



# TOWN OF HUDSON

## Planning Board



Timothy Malley, Chairman      Roger Coutu, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### MINUTES/DECISIONS OF THE PLANNING BOARD MEETING DATE: OCTOBER 21, 2020

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Tim Malley Chair <u>  X  </u>	Ed Van der Veen Vice-Chair <u>  X  </u>	William Collins Secretary <u>  X  </u>	Dillon Dumont Member <u>  X  </u>
Jordan Ulery Member <u>  X  </u>	Elliott Veloso Alternate <u>  X  </u>	William Cole Alternate <u>  X  </u>	
Brian Groth Town Rep. <u>  X  </u>	Roger Coutu Select. Rep <u>  E  </u>	Normand Martin Alt. Select. Rep. <u>  S  </u>	

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES

Chairman Malley seated alternate Mr. Veloso as a voting member.

Mr. Veloso stated that, in light of Mr. Brackett’s resignation and on the advice of counsel, in order for him to be seated, it is his intention to resign from the Conservation Commission.

Mr. Malley asked the applicant if they had any objections to Mr. Veloso being seated.

Attorney John Smolak, Hillwood’s (the applicant) representative replied that they did not object to Mr. Veloso being seated.

- V. CORRESPONDENCE

Chairman Malley acknowledged the letters from the applicant and property owner requesting Mr. Cole’s recusal from the application due to his residence’s proximity to the subject site that may impair his ability to remain impartial in reviewing the application, and asked Mr. Cole if he would like to add anything at this time.

Mr. Cole read a prepared statement criticizing the applicant’s request and the applicant’s portrayal of residents opposed to the proposal as “activists,” and that instead they are Americans exercising their freedom of speech.

Selectman Martin asked Mr. Cole if he intended to recuse himself from this case.

Mr. Cole replied, "Hell no."

Chairman Malley then informed the Planning Board that Town Planner Groth received a phone call from Attorney Manzelli that Mr. Cole and his family are or were clients of hers in opposition to Hillwood's proposal currently before the Planning Board. [Attorney Manzelli of BCM Environmental & Land Law, represents SaveHudson.Org, a group of residents opposed to Hillwood's application]

Attorney Amy Manzelli approached the stand and stated that Mr. Cole was a client of BCM in this matter and that Mrs. Cole is still a client of BCM in this matter. Attorney Manzelli said she cannot discuss the matter beyond making this clarification.

Mr. Van der Veen moved to advise Mr. Cole to recuse himself from this application. Motion seconded by Mr. Ulery. Motion carried unanimously 7-0-0.

Chairman Malley asked if Mr. Cole had anything else to add in light of this motion.

Mr. Cole declined to comment.

Mr. Ulery moved to request the Board of Selectmen to review the matter to see if it is appropriate to remove Mr. Cole from his position from the Planning Board, and in light of the information that Mr. Cole is a party to the proceedings while also sitting in a quasi-judicial manner. Motion seconded by Mr. Martin. Motion carried unanimously 7-0-0.

Meeting adjourned at 7:20pm.

## VI. OLD BUSINESS

### A. Hudson Logistics Center Subdivision, Site Plan & Conditional Use Permit

SB# 11-20  
SP# 04-20  
CU# 02-20

Lowell & Steele Road  
Map 234/Lots 5, 34 & 35, Map 239/Lot 1

Purpose of Plan: to show the dedication of a new subdivision road and the consolidation/subdivision/lot line adjustment of Map 234/Lots 005, 034 & 035, and Map 239/Lot 001. And, to propose commercial development consisting of three (3) new distribution and logistics buildings with associated access ways, parking, stormwater/drainage infrastructure and other site improvements. Continuance of Hearing.

Chairman Malley informed the Board that Town Council recommended that until the potential conflict of interest matter was resolved, that the Board defer the public hearing on the application.

Attorney Justin Pasay, also a representative of the applicant, said they would be ok with deferment in favor of due process.

Mr. Veloso moved to defer the public hearing to date certain, November 18, 2020 in light what has transpired at this evening's meeting. Motion seconded by Mr. Dumont. Motion carried unanimously 7-0-0.

VII. ADJOURNMENT

Mr. Martin moved to adjourn. Motion seconded by Mr. Van der Veen. Motion carried unanimously 7-0-0.

Meeting adjourned at 7:20 p.m.

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William Collins  
Secretary, Planning Board

*Mr. Coutu moved to accept the minutes/decisions on 12/9/20.  
Motion seconded by Mr. Van der Veen. All in favor – Motion carried 6/0/0.*

***Note: Planning Board minutes are not a transcript. For full details on public input comments, please view the meeting on HCTV (Hudson Community Television).***