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**HUDSON PLANNING BOARD  
MEETING MINUTES  
April 28, 2010**

**I. CALL TO ORDER**

Chairman Russo called this Planning Board meeting to order at 7:06 p.m. on Wednesday, April 28, 2010, in the Community Development meeting room in the Hudson Town Hall basement.

**II. PLEDGE OF ALLEGIANCE**

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

**III. ROLL CALL**

Chairman Russo asked Secretary Stewart to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

**Members**

**Present:** James Barnes, George Hall, Tierney Chadwick, Vincent Russo, Terry Stewart, and Richard Maddox (Selectmen's Representative).

**Members**

**Absent:** Suellen Quinlan (excused).

**Alternates**

**Present:** Stuart Schneiderman and Ken Massey (Selectmen's Representative Alternate).

**Alternates**

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

**Staff**

**Present:** Town Planner John Cashell.

**Recorder:** J. Bradford Seabury.

**IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

Chairman Russo seated Mr. Schneiderman in place of the absent Ms. Quinlan.

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

Chairman Russo announced that he would skip the minutes for the time being, as there was a full agenda this evening.

**VI. CASES REQUESTED FOR DEFERRAL**

No cases had been requested for deferral for this meeting.

**VII. CORRESPONDENCE**

**A. Friends of Alvirne – Hockey Request for release of funds.**

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

Town Planner Cashell noted that he had given highlighted copies of two development agreements in the handout package, for the Riverwalk and Sparkling River (formerly known as River Ridge) developments. He noted that the \$400 donation was specified as a contribution (Page 3, Condition 10) on the agreement for Riverwalk as a recreation contribution to the Alvirne High School Varsity Hockey Program, while the equivalent reference (#2 on Page 11) for the Sparkling Water development did not specify what the contribution was for. Chairman Russo asked if the money being requested was from both projects; Town Planner Cashell said it was just the one, adding that he had been told by the proponents that they would be requesting a slight amendment of the dollar amount.

Mr. John DeCosta, 12 Riverwalk, noted that the association had previously been told by the Planning Board how the money could be used and had been advised previously by the Planning Board that anything to be purchased should be capital-equipment items and have a 5-year life. He said they had consulted with Alvirne personnel, who had suggested rather expensive equipment for the gym, and they were now proposing a phased request, this being Phase 1, with the request to be reexamined once additional moneys had been built up. He said the Alvirne Administration and the School Board had approved the plan. He said he wished to amend the request, and he then provided handouts pertaining to the desired items, saying they would like to take out the power box, bringing the amount down to \$6,022.

Selectman Massey expressed a belief that Riverwalk no longer existed, and he questioned how they would know where contributions were intended. Town Planner Cashell said the whole project was still defined on the site plan, and each unit was reviewed to see which subdivision it was a part of.

Ms. Stewart moved to authorize the expenditure of \$6,022.00 from the Alvirne High School Ice Hockey Program account (held by the Town of Hudson), in accordance with the following terms and conditions:

1. Said funds shall be expended in accordance with NH RSA (674:21(V)).
2. Said funds shall be used to purchase training equipment to benefit the Alvirne High School Ice Hockey Program.
3. The Planning Board shall recommend to the Board of Selectmen to make direct payment to the vendors associated with the purchase of said training equipment.
4. Said training equipment shall be stored and used exclusively at the Alvirne High School.

Ms. Chadwick seconded the motion.

Selectman Maddox asked for an explanation of Condition #3. Mr. Cashell said Atty. Buckley had wanted to make sure that the Planning Board retained that authority; he said invoices for the equipment should be submitted to the Planning Board, which would make direct payment. Selectman Maddox said the Planning Board did not have money to write a check; Mr. Cashell said it was more the Town. Chairman Russo asked if the Board should be recommending to the Board of Selectmen that the Selectmen approve the expenditure. Selectman Maddox said he thought the Planning Board should not be involved in this process, expressing concern about micromanagement. Ms. Stewart asked how Selectman Maddox had voted when the matter came before the Board of Selectmen. He said he had voted against it.

Town Planner Cashell recommended a change of language that the Planning Board should recommend to the Board of Selectmen for direct payment to the vendors. Ms. Stewart and Ms. Chadwick expressed agreement, making it a friendly amendment

**VOTE:** Chairman Russo then called for a verbal vote on the motion. All members present voted in favor except for Selectman Maddox, who voted in opposition, and Chairman Russo declared the motion to have carried (6-1).

Mr. Rich Nolan asked what the next step would be. Selectman Massey said they should get the invoice and submit it to the Selectmen's office to be placed on the Consent Item portion of the following Board of Selectmen agenda. He said he would contact Mr. Nolan and work out the details.

#### **VIII. PERFORMANCE SURETIES**

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

#### **IX. ZBA INPUT ONLY**

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

X. OLD BUSINESS/PUBLIC HEARINGS

A. Bockes Road Proposed Retail Develop. Map 145/Lot 001  
SP# 04-09 1 Bockes Road

**Purpose of plan: Construction of a 12,800 square foot single-story multi-tenant retail building with associated access driveway, paved parking, drainage, landscaping and lighting improvements. Hearing. Deferred Date Specific from the March 24, 2010 Planning Board Meeting.**

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

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

Mr. David Jordan, of SFC Engineering Partnership, Inc., affixed a copy of the plans on the meeting room wall and distributed full-size copies to those members who expressed a desire for them.

Mr. Jordan reported that he had met with Asst. Chief Buxton, with certain agreements being reached, as reflected in the revised plan, adding that he believed they had resolved the fire protection issues at this time. He said the remaining item concerned possible impact fees.

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 asked if any members of the Board had any questions.

Ms. Chadwick noted that she had not been in attendance at the previous hearing of this plan, and she asked about the depth of the fill on the property. Mr. Jordan said it ranged from a low area of 1 to 2 feet at the corner of Bockes and Lawrence Roads that had been filled over time to as deep as 14 feet, with the average being 6 or 7 feet.

Ms. Stewart referenced Note 16, asking if the applicant would have issues with changing it to Monday through Friday, so that neighborhood residents could enjoy their homes on weekends. Mr. Jordan expressed a belief that the owner would not have an objection to that change.

