



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: NOVEMBER 30, 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> (7:04p.m.)	Jordan Ulery Member <u>E</u>
James Crowley Member <u>X</u>	Brian Etienne Member <u>E</u>	Michael Lawlor Alternate <u>E</u>	Victor Oates Alternate <u>X</u>
George Hall Alternate <u>X</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 7:02 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
 Mr. Hall seated for Mr. Ulery @ 7:03 P.M.
 Mr. Oates seated for Mr. Dumont @ 7:03 P.M.
 Dumont seated @ 7:04 P.M. Mr. Oates then seated for Mr. Etienne.

- V. MINUTES OF PREVIOUS MEETING(S)
 - 09 November 2022 Meeting Minutes

Mr. Van der Veen moved to approve the November 30, 2022 minutes.

Motion seconded by Mr. Guessferd. Motion carried 5/0/1 (Crowley abstained).

VI. OLD BUSINESS

- A. Shepherd's Hill
SP #08-22

Shadowbrook Drive
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. Continuance of hearing.

Tony Basso & Allison Lewis of Keach-Nordstrom Associates presented the project on behalf of the applicant. They explained the changes on the new plan verses the original 1995 approved plan. These new units will be duplexes, and will comply with today's standards. States they will add a post and rail fence to delineate the slope area and ponds. Mr. Basso answered questions submitted by Mr. Crowley.

Public input opened @ 7:52 P.M., & closed @ 7:52 P.M.

WAIVER GRANTED:

Mr. Dumont moved to grant a waiver from §930, to require a minimum stormwater drainage pipe slope of 2%, 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. Van der Veen, All in favor – motion carried 7/0/0.

MOTION TO APPROVE:

Mr. Dumont moved to approve the site plan entitled: Residential Site Plan / Shepherds Hill, Map 177 Lot 5, Shadowbrook Drive, Hudson, New Hampshire, Hillsborough County; prepared by: Keach-Nordstrom Associates, Inc. 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: Shepherd's Hill Home Owners Association C/O Great North Property Management, 3 Holland Way, Suite 201, Exeter, NH 03833; consisting of 54 sheets including a cover sheet and general notes 1-17 on Sheet 1; dated May 2, 2022; last revised October 6, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into a Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. Pursuant to Exhibit B of the Order Confirming Debtor's Plan of Reorganization issued by the US Bankruptcy Court on July 21, 2000, Book 6315 Page 1220:
 - a. Per paragraph 6, a sewer capital assessment fee of \$1,550.00 per unit shall be paid prior to issuance of building permit for any unit.
 - b. Per paragraph 7, an impact fee of \$1,200.00 per unit shall be paid prior to issuance of a certificate of occupancy for any unit. This impact fee shall be proportionately allocated among school impact fee and traffic CAP fee as it is at time of collection.
 - c. Per paragraph 7, a contribution to Benson Park of \$375.00 per unit shall be owed issuance of a Certificate of Occupancy.
 - d. Per paragraph 11, the Applicant, or their assigns, shall pay for the cost of a construction inspection engineer at a rate of \$5.00 per linear foot of roadway & drainage, \$5.00 per linear foot of water and \$5.00 per linear foot of sewer.
3. The Applicant, its successors and assigns, shall comply with all of the terms and conditions of the Settlement Agreement between the Town of Hudson and the Shepherds Hill Homeowner's Association, Inc. dated February 24, 2016, and recorded at the Hillsborough County Registry of Deeds at Book 8835, Page 2477.
4. The approval of this Plan supersedes and replaces all prior approvals to the extent any such approvals are inconsistent with this Plan. The purpose of this condition is to clarify that there is only one (1) approved plan for the area of the subject premises commonly referred to as Phases 5, 6, and 7.

5. The Applicant hereby voluntarily relinquishes the right to develop the property pursuant to any previous approvals, including the right to construct any particular number of units. The total number of units shall not exceed 118 for the remaining undeveloped portion of the property. The total number of units for the entire property shall not exceed 392.
6. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
7. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
8. Prior to blasting, the Applicant shall schedule a meeting with the Fire Marshal.
9. 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.
10. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
11. The sidewalk plan presented, last revised November 30, 2022, shall be incorporated into the final plan set.
12. A note shall be added to the plan stating that all units are two-bedroom units.
13. A detail shall be added to the plan to show trash racks to be installed on drainage pipe.

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

B. ASM Facility Site Plan
SP# 13-22

7 Security Drive
Map 251/Lot 018

Purpose: to enclose the previously approved (May 11, 2022) 25'x50' concrete equipment pad, extend the existing driveway to improve truck traffic movements, replace existing 41 impervious parking stalls with porous surface area, and add 13 parking stalls (porous surface area).
Continuance of hearing.

