



TOWN OF HUDSON

Planning Board



Timothy Malley, Chairman

Marilyn McGrath, 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: APRIL 13, 2022

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> E </u>	Elliott Veloso Secretary <u> X </u>	Jordan Ulery Member <u> X </u>
Dillon Dumont Member <u> X </u>	James Crowley Member <u> X </u>	Victor Oates Alternate <u> X </u>	
Michael Lawlor Alternate <u> X </u>	Marilyn McGrath Select Rep. <u> E </u>	David Morin Alt. Select. Rep. <u> X </u>	Brian Groth Town Rep. <u> X </u>



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

Mr. Oates seated for Mr. Van der Veen.

V. MINUTES OF PREVIOUS MEETING(S)

- 23 February 2022 Meeting Minutes

Mr. Dumont moved to accept 23 February 2022 Meeting Minutes.

Motion seconded by Mr. Ulery. Motion carried 6/0/1 (Crowley abstained).

- 09 March 2022 Meeting Minutes

Mr. Dumont moved to accept 09 March 2022 Meeting Minutes.

Motion seconded by Mr. Veloso. Motion carried 6/0/1 (Crowley abstained).

- 23 March 2022 Meeting Minutes

Mr. Dumont moved to accept 23 March 2022 Meeting Minutes.

Motion seconded by Mr. Veloso. Motion carried 7/0/0.

VI. CORRESPONDENCE

A. Transfer Station Construction – Memo from Town Engineer

Mr. Groth described the memorandum from Town Engineer Elvis Dhima which was a notification to the Planning Board that the Town would be building a retaining wall and safety upgrades at the transfer station using ARPA funds.

VII. OLD BUSINESS

A. Friars Drive Building Additions Site Plan
SP# 02-22

22 Friars Drive
Map 209/Lot 004

Purpose of Plan: to propose several building additions totaling 48,270 square feet, with associated site improvements including a revamped parking area, new loading docks, and new landscaping and site lighting. Continuance of hearing.

B. Friars Drive Building Additions Conditional Use Permit
CU# 01-22

22 Friars Drive
Map 209/Lot 004

Purpose of Plan: to show proposed 14,716 square feet of wetland buffer impact associated with the proposed building additions and site improvements to provide full access around the building in a clockwise manner so that trucks can then back into the dock areas. Continuance of hearing.

Both applications (SP #02-22 and CUP #01-22 were heard together.

James Petropulos, Hayner/Swanson; Matt Ladd, Integra; and Attorney Jay Leonard, Welts, White & Fontaine, P.C., were present to represent the applications.

Mr. Petropulos reviewed the progress with the applications, recapping the previous meetings and site walk, and reviewed the waiver requests.

Public input was opened at 7:31pm and closed at 7:31pm, with no members of the public wishing to speak.

Mr. Crowley suggested the applicant to revise the grading at the loading docks to avoid the possibility that chocks would be needed for the trailers. Mr. Petropulos did not believe it was necessary.

The Chairman asked the members if they wished to have the applicant address the grading as requested by Mr. Crowley. 2 in favor, 5 opposed, motion failed (The applicant was not asked to revise the grading).

WAIVERS GRANTED:

Mr. Dumont moved to grant a waiver from §275-8 C (2), to reduce the number of required parking spaces, from 134 to 93, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from **§275-8 C (6)**, to reduce the number of required loading space, from 9 to 5, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from **§275-8 C (4)**, to allow 9' x 20' parking spaces, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from **§193-10.G**, to allow two driveways on this parcel, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to approve the site plan application and conditional use permit application for Map 298, Lot 4, Site Plan, Proposed Building Additions, 22 Friars Drive, Hudson, New Hampshire; prepared by Hayner/Swanson, Inc., 3 Congress Street, Nashua, NH 03062 and 131 Middlesex Turnpike, Burlington, MA 01803; prepared for Integra Biosciences Corp., 2 Wentworth Drive, Hudson, New Hampshire 03051; consisting of 15 sheets plus a cover sheet, with Notes 1-26 on Sheet 1; dated January 27, 2022 and revised March 8, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision which shall be incorporated into the development agreement, which shall be recorded at the HCRD, together with the Plan.
2. A cost allocation procedure (CAP) amount of \$45,673.02 shall be paid prior to the issuance of a Certificate of Occupancy for the new commercial building space.
3. Prior to the issuance of a final certificate of occupancy, an L.L.S. Certified "as-built" site plan shall be provided to the Town of Hudson Land Use Division confirming that the development conforms to the Plan approved by the Planning Board.
4. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
5. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
6. The Applicant shall provide a paved pedestrian access from the proposed sidewalk to the main entrance of the building.
7. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.

8. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.

