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**HUDSON PLANNING BOARD
MEETING MINUTES
January 24, 2007**

I. CALL TO ORDER

Chairman Barnes called this Planning Board meeting to order at 7:09 p.m. on Wednesday, January 24, 2007, in the Town of Hudson Community Development Conference Room .

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

Members

Present: James Barnes, George Hall, Marilyn McGrath, Vincent Russo, Suellen Quinlan, Richard Turcotte, and Richard Maddox (Selectmen's Representative).

Members

Absent: None. (All present.)

Alternates

Present: William Cole and Ken Massey (Selectman's Alternate Representative).

Alternates

Absent: Brion Carroll (Excused) .

Staff

Present: Town Planner John Cashell , and Assistant Town Planner Cynthia May

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Barnes noted that no alternates needed to be seated , as all regular members were present .

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V. MINUTES OF PREVIOUS MEETINGS

Chairman Barnes noted that there were no minutes to review at tonight's meeting.

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. Wasson Heights Surety

Map 217/Lot 3

Reference memo from Tom Sommers to John Cashell, dated January 2, 2007.

Mr. Russo moved to reduce the surety for the Wasson Heights OSD Subdivision from \$316,500.00 to \$120,000.00, with the provision that said surety shall be established in the form of a Hampton -style letter of credit or cash deposit held by the Town. Ms. McGrath 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).

VIII. OLD BUSINESS

**A. Aranco Oil Company
SP# 15-06**

**Map 198/Lot 025
72 Lowell Road**

Purpose of Plan: To modernize the existing property and site with a renovated building. Converted from repair garage to convenience store with car wash and new canopy. Hearing. Deferred Date Specific from the December 13, 2006, Planning Board meeting.

Chairman Barnes read aloud the published notice, noting that the applicant had requested a deferral. Town Planner Cashell said the applicant had requested a referral date of February 28, 2007, not February 14, 2007, as stated on the staff report.

Mr. Russo moved to defer further review of the Aranco Oil Co. Site Plan application, at the request of the applicant, date specific, to the February 28, 2007, Planning Board meeting. Ms. McGrath 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. J. Bradford Seabury , a member of the Zoning Board of Adjustment, raised a point of order , stating that the reference to the variance given by Zoning Board of Adjustment only gave the main part of the motion, not the stipulations. In the past, he said, stipulations had been included. He inquired as to whether the entire motion was supposed to be included on a plan , and he suggested that including the entire motion should be made part of the Planning Board regulations if that were not already the case. Mr. Cashell said the entire motion had been included in the original staff report. Chairman Barnes expressed agreement with Mr. Seabury .

IX. NEW BUSINESS/PUBLIC HEARINGS

A. Kara's Crossing SB# 14-06

Map 186/Lot 020
75 Speare Road

Purpose of Plan: To subdivide the existing residential parcel into 10 single-family lots with individual water and septic services. Application Acceptance and Hearing.

Chairman Barnes read aloud the published notice. Mr. Cashell noted that Kara's Crossing was ready for Application Acceptance , but he suggested that the Board defer further action until the February 28, 2007, Planning Board meeting.

Mr. Russo asked if the plan were the current one . Mr. Maynard said he had submitted a plan for CLD to make comments.

Selectman Maddox moved to accept the Kara's Crossing Subdivision application . Ms. McGrath 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. Richard Maynard, Professional Engineer, of Maynard & Paquette, Engineering Associates, LLC, appearing before the Board as the engineering representative of the applicant, said Kara's Crossing was a 44 -acre parcel on the east side of Speare Road , situated in the G-1 zone. He said the proposal was for a 10 -lot subdivision on a 960 -foot cul-de-sac road. He said the road had been approved by the Fire Department . Mr. Maynard posted the plan titled Kara's Crossing, 75 Speare Road, Tax Map 186, Lot 20, and dated December 6, 2006, on the meeting room wall.

