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HUDSON PLANNING BOARD MEETING MINUTES March 25, 2009

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:05 p.m. on Wednesday, March 25, 2009, in the Community Development meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Russo asked Ms. Stewart 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, Suellen Quinlan, Vincent Russo, Terry Stewart, and Richard Maddox (Selectmen's Representative).

Members

Absent: Tierney Chadwick (excused).

Alternates

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

Alternates

Absent: Brion Carroll (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. Chadwick. He then announced that he would defer the review of past minutes until later in the evening, adding that he wanted to take up a couple things out of order, first, beginning with the Hudson Library issue at this time, out of deference to the presence of Library Trustee Arlene Creeden.

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XIII. OTHER

A. Request to release Library Impact Fee Funds.

Reference: letter, dated March 18, 2009 from David Jelley, Chairman, Hudson Library Trustees.

Ms. Creeden said she was present to answer any questions.

No questions being brought forward, Selectman Maddox moved to recommend to the Board of Selectmen that that body authorize the release of the Library Impact Fee funds to the Hudson Library Trustees, with the provision that said funds, which presently total \$24,736.84, shall be used to furnish the new library. Ms. Quinlan seconded the motion.

Speaking on his motion, Selectman Maddox noted that the Library was scheduled to have an opening on June 7th, adding that he felt this was exactly the purpose for which the Library impact fees had been collected.

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).

XII NEW BUSINESS/PUBLIC HEARINGS

A. Central Street Restaurant SP# 02-09

**Map 160/Lot 105
297 Central Street**

Purpose of Plan: to show proposed 4,284-ft² restaurant (100 seats, no bar) with accompanying parking and site improvements. Application Acceptance & Hearing.

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

Town Planner Cashell referenced a letter included in the handouts packet, noting that the developer was not yet ready to move forward.

Selectman Maddox questioned why there was any need to defer this item, since it had not been accepted as yet.

Town Planner Cashell said the application had been paid a month and a half ago with fees paid and the documentation under review. Mr. Barnes noted that abutters had been notified, and he then pointed out that the abutters would have to be renotified. Town Planner Cashell concurred. Mr. Hall said the clock would start ticking once the application was accepted; he noted that similar items had been handled in the past by accepting the application and deferring it for six months, and he suggested that

the application be denied and the fees waived. Mr. Hall then made a formal motion to deny Application Acceptance, but to waive new application fees, provided the new plan is essentially the same as presently submitted, and the new submission occurs within six months of today, March 25, 2009. Mr. Barnes seconded the motion.

Selectman Maddox said his point was that there was no application before the Board to accept or deny. Town Planner Cashell said he had not included it because of the request to defer.

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).

B. Update on the Capital Improvements Program for FY2011.

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

Town Planner Cashell said Atty. Buckley would be coming in next week to review this matter.

**C. Review Community Technical Assistance Program (CTAP),
re: schedule a CTAP Workshop.**

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

Town Planner Cashell said the Board had asked him to consult with CTAP and that he had provided a list of workshops the Board might wish to select. He noted that there were 18 choices, and he recommended the following workshops for the Board's consideration:

- Innovate Land Use
- Impact Fees
- Economic Development Planning
- Affordable/Workforce Housing
- Tax Increment Financing
- Tax Incentives
- Capital Improvement Programs

Town Planner Cashell noted that several of these items would be dealt with the Town Attorney at the following week's meeting.

Selectman Maddox suggested the Board should look at V (Impact Fees) and XVI (Capital Improvement Program), noting that these were items that the Board had already intended to look at this year.

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Ms. Stewart said she had hoped for something to do with Riverwalk.

Town Planner Cashell noted that the impact fees would include a free consultation with Mr. Bruce Mayberry. Mr. Hall pointed out that developing more impact fees would require the use of money.

Mr. Barnes said he would suggest V and VII.

Mr. Hall said he would go for the Capital Improvements item. Town Planner Cashell said it might not be timely for the CIP program if the CTAP group could not come until August.

