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**HUDSON PLANNING BOARD  
MEETING MINUTES  
September 26, 2007**

**I. CALL TO ORDER**

Chairman Barnes called this Planning Board meeting to order at 7:00 p.m. on Wednesday, September 26, 2007, in the Community Development meeting room in the Hudson Town Hall basement.

**II. PLEDGE OF ALLEGIANCE**

Chairman Barnes asked Selectman Maddox to lead the assembly in pledging allegiance to the Flag of the United States of America.

**III. ROLL CALL**

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

**Members**

**Present:** James Barnes, George Hall, Vincent Russo, Richard Maddox (Selectmen's Representative), Suellen Quinlan, and Terry Stewart (arrived at 7:34 p.m.).

**Members**

**Absent:** Marilyn McGrath (excused).

**Alternates**

**Present:** Brion Carroll (arrived at 7:40 p.m.).

**Alternates**

**Absent:** William Cole (excused) and Ken Massey (Selectmen's Representative Alternate) (excused).

**Staff**

**Present:** Town Planner John Cashell.

**Recorder:** J. Bradford Seabury.

**IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

Chairman Barnes stated that the Board had a quorum with five members present, noting that there were no alternate members present at that time to seat for the absent regular members of the Board.

Chairman Barnes stated that the Public Hearing on the proposed change for the Site Plan Review Regulations would be held at this time.

## XI. NEW BUSINESS/PUBLIC HEARINGS

Chairman Barnes read the Public Hearing Notice as follows:

The Town of Hudson, New Hampshire, Planning Board will hold a public hearing on Wednesday, September 26, 2007 at 7:00 p.m. in the Community Development Department Conference Room (lower level) of Town Hall, 12 School Street, Hudson to consider the following amendment to the Planning Board's Site Plan Review Regulations.

Amend § 275-8(30)(c) of the Planning Board's Site Plan Review Regulations, so that said section shall read as follows (added language shown in bold underlined print and deleted language shown in bold-strikethrough print):

(c) Location: All required loading and/or unloading spaces shall be located on the same lot as the use served. No loading space for vehicles over 13,000 pounds (~~empty~~) shall be **allowed along a building's facade**. ~~closer than 100 feet to any property in a residential zone unless completely enclosed by a fence, wall or screen.~~

Chairman Barnes opened the Public Hearing for public input and comment, in favor or opposition at 7:10 p.m.

Mr. Tony Basso, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, asked about the meaning of the phrase "building facade." Ms. Quinlan said that "façade" meant the "face" of the building. Mr. Basso expressed agreement with Ms. Quinlan, but added that he had seen reference to "facade" meaning *any* side of a building. Chairman Barnes said he had read a definition of "facade" as being any side of a building that faced a public way. Mr. Basso suggested saying that, to avoid confusion.

Chairman Barnes asked a second time for public input and comment, in favor or opposition. No one else coming forward to provide input, Chairman Barnes closed the Public Hearing at 7:12 p.m.

Chairman Barnes said the Board would take the matter up later in this meeting.

## V. MINUTES OF PREVIOUS MEETING(S)

Chairman Barnes noted that the minutes of the June 6<sup>th</sup> meeting would be reviewed at tonight's meeting.

**June 6, 2007 Minutes**

Chairman Barnes addressed the minutes for the meeting of June 6, 2007, asking the members of the Board for changes or corrections.

Chairman Barnes referenced Page 4, the first paragraph, noting that "CLD" should be changed to "VHB," adding that the same error also occurred on Page 10.

No further changes being brought forward, Mr. Hall moved to approve the minutes for the June 6, 2007, Planning Board meeting as amended. Mr. Russo seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members voted in favor and Chairman Barnes declared the motion to have carried (5-0).

Chairman Barnes noted that the minutes for the August 8, 2007, Planning Board meeting would be reviewed at the next Planning Board workshop.