Mr. Maynard referenced Drawing 2, noting that all the lots met net area requirements . He said the lots would be served by private well and septic, adding that

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the wetlands had been mapped by a certified wetlands scientist . He said there were waivers requested on the plan , adding that there was an existing home on the property that would be razed or removed . He said CLD's comments had been received.

Chairman Barnes 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 Barnes asked the Board members for comments and questions.

Ms. Quinlan said she was familiar with area, adding that her main concern was a very sharp curve beyond the property . She said the curve was not of regulation width . She said that the curve needed to be straightened out in order for her to vote in favor of the plan . Mr. Maynard said the road was fully -accepted by the Town , and he argued that the burden of straightening out the curve should not fall on his client.

Mr. Russo asked if the net area included the wetland buffer. Chairman Barnes said that was correct.

Selectman Massey said the plans for Lots 20 -5 through 20 -9, and Lot 10 and Lot 20-1 should include a delineation of the wetlands buffer with appropriate signage , as indicated by the Conservation Commission , and that every owner of the property should be given a document relative to the stewardship of the wetlands areas/ponds . Ms. McGrath said Lots 20 -4 and 20-3 also bordered wet lands. She said the deed should contain specific language regarding stewardship.

Ms. McGrath asked that Mr. Cashell verify that the letter from the Fire Department was talking about Kara's Crossing . Mr. Cashell verified that the letter referred to Kara's Crossing.

Selectman Maddox asked about the relocation of the existing house . Mr. Maynard said the house would be relocated or demolished and a new house would be built on the lot that Selectman Maddox had referenced . He said he was fairly certain the building permit assumed the current house would be demolished.

Selectman Maddox said the subdivision was very creative , adding that he felt there were a lot of lots for the amount of wetlands.

Mr. Hall said CLD had suggested that a waiver be requested for the cul-de-sac. Mr. Maynard said the cul -de-sac had a radius of 75 feet, meeting or exceeding the Town's requirements . Mr. Hall and Selectman Maddox said the waiver should be requested.

Mr. Maynard said he did not know what the conservation language referenced by Selectman Massey was all about . Selectman Massey said there was at least one other plan in Hudson where conservation language had been used to protect the wetlands and that the lot owners had been made aware of their stewardship responsibilities. Ms. Quinlan said the Conservation Commission had not seen this. Mr. Maynard said signs could be put in areas where the wetlands buffer fell within the limits of the property.

Mr. Maynard said he could have extended the cul -de-sac.

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Selectman Maddox asked if Mr. Maynard had done Copper Hill estates . Mr. Maynard answered in the negative . Selectman Massey said conservation signs had been erected on that site.

Ms. McGrath referenced a building permit , dated June 14, 2006, noting that it did not say the original house would be demolished . Mr. Cashell said the building for the four - bedroom house identified the dog kennel.

Mr. J. Bradford Seabury reported that he knew of at least two sites where the Conservation Commission had posted signs, adding that the new owners had soon gotten rid of those signs , and he would be curious to hear what the Planning Board could do to prevent that from happening in the future . Selectman Maddox noted a fence was put up at Copper Hill to delineate the wetlands . Selectman Massey expressed agreement, adding that the special language should be recorded with the deed.

Chairman Barnes asked if Mr. Maynard had considered an open space development . Mr. Maynard said his client and the owner would rather do a straight subdivision, adding that an open space development would not work well on this site.

Chairman Barnes referenced Lot 20 -6, noting that the table indicated a wetlands calculation of 0.28 acre, a total area of 2.2 acres, and a buildable area of 2 acres. He commented that the lot would be non -conforming if the wetlands calculation were under estimated . Mr. Maynard asked what Chairman Barnes's point was, adding that he was certain the calculations were correct . Selectman Massey said he did not see where a wetlands soil scientist had mapped the wetlands . Mr. Maynard said he had not brought the wetlands soil scientist's drawing with him . Ms. McGrath said the wetlands area could be verified by CLD. Mr. Hall suggested that the plan should be stamped by the wetlands soil scientist . Mr. Maynard and Chairman Barnes expressed agreement.

