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**HUDSON PLANNING BOARD
MEETING MINUTES
November 15, 2006**

I. CALL TO ORDER

Chairman Barnes called this Planning Board meeting to order at 7:42 p.m. on Wednesday, November 15, 2006, in the Town of Hudson Recreation Department Building, following a previously scheduled client -attorney session with Town Attorney Stephen Buckley .

II. PLEDGE OF ALLEGIANCE

Chairman Barnes asked Ms. Quinlan 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, and Richard Maddox (Selectmen's Representative).

Members

Absent: None. (All present.)

Alternates

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

Alternates

Absent: None. (All present.)

Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATE S AND ANNOUNCEMENTS

Chairman Barnes seated Mr. Cole in the open Planning Board member position that had been created by Mr. Rider's resignation .

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 October 11, 2006, meeting.

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

Mr. Cashell stated that there was a handout in tonight's packet from Town Engineer Tom Sommers regarding the sidewalk easement being offered by the applicant.

Mr. Richard Maynard, Professional Engineer, of Maynard & Paquette, Engineering Associates, LLC, appearing before the Board as the engineering representative of the applicant, posted **Site Plan Aranco Oil Company, Map 198/Lot 025, Lowell Road**, dated August 11, 2006, and last revised on October 24, 2006, on the wallboard. Mr. Maynard stated that at the last meeting, a couple of issues were discussed, with one being how the site and landscape would look. Mr. Maynard passed out renderings to the members of the Board. He then noted that Mr. Cashell had made an attempt at determining a CAP fee. He said the ITE manual indicated that new trips into the site would not be changed considerably with the addition of the car wash and convenience store. If trips into the driveway would not change considerably, he argued, then trips in the corridor would not change considerably. He said the predominant feature of the plan was to attract more vehicles from the existing traffic stream. He said he had received a two-page letter from Norway Plans Associates, Inc., Donald Rose, P.E. Mr. Maynard read two sentences from that letter as follows: "It is important to note that nearly all the peak traffic generated by this type of land use is diverted from the adjacent traffic stream. Although the number of vehicles turning into the driveway will increase from the existing volume, there will be no discernible increase of traffic on adjacent roadways."

Mr. Maynard said the applicant had agreed to donate a sidewalk easement to the Town and to build the sidewalk for the Town, which had a potential value of about \$13,500.00. He said the contribution was based on the fact that the applicant would not have to pay any other fees, and he asked that the CAP fee be waived.

Mr. Maynard concluded by stating that the car wash fit nicely on the site, that the three residential abutters were in favor of the project, the used car sales and repair facility would be terminated in favor of the convenience store and car wash, and the canopy was a significant environmental benefit.

Chairman Barnes opened the meeting for public input and comment, in favor or opposition. No one coming forward to provide input, Chairman asked if the members of the Board had any comments or questions.

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Selectman Maddox said he still had a problem with the requirement for a 100 -foot distance to buffer adjacent residential uses. He said the six -foot fence would not do the job of a 100 -foot buffer, declaring that he could not vote for that waiver.

Mr. Turcotte asked about the entrance to the car wash. Mr. Maynard said a driver would have to make up his/her mind about having the car washed by the time the car was third in the queue from the entrance door. He said that was a typical design for a car wash.

Mr. Turcotte asked if there would be a heated apron at the entrance to and exit from the car wash. Mr. Maynard said he had not planned on that.

Selectman Massey said he thought that a driver in the car wash queue would have already paid for the car wash. Mr. Maynard concurred, adding that the ticket for the car wash would not have to be used on the day it was purchased, but could be saved for another time.

Mr. Hall noted that Mr. Maynard had said the rendering was accurate. Mr. Maynard expressed agreement with Mr. Hall's statement. Mr. Hall asked if the sign detail were consistent with the plans. Mr. Maynard agreed that it was different. Mr. Paul Kenney, from Aranco, said the sign would be digital. Mr. Maynard said the sign on the rendering was essentially correct and that the sign on the plan would be changed.

Mr. Hall referenced Atty. Welts' letter of September 19th to Director Sullivan. Mr. Maynard said there were several different signs on the site that would be brought into compliance with the ordinance. Mr. Hall asked if the letter was consistent with the plan. Mr. Maynard said that it was. Mr. Hall said the signs must be proportionate.

Ms. McGrath referenced Note 19, referring to the phrase "No Dunkin Donuts and Krispy Kreme proposed;" She requested the word "proposed" be replaced with "shall be allowed." Mr. Maynard said the applicant had the right to come back to the Board and ask for a drive -through, adding that nothing was proposed at this time.