**VI. CORRESPONDENCE**

Chairman Barnes noted that items of correspondence received in tonight's packet would be taken up in conjunction with the associated cases, with any remaining items being taken up under **Other Business** at the end of the meeting.

**VII. PERFORMANCE SURETIES**

**A. Acorn Acres (James Way), Surety Reduction, Map 230, Lot 22**

Reference memo dated September 6, 2007.

Town Planner Cashell said there was nothing new to report.

Selectman Maddox asked if the new Letter of Credit had been issued. Mr. Cashell answered in the affirmative.

Selectman Maddox moved to reduce the James Way surety from \$242,548.18 to \$124,273.00 in accordance with the Town Civil Engineer's written recommendation (see copy of Gary Webster's memorandum in file, dated September 9, 2007, together with the Guaranteed Roadway Estimate Form). Mr. Hall seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members present voted in favor and Chairman Barnes declared the motion to have carried (5-0).

VIII. OLD BUSINESS

A. Mammoth Green Estates  
SB# 04-06

Map 115/Lot 3  
Old Derry Road

**Purpose of Plan: Review status and proposed changes to the approved 30-lot Mammoth Green Estates OSD Subdivision Plan. Deferred date specific from the August 22, 2007, Planning Board meeting.**

Chairman Barnes noted a memorandum from Gary Webster regarding this case had been provided in the handouts.

Mr. Cashell referenced a letter from Atty. Buckley regarding this case.

Mr. Hall stepped down to avoid a possible perception of conflict of interest, as his employer was an abutter. Chairman Barnes noted that the Board still had a quorum.

Mr. Taideh Hsu, 131 Route 101A, Amherst, New Hampshire, representing the owner of the property, said the property was unique. He said the detention pond was in place and the base coat should be down by the second week in October. He said no changes were being proposed to the original plan.

Selectman Maddox said the developer's attorney had indicated that the developer had plans to further subdivide the lots. Mr. Hsu said that was not the intention.

Selectman Maddox said Mr. Baldwin had had a vision, but he was not sure that Mr. Hsu had that same vision. Mr. Hsu said that was the plan, stating that the buyers would have a choice: farm belt or green belt. He said a buyer would have to understand what could be done on a lot. Selectman Maddox said Mr. Baldwin had said the property would be managed as a farm, adding that what Mr. Hsu was presenting was not consistent with that concept. Mr. Hsu said Mr. Baldwin had wanted to hire outside contractors to farm the property, adding he did not think that was a good idea. He said the home owners should decide what to do with the property. Selectman Maddox said that was not the original plan.

Ms. Quinlan said her recollection was that the association would sublet the farm land to a farmer. She expressed concern about possible conflicts between neighbors, saying she felt the idea of having the association control the farm land was a better idea. Mr. Hsu said it was up to the association, not the Planning Board, to decide what could be farmed and what could not be farmed. Ms. Quinlan concurred but expressed concern that what was being proposed was to allow the individual lot owners to decide what to do with farm land on their lots, adding that was not what had been proposed. Mr. Hsu questioned how the lot owners would get together. Ms. Quinlan said there would be an association, much like a condominium association.

Mr. Russo noted that the lots would cross several belts. He said it would not be practical for the individual lot owners to decide what to do with farm land on individual lots. Mr. Hsu said that each lot had its own farm. He said it would be easier for an

association to decide what to do with the farm land but that was not the way the plan was approved.

Mr. Russo said he had understood that the farm belts would be controlled by easements, adding that the individual owners would not have the right to determine what would be farmed on individual lots. He said Mr. Baldwin's and Mr. Hsu's visions for the property were different.

Ms. Stewart arrived at 7:34 p.m. and took her seat at the table at that time, although not recognized by the chairman for the inprocess hearing.

Mr. Cashell said everything would be handled by easements except for the individual homesites. He said the pasture lands would remain the same. Mr. Hsu concurred.

Mr. Cashell referenced Page 2 of Atty. Buckley's letter. Ms. Quinlan said she wanted there to be an agricultural use of the property, adding that was what had been agreed to.