Chairman Barnes referenced Sheet 3 for Lot 20 -6, asking how the lot would drain . Mr. Maynard said the lot would not drain, adding that it would infiltrate , because it was in a pocket.

Selectman Maddox said Mr. Maynard was confusing the Planning Board with legends that used the same delineation for the setbacks and for the edge of wetlands . Mr. Maynard acknowledged that it could have been done better.

Ms. Quinlan noted that CLD had concerns with sight distance information on the plan. She added that she did not think Mr. Maynard could meet the sight distance requirements . Mr. Maynard said the sight distance requirement would be met.

Ms. Quinlan expressed her belief that there were too many lots being proposed , given the amount of wetlands on the site . She said the Planning Board had to make determinations under HTC 275 -3. She said she was very familiar with the curve on the road, saying that to add more traffic on the road would be dangerous . Until CLD was comfortable with the access to the development, she said, she could not vote in favor of the plan . Mr. Maynard said Ms. Quinlan was way ahead of the process, adding that her concern would be appropriate for the next meeting . He said Speare Road was an existing Town road and it would be the Town's responsibility to correct the configuration problem . He said the Town would be liable if someone were hurt as a result of the

condition of the road . Ms. Quinlan said she did not appreciate what Mr. Maynard had said. She said his client had a house and a dog kennel on the site and was proposing another house without going before the Planning Board for a lot -line relocation . Mr. Maynard said that was neither here nor there, adding that the existing house was going to be removed.

Mr. Cole asked if the unsafe condition of the road had been brought to the attention of the Town's Highway Safety Committee . Ms. Quinlan said she was not aware that it had happened , adding that it became unsafe about three years ago when it was first paved—adding that the road had become a shortcut . Mr. Cole expressed a belief that Selectman Maddox and/or Selectman Massey should raise the issue with the Highway Safety Committee . Selectman Maddox noted that Mr. Hall sat on that commission. Selectman Massey said he would forward that concern to the commission as an action item. Selectman Massey expressed agreement with Ms. Quinlan . Ms. McGrath suggested getting information regarding that stretch of road from the Police Department. Mr. Hall said that was information the Planning Board should have . Chairman Barnes asked Mr. Cashell to get that information from the Police Department.

Selectman Maddox referenced Lot 20 on Page 2 . He said the wetlands scientist needed to stamp the plan , because several of the lots would be non -conforming if the wetlands calculation were incorrect.

Mr. Russo referenced Lot 20, noting that lot -line angles of 45 degrees or less were not allowed . Mr. Maynard said that section of the regulations applied to straight lines, not curves, adding that he would reconfigure the lots if Mr. Russo would tell him how to apply the regulation.

Mr. Barnes suggested getting input from the Conservation Commission . Selectman Massey said the next meeting of the Conservation Commission was February 12, 2007. Mr. Maynard asked if the Planning Board would make sure that happened . Chairman Barnes answered in the affirmative.

Ms. McGrath said the Planning Board needed verification of the letter from the Fire Department , dated December 12, 2006 . She said the Board needed to be sure that the letter was referring to Kara's Crossing, that the plan had been reviewed and approved by the Conservation Commission, that certification of soil mapping was stamped by licensed soil scientist, that review of Speare Road by the Highway Safety Committee had been done , that accident and enforcement data for Speare Road from Hudson Police Department had been received , and that the wetlands calculations had been confirmed by CLD.

Mr. Cole asked if the deferral date should be delayed until after the Highway Safety Commission had a chance to look at the section of road in question . Mr. Hall said the commission was scheduled to meet in February, suggesting that the Board of Selectmen said the commission was scheduled to meet in February, suggesting that the Board of Selectmen send a letter of concern to the commission.

