



# 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 24, 2024

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Tim Malley Chair <u>X</u>	Jordan Ulery Vice-Chair <u>X</u>	Ed Van der Veen Member <u>X</u>	Victor Oates Member <u>X</u>
James Crowley Member <u>X</u>	Michael Lawlor Alternate <u>E</u>	George Hall Alternate <u>X</u>	Tim Lyko Alternate <u>X</u>
Bob Guessferd Select. Rep <u>X</u>	Dave Morin Alt. Select. Rep. <u>E</u>	Jay Minkarah Town Rep. <u>X</u>	Ben Gradert Town Rep. <u>X</u>

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- 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. Etienne.
  - V. MINUTES OF PREVIOUS MEETING(S)
    - 10 January 2024 Meeting Minutes January 10, 2024 minutes.  
Motion seconded by Mr. Hall. Motion carried 5/0/2 (Crowley & Oates).
  - VI. OLD BUSINESS
    - A. Public Hearing on Zoning Amendment Warrant Articles 34, 45, 46, and 47 (Deferred from 1/10/24)
 

Article 34      Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town Zoning Ordinance as follows?

Amend Article III, General Regulations, by amending § 334-15.B.1, Parking prohibited, to add the words “and uninspected” to the following sentence: Outdoor parking or storage of more than one unregistered *and uninspected* motor vehicle per residential unit.

Public input opened @ 7:06 P.M. & closed @ 7:06 P.M. – no input.  
Mr. Oates moved to send Article 34 (formerly Article 3) back to ZORC, and not the ballot.  
Motion seconded by Mr. Van der Veen. All in favor – motion carried 6/0/1 (Crowley).  
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Article 45      Are you in favor of the adoption of Amendment No. 13 as proposed by the Planning Board for the Official Zoning Map of the Town of Hudson as follows?

Amend the Official Zoning Map of the Town of Hudson by re-zoning from General (G) to Industrial (I) the parcel of land know as Tax Map 209, Lot 001-00, 48-50 Friars Drive.

Public input opened @ 7:15 P.M. & closed @ 7:15 P.M. – no input.

Mr. Ulery moved to send Article 45 (formerly Article 14) to the 2024 Hudson Town Ballot.

Motion seconded by Mr. Hall. All in favor – motion carried 5/0/2 (Oates & Crowley).

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Article 46 Are you in favor of the adoption of Amendment No. 14 as proposed by the Planning Board for the Official Zoning Map of the Town of Hudson as follows?

Amend the Official Zoning Map of the Town of Hudson by rezoning from Business (B) to Industrial (I) the following parcels of land, Tax Map 105, Lot 002-000, 5 West Road, Tax Map 101, Lot 006-000, 19 West Road, Tax Map 101, Lot 004-000, 21 West Road, and Tax Map 101, Lot 005-000, 15 & 29 West Road.

Public input opened @ 7:18 P.M. & closed @ 7:18 P.M. – no input.

Mr. Ulery moved to send Article 46 (formerly Article 15) to the 2024 Hudson Town Ballot.

Motion seconded by Mr. Hall. All in favor – motion carried 5/0/2 (Oates & Crowley).

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Article 47 Are you in favor of the adoption of Amendment No. 15 as proposed by the Planning Board for the Official Zoning Map of the Town of Hudson as follows?

Amend the Official Zoning Map of the Town of Hudson by rezoning from General (G) to Business (B) the following parcels of land, Tax Map 204, Lot 006-000, Fox Hollow Condominiums, Tax Map 210, Lot 008-000, 171 Lowell Road, Tax Map 210, Lot 006-000, 175 Lowell Road, and Tax Map 209, Lot 001-002, Lowell Road.

Public input opened @ 7:23 P.M. & closed @ 7:26 P.M.

Mr. Ulery moved to send Article 47 (formerly Article 16) to the 2024 Hudson Town Ballot.

Motion seconded by Mr. Hall. All in favor – motion carried 5/0/2 (Oates & Crowley).

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VII. NEW BUSINESS

- A. Atwood Avenue 3-Lot Subdivision Plan 26 Atwood Avenue  
 SB# 09-23 Map 203/Lot 001  
 Purpose: to subdivide Map 203/Lot 001 into three (3) single-family residential lots. Application acceptance & hearing.

Mr. Ulery moved to accept the subdivision application for the Atwood Avenue Subdivision SB# 09-23, Map 203/Lot 001.

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

Public input opened & closed @ 7:38 P.M. – no input.

**Waiver Granted:**

- 1) HTC 289-20.C – Stormwater Management Plan

Mr. Ulery moved to grant the requested waiver **HTC 289-20.C** - Stormwater Management Plan, to not require a stormwater management plan where one would typically be required, 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. Hall. All in favor – motion carried 7/0/0.