Selectman Maddox said the Planning Board had bought into the vision without having all the details in place. He said he thought Mr. Hsu was under some misunderstanding as to what the Board thought it was going to get. Mr. Hsu said he was open to suggestions, noting that Alvirne High School was haying the fields.

Mr. Cashell said the fields would remain the same as they were now. He said the site was being developed and the condominium documents had to be finalized. He suggested that the case be deferred for a couple of months. Mr. Hsu said he was looking for direction, adding he would go along with whatever the Planning Board wanted.

Mr. Carroll arrived at 7:40 p.m. and took his seat at the table as a nonvoting alternate.

Mr. Russo said he wanted Atty. Buckley to address the Board regarding the case.

Selectman Maddox suggested that Mr. Cashell or Mr. Hsu contact the Qroe Farms organization for guidance. Mr. Hsu said the most important thing was what the Town wanted. Chairman Barnes said that would mean starting all over again, adding that was not what was being suggested. Mr. Cashell reported that the Qroe Farms corporation no longer existed as an entity.

Selectman Maddox referenced the August 23rd letter from Gary Webster regarding drainage issues, noting that Mr. Webster had indicated that all those issues had been taken care of. Mr. Hsu said all the work had been done.

Mr. Cashell said Mr. Baldwin had wanted to maintain the country feeling of the area, stating that Mr. Hsu had to understand that. Ms. Quinlan said Mr. Baldwin's presentations were on video, adding that the Town wanted what Mr. Baldwin had wanted. Mr. Hsu said he would not make any changes to Mr. Baldwin's proposal.

Ms. Quinlan moved to require the owner/developer of the Mammoth Green Estates Open Space Development (OSD) Subdivision (*aka* Nadeau Qroe Farm OSD Subdivision), Taideh Hsu, of 131 Rte. 101A Suite 204, Amherst, NH, to complete said development in accordance with the Subdivision Plan-of-Record entitled **Nadeau Farm**

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**Preservation, A Qroe Farm Project, Old Derry Road, Hudson, NH**, prepared by Bedford Design Consultants, 177 East Industrial Park Drive, Manchester, NH, dated Sept. 29, 2005, revised through April 26, 2006, consisting of Sheets 1, OV1, PH1, S1 through S10, T1 through T10, P1 through P3, DV1 through DV2, CS1 through CS8, SD1, EC1 and D1 through D2 and Notes 1 through 18 on Sheet OV1, as well as the terms and conditions of approval, cited in the Decision of Approval, dated May 15, 2007, and that the applicant and his legal counsel shall continue to work with Town Counsel on the by-laws of the Association to obtain Town approval and to ensure that the only disturbance of the plan, other than the roadway configuration as depicted, shall be on the building envelopes. Selectman Maddox seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members present voted in favor and Chairman Barnes declared the motion to have carried (4-0).

Mr. Cashell suggested the November 14, 2007, Planning Board meeting as the deferral date.

Ms. Quinlan moved to defer this item date specific to the November 14, 2007, Planning Board Meeting. Selectman Maddox seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members present voted in favor and Chairman Barnes declared the motion to have carried (4-0).

Mr. Hall returned to his regular position as a voting member of the Planning Board, and Chairman Barnes recognized Ms. Stewart at this time, saying she would be seated from this point on.

**IX. ZBA INPUT ONLY**

Chairman Barnes noted that there were no **ZBA Input Only** items to discuss at tonight's meeting.

**X. CONCEPTUAL REVIEW ONLY**

**A. Rocky Ridge Estates  
CSP# 08-07**

**Map 192/Lot 17  
68 Pelham Road**

**Purpose of plan: To establish a manufactured home park on 39.5 acres consisting of 31 spaces (lots). This application is for design review purposes only.**

Ms. Quinlan stepped down to avoid a possible perception of conflict of interest, as she was a resident of the neighborhood. She said she would participate as a member of the public.

