



# 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: JANUARY 25, 2023

|                                   |  |   |                                    |
|-----------------------------------|--|---|------------------------------------|
| In attendance = X                 | Alternate Seated = S                   | Partial Attendance = P                          | Excused Absence = E                |
| Tim Malley<br>Chair <u>X</u>      | Ed Van der Veen<br>Vice-Chair <u>X</u> | Dillon Dumont<br>Secretary <u>X</u> (7:03 P.M.) | Jordan Ulery<br>Member <u>X</u>    |
| James Crowley<br>Member <u>X</u>  | Brian Etienne<br>Member <u>X</u>       | Michael Lawlor<br>Alternate <u>X</u>            | Victor Oates<br>Alternate <u>X</u> |
| George Hall<br>Alternate <u>X</u> | Bob Guessferd<br>Select. Rep <u>X</u>  | Dave Morin<br>Alt. Select. Rep. <u>E</u>        | Brian Groth<br>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. Hall seated for Mr. Dumont @ 7:00 P.M.  
Mr. Dumont seated @ 7:03 P.M. Mr. Hall returned as an Alternate.
  - V. MINUTES OF PREVIOUS MEETING(S)
    - 11 January 2023 Meeting Minutes

Mr. Hall moved to approve the January 11, 2023 minutes as amended.

Motion seconded by Mr. Ulery. Motion carried 6/0/1 (Crowley abstained).
  - VI. OLD BUSINESS
    - A. Boyd Farm Subdivision
 

|           |                 |
|-----------|-----------------|
| SB# 10-22 | 19 Boyd Road    |
|           | Map 106/Lot 044 |

Purpose: to subdivide Map 106/Lot 044 into two residential lots accessed by a shared driveway. Application acceptance & hearing

Mr. Hall & Mr. Dumont recused themselves @ 7:04 P.M.

Mr. Oates seated for Mr. Dumont.

Mr. Ulery moved to accept the subdivision application for the Subdivision Plan / Boyd Farm, 19 Boyd Road, Map 106 Lot 044.

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

Cynthia Boisvert, LLS from Arago Land Consultants, LLC presented the application & requested waivers.

Dan Dubowik, 223 Derry Road (applicant) describes the intent of the driveway easement, and that both lots are intended to be owned by family members.

The Board discussed the application and asked about the waiver for stormwater management, if test pits were done, if underground utilities would impact the wetland buffer, if the shared driveway is a hardship, and if a note should be added to the plan requiring the houses to have sprinklers.

Trevor Yandow, Engineer with Meridian Land Services speaks to stormwater conditions and strategy.

Public input opened @ 7:18 P.M.

No input. Closed @ 7:18 P.M.

Ms. Boisvert explained the purpose of the shared driveway is for safety and limiting the wetland impact.

Ms. Boisvert did not think a note should be added to the plan.

#### Waivers Granted:

Mr. Etienne moved to grant a waiver from §193-10. H & I, to allow a driveway in the side setback area to accommodate a shared driveway serving both lots, 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.

Mr. Ulery moved to grant a waiver from §276-11.1 B(2), to allow a plan scale of 100 feet to an inch, 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. Etienne. All in favor – motion carried 7/0/0.

Mr. Crowley moved to grant a waiver from §290-3(C), to not require the submittal of a 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. Ulery. Motion carried 6/1/0 (Oates opposed).

Motion to approve:

Mr. Van der Veen moved to approve the subdivision application entitled: Subdivision Plan / Boyd Farm, Map 106 Lot 44, 19 Boyd Road, Hudson, NH 03051; prepared by: Arago Land Consultants, LLC, 31 Old Nashua Road, Suite 1, Amherst, NH 03031; prepared for: Dan Dubowik, 223 Hudson Street, Hudson, NH 03051; consisting of 9 sheets and general notes 1-8 on Sheet 1; dated November 15, 2022; last revised January 10, 2023; 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. A cost allocation procedure (CAP) amount of \$6,136.00 shall be paid prior to the issuance of a Certificate of Occupancy for each new house lot.
3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
4. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
5. Notice of Limits of Municipal Responsibility and Liability: The Town of Hudson neither assumes responsibility for maintenance of the shared driveway shown on the Plan as "Gravel Road," 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 shared driveway. The Owners shall be responsible for transporting any children residing on the shared driveway to the nearest regular school bus stop. The Owners shall be responsible, at the Owners own expense, for maintaining the shared driveway in a reasonable and safe condition at all times.
6. Easements, reciprocal for both lots for access and utilities on the other's property, shall be favorably reviewed by Town Counsel and recorded prior to issuance of Certificate of Occupancy.
7. A maintenance agreement for the shared driveway shall be favorably reviewed by Town Counsel and recorded in the chain of title to both properties prior to issuance of Certificate of Occupancy.
8. The shared driveway will require a road name upon request of the Fire Department.
9. Compaction of the shared driveway shall be witnessed by, or satisfactory information shall be provided to the Engineering Department for review and approval.
10. 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.

Motion seconded by Mr. Ulery. Motion carried 6/1/0 (Oates opposed - stormwater).

In addition, Mr. Groth states that the applicant agreed to sprinkler the houses in agreement with the Fire Department.

Mr. Hall returned as alternate @ 8:00 P.M.

Mr. Dumont returned to his seat. Mr. Oates returned to alternate.

VII. NEW BUSINESS

- A. 69 Burns Hill Road Conditional Use Permit 69 Burns Hill Road  
CUP# 08-22 Map 217/Lot 036  
Purpose: to detail a safe practicable location for a new storage shed and aboveground pool within the wetland buffer. Application acceptance & hearing.