Ms. McGrath moved to defer further review of the Kara's Crossing Subdivision Plan, date specific, to the February 28, 2007 meeting. Ms. Quinlan seconded the motion.

Mr. Russo said he wanted the applicant to know that his opinion was that the proposal was too much . Ms. McGrath expressed agreement.

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. Golen Subdivision
SB# 15-06**

**Map 241/Lot 035
17 Dracut Road**

Purpose of Plan: To subdivide the existing 5.908-acre parcel into two lots. The remainder lot will consist of the existing structures, and the new lot will be for Mr. Golen's house. Application Acceptance and Hearing.

Chairman Barnes read aloud the published notice. Mr. Cashell said the application was ready for Application Acceptance.

Ms. McGrath moved to accept the 17 Dracut Road (Map 241/Lot 35) Subdivision application . 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 A. Marcotte, PE, of the firm of Bedford Design Consultants, representing the applicant, posted the Golen Subdivision Plan, dated October 27, 2006, on the meeting room wall . He identified the property, noting the owners wanted to put their home on the property . He said the property was in a split zone, adding that he had asked Director Sullivan for his opinion of the situation. He said the owners had their business on the property , noting there were also two other businesses on the property.

Ms. McGrath referenced Note 5 on Page 3, the proposed driveway within the wetlands buffer . She asked if the plan would need to go before the Zoning Board of Adjustment first. Mr. Marcotte said Director Sullivan had said that was not required for a driveway on a single lot . He said the applicant had been before the Conservation Commission for the driveway, adding that the Conservation Commission had approved the plan . He said the plan would be on the Zoning Board of Adjustment 's agenda for a Wetland Special Exception . Ms. McGrath said she did not doubt anything Mr. Marcotte had said , but the plan showed that the driveway would disturb the wetlands buffer, adding she would not feel comfortable approving this plan before it went before the Zoning Board of Adjustment for a Special Exception . She said she felt the applicant had been misled . Mr. Marcotte said he would be willing to take the driveway off the plan for the time being . Chairman Barnes said to leave that for the moment , and he suggested that Mr. Marcotte complete his presentation.

Mr. Marcotte said the plan was pending with the Department of Environmental Services. He said CLD's comments had been received, noting the comments were

minor. He said there were two access locations on the site, adding that the north end had been chosen.

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

Mr. Trevor Regis, 18B River Road, expressed concern about where the house would be located. Mr. Marcotte explained where the house would be located. Mr. Regis asked how the septic system would affect his well. Mr. Marcotte said the septic would not affect Mr. Regis's well.

No one else coming forward to provide input, Chairman Barnes asked the members of the Board for comments or questions.

Selectman Massey suggested that the folks who lived on River Road should contact the Town Engineer to find out about connecting to the Town water supply. Mr. Regis said the cost of connecting would be astronomical.

Selectman Maddox noted this would be the third driveway on the lot. Mr. Marcotte said the other driveway would be on a separate lot. He said the Department of Transportation had requested that the width of the roadway be reduced to no more than 50 feet, adding that his client had agreed to that request.

Ms. McGrath moved to defer further review of the Golen Subdivision. Mr. Marcotte suggested taking off the driveway so the plan could move forward. Mr. Hall said the only access to the subdivision was through the wetlands, adding that he did not see how taking the driveway off the plan would change anything. Mr. Marcotte suggested that the Planning Board discuss the plan with Director Sullivan, and he then suggested deferring until March 28, 2007, Planning Board meeting.

Ms. McGrath moved to defer further review of the Golen Subdivision, date specific, to the March 28, 2007, Planning Board meeting, so that the applicant could obtain a Wetland Special Exception from the Zoning Board of Adjustment for the driveway within the wetland buffer. Mr. Hall seconded the motion.