Ms. Stewart asked if the Planning Board would see this plan come back for signage. Town Planner Cashell said that was a standard note, saying they technically had to come back before the Planning Board—saying signs typically were already designed and were included as part of a site plan. He said they would come back when the signage was determined.

Mr. Barnes said there were a couple minor corrections, and he referenced Note 12's citation of 64 spaces, saying he presumed the three "accessible" spaces were handicap-accessible spaces. Mr. Jordan concurred. Mr. Barnes then asked about the very early 6:00 a.m. starting time. Mr. Jordan said there was a problem in that

the usage had not been determined, saying that was a common time for a convenience store.

Mr. Barnes referenced the elevation, saying there were two doors to the rear of the building, that he presumed could be used for unloading, but there were four units. Mr. Jordan said the doors for the other two units were actually at the end of the building, so they did not appear on the elevation view.

Selectman Maddox noted that there was no food service, so the 6:00 a.m. would be for a convenience store, as no fast-food operation would be allowed.

Town Planner Cashell noted that a sign was shown on the last page.

Ms. Chadwick expressed concern about the narrowness of the loading area, asking if tractor trailer trucks would be delivering in this very narrow space and having to go all the way around the building to the back of the area, and she asked if the size of delivery trucks had been considered. Mr. Jordan said he believed that a tractor trailer truck had been considered in the analysis, but he would have to review his notes. Ms. Chadwick said she did not see how cars could get around the building if a tractor trailer truck were parked behind the building. Mr. Jordan said he believed they had sufficient room back there, saying it had been considered.

Mr. Schneiderman asked about how the trucks would be kept parked parallel to the building for unloading. Mr. Jordan said there were loading spaces delineated, saying he believed there would be NO PARKING – FIRE LANE signs there to keep the area open and prevent the blockage of traffic behind the building. Mr. Schneiderman asked how it would be enforced. Mr. Jordan said it would be enforced by the tenants, who would make sure their customers would not be blocked from accessing the store.

Selectman Maddox asked for input from Deputy Buxton, asking about the cistern. Deputy Chief Buxton said they had met the need, confirming there would be a riser, with bollards as applicable, similar to what had been done at the Mr. Handyman site, the Nadeau Farm, etc. Selectman Maddox said an area would have to be kept clear to provide access, but that could be handled by size.

Chairman Russo noted that there had been a lot of discussion about the size of the cistern; he asked for an explanation as to why the size of the cistern was greatly reduced from what had originally been proposed. Deputy Chief Buxton said he and Mr. Jordan had never come to terms with respect to various elements before sitting down, saying he was allowed to “wing it” for different types of fire protection within the building. He said a full sprinkler system would be required throughout the building, fed by this cistern, which allowed for a 75% reduction. Another piece of the formula, he said, was how much water the Fire Department would bring, and they had a 7,000-gallon tanker and could also take into account the availability within a certain time of the 3,000-gallon tanker possessed by the Windham Fire Department. The other big piece, constructionwise, he said, was that the applicant had agreed to shrink the building to four units for a 3,000-ft<sup>2</sup> building, rather than the originally proposed 4,000-ft<sup>2</sup>.

Ms. Chadwick asked if the waivers had been addressed. Ms. Stewart said two were listed. Ms. Chadwick then asked to hear from the applicant with respect to the noise study.

Mr. Jordan said they had requested a waiver from the requirement to provide a noise study, stating that the noise study would present an unnecessary financial cost to the owner, as the noise would be less than currently generated by the traffic traveling on Route 111. Ms. Chadwick questioned how the noise level could be judged, based on occasional traffic, and she asked if the property owner had considered restricting the size of trucks that would be coming to the building. Mr. Jordan said that had not been considered. Ms. Chadwick noted that this had been restricted for the Walgreen site, but it might be difficult without knowing what businesses would be here. Selectman Maddox noted that Town Planner Cashell had had to write letters to Walgreen because the trucks that went to that site were unrelated to the size the store's proponents had talked about.

Selectman Maddox commented on a possibility for adding landscaping to reduce noise, noting that there was a wooded area on one side. Ms. Chadwick said she was concerned about the home across the street on Lawrence Road, as well as a two-building complex on the other side of Bockes Road. Mr. Jordan said both of those were about 350 feet from the proposed building.

Mr. Barnes moved to grant the requested waiver from the requirements of HTC §275-9 C, Noise Study, citing the reason for granting that waiver as being because such a study was unnecessary, relative to the minimal amount of noise that would be associated with this development, and because the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

Selectman Maddox said he would second that motion if Mr. Barnes would be amendable to a requirement for additional plantings. Mr. Barnes expressed agreement, making it a friendly amendment.

**VOTE:** Chairman Russo then called for a verbal vote on the motion. All members present voted in favor except for Mr. Schneiderman, who voted in opposition, and Chairman Russo declared the motion to have carried (6-1).

Mr. Barnes moved to grant the requested waiver from the requirements of HTC §275-9D, Fiscal Impact Study, citing the reason as being because the said study, in addition to the submitted plans, traffic study, CAP fee and other submitted application materials, was not necessary to evaluate the fiscal impact of this development, and because the granting of this waiver is not contrary to the spirit and intent of the Site Plan regulations.

Ms. Chadwick 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 asked about the \$150,000 cost estimate for a traffic light, noting that the most recent traffic light installation in the town had been \$440,000. Town Planner Cashell said an engineering study would have to be done for this intersection—adding that the traffic numbers at this time did not warrant a traffic light at this intersection, but might in the future, and also noting that there was a lot of development potential in this area, as everything across the street was zoned Industrial and currently was vacant. Selectman Maddox said he would request \$7,500 based on the other potential projects in this area. Ms. Chadwick asked how long the Board could hold the money, expressing concern about having to give it back if the other developments did not appear. Town Planner Cashell said the money could be held for six years. Selectman Maddox noted that the money could be used for engineering study in preparation for a light, noting that the Board of Selectmen the previous evening had put together a project to provide a full analysis of the available money a year from now. He said someone would address this very time-schedule issue in due time. Ms. Chadwick said she agreed that a day might come for a traffic signal, but she did not think putting a STOP sign at Bockes Road would be sufficient, saying there might be a bit of a cluster from traffic coming down Lawrence Road and wanting to turn left on Bockes Road; she suggested the whole area should be studied, and she asked for comment from Mr. Jordan.