Conditions Recommended by the Conservation Commission

9. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.
10. The Town Engineer or his representative shall be allowed to inspect the boundaries of the wetland and wetland buffer areas during construction and report any finding to the applicant and the Conservation Commission for remediation.
11. Stockpiling of construction materials is not allowed in the Wetland Buffer Area.
12. The wetland buffer boundary shall be identified and marked prior to the start of construction per Hudson Zoning Ordinance, Article IX §334-35 (E.).
13. “ No Cut/No Disturb” signage shall be installed along the wetland buffer boundary prior to issuing Certificates of Occupancy per Hudson Zoning Ordinance, Article IX §334-35 (E.).
14. Snow storage shall not be allowed in any wetland buffer area.
15. Green SnowPro Certified Contractors shall be used to manage snow control and clearing of the site.
16. Additional plantings of trees or shrubs be made between the two proposed retaining wall to help maintain slope stability and further reduce pollutants from entering Third Brook.
17. If additional major impacts are made the plan be returned to the Conservation Commission for further review. Minimal changes to wetland and wetland buffer impacts shall be addressed by the Town Engineer.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

VIII. NEW BUSINESS

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| A. 3 Nathaniel Drive Conditional Use Permit
CU #03-22 | 3 Nathaniel Drive
Map 242/Lot 28 |
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Purpose of Plan: To show a proposed garage addition and driveway in relation to the wetland buffer area. Application acceptance & hearing

Mike Grainger, M.J. Grainger Engineering, Inc.; and the property owner, Chris Michailides presented the application to locate a residential garage partially in the wetland buffer.

Mr. Dumont moved to accept the condition use permit application for the garage expansion at 3 Nathaniel Drive; Map 242 Lot 028-000.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

Public input was opened at 8:14 pm and closed at 8:14 pm, with no members of the public wishing to speak.

Mr. Veloso moved to approve the conditional use permit for Proposed Plot Plan, Tax Map 242 / Lot 028; prepared by: M. J. Grainger Engineering, Inc., 220 Derry Road, Hudson, NH 03051; prepared for: Christopher Michailides, 3 Nathaniel Drive, Hudson, NH 03051; consisting of a single sheet without notes; dated January 6, 2022; last revised April 11, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD, together with the Plan.
2. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
3. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.

Conditions Recommended by the Conservation Commission

4. If the propane tank is relocated it shall not be placed in the wetland buffer per 334-36 B (11) which refers to underground storage tanks.
5. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.
6. The applicant should incorporate a dripline infiltration strip or if gutters are used a drywell system to attenuate Stormwater runoff produced by the new structure to prevent erosion of the wetland buffer area.
7. The applicant shall remove tree debris pile that was placed in the wetlands.
8. The applicant was looking to add a paved driveway alongside the proposed garage addition for access the rear yard area. The plan presented to the commission shows a gravel access way 10 foot wide in that area. It is recommended by the commission that to reduce further impacts and degradation to the WOCD buffer (per 334-37 paragraph A), that no asphalt or other non-permeable materials be used alongside the garage addition as it will reduce storm water infiltration and pollutant attenuation and possibly cause slope erosion within the wetland buffer area.
9. There was no post construction restoration or landscaping plan presented and with a slope of approximately 2 to 1 leading down to the wetlands the commission recommends that the applicant relocated shrubs that are currently located in the area of the proposed gravel driveway further down the slope to increase stabilization. It would also be desirable that some re-naturalization of the wetland buffer be a loud to occur around the wetland. This would help attenuate nutrients from lawn fertilizers and other sources of non-point pollutants.
10. The commission recommends that a stipulation and or note be added to the final plan set that states "Stockpiling of construction materials is not allowed in the wetland areas during construction.
11. This motion is based on the plan(s) submitted by the applicant. It is recommended that if additional impacts are required the plan be returned to the Conservation Commission for further review.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

B. 13 Reed Street Driveway Waiver
WR# 01-22

13 Reed Street
Map 182/Lot 014

Purpose of Plan: to widen the current driveway by ten (10) feet which encroaches ten (10) feet into the fifteen (15) foot setback. Application acceptance & hearing.

Mr. Dumont moved to accept driveway waiver application WR #01-22 for 13 Reed Street.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Nasir Sultan, owner 13 Reed Street, described his application to allow for his driveway to be within 5-feet of the sideyard setback in the TR zone.

Public input was opened at 8:29 pm and closed at 8:29 pm, with no members of the public wishing to speak.

Mr. Oates moved to grant the driveway waiver to allow widening the front driveway 10' into the side setback at 13 Reed Street; Map 182 Lot 014-000, as depicted on Hand-marked Parcel Map of 13 Reed Street showing the proposed driveway width; prepared by: Nasir Sultan, 13 Reed Street, Hudson, NH 03051; prepared for: self; dated March 18, 2022, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Driveway Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

C. 18 Trigate Road Driveway Waiver
WR# 02-22

18 Trigate Road
Map 218/Lot 002 & 001

Purpose of Plan: To allow for an as-built condition of a driveway grade of greater than 10% slope. Application acceptance & hearing.