Chairman Russo suggested that the Board wanted to do V, VIII, and XVI.

Mr. Hall noted that the program was only for one workshop.

Mr. Barnes noted that LMRAC (Lower Merrimack River Advisory Committee) had already been invited for the June workshop meeting, questioning whether this would be a good date. Town Planner Cashell said nothing had been scheduled for July or August, adding that the Board could have until the end of the year to make a decision.

Mr. Schneiderman said he had chosen VIII (Economic Development Planning), saying it would behoove the Board to get business development in to try to get some property tax relief. He said he had some concerns about zoning, citing the large amount of General zoning and the Business strip zoning, and saying that he felt this would answer his concerns.

Selectman Maddox asked how long the presentation would take. Town Planner Cashell said it would be a one-day affair, saying he would schedule it for a full workshop meeting. Town Planner Cashell said the Board had a lot to do and had to be flexible—suggesting that the LMRAC could be deferred. Selectman Maddox said he had thought it would be a one-hour event, but he felt waiting until August or September to do the CIP item would be too late. He then asked if the Board could do Lower Merrimack River Advisory Committee and a CTAP session at the same time. Mr. Barnes, a member of that organization, said that would probably be acceptable, but the Board had to keep up its commitment.

Selectman Maddox suggested that the LMRAC session actually could be done at a regular meeting in June, if it were just to be a one-hour presentation.

Chairman Russo then took a poll of the Board members' preferences, as follows:

Mr. Barnes	Capital Improvements.
Ms. Stewart	Economic Development.
Mr. Hall	Economic Development.
Ms. Quinlan	Capital Improvements.
Mr. Schneiderman	Economic Development.
Selectman Maddox	Capital Improvements.

Mr. Russo Capital Improvements.

Mr. Malley said he would vote for Capital Improvements if he were sitting.

Selectman Maddox moved that staff schedule CTAP for Capital Improvement workshop for the June 3, 2009, workshop meeting. Mr. Hall seconded the motion.

Mr. Hall expressed a hope that Town Planner Cashell would be prepared to comment on alternatives, noting that many citizens were not in favor of the CIP program.

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 when the Board would know if that were a firm date. Town Planner Cashell said he would try to contact the CTAP people the following day. Selectman Maddox expressed a hope that the Board could notify the School Board and the Budget Committee, since those groups also had an interest in the CIP process.

Mr. Barnes said he would talk with the LMRAC people the following day.

Town Planner Cashell suggested that June 10th would be the earliest meeting at which LMRAC could be worked into a regular scheduled meeting.

Selectman Maddox suggested that Town Planner Cashell find out what local communities were choosing which workshops, suggesting that some of the Board members might want to attend an Economic Development workshop if some other community chose that one.

V. MINUTES OF PREVIOUS MEETING(S)

Chairman Russo noted that at the last meeting he had requested the members to review the February 11th, July 9th, and September 24th minutes.

Chairman Russo addressed the minutes for the meeting of 07-09-08, asking if there were any changes or corrections

Mr. Barnes referenced Page 4, 1st sentence, saying he thought it should read: "without getting advice from the Town Attorney" rather than "*with* getting advice."

No further changes or corrections being brought forward, Mr. Barnes moved to accept the 07-09-08 minutes as amended; 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, as he had not been present and had not watched that meeting on television, and Chairman Russo declared the motion to have carried unanimously (6-0-1).

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Chairman Russo addressed the minutes for the meeting of 02-11-09, referencing Page 4; he said the **ZBA Input Only** item appeared to be out of place, as it was mentioned again later, and he suggested it should be moved to the back.

Mr. Schneiderman noted that he had been seated in the absence of Ms. Stewart for that entire meeting, noting that his name was misspelled.

Mr. Schneiderman noted that he had asked about the nature of the wetlands with respect to habitation on Page 5, saying Mr. Merritt had no details on the wildlife but had described the hydraulic one. He suggested that "details about the wildlife, described" should be stricken.