Mr. Dumont moved to accept the conditional use permit application CU# 08-22 for the Plan of Land, 69 Burns Hill Road, Map 217/Lot 036.

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

Mr. Groth describes the application on behalf of the applicant.

Public input opened @ 8:03 P.M. No input. Public input closed @ 8:03 P.M.

Tammy & John Eaton, applicants describe the need for the application, and explain where the shed and pool will be placed.

Mr. Groth explained that the Conservation Commission did a site walk, and made a recommendation to approve.

Mr. Van der Veen stated that the Town allowed the house to be built within the wetland buffer, which created the hardship for the property owner.

Motion to approve:

Mr. Dumont moved to approve the conditional use permit for the Plan of Land, Map 217 Lot 36, 69 Burns Hill Road, Hudson, NH; prepared by: Jeffrey Land Survey, LLC, 1 Burgess Drive, Litchfield, NH 03052; prepared for: Tammy Eaton, 69 Burns Hill Road, Hudson, NH; consisting of a single sheet with one general note on Sheet 1; dated October 2022, last revised November 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 recorded at the HCRD, together with the Plan.

2. The applicant shall cease filling in the edge of the delineated wetland area and allow 2 feet of wetland buffer located along the delineated wetland area to re-naturalize.
3. Earthen materials excavated for the installation of the pool shall not be used as fill along the wetland boundary.
4. The Conservation Commission recommends that a shallow dry well or swale area be constructed near the pool so that the chemically treated pool water can be drained and allowed to percolate into the ground which will prevent direct runoff into the wetlands.
5. This motion is based on the plan submitted by the applicant. It is recommended that if additional impacts are required the plan be returned to the Conservation Commission for further review.
6. The new 8' x 20' shed shall be placed parallel to the delineated wetland at a distance of 12' from the same.
7. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
8. 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.

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

- B. Burns Hill Road 2-Lot Subdivision 52 Burns Hill Road  
 SB# 09-22 Map 211/Lot 065  
 Purpose: to subdivide Map 211/Lot 065 into two separate lots. Application acceptance & hearing.

Mr. Etienne moved to defer SB# 09-22 Burns Hill Road 2-Lot Subdivision, based on the applicant's representative, Keach-Nordstrom Associates request, to date certain, February 22, 2023.

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

- C. 84 Lumber Company Site Plan 3 Sullivan Road  
 SP# 09-22 Map 145/Lot 015

Purpose: to depict a proposed lumberyard, which includes 55,500 square feet of proposed lumber sales and storage buildings, and associated site improvements. Application acceptance & hearing.

Mr. Van der Veen moved to accept the site plan application for the Site Development Plans / 84 Lumber Company, Map 145/Lot 015, 3 Sullivan Road.

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

Nathan Chamberlain from Fieldstone Land Consultants introduced the application and phased plan. Gave a status on the NHDOT Traffic Warrant.

Planning Board discussed the project concerning vehicle storage, fueling, location of other existing lumber yards, if the buildings are drive through, what types of clients do they expect, will semi's be accessing the property, parking & signage, fire lanes, no parking/overnight parking on Sullivan, what type of backup alarms on forklifts and delivery trucks, customer vehicles, berm size & location, sound study, lighting, fencing along residential boundary, forklift and diesel truck parking location, drainage from vehicles oil/water separator, and if they would consider a sound study.

Public input opened @ 9:07 P.M.

Marge Thibeau, 11 Cheney Drive – commented that there was a plan in the 80's to build an 84 Lumber in NH. Asked if the site would ever do milling or sawing. Concerned about the animals, wetlands, noise, size of the project, cutting, Bridle Bridge intersection, traffic, trucks going through side roads. Requested “no thru trucks” signage.

Nicole Feinauer, 21 Cheney Drive – Questioned how the applicant can guarantee 90% of customers are going to be contractors, protection for wetlands, Bridle Bridge intersection, the use of the remainder of the parcel, and early semi deliveries.

Public input closed @ 9:21 P.M.

Mr. Malley asked the applicant questions from the abutters.

The board asked for better screening for the residential lots on Sullivan, if the applicant is willing to undertake offsite improvements for Bridge Bridge & Route 111, if there were any abutter comments submitted to the Town, outdoor storage areas, fencing around the site, and signage by road.

The board also requested a sounds study, and the applicant agreed.

Mr. Dumont made a motion to continue the meeting past 10:00 P.M.  
Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.

Mr. Etienne moved to continue the site plan application for the Site Development Plans / 84 Lumber Company, Map 145/Lot 015, 3 Sullivan Road, to date certain, February 22, 2023.

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

VIII. OTHER BUSINESS

A. Master Plan Update & Discussion

The Board will hold a Master Plan Workshop on February 8, 2023 with Jay Minkarah from NRCP in attendance.

Subcommittee formed for the Competitive Process consisting of Mr. Etienne, Mr. Dumont, & Mr. Oates to select a consultant for the Housing Opportunity Planning Grant, which will supplement the population & housing chapter of the Master Plan.

IX. ADJOURNMENT

Mr. Etienne moved to adjourn. Motion seconded by Mr. Crowley. Motion carried 7/0/0. Meeting adjourned at 10:17 P.M.

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Dillon Dumont  
Secretary

*Mr. Ulery moved to accept the minutes on 02/08/23.  
Motion seconded by Mr. Hall. All in favor -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).***