Mr. Russo asked if the Planning Board wanted to specify a preferred location for the driveway. Mr. Marcotte said the Conservation Commission had requested that the driveway be moved as far to the left as possible without being within the side setback, adding that the applicant had agreed to that request. Mr. Hall asked if the driveway would be at the edge of the setback, noting that would not be an issue. Mr. Marcotte asked if the radius could be in the setback. Mr. Hall stated that in his opinion it could be.

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).

Chairman Barnes declared a break at 8:34 p.m., calling the meeting back to order at 8:54 p.m.

X. CONCEPTUAL REVIEW ONLY

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

XI. OTHER BUSINESS

A. Election of Officers

Chairman Barnes stated that the Board would proceed with the election of officers.

Ms. Quinlan nominated James Barnes to be Chairman. Mr. Hall noted that no second was required for a nomination motion, and he moved that the nominations be closed. No other nominations were brought forward.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members voted in favor except for Chairman Barnes, who abstained. Chairman Barnes then declared the motion to have carried (6 –0–1).

Ms. McGrath nominated Suellen Quinlan for the position of Vice Chairman. Selectman Maddox moved to close the nominations. Mr. Turcotte seconded the motion.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members voted in favor except for Ms. Quinlan who abstained. Chairman Barnes then declared the motion to have carried (6-0-1).

Ms. Quinlan moved for Marilyn McGrath as Secretary. Selectman Maddox moved to close the nominations. Mr. Russo seconded the motion.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members voted in favor except for Ms. McGrath, who abstained. Chairman Barnes then declared the motion to have carried (6 –0–1).

B. Discussion - Issues and Concerns, River Place Development

Selectman Maddox said he had looked at the drawings, adding that the residential housing was shown on the plan and that, as such, he could not see how the Board could accept the plan. He said the plan showed both Phase 1 and Phase 2. He suggested that the Planning Board request a zoning determination from Director Sullivan. Selectman Masey said the Board of Selectmen was going to request that the Planning Board look into the matter. Ms. Quinlan said she felt that the Conservation

Commission would request to intervene with regard to the DES permit —specifically, the dredge and fill permit.

Mr. Russo noted that the Planning Board was seeing the plan early, and he asked if Mr. Cashell were surprised to see the housing on the plan. Mr. Cashell said he was not surprised, adding it had been part of the proposal all along.

Mr. Barnes asked Mr. Cashell to review the application process, to explain what happened to a plan before it went before the Planning Board. Mr. Cashell said he would normally meet with the applicant in preparation to completing the application, adding that everything would be date stamped. He said the plans would be dispersed to CLD (and other consultants), the Police Department, the Fire Department, and the Department of Public Works while he was in the process of reading through the materials submitted. He said the applicant had submitted a Site Plan application and a Subdivision application that included a detailed interior road layout. After he made sure everything was in order, he continued, he would inform the Board that the application had been submitted.

Mr. Cashell stated that, because of the volume involved, the applicant had requested in writing for the opportunity to go before the Board to explain the plan and inform the Board as to how the applicant wished to proceed with the entire application process. He said there were a number of wetlands crossings and that the applicant had requested that the Zoning Board of Adjustment review the wetlands Special Exception request at the same time the Planning Board was reviewing the Site Plan and the Subdivision Plan. He commented that this process, for the application, was different than the normal application process.

Selectman Massey said it was his understanding that a plan must meet all zoning and site plan regulations before it could be submitted to the Planning Board, adding that waivers could be requested on the Site Plan. Selectman Massey said the Board of Selectmen would be asking the Planning Board if the plan showed a non-permitted use—and, if so, would the plan be able to be accepted by the Planning Board.

Ms. Quinlan said she understood that, because of the vast nature of the plan, the applicant probably wanted to shorten the time frame; she said she felt the applicant would have to go through the process just like any other applicant, however. Ms. McGrath suggested the question should be proposed to the Town Attorney, and she also suggested that the Master Plan might be able to be broken into smaller plans.