Mr. Cashell said all the abutters had been notified. He said the applicant was asking the Board to treat the review as a design review.

Atty. J. Bradford Westgate, of the firm of Winer and Bennett, LLP, 111 Concord Street, Nashua NH, appeared before the Board as the legal representative for the applicant, Empire Homes, Inc. He noted that Mr. Basso and Patrick Colburn of Keach-Nordstrom and a representative of Empire Homes, Inc., also were in attendance. Atty. Westgate said the goal for tonight was to move the design forward.

Selectman Maddox expressed concern, noting that the notice had gone out as a conceptual review. Chairman Barnes said he would let the presentation go forward.

Atty. Westgate discussed an overview of the plan. He referenced Section 334-42 through 46 of the Zoning Ordinance, noting that the plan was for a condominium park. He said there would be one large parcel; saying the units would be the spaces plus the structures within those spaces, with the rest of the land being common land.

Mr. Basso identified the plan as **Site Plan, Rocky Ridge Estates, Map 192, Lot 17, Master Plan**, dated August 8, 2007. He said the proposed plan would include a cul-de-sac with a short cutoff. He said the project would be serviced by Town water and private sewer, adding that each space size would be 100 feet by 150 feet. He described grading and drainage. He said the cul-de-sac would be 2,800 feet long and the cutoff would be 400 feet long, with the driveway being 1,000 feet long. He expressed doubt that any of the units would be seen from Pelham Road. Mr. Basso said a water easement had been secured in 1987. He then concluded by stating that he wanted input from the Board.

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

Ms. Suellen Quinlan, 50 Pelham Road, said she had questions and concerns. She noted traffic issues from 31 houses (61 trips/day), adding that Pelham Road already had issues with excessive speed. She referenced the previous Jones and Beach plan, noting that the number of homes that had been proposed on that earlier plan had been 24 to 26, and adding that there had been concerns at that time about a pond and excessive wetlands on the property,

Ms. Quinlan said that "manufactured homes" were not "trailer parks." She said trailer parks were known hot spots for crime and law enforcement. She asked the Board to take a close look at the homes, and she asked that a rendering of the homes be required.

Chairman Barnes asked a second time for public input and comment, in favor or opposition. No one coming forward to provide input, Chairman Barnes asked the Board members for comments or questions.

Ms. Stewart asked Atty. Westgate if the project would be age-restricted. Atty. Westgate answered in the negative.

Selectman Maddox said a number of the spaces were in the wetlands buffer. He expressed a belief that 31 spaces was an aggressive number of spaces for the site. He noted that the applicant was asking for a cul-de-sac waiver, saying he did not see any benefit to the Town, and adding that he would be looking for a reduction in the number of spaces. He said he was concerned about the number of wetlands crossings.

Mr. Barnes asked if there had been any communication with the Conservation Commission. Mr. Basso said he had not done that to date, adding he wanted to see how the Planning Board felt about the plan before proceeding and finalizing the design plans.

Mr. Basso said the units would be two-bedroom ranch-style units. He acknowledged that there was a pond and significant wetlands on the site. He said he would provide renderings, a traffic report, and other things that were required.

Chairman Barnes noted that the 1,000-foot maximum length of a cul-de-sac had been established with concern for emergency access. He asked Mr. Basso if any discussions had taken place with the Fire Department regarding the length of the proposed cul-de-sac. Mr. Basso answered in the negative.

Chairman Barnes asked if the lots would be owned by individual owners. Mr. Basso said that was not the case with a condominium project but that the lots had to be shown on the plan. Atty. Westgate said the Zoning Ordinance required that the spaces be shown on the plan. He said the space would be the unit and would include the structure.

Atty. Westgate distributed a brochure that described the type of units that were being proposed. He said the original Jones and Beach plan had ended up being a loop road. He pointed out that the 1,000-foot cul-de-sac length regulation was part of the Subdivision Plan Regulations, not the Site Plan Regulations, saying he felt the cul-de-sac length did not apply to a site plan or a condominium application, and arguing that the regulation applied to the public road setting.