Ms. McGrath asked about the low traffic volume numbers that Mr. Maynard had stated in relation to the car wash. Mr. Maynard referenced a fax to Mr. Cashell, dated April 6th, and he then reiterated his comments with regard to the trip generation from the ITE manual. He said the changes to the site might attract more vehicles that were already on Lowell Road but would not increase the traffic on Lowell Road.

Ms. McGrath said that Mr. Maynard had indicated that there were a multitude of lush tall plantings behind the building. She asked if Mr. Maynard were intending to plant them, noting that they did not exist today. Mr. Maynard said those were in the background beyond the property line. Ms. McGrath said she was not in favor of the car wash on the property, adding that she thought there was too much on the small site. Mr. Maynard said the applicant was giving up a couple of uses. He said he did not think the site was over -crowded, noting that the green space was increasing from 15% to 22%.

Ms. Quinlan said she did not have a problem with the 100 -foot buffer, or with the car wash, either. She said she did have a problem with tanks and the piping remaining the same, however, and she noted that CLD had questioned that as well. She said she

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was concerned about the stormwater treatment on the site. She said she understood that was grandfathered, but she asked if anything could be done. Mr. Cashell said Town Engineer Sommers would have the final say regarding the tanks and piping. Mr. Maynard stated that the Fire Department and DES had jurisdiction regarding this matter. He said the tanks were not moving, only the gas dispenser. Ms. Quinlan asked why CLD was concerned about that. Mr. Maynard said he had talked to CLD about the issue, saying all the pipes and the tank were double-walled. He said the pipes and the tank were inspected by the Fire Department. Since the repair part of the business was being terminated, he said, the waste oil problem would not exist. He said none of the stormwater would be allowed to run through the dispensing area, adding that the concrete pad would contain minor spills. He said the project would improve the environmental conditions around the site.

Ms. Quinlan said she wanted Mr. Cashell's thoughts regarding stormwater management. Mr. Cashell said he had not had an in-depth discussion with CLD regarding this issue. He then noted that there was no municipal drainage system in that area, however, and that what was being proposed was a vast improvement over what existed on the site now. Ms. Quinlan expressed agreement but said she was still concerned about the brook. She said she would support whatever Mr. Cashell decided as far as the CAP fee was concerned. Mr. Cashell said the Town would introduce proper drainage when the roads in that area were improved.

Chairman Barnes asked how long the queue in the car wash would be. Mr. Maynard said two or three vehicles during the week and up to six on Saturdays. Chairman Barnes asked about the hours of the car wash, noting that he thought being open from 5 a.m. until midnight was a bit long. He asked if the hours of the car wash could be shortened. Mr. Maynard said that was a possibility, and he suggested 7 a.m. until 9 p.m. Chairman Barnes expressed agreement with Mr. Maynard's suggestion.

Mr. Hall asked about existing conditions. He and Mr. Maynard then became involved in a disagreement on the symbols used on the drawing that showed existing conditions on the site. Mr. Hall referenced Atty. Welt's letter regarding the amount of pavement. Mr. Maynard said there would be less pavement in the setback than there was today.

Mr. Hall asked Mr. Maynard if the Fire Department were the first line of defense in the case of a spill. Mr. Maynard said the first line of defense was the canopy and the concrete pad. Mr. Hall asked if the dispensing area would have absorbent material, buckets, etc. Mr. Maynard answered in the affirmative.

Mr. Paul Kenny said the company had a spill-control plan at all of its stations. He said all transport drivers were trained in containment procedures, adding that there was a spill-control plan posted in each station. Mr. Hall noted that there was often only one employee at a site, asking if that person would leave the store to control the spill. Mr. Kenny said a large spill would probably not happen. Mr. Hall asked what would happen if it did happen. Mr. Kenny said the attendant would leave the store to take care of the spill. Mr. Maynard said Aranco had been in business for 50 years, adding the company had an excellent safety record.

Mr. Barnes referenced the request for waivers.

Ms. Quinlan moved to approve the following waivers:

HTC 289-9 D	Fiscal Impact Study
HTC 275-9 C	Noise Study
HTC 275-9 H	HISS Study
HTC 275-9 B	Traffic Study
HTC 275-8 B (31.a)	10% interior parking landscaping requirement
HTC 275-8 B (25)	Allow travel way inside side and rear setback lines
HTC 275-8 B (12.c)	100 -foot distance from residential use
HTC 275-8 B (22)	Front green space requirement
HTC 193-10 G	One driveway

Mr. Russo seconded the motion for discussion. He noted some minor discrepancies on the list versus the plan. Mr. Maynard explained the differences.