Mr. Jordan noted that significant physical improvements were being added, including a dedicated right-turn lane on Route 111, adding about ten feet of pavement on Route 111, and widening Lawrence Road at the intersection to provide two exit lanes from Lawrence Road onto Route 111. He pointed out that the lanes were warranted now, saying the cost would be about \$50,000 to his client, and he noted that these changes included movement of light poles, etc., making changes ahead of time that would be needed when a traffic light was installed in the future. He said anything coming on the large industrial property across the street might lead to a signal light. He then stated that his client would prefer not to put money aside for a future improvement, where he had already agreed to make a substantial expense for his project.

Ms. Chadwick said there was some impact other than Route 111, affecting Lawrence Road and Bockes Road and Warren Road. By extending the language to set aside some money, she said, they could see how this went when this operation was up and running, noting that there was a chance he would get the money back.

Selectman Maddox said he felt the applicant realized those improvements he had just described were necessary to get this project off the ground, based on the 6:00 a.m. start time. He said this was introducing left-turning traffic into Lawrence Road, and he felt that \$7,500 was reasonable

Mr. Hall expressed a belief that \$7,500 was inadequate, saying the lot across the street was pretty well restricted because of Beaver Brook, and the one diagonally across was a relatively small area, so less of an impact would occur from Industrial use than from Retail. He said a lot of road widening would be required if a signal light were required, reiterating that \$7,500 seemed light.

Mr. Schneiderman asked Mr. Jordan what he predicted the traffic would be, in and out. Mr. Jordan said there would be 198 weekday peak hour trips and 195 weekend peak trips. Mr. Schneiderman suggested \$15,000 would be more reasonable, since traffic lights were in the \$400,000 range. Mr. Hall asked for the source of the numbers Mr. Jordan had provided. Mr. Jordan identified the study, saying he had used the higher of the two values given, since no specific user was known. He said the PM peak hour was used because of the retail component, saying the AM peak hour traffic was usually just commuting. Selectman Maddox said that was based on a Verizon store, which was not open at 6:00 a.m., whereas a convenience store might draw more traffic. Mr. Jordan said this area was not in his expertise, and he could not debate the methodology.

Selectman Maddox said he thought \$7,500 was appropriate, saying this was not a huge development and there was not going to be any type of food service involved. Selectman Massey said a convenience store could have coffee and doughnuts, meaning that a significantly larger amount of customers might come early in the morning, which would impact everything. Mr. Jordan confirmed that a convenience store usually carried coffee and doughnuts.

Ms. Chadwick said the Board could not approve this until it knew if Mr. Jordan's client were going to provide the money. Selectman Maddox demurred, saying the Board could apply a stipulation and the property owner could decide whether or not to move forward.

Town Planner Cashell noted that the developer had agreed not to have a gas station or any type of fast food, saying probably not that much traffic would be drawn. He then asked if Mr. Jordan's client were willing to agree that there would be nothing like Dunkin' Doughnuts. Mr. Jordan expressed agreement, saying the site would not warrant a large type of food service. Mr. Cashell said the Town really would like to have an idea as to what would go on the site.

Selectman Maddox suggested changing the hours of operation from 9:00 a.m. to 10:00 p.m. and then coming back if different hours were needed for a specific client. He expressed a willingness to defer this so that Mr. Jordan could consult with his client. Mr. Jordan said he had no problem with that change, saying he was willing to go with the 9:00 a.m. starting time.

Selectman Maddox moved to approve the Site Plan, entitled **Site Development Plans Proposed Retail Building 1 Bockes Road, Hudson, New Hampshire**, prepared by SFC Engineering Partnership, Inc., 25 Sundial Avenue, Suite 205W, Manchester, NH 03103-7230 (dated May 15, 2009, revised thru April 9, 2010), consisting of Sheets 1 through 17 and Sheet A2.0, **Building Elevations** (by others) and Notes 1 through 21, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the Hillsborough County Registry of Deeds, together with the Site Plan-of-Record.



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2. Prior to the Planning Board endorsement of the Site Plan, the Development Agreement shall be favorably reviewed and recommended on by Town Counsel.
3. All improvements shown on the Site Plan-of-Record, including Notes 1 through 21, shall be completed in their entirety and at the expense of the applicant or his assigns.
4. The calculated CAP fee of \$27,348.00, prepared in accordance with the 2010 CAP Fee Matrix, shall be submitted to the Town prior to the issuance of the Certificate of Occupancy. Said CAP fee amount shall be inscribed on the Site Plan-of-Record prior to Planning Board endorsement.
5. A contribution of \$ 7,500.00 shall be submitted to the Town prior to the Certificate of Occupancy. This contribution shall be used exclusively for the design, engineering and/or installation of a traffic signal at the intersection of Route 111/Sullivan Road/Lawrence Road and for other traffic related improvements associated with Lawrence and Bockes Roads. Said contribution shall be inscribed on the Site Plan-of-Record prior to Planning Board endorsement.
6. After the issuance of a foundation permit for the structure and prior to the issuance of framing permit, the applicant shall submit to the Hudson Community Development Department a foundation "As-Built" plan on a transparency and to the same scale as the approved site plan. The foundation "As-Built" plan shall include all structural dimensions and lot-line setback measurements to the foundation and be stamped by a licensed land surveyor. Any discrepancy between the approved site plan and foundation "As-Built" plan shall be documented by the applicant and be part of the foundation "As-Built" submission.
7. Prior to the issuance of a final certificate of occupancy, an LLS-certified "As Built" site plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms with the Planning Board approved site plan.
8. The applicant shall be responsible for implementing and maintaining the Stormwater Pollution Prevention Plan (SWPPP).
9. Onsite landscaping shall be provided for in accordance with the plant and tree species specified on Sheet 12 of the Site Plan. This will be augmented by the planting of additional landscaping abutting Lawrence and Bockes Roads for screening purposes.
10. Construction activities on the site shall be limited to between 7:00 a.m. and 7:00 p.m., Monday through Friday. No construction activities shall occur on Saturday or Sunday.
11. This approval shall be subject to final engineering review, including approval of the SWPPP.