Atty. Westgate also stated that the "Hall Chart" was a requirement of a Subdivision Plan, not a Site Plan.

Mr. Barnes said the calculations still had to be done, regardless of the applicability of the Hall Chart. Atty. Westgate said Mr. Basso had done the calculations. Mr. Hall expressed agreement with Chairman Barnes regarding the need for the Hall Chart, adding that he did not see those density calculations on the plan. Mr. Basso said there would not be a problem providing that information. Mr. Hall said that was one of the first hurdles to get over.

Mr. Russo expressed concern about the number of lots being proposed. He said crossing the wetlands on Westwood Circle would not be of benefit to anyone, adding that he thought the number of lots could be reduced by five lots. He said he thought it was easier to sell manufactured homes to persons of 55 years of age or older. He said it had been his experience that there was not much of a difference between condo-style



and rental-style manufactured home communities. He concluded by expressing concern about encroachment into the wetlands.

Ms. Stewart referenced the Ledgewood development in Manchester, asking if that were the same manufacturer. (No response was noted.)

Selectman Maddox said he thought West Ridge Circle should go, adding that he could live with the cul-de-sac length.

Mr. Hall referenced an earlier discussion regarding long cul-de-sacs, saying he did not see specification for the roadways shown on the plan. He referenced the Shepherds Hill development, noting that the roadways had ended up being close to the Town standards. He said construction standards had never been discussed regarding construction standards for projects such as the one being proposed, but the Planning Board had to be concerned with safety issues. Mr. Basso said that the road width on a couple of developments he had worked on had ended up being 24 feet wide, with curbing and sidewalks, saying the Town standard had been used for the roadways. He said the current proposal was similar, with the only difference being that open drainage was being considered.

Mr. Hall referenced Lockwood Place, saying that open drainage could be an issue. Mr. Basso said he did not totally disagree with Mr. Hall.

Chairman Barnes noted that there were members of the public in attendance, and he opened the meeting for their input.

Mr. Eric Chafe, 73 Pelham Road, said he objected to the number of proposed dwellings. He said Pelham Road was like the Indianapolis Speedway at times, adding that the project appeared to be a glorified trailer park.

Ms. Carolyn Wood, 17 Hilindale Drive, said she was concerned about water problems.

Chairman Barnes said the next step would be to file a complete application. Atty. Westgate said that could not take place until the wetlands special exception process had been completed. Atty. Westgate said it would help if the road system would work: loop versus cul-de-sac. Mr. Basso suggested a deferral so that more discussion could take place.

Chairman Barnes suggested staying out of the wetlands buffer as much as possible.

Mr. Cashell suggested a hybrid drainage system. He said the plan met the zoning requirements.

Selectman Maddox moved to defer this item date specific to the December 12, 2007, Planning Board Meeting. Mr. Hall seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members voted in favor and Chairman Barnes declared the motion to have carried (5-0).

Chairman Barnes declared a break at 9:01 p.m., calling the meeting back to order at 9:19 p.m.

Ms. Quinlan returned to her regular position as a voting member of the Planning Board, and Chairman Barnes seated Mr. Carroll in place of the absent Ms. McGrath at this time.

## XI. NEW BUSINESS/PUBLIC HEARINGS (CONTINUED)

### A. Nour Site Plan SP# 10-07

Map 234/Lot 41  
288 Lowell Road

**Purpose of plan: To propose a change of use site plan of an existing two-family residence to office/retail space. Project includes access and parking improvements. Application Acceptance and Hearing.**

Mr. Cashell said the plan was ready for Application Acceptance.

Selectman Maddox moved to approve Application Acceptance. Ms. Quinlan seconded the motion.