Selectman Maddox urged the Board to vote against the list of waivers, noting the noise impact to surrounding residential neighborhood. He said some mitigation was needed.

Ms. McGrath asked about the request for HTC 193 -10G. Mr. Cashell said the request was correct. Ms. McGrath said she would not support the motion.

Ms. Quinlan said she supported the 100 -foot buffer waiver, adding that she did not think extending the operating hours by a couple of hours was a big deal.

VOTE: Chairman Barnes called for a hand vote on the motion. All members voted in opposition except for Ms. Quinlan and Mr. Russo, who voted in favor, and Chairman Barnes, who abstained. Chairman Barnes then declared the motion to have failed (2 -4-1).

Mr. Russo referenced the notes. He said the plan indicated that the direct abutters had been informed, and he asked about the indirect abutters. Mr. Maynard said they were located on the other side of County Road. Mr. Russo referenced the noise in the area. Selectman Maddox said something needed to be done to reduce the noise in the area.

Mr. Hall moved to approve the following waivers:

HTC 289-9 D	Fiscal Impact Study
HTC 275-9 C	Noise Study
HTC 275-9 H	HISS Study
HTC 275-9 B	Traffic Study

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, and Chairman Barnes declared the motion to have carried (7 -0).

Mr. Hall moved to approve the following waivers:

HTC 275-8 B (31.a)	10% interior parking landsc aping requirement
HTC 193-10 G	One driveway

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. Hall expressed agree ment with Selectman Maddox regarding the driveway in the back. He said work needed to be done to reduce the amount of pavement in that area and to improve the buffer in that area. Mr. Maynard said there was no room in that area. Mr. Maynard said if the Board wanted green in the front, the Town could not have sidewalks, adding that was a tradeoff. Mr. Maynard then stated he could make the car wash queue lane U-shaped and get rid of all pavement behind the building, and he could change the parking on the left side so it would be parallel to the street and have seven spaces in that area. Mr. Hall said he would expect more green space on the north and east sides. Mr. Maynard said he would have to look at the plan more carefully. Mr. Barnes asked if the pr oposed change would alleviate the Board's concerns. Ms. McGrath said it would not alleviate her concern about having the car wash on the site. Mr. Barnes said he thought the proposed change would be an improvement.

Selectman Maddox moved to defer further review of the Aranco Oil Company Site Plan application, date specific, to the December 13, 2006 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 decla red the motion to have carried (7 -0).

Chairman Barnes declared a 10 -minute break at 8:57 p.m., calling the meeting back to order at 9:07 p.m.

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**B. Bradley Motors (Addition)
SP# 16-06**

**Map 190/Lot 189
42 Lowell Road**

Purpose of Plan: To construct a 50-foot x 62-foot addition onto the rear of the existing building for internal vehicle display (versus existing outside display) as well as a 5-foot x 8-foot covered entrance/storm enclosure. Hearing deferred date specific from the October 11, 2006 meeting.

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

Mr. Cashell said there were two handouts regarding this plan, one from Mr. Maynard regarding the CAP fee calculation, and one from Town Engineer Sommers that related to this project. Mr. Maynard asked to see Mr. Sommers' memo. Mr. Cashell complied with Mr. Maynard's request.

Mr. Maynard introduced Joe Bradley, Manager. Mr. Richard Maynard, Professional Engineer, of Maynard & Paquette, Engineering Associates, LLC, appearing before the Board as the engineering representative of the applicant, posted **Site Plan, Bradley Motors, 42 Lowell Road, Map 190.Lot 189**, dated August 28, 2006 with no revisions on the meeting room board. Mr. Maynard stated that at the last meeting, there were a couple of issues remaining. He said Mr. Cashell could not do the CAP fee calculation without the ITE manual. He said that Mr. Cashell said there would be four to five trips to the site during peak hours, adding that there would not be anywhere near that number of trips. He said Mr. Cashell had said there would be six service bays, noting that there was one service bay. Mr. Maynard said that the Town itself had generated the sidewalk easement documents. He said this was a model site.

Mr. Bradley said he was just expanding the office area, waiting room, and detail area. He said there would be some indoor storage for cars. He said the bay would be used almost exclusively for an alignment machine.