12. The applicant or his assigns, at his/her expense, shall be responsible for repairing all construction cuts, if any, on Bockes Road, Lawrence Road, and Route 111, and this work shall be properly bonded with the Town of Hudson, and if applicable, the State of New Hampshire.

13. This plan shall reflect hours of operation from 9:00 a.m. to 10:00 p.m.

Ms. Chadwick seconded the motion.

Speaking to his motion, Selectman Maddox said he thought this was a balance that would be fair to the client while the Board was dealing with the unknown, saying they could come back with details on traffic when those details were known.

**VOTE:** Chairman Russo then called for a verbal vote on the motion. All members present voted in favor except for Mr. Hall, who voted in opposition, and Chairman Russo declared the motion to have carried (6-1).

Selectman Maddox asked if another number would have satisfied Mr. Hall; Mr. Hall responded that there were other issues.

Ms. Chadwick moved to take up the Reed Ferry case out of order next, noting that the applicant had had to wait through the entire evening at the previous meeting. Mr. Schneiderman seconded the motion.

**VOTE:** Chairman Russo called for a verbal vote on the motion. All members voted in favor except for Mr. Russo who abstained, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

**C. Reeds Ferry Small Buildings  
SP# 01-10**

**Map 101/Lots 16 & 17  
1 & 3 Tracey Lane**

**Purpose of plan: To merge Lots 16 & 17 and construct a new facility for Reeds Ferry Small Buildings (Shed Display). Application Acceptance & Hearing. Deferred Date Specific from the 04-14-10 Planning Board meeting.**

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

Mr. Jeff Merritt noted that he had spoken about the project two weeks ago, saying two waivers had been granted at that time. He then distributed full-size plans to those members who wanted them and affixed a copy to the meeting room wall.

Town Planner Cashell noted that CLD (Costello, Lomasney, and deNapoli, Inc.), the Board's engineering consultant, had been satisfied.

Mr. Merritt said there were no changes from the previously shown plan, as seen at the April 14<sup>th</sup> meeting, and he summarized the amendments from the originally approved plan, noting that everything was in Londonderry except the driveway and a corner of the shed display area—adding that waivers had been granted for the number of driveways and sight distance.

Selectman Maddox said he thought they were going to look at making the driveway one-way. Mr. Merritt replied that the Board had voted to grant the waiver, saying a waiver would not have been needed if it were one-way in.

Mr. Merritt addressed the HISS survey, saying it was unnecessary because both lots were lots of record and a survey would provide no useful information and would make an unnecessary financial hardship for the applicant.

Ms. Chadwick moved to grant the HISS waiver.

Chairman Russo said that he would like to hold the vote for all the waivers until the end, to give the public a chance to speak, so he would not ask for a second at this time. Ms. Chadwick expressed agreement and withdrew her motion.

Mr. Merritt addressed the noise study waiver request, saying it was unnecessary.

Mr. Merritt addressed HTC §275-9 D Fiscal/Environmental Impact Study, saying it would be an unnecessary financial impact to the developer, as no Town services would be required. Selectman Maddox asked for clarification. Mr. Merritt said the property had its own well and septic, saying fire calls would go to the Town of Londonderry. He then amended his previous comment to say that there would be “little Town services.”

Mr. Merritt addressed HTC §275-9 B, traffic study, saying trip generation was developed based on development size, and this addition was not adding any traffic, saying the building was not being enlarged, so no increased number of trips would be established. Selectman Maddox asked if the display area would not represent additional floor space. Mr. Merritt said there was no mechanism to estimate traffic based on that display area. Selectman Maddox expressed a belief that Mr. Merritt was sugar-coating some of this.

Ms. Chadwick asked if the sheds on display would be changed on a regular basis. The applicant, speaking from the audience, said it would be done no more often than annually.

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

Mr. J. Bradford Seabury, 4 Meadow Drive, a member of the Zoning Board of Adjustment, noted that a cluster sign on Route 102 for the commercial plaza on Tracey Lane had been denied by the Zoning Board of Adjustment in 1987, but that a cluster sign for those same plaza tenants subsequently had appeared on the lot in question (Lot 17) without benefit of Town permit or approval. He expressed a belief that this sign, which had never received a permit, was illegal, noting that no mention

had been made of the sign, and he expressed a desire that the applicants confirm that the sign would be removed as part of this development. Chairman Russo said the Planning Board was operating under the concept that there was no violation unless a complaint was filed. Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appearing before the Board as another engineering representative of the property owner, said the sign had not been maintained and some people from elsewhere on Tracey Lane had put new signs on the sign subsequent to the report that the property had been sold to the applicants. Mr. Basso confirmed that there was no easement for the sign, saying he did not believe there was a right. He said the applicants would have a sign for themselves but did not intend to have a sign for other businesses on Tracey Lane. Selectman Maddox noted that the sign detail in the plan set reflected a cluster sign. Mr. Basso said people had not been aware that the sign was illegal; he confirmed that the drawing would need to be changed. Chairman Russo asked if the applicant would agree that any sign would be for their purpose only. Mr. Basso answered in the affirmative, saying they had not known it was illegal and had been surprised when other firms started adding signs to the existing "directory" sign, which he noted as being in very dilapidated condition.

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

Mr. Hall asked what the changes to the sign would be. Mr. Basso said the sign detail would be changed to reflect his client's; business.

Ms Chadwick moved to grant the requested waiver from the requirements of HTC §275-8 B (11), *High Intensity Soil Survey (HISS)*, citing the reason as being because there would be no benefit gained by the conducting of said study relative to the proposed uses of the subject property, and stating that, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

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).

Ms. Chadwick moved to grant the requested waiver from the requirements of HTC §275-9 C, *Noise Study*, citing the reason as being because the projected noise levels associated with this project were restricted to those provided within the Town Code Noise ordinances, and stating that, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

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).

Ms. Chadwick moved to grant the requested waiver from the requirements of HTC §275-9 D, *Fiscal Impact Study*, citing the reason as being because the scope of fiscal impact for this project would be nominal upon the resources of the Town of Hudson, and stating that, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

Mr. Barnes seconded the motion.

Town Planner Cashell said the language for the previous waiver was a good example.