Mr. Cashell said the applicant would not resubmit the application pertinent to Phase 1. He said the Phase 2 Site Plan would be submitted at some time in the future. Mr. Cashell said Director Sullivan was going to be bringing Atty. Buckley into the process during the next few weeks. He referenced Atty. Westgate's 12-page letter, saying the Planning Board would have to vote on the requests contained in the letter. He also referenced a letter from Atty. Westgate that explained both the fees involved and also the waivers being requested with respect to the standard application fee structure. He said the Planning Board was not under the gun right now, adding that Mr. Kennedy would like to address the Board at a workshop so he could explain what Vanasse Hangen Brustlin, Inc. felt should be done.

Mr. Cashell said the applicant also wanted the opportunity to address the Board to go over the project. He said Atty. Buckley's written recommendation might be ready before that time.

Ms. McGrath asked if an amended process would be reviewed by Atty. Buckley. Mr. Cashell answered in the affirmative.

Ms. McGrath asked about the seven lots. Mr. Cashell said the seven lots would be for Phases 1 and 2.

Ms. McGrath noted that she had previously suggested someone outside the Planning Board should write a letter specifying the duty of the Board. She said there was a perception by the public that the Planning Board could deny the plan just because the Town might not like the plan. She said the public needed to know what the various Boards could and could not do. Mr. Cashell said that letter was being worked on; adding that he felt it was near completion. He said the letter would be an agenda item and would need the Board's endorsement.

Selectman Maddox said that the Board of Selectmen had been talking about what the Town could or could not do. He said it would create difficulty if the Planning Board let the applicant vary the process, and he expressed a belief that the Planning Board should ask for a determination from the Zoning Administrator as to whether the submitted package was correct.

Mr. Cole said the applicant used terms like "Phase 1," "Phase 2," and "Phase 3." He said the Planning Board should look at everything the applicant was proposing to do over the next 20 years, arguing that things needed to be looked at with regard to the entire 20-year buildup.

Ms. Quinlan said she was concerned about letters regarding conflicts of interest regarding what the developer would pay for. She said she did not want the public to think that the developer was buying its way into Town. She said all the members of the Board cared about the well being of the Town, and she wanted the public to understand the duties and responsibilities of the various Town boards.

Chairman Barnes said the Board had two specific requests for Director Sullivan to review: the housing development at the site and the process itself. He asked when the letter would be ready. Mr. Cashell said he hoped it would be ready for the February workshop.

Selectman Massey noted that if any structure were greater than 38 feet high, that would need a variance.

Mr. Russo asked how much time Mr. Cashell anticipated spending in meetings with the applicant. Mr. Cashell said CLD was handling sewer capacities, adding that VHB would handle everything else. He said he was scheduled to meet with them at least once a week. He said the project would take up to 50 percent of the average day — adding that Ms. May's arrival could not have come at a better time. Mr. Russo said all consultants could not possibly know all the details in the way that Mr. Cashell did. Mr. Cashell said he needed to spend time with the consultants before the plans were handed out.

Mr. Cashell said the pressure actually started in 2005. He said he did not want big box stores in people's back yards but they were still there. He said he felt good about VHB, adding that he thought Mr. Kennedy was on the side of the Town —adding that no one could have envisioned two golf courses comprising 375 acres turning into this project.

Mr. Russo asked if the plan being proposed as Phase 1 were the whole plan or just a portion of the plan. He then said he thought the Board would get a Master Plan. Mr. Cashell said Phase 1 and Phase 2 combined were the Master Plan, noting that each phase was shaded differently. Selectman Massey said accepting that meant accepting the defacto that that would be the plan that would be presented to the Board. Mr. Cashell said Atty. Buckley's letter would clarify that. Mr. Russo said the Master Plan should be submitted as a conceptual first. Town Counsel said the applicant had done that in September. Mr. Russo expressed disagreement, contending that the bubble diagrams did not constitute a conceptual. Mr. Cashell said the applicant had submitted the documents and the Town needed Atty. Buckley's opinion.