Mr. Hall referenced the setback buffers. Mr. Maynard said the pavement was in the right side buffer and was what existed today. Mr. Hall asked when that plan had been approved. Mr. Maynard said it was approved in 1997. He said the Town had issued a Certificate of Occupancy—adding that, by issuing the Certificate of Occupancy, the Town had said "Okay."

Mr. Hall referenced the trees on the plan. Mr. Bradley said the trees were there. Mr. Hall noted that they were not shown on the drawing on the north side of the site. Mr. Bradley said all the tree/shrubs were there. Mr. Barnes said one of the stipulations in the draft motion was to require enforcement of the landscape plan from the previous site plan. He referenced Number 4. Ms. McGrath said the plan was not consistent with the plan that the applicant was showing. Chairman Barnes concurred. Mr. Cashell said the plan would have to be revised to include the landscaped area before Board approval. Ms. McGrath asked if that would eliminate the parking of cars inside the setback line. Mr. Cashell expressed agreement. Mr. Maynard said "only on the side, not the front."

Ms. McGrath suggested that the Planning Board find out what the regulation was regarding allowing the display of vehicles within any setback line. Ms. McGrath said

her opinion would be that that would not be allowed. Ms. McGrath said it was a nice looking site but that the display area should not be allowed in the setbacks.

Selectman Maddox said the new plan referenced the original drawing. Mr. Maynard said the Town had said "Okay" to the original plan. Selectman Maddox said Mr. Maynard was referencing a drawing that clearly stated that the green space should be there. Mr. Maynard said it had been allowed to exist since 1997, so he had to assume it was "okay."

Mr. Russo asked if it were fair to assume that Mr. Maynard wanted the plan approved, and he then asked if Mr. Maynard thought a green space waiver would be required. Mr. Maynard said he did not think that waiver would be required.

Mr. Barnes asked if the applicant had a problem with doing the landscaping on the south side. Mr. Maynard said he had no objection to doing that.

Mr. Russo said he wanted to defer the plan. Mr. Maynard said the only issue was the landscaping on the right side. He said everything else matched the approved plan. Ms. Quinlan argued that everything else did not match the approved plan—for example, parking in the setback. Mr. Barnes said the previous plan had parking in the setback but did not have a display area in the setback.

Ms. Quinlan said she was around when the site was an Agway store, and she said there was no parking in the old growth pavement. Mr. Maynard expressed disagreement.

Mr. Cashell quoted site plan review regulation HTC 275 -8-25, as follows: "no parking area or travel way shall be proposed within the area between the side lot lines or rear lot lines and the corresponding setback lines. The Planning Board may allow use of such areas for parking or travel ways provided that an equal amount of frontage green area is added to the minimum green area required or where shared access is required." Mr. Maynard said this was a pre-existing site.

Mr. Russo moved to defer for the Community Development Director to address site plan code violations from the August 1, 1997, plan. Mr. Hall seconded the motion.

Mr. Cole asked what Mr. Russo meant by "address." Mr. Russo said if there were existing code violation, the code enforcement officer would go to the site to get those violations straightened out. Mr. Cole suggested that "address" might not be the word to use in the motion. Mr. Russo said he would change "address" to "bring up to compliance." Mr. Hall concurred.

Ms. McGrath said Note 14 needed to be amended so as to read Monday to Friday only.

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. Maynard asked if there were anything else the Board was concerned about, adding that the CAP fee issue had not been addressed.

Selectman Maddox said he did not have a lot of problems with what the applicant was trying to do, but that it needed to be what was on an approved site plan. He said he did not have a problem with the CAP fee being waived in lieu of the sidewalk easement, but the applicant had to comply with the original site plan.

Mr. Hall said he had a problem with not having a CAP fee. Mr. Maynard said the CAP fee would be waived in lieu of the easement donation. Mr. Hall said there should be a CAP fee, in order for it to be waived. Mr. Maynard asked what Mr. Hall's opinion was based on. Mr. Hall said Mr. Cashell had some numbers. Mr. Maynard said Mr. Hall was being disingenuous.

Ms. Quinlan asked to hear from Mr. Cashell regarding the CAP fee. Mr. Hall said he did not feel the Board should be discussing the CAP fee, adding that the site was in violation. Mr. Maynard objected. He said the site was not in violation, stating it had a valid Certificate of Occupancy.

Mr. Barnes said he would agree with Selectman Maddox if what had been proposed on the previous site plan was included on the current site plan.