**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).

Ms. Chadwick moved to grant the requested waiver from the requirements of HTC §275-9 B, *Traffic Study*, citing the reason as being because the traffic volume associated with this project was not expected to increase beyond that included with the previously approved Site Plan for this development site, and stating that, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

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).

Ms. Chadwick asked about the off-site contribution amount. Town Planner Cashell said the Town had received a considerable offsite contribution from the applicant's previous plan on the adjoining property, and this one did not represent any additional traffic. He said he had left this open, for decision by the Board. Chairman Russo asked if anyone on the Board wished to speak to that.

Ms. Chadwick noted that the Reeds Ferry firm had put up a lovely sign on Route 102 ahead of the shed area, saying she thought this sign plus the display area would result in additional traffic, and she thought the Board members should consider that.

Mr. Basso said the last plan had contributed a CAP fee of \$10,500 in 2008, and an off-site contribution of \$5,000 more, to be paid upon granting of Certificate of Occupancy. He expressed a belief that this was a lot of money for what was done, saying the whole purpose was so that people could see the product they were going to buy—adding that this would not occur during peak-hour traffic flow, that it was mostly one at a time, at random times, and was not a big traffic generator, and that it was far less than a regular retail use. He expressed a belief that his client had done a fair amount, already.

Selectman Massey noted that another outdoor display area, significantly larger, was located directly across the street, but he suspected people only went in when they had already been thinking of buying the product.

Selectman Maddox asked what the Saturday peak traffic had been from the original study. Mr. Basso said the weekend traffic had not been considered for that study, as Route 102 did not have a big weekend peak. Selectman Maddox said he thought the biggest traffic for this site would be Saturday morning. Mr. Basso expressed agreement, but said this stretch of Route 102 was not experiencing a high amount of traffic on Saturdays, and it could handle the traffic. Selectman Maddox responded that that area looked so well because this Planning Board had collected money for the improvements, so he was going to propose a \$2,000 contribution. Mr. Basso said that would be okay with them.

Ms. Chadwick moved to approve the Site Plan, entitled Non-Residential Site Plan – Reeds Ferry Small Buildings, Tax Map 2; Lots 34-3 & 34 (Londonderry) Tax Map 101; Lots 16 & 17 (Hudson) prepared by Keach-Nordstrom Associates, Inc. (dated January 2010 and revised through April 2, 2010), consisting of the Cover Sheet and Sheets 1 through 17 and Notes 1 through 37, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the Hillsborough County Registry of Deeds, together with the Plan.
2. All improvements shown on the Site Plan-of-Record, including Notes 1 through 37, shown on the Cover Sheet, shall be completed in their entirety and at the expense of the applicant or his assigns.
3. Prior to the issuance of a final certificate of occupancy, an LLS-certified "As-Built" site plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms to the Planning Board approved site plan.
4. Maintenance of the onsite drainage system shall be constructed and maintained in compliance with NH-DES requirements for such systems.
5. Construction activities involving the subject lot shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Saturday only. Construction activities on Sunday shall be prohibited.
6. This plan shall be subject to final engineering review and approval, relative to drainage issues.
7. The applicant's engineer and/or contractor shall contact the Town Civil Engineer to schedule a preconstruction meeting, which will be held with Staff prior to starting construction of the driveway.
8. An off-site contribution amount of \$2,000.00 shall be paid to the Town of Hudson for Route 102 improvements prior to the issuance of the Certificate of Occupancy from the Town of Londonderry.

9. A copy of this decision and stipulations of approval shall be sent to the Town of Londonderry Planning Board.
10. This approval shall take effect upon the merging of Lots 16 & 17, as shown on Hudson Tax Map 101.
11. All terms and conditions of approval for the Reeds Ferry Site Plan, approved by the Hudson Planning Board on October 7, 2008, HCRD Plan # 36324, including the Development Agreement, shall remain in effect.
12. The existing free-standing sign on Lot 17 shall be changed to reflect Reeds Ferry Small Buildings only, in agreement with the Hudson Sign Ordinance.

Mr. Schneiderman asked why construction activity was allowed on Sunday. Town Planner Cashell said it was not usually a problem, because only rarely would construction personnel work on Sunday. Mr. Hall noted that the noise ordinance would apply.

Selectman Maddox 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).

Chairman Russo declared a break at 8:58 p.m., calling the meeting back to order at 9:14 p.m.

**B. Jarry Subdivision  
SB# 06-09  
Road**

**Map 213/Lot 1 & Map 207  
Lots 4, 5 & 8 – 143 Bush Hill**

**Purpose of plan: Proposed 39-lot open space subdivision, and proposed lot line adjustment of existing Lot 3, Map 207. Hearing. Deferred Date Specific from the 04-14-10 Planning Board Meeting.**

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. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appearing before the Board as the engineering representative of the property owner, noted that the development was now proposed for 38 lots instead of 39, stating that these would be OSD lots with a loop road running through the site. He noted that the big issue at the previous meeting had been the loop road's intersection with Bush Hill Road, noting that they had discussed several options at that time. He said they had ended up following the recommendation of Selectman Maddox to move Bush Hill Road over, saying the grade of the loop road as a result would be about 8% rather than the previously proposed range from 9% to 14%, with the sharp bend removed from Bush Hill Road. He discussed the drainage issue,

saying they would intercept the drainage from Bush Hill Road and bring it into the development's drainage system, thereby reducing erosion of the roadway. He identified that new roadway plan as **Roadway Grading Drainage Plan, Jarry Subdivision. Map 207, Lots 2/3/4/6/8 and Map 206, Lots 32/32-1, Bush Hill Road, Hudson, New Hampshire**, prepared by Keach-Nordstrom Associates, Inc (dated November 2008, revised through April 20th, 2010) (Sheet 28 of 70). He noted that one lot had been lost as a result of the roadway change, adding that the other concern was about driveway locations, saying a conceptual drawing had been provided—adding that it was not true, as stated in the staff report, that some of the driveways had a 10% grade where only 7% was allowed, saying driveways were allowed to be 10% provided that there was a minimum 3% grade at the point of connection to the road pavement, as stipulated on the driveway application forms, and he noted that these driveways would have to be profiled for Town Engineer Gary Webster upon application, as was usually done. He said the whole purpose of his plan was just to show that they could comply, but Mr. Webster would have to provide final approval, and the individual driveways would be profiled at that point, saying this was always done at the Building Permit stage.