Selectman Maddox said the Board of Selectmen had discussed the roads, adding there were 31 intersections involved. He said he was asking for the Planning Board to work with the Board of Selectmen regarding roads, etc. Chairman Barnes asked how that would work. Selectman Maddox said he would take parts of the Planning Board's minutes to the Board of Selectmen to review and comment on. He said the two Boards needed to work as a team.

Mr. Cashell recalled the process used for the Burlington Mall, noting the mall road was one of the major proposals proposed to alleviate traffic around the mall. He said the Planning Board could get ideas for roads by looking at other areas, and he expressed a belief that VHB was engrossed with the Town of Hudson's concerns. He said the area was the Number 1 growth area in New England and that the Board needed to determine how to protect the area.

Mr. Barnes noted that Mr. Kennedy had requested to attend the next Planning Board workshop to discuss the scope of what VHB was intending to study, etc. Mr. Cashell said that would be a formal agenda item. Mr. Barnes asked about the declaration of regional impact, asking if that should be a formal agenda item. Mr. Cashell said might be premature, based on legal feedback. Mr. Barnes asked why that would be premature, pointing out that the Board needed to act promptly, and adding that he thought February would be construed as being prompt. He said the Board was responsible for notifying the NRPC and other communities.

Mr. Hall said he could not believe that the declaration of regional impact needed to be made upon the submission of the application. Chairman Barnes said the RSA stated that it must be done upon the receipt of the application. Mr. Hall questioned how the Planning Board could know what the application would be before it received it. He said he believed "acceptance" would be needed before regional impact could be determined. Chairman Barnes noted that communities needed to be notified 14 days before public hearing. Mr. Hall responded that most planning boards do not schedule public hearings until after a plan was accepted. Chairman Barnes said this question

should be submitted to Atty. Buckley. Mr. Cashell suggested that other communities should be told they could come look at the plans.

Ms. Quinlan asked about the letter in the packet concerning Route 102. She asked if the Planning Board wanted to respond to that letter. Ms. McGrath said the Town was in trouble if the NH Department of Transportation did not know how River Place would impact the regional impact system. Ms. Quinlan said the DOT had not been paying attention. Ms. Quinlan suggested that Chairman Barnes respond to the letter, and Chairman Barnes said he would do that.

Mr. Cole asked Chairman Barnes to review the sequence of the process, adding that as far as he was concerned, the documents did not exist. Chairman Barnes discussed what Mr. Kennedy was doing. He said the consultants needed some time to look at the documents and that the applicant might want to make some revisions before the Board got to Application Acceptance.

Mr. Cole asked what Mr. Kennedy's title was, asking if he were a project manager or a traffic manager. Selectman Massey said the Board of Selectmen had hired VHB to be the Town's consultant, adding that Mr. Kennedy was the project manager. Selectman Massey noted that VHB had contracted with an economic consultant with regard to the fiscal impact study. Selectman Massey said the Board of Selectmen had told Mr. Kennedy that the Board of Selectmen expected an extensive response, not a yes or no response.

Mr. Hall asked about CLD's responsibility. Mr. Cashell said CLD would only be involved with the sewers.

Mr. Russo said he had thought CLD would handle the individual site plans for each individual site. Mr. Cashell said that was not the case, saying that VHB would do that.

Mr. Russo expressed concern that the Planning Board had used CLD for a long time, adding that CLD was very familiar with Hudson's rules and regulations. Mr. Cashell said VHB would be dealing with everything other than the sewers.

Ms. McGrath pointed out that it had been the Board of Selectmen, not the Planning Board, that had made the decision to hire VHB to be the Town's consultant.

Selectman Maddox noted that the annual NRPC legislative forum would be held on the following day.

XII. ZBA INPUT ONLY

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

XIII. ADJOURNMENT

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

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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 10:12 p.m.

Date: February 28, 2007

James Barnes, Chairman

J. Bradford Seabury, Recorder

Suellen Quinlan, Secretary

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