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

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, posted the **Master Site Plan, Nour Site**, dated August 3, 2007, and last revised on September 12, 2007. Mr. Basso said the plan was to change the use from residential to office/retail. He said the garage would be used as a garage. He said no additional clearing was being proposed except for a small area which would have to be disturbed for the drainage system. He said there would not be any left turns allowed out of the site, noting the Route 3-A highway was divided in that area. He said it basically would be right-in/right-out. He said there were no wetlands or wetlands buffers on the site, adding that the existing septic system would easily accommodate the proposed uses.

Mr. Basso said three waivers were being requested: noise, fiscal, and HISS. He said there were two existing driveways, adding that DOT had issued the curb-cut permit. He said the landscaping would be improved.

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

Mr. Richard Cockerline, 4 Davenport Road, an immediate abutter, said he did not have a problem with the proposed changes.

Mr. John Hill, 2 Davenport Road, said he was in favor of the project.

Chairman Barnes asked a second time for public input and comment, in favor or opposition. No one coming forward to provide input, Chairman Barnes asked the Board members for questions and comments.

Mr. Carroll suggested making access one-way-in and one-way-out. Mr. Basso said he would accept that as a condition.

Mr. Carroll questioned the location of the handicapped parking. Mr. Basso said there was a step to get into the building from the proposed handicapped parking places. Mr. Patrick Colburn, of Keach-Nordstrom, explained that the handicapped entrance was at grade.

Selectman Maddox referenced the parking space count, noting that there would only be one customer space if a space were used by an employee. Mr. Basso said the garage spaces could be used by the employees. Selectman Maddox said a maximum of three cars could be displayed.

Mr. Hall asked what sheet would be recorded. Mr. Basso said Sheet 1 was usually recorded. Mr. Hall said that Sheet 1 did not mention office/retail, adding that no dimensions were shown on the sheet. Mr. Hall asked how the office/retail space was calculated. Mr. Basso said that would be done. Mr. Basso said the garage was just a garage, adding that the office/retail space was in the existing house. Mr. Hall asked about the calculation of the garage parking spaces. Mr. Basso said that was not done because the garage was two parking spaces. Mr. Hall said there were eight parking spaces required and eight shown, and he asked if Mr. Basso were suggesting two more garage parking spaces. Mr. Basso concurred. Mr. Hall said that was not indicated on the plan; Mr. Basso said they could be added. Mr. Hall said it looked like a lot of work had to be done.

Mr. Hall asked about the CAP fees. Mr. Cashell said only two new vehicle trips would be produced by the change of use. He said the applicant had suggested a CAP fee of \$1,708.00 but added that a CAP fee was based on the traffic calculations.

Mr. Hall said he was uncomfortable with the amount of space that could be expanded into other uses.

Mr. Carroll said he did not understand where the office space would be. Mr. Basso explained the layout of the building, adding that notes could be included on the plan to cover the Board members' concerns.

Selectman Maddox asked about the overhead car port. Mr. Basso said that was a carport and would probably be used as a deck. Selectman Maddox asked about egress from the building. Mr. Basso said that would be done. Selectman Maddox asked about the width of the hallways. Mr. Basso said he guessed the Town building codes would be followed, adding he felt the Fire department would only be looking at circulation.

Mr. Cashell verified that the Fire Department had been consulted, adding that an improved sprinkler system might be required.

Selectman Maddox said the plan was a little fuzzy.

Mr. Cashell asked Mr. Basso if cars would be repaired on site. Mr. Basso responded in the negative. Mr. Cashell asked how many cars would be displayed on the site. Mr. Basso said there would be a maximum of three vehicles displayed on the site.

Mr. Russo asked about the street sign. Mr. Basso said he would provide the details of the sign.

Mr. Stewart asked how the cars would be delivered to the site. Mr. Octav Nour, the applicant, said the cars would be driven to the site.

Mr. Barnes referenced the sheds, asking what the intent would be regarding them. Mr. Basso said they would be left as is. Mr. Barnes said he felt the sheds should be moved out of the setback.

