



TOWN OF HUDSON

Planning Board



Timothy Malley, Chairman

Robert Guessferd, 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: AUGUST 24, 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>X</u>	Dillon Dumont Secretary <u>X</u>	Jordan Ulery Member <u>X</u>
James Crowley Member <u>X</u>	Brian Etienne Member <u>E</u>	Michael Lawlor Alternate <u>X</u>	Victor Oates Alternate <u>X</u>
George Hall Alternate <u>E</u>	Bob Guessferd Select. Rep <u>X</u>	Dave Morin Alt. Select. Rep. <u>E</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. Etienne.
- V. MINUTES OF PREVIOUS MEETING(S)
None.
- VI. CORRESPONDENCE
- VII. OLD BUSINESS
 - A. Miara Transportation Site Plan 12 Bockes Road
 SP #05-22 Map 136/Lot 1
 Purpose of Plan: To propose to construct a 6,230 sf “hoop” structure in the rear of the existing property for trailer storage. Applicant has requested deferral to 8/24/22.

 Mr. Van der Veen moved to defer the site plan application, SP# 05-22 Miara Transportation, to date certain, September 14, 2022.

 Motion seconded by Mr. Crowley. All in favor – motion carried 6/0/0.
 - B. Shepherd’s Hill Shadowbrook Drive
 SP #08-22 Map 177 Lot 5

 Purpose: to show the final phases of Shepherd’s Hill condominium, which consists of 118 residential units, parking and associated site appurtenances. Application acceptance & hearing.

Mr. Ulery moved to defer the subdivision application, SP# 08-22 Shepherds Hill Amendment, to date certain, September 14, 2022.

Motion seconded by Mr. Dumont. All in favor – motion carried 6/0/0.

- C. 25 Webster St. Phase 2
SB #06-22
- 25 Webster Street
Map 181 Lots 001-000 & 001-001

Purpose: to show the subdivision of Map 181 Lot 001-001 and Lot Line Relocation of Map 181-001-000 and then construct four (4) four single-family residences serviced by a common driveway. Application acceptance & hearing.

Mr. Malley recused himself. Mr. Van der Veen seated as Chairman.

Mr. Dumont recused himself. Mr. Lawlor seated. Mr. Oates takes on as Secretary.

Mr. Ulery states that he is a near neighbor and not an abutter to this project.

Mr. Crowley moved to defer the subdivision application, SB# 06-22, for 25 Webster Street, Map 181/Lots 001-000 & 001-001 for reasons that a Variance should come before Planning Board acceptance.

Motion seconded by Mr. Oates. Motion failed 2/4/0. (Lawlor, Guessferd, Van der Veen, & Ulery opposed).

Mr. Ulery moved to accept the subdivision application, SB# 06-22, for 25 Webster Street, Map 181/Lots 001-000 & 001-001.

Motion seconded by Mr. Lawlor. All in favor – motion carried 6/0/0.

Colin Jean, Attorney @ 64 McKean Street, Nashua, NH, presents on behalf of his client, Tumpney, Hurd, Clegg, LLC. He references the history of an approved subdivision plan, Lee Way, as being a “twin” to this project.

Public input opened @ 7:29 p.m.

Kathy Taylor, 27 Webster Street – Wants to know how far behind her house they are going, how much buffer will be left, and concerns with drainage.

Mike Grainger, Grainger Engineering – Buffer is going to stay the way is currently is. No other trees will be taken out.

Kathy Taylor, 27 Webster Street – Concerned with the road going in, and traffic pulling out.

Mike Grainger explains there is enough sight distance.

Public input closed @ 7:32 p.m.

Mr. Crowley moves for SB# 06-22 that the Planning Board request a waiver for sidewalks on Webster Street.

Motion seconded by Mr. Oates. Motion fails 2/4/0.

Waivers Granted:

Mr. Ulery moved to grant a waiver from §289-14, which requires conformance with Chapter 334 Zoning, 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. Guessferd. Motion carried 4/2/0 (Oates & Crowley opposed).

Mr. Ulery moved to grant a waiver from §289-17, which requires frontage for new lots to conform to Article VII of the Zoning Ordinance, 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. Guessferd. Motion carried 4/2/0 (Oates & Crowley opposed).

MOTION TO APPROVE:

Mr. Ulery moved to approve the subdivision plan entitled: Subdivision Plan, Map 181 Lots 1 & 1-001, 25 Webster St.; prepared by RJB Engineering, LLC, 2 Glendale Rd. Concord, NH 03301 in association with M.J. Grainger Engineering, Inc., 220 Derry Rd. Hudson, NH 03051; prepared for Tumpney, Hurd, Clegg LLC 39 Trigate Rd. Hudson, NH 03051; consisting of 14 sheets including cover sheet, and general notes 1-14 on Sheet 4; dated June 27, 2022, last revised August 16, 2022 ; subject to, and revised per, the following stipulations:

1. Satisfaction of conditions of approval and Planning Board endorsement of case SB# 04-22.
2. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
3. A cost allocation procedure (CAP) amount of \$5,991.00 shall be paid prior to the issuance of a Certificate of Occupancy for the new house lots.
4. All monumentation shall be set or bonded for prior to Planning Board endorsement of the Plan-of-Record.
5. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
6. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
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. The easement for the water line shall be reviewed favorably by the Town Engineer and Town Counsel. The easement area shall be shown on the final plan. The easement and final location shall be recorded at time of town acceptance of the water main.
9. Notice of Limits of Municipal Responsibility and Liability: The Town of Hudson neither assumes responsibility for maintenance of the Private Road shown on the Plan, nor

liability for any claim, loss, or damages, including those arising for failure to provide municipal services, including police, fire, or ambulance services, resulting in any way from the use of said Private Road. The Owners shall be responsible for transporting any children residing on the Private Road to the nearest regular school bus stop. The Owners shall be responsible, at the Owners own expense, for maintaining the Private Road in a reasonable and safe condition at all times.