Selectman Maddox suggested that Town Planner Cashell could add a stipulation that all driveways would need to meet Engineering approval. Mr. Basso referenced Note 16 on Sheet 1, saying they had no problem with that. Selectman Maddox read that note and said he was fine with that.

Mr. Basso said the CLD review had not come back for the third time, but he thought all previous comments had been addressed.

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

Mr. Basso said the signage plan had been altered to agree with the new configuration, noting that a GPI representative was present to answer any questions.

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.

Mr. Basso referenced HTC §289-26(10), saying HISS mapping was done for soil-based lot sizing, which this town did not have. He said this process would do nothing and was very expensive, noting that they had actually had some of the property surveyed for other reasons. Mr. Basso noted that he asked for this waiver every time he came before the Board, saying there was no use for it, and it was not the same as doing test pits for evaluating property for septic or soil delineation, but was a totally separate item with no purpose with the framework as it existed at this time. He noted that they did deep-hole tests for every lot, did perc tests for every lot, and examined the soils at the wetland boundaries. He expressed a hope that the Town would someday take this HISS-mapping item out of the checklist.

Selectman Maddox said this should be taken up at a workshop, expressing a belief that this waiver had been granted every time except twice in the past 12 years he had served on the Board. He suggested that either this requirement should be



removed from the checklist or that Town Planner Cashell should provide reasons for retaining it when specific conditions existed.

Mr. Barnes said he was going to ask for a soil survey in this case; he then referenced Lot 4-6 on Sheet 21 and Sheet 22, noting that the septic system was proposed tightly in between the packets of wetland on either side of it. He referenced HTC §334-37, *Additional Setback Requirements*, reading aloud from that regulation, and he said there was an additional 50-foot buffer required in the event of highly permeable soil. He said this lot in particular had jumped out, but others might be similar. Mr. Basso said HISS mapping would not give an answer to that, saying it pertained to a completely different soil numbering system. He said the designated area was not the septic system but was a State-required area designation in which the far-smaller septic system would be located, based on an old requirement, and he stated that the modern systems used today were not even close to needing that much space. He reiterated that HISS mapping did not relate to permeability and the numbers it produced were not related to what Hudson had in its Town Code. He said they had tested each individual lot, saying they could prove that they met the field standards in each case. Selectman Maddox referenced Sheet 15; Mr. Basso concurred, noting that the soil values were listed there.

Mr. Barnes asked what soils were on Lot 4-6. Mr. Basso said it was Canton, a Group 2 soil—a well-drained soil but not excessively so, and was not considered highly permeable. Mr. Barnes continued reading from the text. Mr. Basso said they would be at least 75 feet from a wetland, 50 feet from a Hydrant-B soil, but in Hudson it was 75 feet, period. Mr. Barnes asked if he were saying there was plenty of room on Lot 4-6 for a septic field; Mr. Basso answered in the affirmative.

Mr. Basso addressed the Fiscal Impact Study requirement, saying it was a form that the Town required in order to evaluate the impact of a residential or commercial development with respect to Town Services, and adding that there used to be something back before 2000, for discussion about impacts, such as schools, for an approximate build price. After the CAP fees were passed, he continued, he had asked for a waiver of that requirement ever since, saying the numbers were somewhat arbitrary as they did not know where the houses were going to be, as yet, but the needs were covered. He said they were also doing highway improvement on Bush Hill Road worth six figures, expressing a belief that this should constitute the applicant's contribution.

Town Planner Cashell referenced Page 4 of CLD's most recent comment (March 9<sup>th</sup>), saying CLD had signed off on the septic systems and wells.

Chairman Russo asked for a motion with respect to the waivers.

Ms. Chadwick moved to grant the requested waiver from the requirements of HTC §289-26 (10), *High Intensity Soil Survey (HISS)*, citing the reason as being because the said survey would provide no additional pertinent information, and stating that, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

Mr. Hall seconded the motion.

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Selectman Maddox asked if Mr. Barnes were satisfied. Mr. Barnes said he would accept the information provided, saying it met the intent.

**VOTE:** Chairman Russo called for a verbal vote on the motion. All members voted in favor except for Mr. Schneiderman, who abstained, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

Ms. Chadwick moved to grant the requested waiver from the requirements of HTC §289-6 (D), Fiscal Impact Study, citing the reason as being because the said study, in addition to the submitted plans, traffic study, CAP fee and other submitted application materials, was not necessary to evaluate the fiscal impact of this development and, as such, the granting of this waiver was not contrary to the spirit and intent of the Site Plan regulations.

Mr. Hall seconded the motion.

**VOTE:** Chairman Russo called for a verbal vote on the motion. All members voted in favor except for Mr. Schneiderman, who abstained, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

Ms. Stewart referenced Sheet 1 of 70, saying she did not see anything noted about construction activity. She noted that this was a very rural area with a lot of residential uses and she would be looking for a note restricting construction to the hours of 7:00 a.m. through 7:00 p.m. Monday through Friday, with construction prohibited on Saturdays and Sundays. She said she would also be looking for a note limiting blasting to Monday through Friday, asking if 7:00 a.m. were not too early. Mr. Basso said construction usually started at 7:00 a.m., but that they usually would not be "popping" anything that early. Ms. Stewart asked if abutters would be notified in advance of any blasting. Mr. Basso said a pre-blast survey had to be done, including videotaping of foundations, seismograph evaluation, etc., but he did not know the limits to which they were notified. Mr. Basso said the applicant would have no problem with the changed days.

Selectman Maddox asked what was being done with the old roadway. Mr. Basso said that would be left to the Town, saying they were just dedicating more to it. Selectman Maddox said he did not see an easement; Mr. Basso said the whole thing would be dedicated.

Selectman Maddox noted that Lot 4-13 was on three pages, asking if there were a teepee on that lot. Mr. Basso said they expected something bigger than a teepee, saying it would be close to the road; he pointed out that setbacks were cut in half for OSD developments.

Selectman Maddox referenced Lot 4-10, noting there had been agreement that there would be no further development of this lot. Mr. Basso said this was covered in the deeds.