Ms. McGrath said she had no objection with what was being proposed by the applicant.

Mr. Cashell suggested a deferral date of January 10, 2007. He stated that what Mr. Bradley was trying to do regarding adding a storm entrance and making improvements to the façade improvements were very minimal, and he suggested that the Board might waive the full site plan approval for those things.

Mr. Russo asked about code violations on the site. Mr. Cashell said he did not know of any outstanding code violations. He said he understood what the Board members were concerned about regarding what was approved in 1997 and what was currently on the site. Mr. Russo said he would not vote anything but full site plan approval. Mr. Cashell said Mr. Bradley was not in charge of the business in 1997. Selectman Massey said the Board needed to be careful, noting that there had not been any code violations cited against the site. Ms. McGrath said that it was unfortunate that the engineering firm that had done the work on the 1997 and the current plan had not done a little more research and advised the current owner that there were some discrepancies.

Selectman Maddox noted that on the original 1997 plan there was a proposed five-foot easement for roadway improvements and sidewalks. Mr. Hall said he thought that had been part of a concession to allow the parking in the front yard setback.

Selectman Maddox moved to defer further review of the Bradley Motors Site Plan application, date specific, to the January 10, 2007, meeting. Mr. Cole 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. Hall asked Mr. Cas hell to do some research to determine if the easement was ever granted. Mr. Cashell answered in the affirmative. Mr. Hall said the Board should assume that it was not granted , since it was being offered again.

IX. NEW BUSINESS/PUBLIC HEARINGS

A. Proposed Zoning Ordinance Amendments Public Hearing

Chairman Barnes noted that there was no physical audience in attendance for this Public Hearing other than the video equipment operators.

Chairman Barnes read portions of the 13 proposed Zoning Ordinance amendme nts as follows:

- 1. Amend Article II-Definitions, 334-6, Adding definitions for Child Day Care, Child Day Care Agency, Family Day Care Home, Family Group Day Care Home, Group Child Day Care Center, Day Care Nursery, Night Care Agency, and Preschool Program.**
- 2. Amend Article II-Definitions, 334-6, new definition for "Commercial vehicle, light."**
- 3. Amend Article II-Definitions, 334-6, new definition for "Commercial vehicle, heavy."**
- 4. Amend Article II-Definitions, 334-6, new definition "General Retail."**
- 5. Amend Article II-Definitions, 334-6, new definition "Itinerant Roadside Vendor."**
- 6. Amend Article II-Definitions, 334-6, new definition "Itinerant Roadside Vendor."**
- 7. Amend Article II-Definitions, 334-6, new definition "Personal Service Establishment."**
- 8. Amend Article III, 334-15.B.(2)**
- 9. Amend Article VI, 334-24.I**
- 10. Amend Article VI, 334-24.I.(1)**
- 11. Amend Article VI, 334-24.I.(2)**
- 12. Amend Article XII-Signs-Section 334-58 (B)(7)**
- 13. Amend Article XVIII-Commercial Wireless Telecommunications, Radio Service and Receive-Only Facilities 334-96**

Town Planner Cashell noted that t he public hearing notice for all 13 amendments had been published in the November 3, 2006 , issue of the **Hudson-Litchfield News**, with the information that c opies of the full text of each amendment could be

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reviewed/obtained at the Community Development Department, Hills Memorial Library, and the Town Clerk's Office.

Chairman Barnes opened the Public Hearing at 9:52 p.m., for public input and comment, in favor or opposition. No one coming forward to provide input, Chairman closed the Public hearing at 9:53 p.m., and then asked if members of the Board had comments or questions.

Mr. Russo noted that in Item 1, three definitions were being added and four existing definitions were being removed.

Selectman Massey referenced Item 5, saying his recollection was that there were two additional provisions in the definition. Mr. Cashell and Mr. Barnes said they did not recall that. Selectman Massey suggested that the Planning Board look into it. He said it might be possible that it was a stipulation the Board of Selectmen had made on a specific application. Mr. Cashell said that was something the Board of Selectmen could do.

Mr. Cole referenced Item 6, asking what "major commercial project" meant. He asked what would be triggered if a project got that definition. Chairman Barnes stated that was one of the items in the Table of Uses, saying there were more restrictions on where a major commercial use could be located in one of the zones.

Mr. Cole said he had had a brief discussion today with Mr. Cashell. Mr. Cashell said that was one of the new proposed uses. He referenced Item 27 in the Commercial Uses Table in the G-1, G, and I zones.