10. A note shall be added to the final plan stating condition #9 above.
11. Deed language related to fractional ownership of the private road to be approved by Town Counsel.
12. As proposed the plan does not comply with the Hudson Zoning Ordinance because Map 181/Lot 001-000, Map 181/Lot 001-001, Map 101/Lot 001-002, Map 173/Lot 057-000, and Map 174/Lot 015-002, lack sufficient frontage on a class V or better public highway as required by §334-27.1D (General Requirements) and §334-6 (Definitions). Final approval of this plan is contingent and subject to the condition precedent of the granting of a variance from the Zoning Board of Adjustment from §334-6, §334-27, and §334-27.1D of the Zoning Ordinance to permit lots without the required frontage.
13. SWPPP (Stormwater Pollution Prevention Plan) shall be required if disturbance is over an acre.

Motion seconded by Mr. Guessferd. Motion carried 4/2/0 (Crowley & Oates opposed).

Mr. Malley reseated as Chairman @ 9:53 p.m.

Recess @ 9:53 p.m., returned to business @ 9:59 p.m.

@ 9:53 p.m. Mr. Van der Veen moved to extend the Planning Board meeting to 11:00 p.m.

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

VIII. NEW BUSINESS

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| A. County Rd., A & C St. Lot Line Relocation
SB# 07-22 | 4 County Road, Map 198/Lot 029
6 A Street, Map 198/Lot 029-001
4 C Street, Map 198/Lot 029-002 |
|---|--|

Purpose: to adjust the lot lines between Lots 29, 29-001, & 29-002, Application acceptance & hearing.

Mr. Crowley moved to accept the lot line relocation application for the lot line relocation on 6 A Street, Map 198/Lot 029-001; 4 C Street, Map 198/Lot 029-002; and 4 County Road, Map 198/Lot 029-000.

Motion seconded by Mr. Van der Veen. All in favor – motion carried 7/0/0.

Don Dumont presented the SB# 07-22 Lot Line Relocation application.

Public input opened @ 10:05 p.m.

There being no public input, public input closed @ 10:05 p.m.

MOTION TO APPROVE:

Mr. Van der Veen moved to approve the lot line relocation application for the Lot Line Relocation Plan, Map 198 Lots 29, 29-1 & 29-2, A Street & C Street, Hudson New Hampshire, Hillsborough County; prepared by: M. J. Grainger Engineering, Inc. 220 Derry Road, Hudson, NH 03051; prepared for: Alan-Ray Properties, LLC, 195R Central Street, Hudson NH 03051; consisting of a single sheet plan and general notes 1-15; dated March 16, 2022; last revised August 9, 2022; subject to, and revised per, the following stipulations:

14. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD, together with the Plan.
15. A cost allocation procedure (CAP) amount of \$5,991.00 shall be paid prior to the issuance of a Certificate of Occupancy for the new house lot.
16. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
17. Prior to the Planning Board endorsement of the Plan, monumentation shall be set or bonded.
18. Prior to the Planning Board endorsement of the Plan, plan and profile shall for the proposed driveways shall be approved by the Town Engineer.
19. A note shall be added to the plan stating that the lots are served by municipal water and sewer.
20. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
21. 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.
22. A note shall be added to the Plan listing the granted Variances for these lots.

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

@ 10:20 p.m., Mr. Malley reseated Mr. Dumont & returned Mr. Lawlor to alternate.

IX. OTHER BUSINESS

- A. NH DOT Ten Year Plan Projects
 1. Route 111 – Bridge to Benson Park
 2. Route 102 – Sidewalk Infill
 3. Route 3A Lowell Road – Safe Crossing

The Town Planner presented the projects to the Planning Board for discussion, and explained the order in which the Board of Selectmen (BOS) prioritized them.

Mr. Ulery moved to recommend, as described by the BOS, and as priority order, the three (3) plans by the Town Planner for submission.

Motion seconded by Mr. Van der Veen. All in favor – motion carried 7/0/0.

B. Housing Opportunity Grants

The Town Planner presented and discussed the InvestNH Housing Opportunity Planning Grants to the Planning Board. The Board agreed to individually to their own research on the topic and come together and discuss if they want to proceed with the grants.

X. ADJOURNMENT

Mr. Dumont moved to adjourn. Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.

Meeting adjourned at 10:51 p.m.

Dillon Dumont
Secretary

Mr. Ulerly moved to accept the minutes/decisions on 9/14/22.

Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.

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