Atty. J. Bradford Westgate, of the firm of Winer and Bennett, LLP, 111 Concord Street, Nashua NH, legal representative for the applicant, said they had mocked up a draft deed for that particular lot, including a covenant that Lot 4-10 would not be further subdivided. He noted that the conservation agreement covered the other lots, but Lot 4-10 was a specific case.

Ms. Chadwick asked if anything had been heard from Atty. Buckley with respect to his review. Town Planner Cashell said Atty. Buckley was still reviewing; he noted that CLD had been working with the Community Development Department throughout the past year with respect to this development.

Ms. Chadwick referenced the roadway improvement, noting that there was nothing on the plan. Town Planner Cashell said they could not move forward unless the Board of Selectmen went along with it. Mr. Basso said he had asked last time if they should go to the Board of Selectmen, and had been told that they should wait until the Planning Board and the Highway Department were agreeable. He noted that the Planning Board would not sign the plan until that was done, adding that they would have to come back if the Board of Selectmen did not accept the road change.

Town Planner Cashell said a most important part was that the Town would get the opportunity to straighten out what was a very dangerous roadway, probably reducing the large number of accidents along the road; he declared that this was a needed improvement.

Mr. Barnes referenced the conventional layout plan, saying Lot 4-12 had substantial wetlands and steep slopes; he asked if there were sufficient area. Mr. Basso said there was enough contiguous area at the front, saying the plan showed 41 lots, where he was now proposing 38 on the plan, with one of them being conventional. He said they had exceeded the number they needed, asserting that the goal of the conventional drawing was to maximize the development.

Mr. Barnes referenced the driveway plan, referring to Lot 4-28, saying there was a significant amount of fill on the roadway. Mr. Basso said the fill was a little deceiving, saying they were chasing grade; he assured Mr. Barnes that it was absolutely buildable.

Selectman Maddox asked what the length of the cul-de-sac would be. Mr. Basso said it would be a loop, not a cul-de-sac. He noted that there were two means of egress.

Selectman Maddox said the number of lots was the big elephant in the room, noting that the number of homes on Bush Hill Road would be doubled. Mr. Basso said they had lost a lot and were doing a significant road improvement on a road that was bad already, at significant expense. He said the roadway would ultimately have to be fixed, whether this subdivision were there or not, adding that they had proved per the standards that they could get more with a conventional subdivision.

Selectman Massey referenced Sheet 21 of 70, asking how the lot owners would be able to determine whether the well radius extending onto another property would be protected. Mr. Basso said the state of New Hampshire allowed overlapping of ten

feet, saying the overlapping protected the well radiuses—but adding that this was an area that septic tanks would not be located in.

Selectman Massey referenced Document D, saying lots 4-22 and 4-23 would be open space, and he asked what would be the delineation to landowners that they could go on that land. Mr. Basso said the access strip between lots generally had post-and-rail fences, adding that they would be marked with iron pins. He expressed a belief that the conservation placards would not be sufficient. Selectman Massey asked about the conservation line around Lot 4-7, asking how the landowners would know they did not have access. Mr. Basso said that lot line would be marked with the Conservation Commission placards.

Mr. Schneiderman asked how many automobile trips were expected per home on a weekday, asking what the increase in traffic would be. Mr. Basso said two trips would occur in the peak hour, with both adults leaving for work. Mr. Schneiderman stated that NRPC said the standard was eight trips per home in a 24-hour period, meaning over 300 trips on a road that was now doing about 130. Mr. Basso said he had not said there would not be additional trips, saying they were proposing an improvement of over \$100,000 for a condition that was already bad, adding that this was a development of over 200 acres, with less than half of that being developed. He noted that the Town Engineer had reviewed the traffic study and had no comments. He said the road had the capacity to handle that volume, but they were not changing the level of service and damaging the capacity or the way the road operated.

Mr. Schneiderman said he was not denying that, but he just wanted to quantify the traffic.

Mr. Barnes asked about the sidewalk along the side of Lot 4-10, to provide access, asking if there were anything in the deed to permanently protect that access, allowing the residents access. Atty. Westgate said the mock easement for Lot 4-10 would cover that, saying he would have to look at the documents to check that, and that he would double-check to make sure that access did not get forgotten. Mr. Barnes said he wanted to make sure that right of access did not cease if Mr. Jarry subsequently sold the property. Atty. Westgate said that would also be part of Atty. Buckley's review.

Atty. Westgate said, analyzing the number of lots, the Board should not lose sight of the development itself, saying there was about 100 acres of total space being dedicated as open space, which was substantially greater than required by the OSD Ordinance. He said this was not a case of squeezing the open space down to a minimum. Even though there was a 23% increase in traffic, he said, this was not overburdening Bush Hill Road, and the tradeoff was the substantial improvements in Bush Hill Road. He said he did not think the proposed number of 38 lots was unreasonable.

Mr. Basso said they could not pass increased costs on to the lot buyers, because of the economic situation, saying all costs would out of the bottom line.

Atty. Westgate said this was in an area with a 2-acre requirement, so the lots were not being crammed.

Ms. Chadwick noted that the Board had experienced with the last OSD development instances of not having the documents finalized, asking if the Board should stop and wait until receiving Atty. Buckley's okay. Town Planner Cashell said he would concur with what Ms. Chadwick said, saying he had not expected to get to a final decision this evening. He noted that CLD was still within its 10-day allowance for review.

Mr. Basso said this situation was totally different from the unique farm-belt subdivision to which Ms. Chadwick had referred, saying it was not comparable, as this case involved standard documents, adding that the Planning Board would not be signing off on the plan until receiving the final review.

Town Planner Cashell said Mr. Basso had done an admirable job of working for his client, and was providing a sizeable open space development; he then suggested that more thought should be provided with respect to access to the open space, to prevent what he had run into in other cases, such as on Sunshine Drive, where the adjacent homeowner was not allowing access. Mr. Basso said this was why he had suggested putting in post-and-rail fences, adding that there were a couple different accesses around the overall site. Town Planner Cashell said he would like to see the open space abutting other open space areas having a decent path; he then suggested proposing in the deeds a true open space, with a small parking area. Mr. Basso said he had had conversations with various boards on various projects, and other boards had said "No" to that in the past, feeling that a parking area would introduce maintenance issues and provide a loitering nuisance. He said the Conservation Commission had discussed this and did not want a parking area, thinking people could park along the street. He questioned if it would be appropriate to put a parking lot in a residential neighborhood.