No further changes or corrections being brought forward, Mr. Barnes moved to accept the 02-11-09 minutes as amended; Mr. Schneiderman 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).

Chairman Russo asked that the Board be prepared the September 24, 2008, minutes for the next workshop meeting.

VI. CORRESPONDENCE

No **Correspondence** items were addressed this evening.

VII. PERFORMANCE SURETIES

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

VIII. ZBA INPUT ONLY

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

IX. DESIGN REVIEW PHASE

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

X. CONCEPTUAL REVIEW ONLY

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

XI. OLD BUSINESS

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

XIII. OTHER BUSINESS (CONTINUED)

Chairman Russo noted that there was an item about a Town Center in the meeting packet.

Town Planner Cashell said Mr. Carroll had brought up at a workshop last fall an idea of a Town Center, saying he had provided this because the latest edition of the NRPC newsletter had discussed a town center proposal being looked at in Merrimack. He suggested creating a special place in Hudson to draw all the residents, suggesting that the Benson's property might be worthy of such focus, and adding that he wanted to get people thinking more broadly about how to use that property.

Ms. Quinlan said there were restraints on how the Bensons property could be used. Selectman Maddox said that was a correct statement at this time.

Mr. Barnes said he thought Bensons would be a nice focal point, noting that there was already a committee being reformed to address that concept. He said the Planning Board might be able to provide some suggestions to that group or to do some planning activities, but he would be hesitant to address it when another group was charged with that responsibility.

Mr. Schneiderman said he liked the area round Library Park, noting that the Town already had the municipal building here, with the adjacent fire station, with the combining of the H. O. Smith and Library Street schools having been spoken of as a possibly. Ms. Quinlan suggested that the sale of the library properties might be stopped, so that the Town could use those properties. Selectman Maddox demurred, saying the Library Trustees were the people who had those houses, and the money from selling those was to be used for furnishing the new library. Selectman Massey added that the warrant article that authorized the sale of the properties specially allocated that money to the Library.

Mr. Schneiderman suggested that there was a possibility to modify that. He then asked if the H.O. Smith School were large enough to handle both schools. Selectman Maddox noted that the School Board had just dropped its lawsuit against the State with respect to the kindergarten mandate, meaning that the School Board would soon be scrambling to establish kindergarten.

Mr. Schneiderman asked how much of that building would be needed for the kindergarten. Selectman Maddox said he could not answer. Mr. Schneiderman said the fire station could be expanded onto the Town Hall property. Selectman Maddox said there was insufficient parking at both locations, noting that the Grange Hall had used to be the Town Hall, but economic considerations had brought about changes. He noted that the Fire Department was talking about moving the firehouse further down Derry Street.

Selectman Massey pointed out that the Library Street School was owned by the School District, not the Town. In addition, he said, the deed for Bensons had some restrictions such that DOT approval would be required for any new public buildings.

Ms. Stewart recalled Mr. Leonard Smith's continual concerns about sprawl, saying the town center was the intersection of Route 111 and Kimball Hill Road and Greeley Street. Mr. Schneiderman said he thought the Town was lucky to have a center at the corner of Kimball Hill Road and Route 111, saying he thought the municipal center could remain here but a cultural center could be developed at the Bensons property.

Mr. Hall said the site plan regulations were designed to minimize a town center, to prevent sprawl. He said most people thought of a town center as having businesses closed by. He said the Board would have to develop a new set of site plan regulations, such as to allow off-site parking, which was currently prohibited by the Zoning Ordinance.

Selectman Maddox noted that the Board of Selectmen years ago had owned Unicorn Park but had decided to sell off part of it. He said he could not see Hudson at this juncture being able to craft a new center, adding that a lot of the movement of municipal buildings was driven by where they would fit.

Ms. Stewart asked what the future of the existing library building would be. Selectman Maddox said it was a question of money and purpose, but it was in the Library Trustees' domain—adding that the cost of maintaining it would have to be considered.