Mr. Barnes noted that traffic from the north would have to do a U-turn at the intersection to enter the site, saying that was not a safe situation.

Mr. Hall said he had voted against the House of Pizza because of the sheds on that plan being in the setback, saying he would have to vote against this plan unless the sheds were moved so that they were in compliance.

Mr. Carroll asked what the impact would be on the number of parking spaces if the garage were not included in the calculation. He said he was concerned about the space—i.e., the garage—which was not specified on the plan. He suggested thinking about other uses that the applicant might want in the future and putting them on the plan now, including the required parking spaces, so the applicant would not have to come back to the Planning Board later on. Mr. Basso said this was what Mr. Nour had said he needed. Mr. Cashell said the site was a 1.4-acre lot in the business zone, saying this was a limited use.

Mr. Hall said he would be looking for a CAP fee based on square feet. Mr. Cashell said it was a non-impacting use. Mr. Hall referenced the CAP fee process, saying that this case was no different than any other case.

Selectman Maddox moved to defer this item date specific to the November 14, 2007, Planning Board Meeting. Ms. Stewart seconded the motion.

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

**B. Proposed Amendments to Section 334-22 – Table of Permitted Accessory Uses – of the Zoning Ordinance.**

Chairman Barnes noted that the amendment had not been posted as scheduled and would have to be re-posted.

Selectman Maddox moved to have staff prepare for the November 14, 2007, Planning Board Meeting a public hearing notice on the proposed amendments to Section 334-22, *Table of Permitted Accessory Uses*. Mr. Carroll seconded the motion.

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

**C. Proposed Amendments to Section 275-8(30) (c) – Location of Loading Spaces – of the Planning Board’s Site Plan Review Regulations.**

Mr. Russo suggested that the Board put this amendment through and then clarify the definition of the word “facade.”

Mr. Hall suggested changing the wording to say it in English and then have the Public Hearing. Selectman Maddox expressed agreement.

The Planning Board members discussed text changes, and Mr. Russo then moved to defer this item date specific to the November 14, 2007, Planning Board Meeting, and for it to be re-advertised for a public hearing. Mr. Carroll seconded the motion.

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

**XII. OTHER BUSINESS**

Chairman Barnes referenced a list of topics Mr. Cole had wanted to discuss at tonight’s meeting, and he suggested that the topics be discussed at the next Planning Board workshop.

Chairman Barnes referenced the report on Constitution Drive. Selectman Maddox noted there had been some modifications on what the Board had voted on.

Mr. Hall said he was still concerned about who would accept the street as a public street. Selectman Maddox said he had talked with the Town Engineer, adding that this was no different than any other case. Mr. Hall concurred. Ms. Quinlan suggested that the Planning Board read the report and discuss it at the next Planning Board workshop. Mr. Carroll asked if it were the intent of the \$14,600 to cover that activity as part of what was considered maintenance, or was it something that was independent of the \$14,600. Mr. Cashell said it was independent of the \$14,600.

Chairman Barnes referenced the letter concerning Flagstone Drive. Mr. Cashell said that letter was addressed specifically to Chairman Barnes, noting that no one else had gotten a copy of it. Chairman Barnes said the letter was a request to make a change to the site plan. He said he thought the Board should take a look at it. Mr. Cashell recommended the applicant be asked to come before the Board to make his request.

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**XIII. ADJOURNMENT**

All scheduled items having been addressed, Ms. Stewart made a motion to adjourn. Selectman Maddox seconded the motion.

**VOTE:** Chairman Barnes called for a verbal vote on the motion. All members voted in favor.

Chairman Barnes then declared the meeting to be adjourned at 10:18 p.m.

Date: October 29, 2007

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James Barnes, Chairman

J. Bradford Seabury, Recorder

\_\_\_\_\_  
Vincent Russo, Acting Secretary

Transcribed by:  
Joseph F. Hemingway and J. Bradford Seabury

These minutes were accepted as submitted following review at the Planning Board meeting of 12-05-07.