Ms. Quinlan said that change had been at the recommendation of Director Sullivan. Mr. Cashell said Director Sullivan did not want to allow a major commercial project in the business zone.

Mr. Cole asked what was being changed. Mr. Hall said a major commercial project would not be allowed in a business zone. He referenced the lot just north of Pete's Gun Shop as an example, saying it was just rezoned for business and adding that a major commercial project would not be allowed in that zone.

Mr. Cashell said for a business district, it would not be unimaginable to consolidate a lot more lots, adding it only took about 10 acres of land to squeeze in a 100,000 ft² retailer.

Ms. Quinlan moved to approve for the 2007 Town warrant the above-cited proposed zoning amendments, i.e., Items 1 through 13. 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).

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. Sunshine Drive
Street Acceptance**

**Map 149/Lot 2
Sunshine Drive**

Reference memo from Mr. Sommers to Mr. Cashell dated October 30, 2006.

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

Ms. Quinlan asked if the surety collected was sufficient to complete the road to the satisfaction of the Town Engineer. Mr. Cashell said everything was done except for the sidewalk. He said Mr. Sommers had gotten the work done ahead of schedule and under budget. When the remaining four lots were sold, he said, any impact on the roadway would be the responsibility of the owners.

Ms. Quinlan asked if any of the abutters at the bottom of the hill had complained. Mr. Cashell said people in the subdivision were very happy with what had been done by the Town.

Mr. Russo referenced a note on the Hudson Fire Department checklist about raising the hydrant, asking if that would cost additional money. Mr. Cashell said that had been done. He said Gary Webster had also been instrumental in getting the job done.

Selectman Massey noted that the deadline for street acceptance was December 1st, Tuesday noon, and he asked Mr. Cashell if the paperwork for any roads approved at tonight's meeting would be turned in by the deadline. Mr. Cashell answered in the affirmative.

Ms. McGrath moved to forward a favorable recommendation to the Board of Selectmen, relative to the acceptance of Sunshine Drive as a Town road, in accordance with the written recommendations of Town Engineer Tom Sommers, Road Agent Kevin Burns, Police Chief Richard Gendron and Hudson Fire Department Fire Inspector Joseph Triolo. 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).

Ms. McGrath noted that she felt the Town could always rely on Mr. Webster to provide good service.

**B. Serenity Circle
Street Acceptance** **Map 138/Lot 5
Serenity Circle**

Reference memo from Mr. Sommers to Mr. Cashell dated October 30, 2006.

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

Ms. McGrath moved to forward a favorable recommendation to the Board of Selectmen, relative to the acceptance of Serenity Circle as a Town road, in accordance with the written recommendations of Town Engineer Tom Sommers, Road Agent Kevin Burns, Patrol Lt. William Avery, and Hudson Fire Department Fire Inspector Joseph Triolo. 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).

**C. Paula Circle
Street Acceptance** **Map 191/Lots 24&25
Paula Circle**

Reference memo from Mr. Sommers to Mr. Cashell dated October 30, 2006.

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

Ms. McGrath moved to forward a favorable recommendation to the Board of Selectmen, relative to the acceptance of Paula Circle as a Town road, in accordance with the written recommendations of Town Engineer Tom Sommers, Road Agent Kevin Burns, Patrol Lt. William Avery, and Hudson Fire Department Fire Inspector Joseph Triolo. 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).

**D. Copper Hill Road
Street Acceptance** **Map 223/Lot 43
Copper Hill Road**

Reference memo from Mr. Sommers to Mr. Cashell dated October 30, 2006.

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

Ms. Quinlan expressed concern about the bridge that was going to go to the last three lots, asking if the bridge had been constructed, and asking if the remainder of the surety would be left in place to ensure the work was done. Mr. Cashell said there would be a maintenance bond attached to the subdivision for two more years. Mr. Cashell said the bridge was not the Town's responsibility. Mr. Hall said it was not a

bridge but was a culvert. Mr. Cashell encouraged the Board members to visit the site, adding that it was pretty interesting.

Ms. McGrath questioned if it were common practice for the Planning Board to recommend the Town accept a roadway and still hold a maintenance bond. Mr. Cashell said that was standard practice.

Ms. Quinlan moved to forward a favorable recommendation to the Board of Selectmen, relative to the acceptance of Copper Hill Road as a Town road, in accordance with the written recommendations of Town Engineer Tom Sommers, Road Agent Kevin Burns, Police Chief Richard Gendron, and Fire Inspector Joseph Triolo. 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 (7 -0).