Ms. Quinlan suggested that the Town of Merrimack probably had not decided to have a new town center at a meeting one night but most likely had been working on the plans for years. She said she was not getting the sense that there would be support for such a plan here at this time. She noted that the St. John church had been merged with a Nashua church, saying she did not know how long that property would remain as church use. She said there were a number of properties that might be acquired in the future, but there would have to be a plan, first.

Town Planner Cashell noted that the Board members were already thinking about it. If this thinking became the will of the town, he suggested, it could happen. He noted that Mr. Schneiderman had brought up that this area of the town was already well equipped to serve as a center, adding that a lot more viable activity and central activity could be developed. He said the Bensons property was ideal because of its central location, along with historical developments. He said he could envision much more viable activity there within the next 20 years, saying he could see the Bensons property taking off as a place where people would like to go, once it had been enlivened with new trails, a parking area, etc.—adding that this would attract economic attention.

Mr. Malley said he thought of a town center not as where Town Hall was but as where commercial and recreational activities were located, and he could not see that here. Town Planner Cashell expressed disagreement, saying there were various opportunities, with this building, the old library, the old fire station, etc.

Selectman Maddox said the same thing would have been said about the Greeley Street and Central Street intersection if discussed in 1909, but the development of

factories across the river had changed things. He pointed out that the town currently had a default budget, saying he could not see the voters supporting such a concept. With respect to the Bensons property, he said, no large playing fields were being planned—adding that it was a great place for a walking trail but not for organized activities. He noted that the Board of Selectmen was about to appoint a new Bensons Committee, suggesting that there should be a member of the Planning Board on that committee, if anyone were interested.

Selectman Massey concurred, saying that would provide insight to that group as to planning.

Town Planner Cashell displayed an aerial view of the Bensons property area, saying there was lot of potential. Ms. Stewart pointed out that there was asbestos and wetlands on the property. Town Planner Cashell said asbestos property could provide a brown field. He noted that much would depend on whether people could attract interest and money to develop that property, which would create a lot of economic interest, and it could be a big asset to the community. He suggested that Hudson had never developed a center because of its closeness to Nashua.

Mr. Schneiderman suggested that a design charrette could be looking at something like this.

Mr. Barnes noted that there were many people in Sheppards Hill who would be walking across the street to use the Bensons property. Town Planner Cashell noted that there would be 440 units there when that development was completed.

Selectman Maddox referred to the wasted planning that had been done with respect to the Hudson Circumferential Highway, saying he could not see anyone doing much with the Bensons property at this time, noting there was a need right now to stabilize the existing buildings. He said the Board could be looking at future plans to expand Bensons, but he thought it would be tough for the next few years.

Mr. Schneiderman said the Board would have to keep; this in mind, so that it would germinate, but the town had to work with what it had.

Town Planner Cashell referenced Great Public Spaces, noting it was the history of how Central Park had come to be, as the development of an unlikely idea. He referenced the development of Woburn, Massachusetts, as something that had revitalized the city. He suggested that it was not out of the realm of possibility for Hudson to do something similar. He suggested that any private individuals who might be watching the HCTV broadcast might take interest.

Chairman Russo referenced a document pertaining to fees, as suggested by Road Agent Burns and Acting Town Engineer Gary Webster.

Selectman Maddox said that one of the things that had been looked at with respect to Unicorn Park had been the traffic situation; he expressed concern that just repaving Clement Road would cause people to drive faster, with nothing being done about the

curves and line-of-sight issues. Mr. Russo expressed agreement, noting that Mr. Hall had previously suggested that a review of safety in that area should be done.

Mr. Hall said it did not appear that Mr. Webster intended to involve the Planning Board in this project, but he felt the Planning Board had to be involved in the release of impact fees. He said more of a plan was needed, noting that the Unicorn Park traffic was supposed to be moving through the Clement Industrial Park, not on Clement Road.

Ms. Quinlan said the road needed to be paved, noting that a lot of town vehicles were using the road, although they were not supposed to be doing so, but the Town had not been able to work out an arrangement with the owner of Wall Street and was being held hostage. She said she would vote to pave the road.