Town Planner Cashell noted that there were no shared driveways.

Selectman Maddox said the charm of Bush Hill Road was that it was a winding country road, with very few homes. He said the improvements would make two other parcels more attractive for development, so the problems would grow. He said he thought 35 lots would be a reasonable balance, saying this was not prime land as had been the case at the Nadeau farm. He expressed a belief that Mr. Basso should get on the Board of Selectmen agenda sooner rather than later. Mr. Basso responded that Selectman Maddox was the one who said to wait until this was resolved.

Ms. Chadwick asked which three lots Selectman Maddox would pick for elimination. Selectman Maddox listed lots 13, 8, and 2. Mr. Basso asked that the Board consider a higher number, saying his client was spending a significant amount of money on the improvements, and adding that three lots represented at least \$300,000.

Ms. Stewart asked why Lot 39 had not been picked. Selectman Maddox said he had been questioning Lot 13 earlier, not 39.

Mr. Hall said he was not sure of what the rationale was for coming up with another number, saying he was satisfied with the justification of the conventional layout. He noted that the substandard road would be improved, and it would be easier to justify based on the changed road, but this project would not have been finished if the road problem were not fixed, to his mind. He said it seemed more fair to him to have a significant improvement, rather than to have less lots, which would not mitigate the problem enough to justify lowering the number. He said he would have a hard time justifying saying there should be less lots.

Chairman Russo said one of his concerns was putting this many homes on this road because of where these roads led to. He said the road down to Massachusetts was not a big deal, but the traffic coming the other way, onto Wason, was a problem. He asked if that had been considered. Mr. Basso said he did not think so, saying it was outside of the development area—adding that it was an estimating process, and there would not be an appreciable impact on all the other intersections.

Selectman Massey referenced the conservation easement, saying he was having a hard time understanding why Lot 4-12 was not considered, or Lot 4-10, which was actually touching the wetlands. Mr. Basso said the conservation easements were requested by the EPA and the Conservation Commission, saying there was no requirement.

Town Planner Cashell said he wanted to recognize Mr. Hall's idea as being a very good idea, in lieu of reducing the number of lots, but there were two lots that did not lend themselves to usable backyards; he identified these as Lots 4-39 and 4-40, because of the doglegs. Mr. Basso said the whole back part was in conservation, saying there was no restriction on lot shape. Town Planner Cashell said there was a 90-degree turn not far from this site, which was inappropriate for a public road.

Selectman Massey called a point of order, saying 11:00 p.m. was fast approaching.

Mr. Basso said he was asking for a consensus on the number of lots.

Ms. Chadwick said she thought Mr. Hall was absolutely accurate, saying she would be on board with all 38 lots with an off-site contribution, suggesting a figure of \$10,000.

Mr. Schneiderman said he thought there were some bad lots on the plan which he thought should be removed.

Selectman Maddox said he would like to defer until he went to the Board of Selectmen, as his personal thinking might not be what the other Selectmen wanted. He said Mr. Hall had proposed a good idea.

Mr. Basso noted that there was not a single abutter present at this meeting.

Mr. Hall said \$10,000 was irrelevant against the cost of a lot, noting that Selectman Maddox's suggestion would probably be in the range of \$300,000. He said a lot more money than \$10,000 would-be required.

Ms. Stewart referenced Lots 4-39 and 4-40, saying she agreed with Mr. Cashell that these were funky lots with odd shapes, so she would prefer dropping those to an offsite contribution.

Mr. Barnes said he agreed with Mr. Hall, saying he was reasonably comfortable with the number of lots but getting an additional contribution for improvement of Bush Hill Road would be a reasonable way to go.

Selectman Massey said he would support Selectman Maddox's concern.

Mr. Russo said he also agreed with the idea of an offsite contribution, saying he was thinking of something like \$100,000 for off-site contribution, saying there would be a lot of work required on that roadway.

Selectman Maddox moved to defer further review of the Jarry OSD Subdivision, date specific, to the May 26, 2010, Planning Board meeting. Ms. Chadwick seconded the motion.

Selectman Massey asked when Mr. Basso would want to be on the Board of Selectmen agenda; Mr. Basso said he would come as soon as he could.

**VOTE:** Chairman Russo called for a verbal vote on the motion. All members voted in favor except for Mr. Schneiderman, who abstained, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

Chairman Russo polled the Board on how many would be coming to the ice cream social, finding a total of 12, including guests. Selectman Massey said he would put down 15 as the number from the Planning Board.

Chairman Russo said he had asked Town Planner Cashell to get the handout about the dispersal of School Department impact fees. Mr. Hall said he would like a report of what they had done with the money given before. Selectman Massey said he wanted to know what they were planning to do with this request. Chairman Russo said it was to lower those bonds. Selectman Massey noted that they had said before they could not do that. Town Planner Cashell said he had them tentatively planned to come in for next week's workshop. Mr. Hall noted that he would not be able to attend, but the report of what they had done with the previous money should be in writing.

## **XI. DESIGN REVIEW PHASE**

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

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

**Page 24**

**XII. NEW BUSINESS/PUBLIC HEARINGS**

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

**XIII. CONCEPTUAL REVIEW ONLY**

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

**XIV. OTHER BUSINESS**

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

**XV. ADJOURNMENT**

All scheduled items having been addressed, Ms. Chadwick moved to adjourn; Mr. Hall 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 10:54 p.m.

Date: May 11, 2010

\_\_\_\_\_  
Vincent Russo, Chairman

J. Bradford Seabury, Recorder

\_\_\_\_\_  
Terry Stewart, Secretary

These minutes were accepted as amended following review at the 08-11-10 Planning Board meeting.



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

**Page 25**

The following changes were made in accordance with the Board's review of these minutes at its August 11, 2010, meeting:

Page 13, last sentence — the spelling of the word "belief" was corrected ("belier" should be "belief").

Page 22, first sentence — the spelling of the word "rationale" was corrected ("rational" should be "rationale").