E. Special Site Review Committee

Chairman Barnes referenced the Special Site Review Committee handout included in tonight's packet. Selectman Massey said what was in the packet was just the first page of the document. He noted that the Board of Selectmen had voted to send a favorable recommendation regarding the document to the Planning Board for its consideration and action.

Mr. Barnes referenced the request by the Planning Board for a joint meeting with the Board of Selectmen, asking if a date had been selected. Selectman Maddox said the joint meeting would be on December 5, 2006.

Ms. McGrath asked what the purpose of such a meeting would be. Selectman Maddox said the Board of Selectmen had requested that questions be forwarded from the Planning Board to the chairman of the Board of Selectmen, adding that the questions would be used as an agenda for the meeting. Mr. Barnes said the meeting would cover Green Meadow but could cover other issues as well.

Mr. Cashell said he had met with representatives from RiverPlace and he suggested one question for the meeting might be how peer consulting would be used. He said it had been suggested at the meeting that VHB handle traffic and drainage issues and that CLD handle sewage and landscaping issues. He said he felt the Planning Board should go over the issues with the Board of Selectmen.

Mr. Cashell said he had seen the first site plans today, noting that there were up to 70 pages of site plans. He said he expected that the plans would be submitted in December and that it would be on the agenda in January of 2007. He said a flowchart of all permits would be forthcoming. He said the applicant expected the Planning Board to take up to nine months to make a decision regarding the project.

Mr. Cashell urged that town staff be invited to the joint Board of Selectmen/Planning Board meeting in December and that the discussion be focused on RiverPlace.

Ms. McGrath asked if Mr. Cashell had been involved in any of the scoping meetings. Mr. Cashell said he had not been involved with the Department of Transportation meetings but that he had been involved with meetings having to do with the proposed roadway improvements. He said traffic was the major concern. He said the Planning Board had to work with the Board of Selectmen and the consultants, adding that the developer would have to create a traffic scenario better than what existed today.

Ms. McGrath asked about State decisions. Mr. Cashell said the Department of Transportation review had not gotten that far along. He said he had advised the developer to make sure they were comfortable with the proposed road improvements. Ms. McGrath commented that she thought that Mr. Cashell should be included in the scoping meetings and that she did not understand why the Board of Selectmen had not asked him to be part of those meetings. Mr. Cashell said he had not attended the meetings because of scheduling problems. He said the Town would have to request that slip ramps be included on the plan. Ms. McGrath asked if Mr. Cashell felt that he needed additional help in reviewing the plans. Mr. Cashell said the Board of Selectmen was working that issue. He said the project would require an enormous amount of time for several years. He said an associate planner would be instrumental, saying he had spoken to Selectman Maddox about that.

Ms. McGrath said her concern was that Mr. Cashell would be so overwhelmed that he could not do the job justice. Mr. Cashell said the pace of the office had really increased. He said an assistant planner would be a real asset.

Mr. Barnes asked that anyone with subjects to discuss at the joint meeting send them to himself and to Mr. Cashell.

Selectman Massey noted that the Board of Selectmen had changed the end of any Town board/committee terms to April 30th.

Ms. Quinlan referenced the NRPC traffic plan that the Planning Board had been requested to reply to by November 21st. She said not much pertained to the Town of Hudson but that it was important to the Town.

F. RiverPlace (a.k.a. Green Meadow) Meetings

Mr. Cole made a motion that all meetings at which the development of the Green Meadow project/RiverPlace were an agenda item be held in a facility that could accommodate 100-plus individuals. Ms. Quinlan seconded the motion for discussion. Mr. Cole said he thought the project had reached the stage where all concerned were beginning to understand the magnitude of the project, saying that the general public should be able to participate in the process.

Chairman Barnes said the only facility of that size was the Hudson Community Center. Mr. Cole said schools would also be available. Ms. Quinlan suggested the gymnasium at the Middle School. Mr. Hall expressed concern about making a motion that required a facility of that size. He noted that this was the responsibility of the chairman, adding that the Library Street School had been used in the past. Mr. Cashell mentioned the issue of the video equipment. He suggested that the Board deal with

each issue in an exclusive manner —e.g., traffic, sewer, etc. Selectman Maddox noted that only a few sites had the equipment necessary to broadcast the meetings. Mr. Cashell said the Green Meadow meetings should take precedence.