Mr. Hall said the impact fees money could not be used for that, as the impact fee money was established for the purposes of expanding corridor capacity, not for maintenance of side roads.

Town Planner Cashell said Gary Webster wanted the Planning Board to be involved to whatever extent the Board wanted to be involved, adding that Mr. Webster could come before the Board to discuss the concept, and that Mr. Webster wanted to work with the Planning Board.

Selectman Maddox recalled \$75,000 from the sale of the park was not reflected here. He said the town-wide paving money was to be used for roadways. He said there should be no heavy trucking coming out via Clement Road. He said the Town should not just pave Clement Road and drive away, saying the Board should determine the options.

Selectman Massey said he would be talking with Mr. Webster, as the liaison, as the assumption in the letter was that they could use the funds, when in fact they had to get Board of Selectmen approval—and he, for one, would not be in favor. He said the Highway Safety Committee could solve the problem of trucks going down Clement Road by having a sign saying NO LEFT TURN at the end of Constitution Drive, where it met Clement Road. He said agreed with Mr. Hall that the impact fees were collected for capacity development, not improvement.

Ms. Quinlan said she would never approve putting a town center near any residential settlement, noting that there was a fleet of police cruisers and Town trucks going up and down Clement Road, which had ruined it for the residents of the area. She said the residents had assumed the Town would take care of the road, but the road had deteriorated.

Mr. Russo said he felt something needed to be done, but just paving the road would be a band-aid approach. He expressed concern about adding traffic lights, saying this would make it difficult to drive into town. He suggested that the traffic patterns needed to be determined as a first step.

Town Planner Cashell showed a zoning map, noting the location of Industrial, Business, and Residential zoning districts in the area.

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Mr. Hall said he was not speaking against paving Clement Road, but against using impact fees for that purpose. He said he did not know what the problem with Wall Street was, but that would be the best solution.

Selectman Maddox said he believed the \$75,000 had gone into the General Fund, but he thought it had been backed out. Town Planner Cashell said he would be discussing this with Atty. Buckley, saying this was the \$37,500 of negotiated settlement in Mr. Webster's March 18th letter. Selectman Maddox said he thought that was for the Kimball Hill Road II plan. Selectman Massey expressed agreement, saying he believed the \$75,000 had gone into the General Fund.

Selectman Maddox said he felt the efforts toward Wall Street needed to be readdressed, saying coming out at Hudson Park Drive might be an alternative solution. He suggested that the Board of Selectmen should discuss this.

Ms. Quinlan said the Town was causing some of the problem, and the Town owed it to the residents to address that.

Selectman Massey suggested that he would report back to the Planning Board on April 3rd concerning this matter.

Chairman Russo referenced the handout pertaining to the new zoning ordinances that had been passed. Town Planner Cashell said he had provided these as supplements to the existing Zoning Ordinance.

Chairman Russo referenced the article entitled *What's So Bad About A Cottage?* Mr. Barnes said he had provided this; he described it as an interesting article of a proposal by a developer who had not been able to get what he originally wanted. Ms. Quinlan said this was what HB 384 might morph into, in the future.

Town Planner Cashell said anyone who had not registered but planned to go to the May 2nd Planning Conference should do so.

Mr. Hall noted that he had handed out what was handed out at the School Board meeting on March 16th, from the School District's bonding consultant. If the School District could refinance the existing bond, he noted a hearing would be held on April 6th to do what was outlined in this document. He noted that he had some questions, but he had not been able to meet with Superintendent Bell as yet. He noted that one question was that it was not clear what would be the earliest date the School District could refinance the bonds. He said another issue was the need for the School District to be prepared to outline how that body intended to do this on annual basis, when they came before the Planning Board. He expressed a belief that things were on the right track.

