Mr. Beaulieu identified it on the wall-displayed plan, at the rear of the development.

Selectman Maddox asked about a rendering of the building, saying he felt the Board needed to look at the bigger picture. He said this was a facility that was more and more needed, but he wanted see the rendering. Mr. Basso said the renderings had not been

colored yet, saying they would be prepared to talk about materials and colors at the next meeting.

Mr. Beaulieu said the facility was not owned by a big corporation, but was independently owned, using local employees and contractors.

Mr. Schneiderman said he would like to see a plan that had a separate driveway on Hampshire Drive, about 300 feet to the west of the proposed driveway, with the southern driveway eliminated.

Selectman Maddox asked about the proposed stormwater management area, asking how deep it would be. Mr. Basso said it would be 2-1/2 feet (188 on the high side, 185.5 on the low side). Selectman Maddox said he saw nothing for it on the landscape plan. Mr. Basso said it would be grassed, but landscaping could be provided along the Lowell Road side.

Selectman Massey said he felt the Board needed to pay attention to the Fire Department's point that a second access off Lowell Road was needed, at least for emergency access. He said the Fire Department would have to be comfortable.

Mr. van der Veen said the access would not have to be open to everybody, noting that locked gate approaches were used in Londonderry.

Selectman Maddox moved to defer further discussion on this plan to the meeting of August 25th.

Mr. Schneiderman seconded the motion.

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

XIV. OTHER BUSINESS

Chairman Russo referenced a handout from the Town Attorney regarding some NH House bills. Mr. Hall noted that the members had not received these.

Selectman Massey noted that the Board of Selectmen had accepted Tierney Chadwick's resignation the previous evening, and he expressed thanks for her work while serving on the Board.

Mr. J. Bradford Seabury 4 Meadow Drive, a member of the Zoning Board of Adjustment, noted that there had been a lot of confusion on the part of some Planning Board members with respect to differentiating between a tower and an antenna when the telecommunications ordinance was created. As a result, he stated, some members of the Zoning Board of Adjustment had recently made what he considered to be inappropriate decisions for a case brought before that board. He suggested that the Planning Board consider reviewing and updating the telecommunications ordinance as

one of its work projects for this year, predicting that undesirable results would occur in the future if this were not done, as there were inconsistencies and discrepancies in the existing ordinance.

Mr. Seabury then noted that the Nashua Telegraph had printed two articles this week stating that residents were not allowed to have chickens in Hudson but were allowed to do so in neighboring area communities (other than Nashua). He expressed a belief that this situation had come about because a former Zoning Administrator, who had problems with horses, had introduced an ordinance prohibiting the keeping of livestock on properties measuring less than five acres in size, and a previous Planning Board had voted to approve that suggested ordinance, which then had been approved by the voters because the Board approved it. He then noted that the current issue of Newsweek included an article stating that many people across the country were keeping chickens in their back yards as the result of the current economic situation, in order to have eggs; he suggested that the Planning Board consider changing the ordinance so as to allow Hudson citizens to keep chickens in their back yards.

Chairman Russo asked if Mr. Seabury would provide suggestions for changing the telecommunications ordinance and identify the discrepancies in the existing ordinance. Mr. Seabury acknowledged that he was not prepared to do that at this time.

Selectman Maddox asked what would be covered in the August workshop. Town Planner Cashell outlined the topics, noting that Atty. Buckley would also be present to discuss some issues. Town Planner Cashell also reported that he was working with a sign company to produce a prototype for signs that would be used by various boards for notification purposes, to be sold to the property owners so that there would be no cost to the Town. Mr. Cashell also commented that he had personal experience with keeping horses on properties no larger than 2500 ft², adding that chickens were okay but not roosters.

XV. ADJOURNMENT

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

VOTE: Chairman Russo called for a verbal vote on the motion. All members voted in favor, and Chairman Russo declared the meeting to be adjourned at 9:50 p.m.

Date: August 31, 2010

Vincent Russo, Chairman

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**HUDSON PLANNING BOARD Meeting Minutes
July 28, 2010**

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J. Bradford Seabury, Recorder

James Brown, Acting Secretary

These minutes were accepted as amended following review at the 12-01-10 Planning Board meeting.

The following changes were made in accordance with the Board's review of these minutes at its 12-01-10 meeting:

Pages 7, 7th paragraph, 1st line — removed mistyped diagonal mark from "Mann/y" so that Mr. Manny Sousa's name would be spelled correctly.