Mr. Russo asked if the Board of Selectmen had control over public facilities such as schools. Chairman Barnes answered in the negative with respect to schools. Mr. Russo asked what facilities would be available. Mr. Cashell said the Hudson Community Center. Mr. Russo expressed doubt that an entire meeting should be focused on one project. He expressed a preference for having questions from the public put in written form. Mr. Cashell suggested expressing preferences for questions in written form but allowing others too.

Mr. Cole said all boards and commissions would have to deal with the same issues. He said he would be happy to change the motion to the first two or three meetings. Chairman Barnes noted that only fifteen people attended the first few meetings at the Hudson Community Center. Mr. Cole said the schools had always worked with the Town.

Ms. McGrath said she would not support the motion, because of the lack of attendance at the first few meetings. If there were a huge turnout, she said, the Board would deal with it at that time. She said she had been aware of the magnitude of the RiverPlace project from the very beginning.

Mr. Turcotte expressed agreement that a larger facility might be needed down the road, but he noted that the weather would be an issue over the next few months, suggesting that the public would stay home and watch the meetings on television.

Ms. Quinlan suggested using the Hudson Community Center for the first two or three meetings and then proceeding from there.

Selectman Massey said the meeting dates might have to change to accommodate other issues as well as Green Meadow. He said he did not care where the meetings were held. Mr. Russo suggested that the applicant rent a venue; Chairman Barnes noted the cable broadcast requirements. Selectman Massey said the issue was space, not live broadcast capability.

Mr. Hall pointed out that the Planning Board would have to advertise meetings ahead of time.

Mr. Cashell said he had discussed scheduling with the applicant, indicating that a monthly meeting was suggested. Mr. Russo expressed concern that other applicants would be bumped. Mr. Cashell said that would not happen.

Mr. Cole amended his motion to read that the next three meetings at which the development of Green Meadow project/RiverPlace were an agenda item be held in a facility that could accommodate 100-plus individuals. 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. Russo asked when the next available workshop would be. Chairman Barnes noted that the Planning Board would have a workshop on December 6, 2006.

Mr. Cole moved to have meetings pertaining to the Green Meadow project held separately from other Planning Board Meetings and other land development projects. Ms. Quinlan seconded the motion for discussion.

Mr. Cole suggested that the upcoming Planning Board volume would be insurmountable. He suggested that RiverPlace issues be handled with separate meetings, saying that was the only way it would work. Mr. Russo said Mr. Cashell could control the schedule. Mr. Cashell said it would make it easier on staff and consultants to deal with Green meadows exclusively. He then asked if the Planning Board would be willing to commit to three regular meetings per month for as long as Green Meadow was ongoing.

Mr. Russo said that would be a real burden on the Planning Board members, and he suggested that the Green Meadow developer would have to be flexible. Mr. Cashell said the Planning Board could hybrid the workshop meetings by handling some regular meeting agenda items at the workshop meetings.

Selectman Maddox expressed agreement with Mr. Russo.

Mr. Cashell said the Planning Board did not want to meet with Green meadow just to meet with them. He said the Board wanted to make sure the Green Meadow developers were ready when they came before the Board.

Ms. McGrath asked if Mr. Cole's motion was to limit a meeting to Green Meadow or to add additional meetings to take care of Green Meadow. Mr. Cole said it was the former. Mr. Cashell said another way to deal with the issue would be to limit the amount of meeting time that would be allocated for Green Meadow —e.g., two hours. Chairman Barnes said the problem with that was that at the last meeting, there was so much public input, it could not be cut off at two hours. Town Planner Cashell suggested that for the first public hearing, the entire meeting be given to Green Meadow. Ms. Quinlan said the law dictated that due process be given.

Mr. Hall said the motion would mean a fourth meeting each month or push everything out two years. He said the extra meeting was the only way to go, stating that he could not vote for the motion.

Selectman Massey said the Planning Board should not antagonize any developer that happened to be on the agenda with Green Meadow. He said he thought Green Meadows should have exclusive meetings, adding that he liked the idea of having hybrid workshop meetings.

VOTE: Chairman Barnes called for a hand vote on the motion. All members voted in opposition except for Ms. Quinlan and Mr. Cole, who voted in favor, and Chairman Barnes, who abstained. Chairman Barnes then declared the motion to have failed (2 –4–1).

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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, Mr. Russo made a motion to adjourn. Ms. McGrath 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 11:23 p.m.

Date: December 14, 2006

James Barnes, Chairman

J. Bradford Seabury, Recorder

Suellen Quinlan, Secretary

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