Selectman Maddox said he would ask if the School Board would give money for Mr. Mayberry to update the school impact fees study. Mr. Hall expressed a belief that the Planning Board would have to do that, but he felt the numbers could not be changed at this time. He said the value of the work that was created to establish the amount to be collected could not be changed. He noted that the School Board was talking about doing things at the High school, which could be considered if the School Board would put that on the CIP, and someone then would have to pay for that impact fee.

Town Planner Cashell referenced the \$1.2 million amount. Mr. Hall said he understood that to be the balance, adding that he did not understand the statement that the bonds would mature in 2010-2011, which indicated a need to refinance, and he also did not understand how the new interest rate had been established. Selectman Maddox said he had been told there were some twenty bonds that had been repackaged.

Selectman Maddox said a proposal had been brought before the Board of Selectmen the previous night for development of recreation facilities at Robinson Pond, adding that the supporters were looking to use some of the impact fees for the concept planning. He said the Selectmen had advised the group to go to the Recreation Committee first.

Ms. Quinlan said members of that group had come before the Board of Selectmen some time ago. Speaking as a member of the Conservation Commission, she noted that Robinson Pond had significant issues, being deteriorated by exfoliation, milfoil, etc. She noted that the Hudson Recreation use was already out there, but her concern was that one of the representatives of that group had taken great umbrage that her son and husband would not be able to utilize the pond, saying it was unfair—oblivious to the fact that this was a fragile area. She noted that the group now wanted to bring hundreds of people into this fragile area, which was exactly what the Town should be opposed to. She said putting a huge concentration out at Robinson Pond did not make much sense, adding that she would listen to the plan but she had concerns about the intensity of use being proposed; she then concluded by stating that the jewel that was Robinson Pond had to be preserved.

Selectman Maddox said Ms. Quinlan at one point in her speech had been comparing apples and cinderblocks—clarifying that the Board of Selectmen was banning commercial vehicles, not trucks hauling boats. He said this proposal had little to with the pond, but was concerned with the forty acres on the other side of the hill. He said these people had a vision and were pushing it through, on their own dime, so to speak, and he did not think it should just be dismissed out of hand.

Mr. Hall said there would have to be procedures and processes in place to protect the land, but the Town should not ban use of the property. He said he did not think he could support release of impact fee moneys to that organization, but that he would have no problem releasing the moneys to the Recreation Director.

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Ms. Quinlan said the issue had been grass clippings and things being dumped from vehicles. She said she had found the attitude of the speaker very dismissive, adding that she had been disturbed about the tenor of the conversation.

Selectman Massey said the two organizations had been given explicit instruction that, if they wanted to have access to the recreation fees, they would have to work with the Recreation Committee, and that the Recreation committee would have to be the one that came before the Planning Board. Selectman Massey said he had offered to consult with the two groups to help them understand what they had to deal with before coming before the Planning Board—adding that it was not a sure thing that this property could be developed, as parts of it were very steeply sloped.

Ms. Stewart said she agreed that impact fees funds should not be released to private organizations, expressing concern that the Town would not have control over use of the property if it were built by a private group.

Selectman Massey noted that the Hudson United Soccer Club had built and maintained Friel Field, suggesting this was the model to go by. Ms. Stewart said Town funds had not been spent on that project. Selectman Massey demurred, saying some public funds were being spent there.

Ms. Quinlan noted that the Friends of Hockey had not been given impact fees to build the ice-skating arena.

Selectman Massey pointed out that the concerned groups were going to come before the Planning Board with a conceptual plan, and the Board could put on whatever restrictions it felt necessary.

XIV. ADJOURNMENT

All scheduled items having been addressed, Selectman Maddox 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 9:10 p.m.

Date: October 26, 2009

Vincent Russo, Chairman

J. Bradford Seabury, Recorder

Suellen Quinlan, Acting Secretary

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The following changes were made in accordance with the Board's review of these minutes at its September 26, 2007 meeting:

On Page 5 and Page 6, the voting paragraphs were changed to indicate that the chairman for this meeting was Mr. Russo, rather than Mr. Barnes.