Mr. Dumont moved to accept driveway waiver application WR #02-22 for 18 Trigate Road.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Peter Johnson, owner 18 Trigate Road, described his application to allow for a grade of more than 10%, to 11.5%, due to surveying errors.

Public input was opened at 8:33 pm and closed at 8:33 pm, with no members of the public wishing to speak.

Mr. Dumont moved to grant the driveway waiver to allow for a driveway grade of 11.5% at 18 Trigate Road; Map 218 Lot 022-001 & Map 218 Lot 022-002, as depicted on Driveway Plan, 18 Trigate Road, Condominium, Town of Hudson, Hillsborough County, New Hampshire (hand-marked by Peter Johnson, 18 Trigate Road); originally prepared by: Gate City Survey, 1 Tara Boulevard Suite 200, Nashua, NH 03062; originally prepared for: Peter Johnson, 18a Trigate Road, Hudson, NH 03051; consisting of a single sheet with notes #1-4; originally dated March 24, 2020; hand-marked version received March 22, 2022, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Driveway Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

D. 5 Forest Circle Driveway Waiver
WR# 03-22

5 Forest Circle
Map 138/Lot 22

Purpose of Plan: To allow for a second driveway where only one is permitted. Application acceptance & hearing.

Mr. Ulery moved to accept driveway waiver application WR #03-22 for 5 Forest Circle.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0

James Hedlund, owner 5 Forest Circle, described his application to allow a second driveway for a gravel path to a garage to only be used to house collectible cars.

Public input was opened at 8:39 pm and closed at 8:39 pm, with no members of the public wishing to speak.

Mr. Dumont moved to grant the driveway waiver from §193-10.G, to allow a second driveway at 5 Forest Circle; Map 138 Lot 022-000, as depicted on Driveway Plan & Profile, Tax Map 138 Lot 22, 5 Forest Circle, Hudson, New Hampshire; prepared by: Benchmark, LLC, 1F Common Drive, Suite 35, Londonderry, New Hampshire 03053; prepared for: James Hedlund, 5 Forest Circle, Hudson, New Hampshire 03051; consisting of a single sheet with notes #1-3; dated March 7, 2022, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Driveway Waiver Request Form for said waiver.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

E. Barclay Medical Office Building
SP #04-22

2 Stonemill Drive
Map 246/Lot 1

Purpose of Plan: To construct a 28'x40' medical office building with 10 parking spaces and related improvements. Application acceptance & hearing.

Richard Maynard, Maynard & Paquette, Inc., requested the Board to decide if there are conflict of interest issues with member Mr. Crowley due to the fact that Mr. Crowley is a former employee of Mr. Maynard's. Mr. Veloso asked Mr. Crowley if he felt he can be fair, neutral and impartial. Mr. Crowley said, "yes." The Chairman asked Mr. Maynard if he felt there was a conflict of interest, to which Mr. Maynard replied, "no." That settled the matter, finding that Mr. Crowley does not have a conflict of interest.

Mr. Dumont moved to accept the site plan application for the Barclay Medical Office Building at 2 Stonemill Drive; Map 246 Lot 001-000.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

Richard Maynard, Maynard & Paquette Inc., and Warren Barclay, owner & applicant, represented the application for a medical office building which received a use variance from the ZBA.

Public input was opened at 9:03 pm and closed at 9:03 pm, with no members of the public wishing to speak.

WAIVERS GRANTED:

Mr. Dumont moved to grant a waiver from § 276-11.1.B.(12)(c), to reduce the residential buffer from 100' to 55', based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from § 275-8.C.(4), to reduce the parking space dimensions from 10' x 20' to 9' x 18', based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

Mr. Veloso moved to grant a waiver from § 276-11.1.B(15), which requires the plan to show all buildings within 50-feet of the tract, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Dumont. All in favor – motion carried 7/0/0.

Mr. Veloso moved to grant a waiver from § 275-8.C.(6), which requires an off-street loading space, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

Mr. Dumont moved to continue the site plan application for the Barclay Medical Office Building at 2 Stonemill Drive; Map 246 Lot 001-000, to date certain, May 18, 2022.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

IX. ADJOURNMENT

Mr. Veloso moved to adjourn. Motion seconded by Mr. Oates. Motion carried 7/0/0.

Meeting adjourned at 10.00 p.m.

Dillon Dumont
Secretary

*Mr. Ulery moved to accept the minutes/decisions on 4/27/22.
Motion seconded by Mr. Dumont. Motion carried 6/0/1 (Guessferd abstained).*

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