Scott Bourcier, P.E. of Gale Associates, Inc. presented the project on behalf of the applicant, and explained the application revisions.

Mr. Dumont moved to approve the site plan application entitled: Site Plan / ASM Facility, Map 251 Lot 018, 7 Security Drive, Hudson, NH 03051; prepared by: Gale Associates, Inc. 6 Bedford Farms Drive, Bedford, NH 03110; prepared for: JMC Hudson Properties, LLC, 5 Lehoux Drive, Hooksett, NH 03106; consisting of 15 sheets including a cover sheet and general notes 1-27 on Sheet 4; dated September 19, 2022; last revised November 15, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval 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 \$1,825.00 shall be paid prior to the issuance of a Certificate of Occupancy.

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. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 5:00 P.M. No construction activities shall be allowed on Saturdays or Sundays.
7. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
8. Applicant shall provide a maintenance schedule and plan for the pervious pavement prior to construction.
9. Applicant shall provide soil-testing results for the pervious pavement area prior to recording the plan.
10. Final stormwater management system subject to final review/approval by Town Engineer concerning frozen ground conditions.
11. Applicant shall provide erosion control around the pervious parking area.

Motion seconded by Mr. Crowley. Motion carried 4/3/0 (Hall, Crowley & Oates opposed).

VII. NEW BUSINESS

- A. Core Compliance Testing Site Plan
SP# 14-22

79 River Road
Map 251/Lot 008

Purpose: to construct two building additions totaling approximately 3,900 square-feet (Phase 1: 2,395 square-feet, Phase 2: 3,937 square-feet), and six (6) new parking spaces. Application acceptance & hearing.

Mr. Van der Veen moved to accept the site plan application for the Site Plan Development Plans for Core Compliance Testing SP# 14-22, 79 River Road, Map 251/Lot 008.

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

Stephen Mayer, Allen & Major Associates, Inc. presented the project.
Ken MacGrath, owner/applicant, explained the building and its use.

Public input opened @ 9:45 P.M., & closed @ 9:45 P.M.

Stephen Mayer read the new waiver requests into the record.

WAIVERS GRANTED:

Mr. Van der Veen moved to grant a waiver from §276-11.1B(12)(a), to maintain a 200-foot distance from the residential property line to any improved part of the industrial development,

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. Crowley. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from **§275-8C.2(g)**, parking calculations, Industrial, 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. Crowley. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from **§290-3.A.3**, Stormwater Management And Erosion Control Plan, 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. Crowley. All in favor – motion carried 7/0/0.

MOTION TO APPROVE:

Mr. Dumont moved to approve the site plan application for the Site Development Plans for Core Compliance Testing, Map 251 Lot 008, 79 River Road (Map 251, Lot 8), Hudson, New Hampshire; prepared by: Allen & Major Associates, Inc. 400 Harvey Road, Manchester NH 03103; consisting of 4 sheets with a separate cover sheet and general notes 1-18 on Sheet C-101; dated October 14, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval 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 \$9,244.72 shall be paid prior to the issuance of a Certificate of Occupancy.
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. During construction erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.
7. Stockpiling of construction materials is not allowed in the Wetland Buffer Area.
8. The wetland buffer boundary shall be identified and marked prior to the start of construction per Hudson Zoning Ordinance, Article IX §334-35 (E.).

9. 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.
10. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
11. Crossover well easement for Map 251/Lots 008 & 009 to be favorably reviewed by town counsel and recorded together with the plan at the HCRD.
12. Substantial completion shall mean that concrete footings and/or foundation are installed and inspected by Hudson Inspectional Services.
13. All granted waivers shall be listed on Sheet C-101, on the final plan set.

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

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| B. 20 Madison Drive Driveway Waiver
WR# 04-22 | 20 Madison Drive
Map 168/Lot 018 |
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Purpose: to allow the widening of an existing driveway to no more than fifty (50) feet wide, which would encroach into the side and rear setbacks by approximately five (5) feet. Application acceptance & hearing.

Michael Pruitt, owner/applicant, explained the application.

Public input opened @ 7:16 P.M., & closed @ 7:16 P.M.

Mr. Oates moved to grant a waiver from **§190-10.H** to allow the driveway to extend within 5-feet of the side and rear lot line, 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.

VIII. OTHER BUSINESS

- A. Zoning Amendment Discussion

The Board discussed the Zoning Amendments and decided to hold a workshop on Wednesday, December 28, 2022.

IX. ADJOURNMENT

Mr. Dumont moved to adjourn. Motion seconded by Mr. Crowley. Motion carried 7/0/0. Meeting adjourned at 10:42 P.M.

Dillon Dumont
Secretary

Mr. Dumont moved to accept the minutes on 12/14/22.

Motion seconded by Mr. Crowley. Motion carried 5/0/2 (Etienne & Ulery 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)