**Motion to Approve:**

Mr. Crowley moved to approve the subdivision plan entitled: Sojka Woods Atwood Subdivision, SB# 09-23, Tax Map 203/Lot 001, 26 Atwood Avenue, Hudson, NH; prepared by: Meisner Bred Corporation, 202 Main Street, Salem, NH 03079; prepared for: KLN Construction Company, Inc., 70 Bridge Street, Unit 1 Pelham, NH consisting of six sheets, and general notes 1-17 on sheet 2; dated December 14, 2023, last revised January 9, 2024; and:

That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing; 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 per single-family residential unit shall be paid prior to the issuance of a Certificate of Occupancy for the new house lots.
3. All monumentation shall be set or bonded for prior to Planning Board endorsement of the Plan-of-Record.
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. Construction activities involving the proposed undeveloped lots shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.
6. All driveway grades in ROW shall conform to Engineering Tech Guidelines and details R-8 requirements.
7. Subject to contribution of a payment in lieu of construction of a sidewalk in front of the three lots, in an amount approved by the Town Engineer.

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

- B. Monument Construction Site Plan 149 Lowell Road  
SP# 16-22 Map 204/Lot 003  
Purpose: to remodel the existing residential buildings, add additional gravel storage areas, reconfigure parking, and add small defined areas for employee parking. Application acceptance & hearing.

Mr. Ulery moved to accept the site plan application Monument Construction SP# 16-22, Map 240/Lot 003, 149 Lowell Road, Hudson, NH.

Motion seconded by Mr. Hall. All in favor – motion carried 7/0/0.  
Public input opened @ 8:11 P.M.  
Public input closed @ 8:14 P.M.

**Waivers Granted:**

Mr. Ulery moved to grant a waiver from **HR 275-8.C.(6)(a)**, Off-street loading spaces, to allow 0 loading spaces where 1 is required, 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. Hall. Motion carried 5/0/2 (Oates & Crowley).

Mr. Ulery moved to grant a waiver from **§ 276-11.1.B(12)(c)**, 100’ Residential Buffer, 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. Hall. All in favor – motion carried 7/0/0.

**Motion to Approve:**

Mr. Oates moved to approve the site plan for the Non-Residential Site Plan / Monument Construction SP# 16-22, Map 240 / Lot 003, 149 Lowell Road, Hudson, New Hampshire; prepared by: Meisner Brem Corporation, 202 Main Street, Salem, NH 03079; prepared for: Monument Construction, LLC, 21 Factory Street, Suite 1, Nashua, NH 03960; consisting of 4 sheets including a separate cover sheet and general notes 1-18 on Sheet 2; dated November 9, 2022; last revised December 27, 2023; and:

That the Planning Board finds that this application complies with the Zoning Ordinances with consideration of the variance granted by the Zoning Board of Adjustment from Article VIII – Nonconforming Uses, Structures and Lots, §334-Table of Permitted Uses, and with the Land Use Regulations with consideration of the waivers granted; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing;

Subject to, and revised per, the following stipulations:

8. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
9. A cost allocation procedure (CAP) amount of \$7,891.36 shall be paid prior to the issuance of a Certificate of Occupancy for the business.
10. 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.
11. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
12. 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.

13. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
14. Proposed gravel areas, as identified on the site plan, shall be paved.
15. The property owner shall immediately design and construct a new septic systems for the proposed use, should the existing system fail, including all required NHDES, and Town approvals.
16. In accordance with RSA 676:12, this approval is subject to the express condition precedent that the proposed moratorium on issuing new building permits and approving subdivision or site plans in Zones B, I, G, and G-1, is not adopted by the voters at the Annual Town Meeting on March 12, 2024. For purposes of RSA 674:21, V (h), the assessment of impact fees shall likewise be subject to the same express condition precedent. If the proposed moratorium passes, this approval will be vacated, and the application will be deemed denied without prejudice to the applicant's right to submit a new application after the moratorium expires.
17. Septic tank to be cleaned and inspected by a Certified Septic Company, and report given to the Town of Hudson, NH.
18. Approved Variance and Waivers to be listed on the Plan.
19. Subject to a contribution of payment in lieu of construction of a five (5) foot sidewalk in the front of the property along Lowell Road in the amount approved by the Town Engineer.
20. Parking spaces to conform to ADA regulations.
21. Light fixtures will be motion activated and meet Town ordinance for lighting.

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

- C. Central Gas Site Plan 77 Central Street  
 SP# 08-23 Map 182/Lot 217  
 Purpose: to depict the proposed layout for a gas station and convenience store with drive thru window and all associated site improvements. Application acceptance & hearing (Deferred from the December 27, 2023 meeting).

Mr. Van der Veen moved to accept the site plan application for the 77 Central Street / Non-Residential Site Plan, Map 182/Lot 217, 77 Central Street, NH.

Motion seconded by Mr. Hall. All in favor – motion carried 7/0/0.  
 Public input opened @ 9:32 P.M.

Mr. Van der Veen made a motion to continue after 10:00 P.M.  
 Motion seconded by Mr. Hall. Motion carried 5/0/2 (Ulery & Crowley).

Public input closed @ 10:03 P.M.

Mr. Ulery moved to continue the site plan application for 77 Central Street / Non-Residential Site Plan, Map 182/Lot 217, to date certain, February 28, 2024.

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

VIII.

ADJOURNMENT

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

Meeting adjourned at 10:09 P.M.

*These minutes are in draft form and have not yet been approved by the Planning Board.  
Note: Planning Board minutes are not a transcript. For full details a video of the meeting is available on HCTV  
(Hudson Community Television) [www.hudsonctv.com](http://www.hudsonctv.com).*

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