



# 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 OF THE PLANNING BOARD MEETING DATE – OCTOBER 22, 2025 - DRAFT

In attendance = X      Alternate Seated = S      Partial Attendance = P      Excused Absence = E

Tim Malley	Jordan Ulery	Ed Van der Veen	Victor Oates
Chair <u>X</u>	Vice-Chair <u>X</u>	Member <u>X</u>	Member <u>X</u>

James Crowley	Julia Paquin	George Hall	George Hurd
Member <u>X</u>	Member <u>E</u>	Alternate <u>X</u>	Alternate <u>E</u>

Todd Boyer	Bob Guessferd	Brooke Dubowik	Jay Minkarah
Alternate <u>S</u>	Select. Rep <u>X</u>	Town Rep. <u>X</u>	NRPC Rep. <u>E</u>

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#### I. CALL TO ORDER BY CHAIRPERSON

Mr. Malley called the meeting to order at 7:00 PM.

#### II. PLEDGE OF ALLEGIANCE

Mr. Malley invited all to participate in the Pledge of Allegiance and read through the Chairperson's introduction/order of business and cited housekeeping items.

#### III. ROLL CALL

Mr. Malley asked the Clerk to call for attendance.

#### IV. SEATING OF ALTERNATES

Mr. Boyer was seated for Ms. Paquin.

#### V. MEETING MINUTES

- 8 October 2025 Meeting Minutes

Mr. Ulery moved to approve the 8 October 2025 meeting minutes, as amended.

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

#### VI. PUBLIC INPUT (NON-AGENDA ITEMS)

Public input opened & closed @ 7:02 P.M. – No public input.

#### VII. OLD BUSINESS

- A. Brady Drive Industrial Condominium Complex Site Plan  
SB# 09-25

16 Brady Drive  
Map 105/Lot 020

Purpose: to depict the layout of three (3) industrial use condominium buildings, and all associated site improvements (Continued from the August 27, 2025 meeting).

Tony Basso, Keach Nordstrom, explained that this project was before the Board for initial discussion approximately one month ago. The plan is predominantly the same, but all of the man doors and garage doors to the building have been added. He did not count any spaces in front of the garage doors toward the total for the site. There are 34 spaces required, and the plan shows these along with additional spaces. The plan has been reviewed by Fuss & O'Neill. The Town has signed off on submission of all materials. The applicant answered the drainage questions.

Public input opened & closed @ 7:06 P.M. – No public input.

Mr. Crowley asked if the dumpster location allows for access for trash pickup. Mr. Basso stated that there are options for maneuvering this out to allow for pickup.

In response to a question from Mr. Crowley regarding emergency access to the loading area, Mr. Basso explained that this will be an active loading area where there will be deliveries and the truck will then leave. Mr. Crowley noted that the approval would be for a land use and not a specific tenant. Mr. Basso stated that there is not a loading dock shown on the plan. There will be no storage or parking of vehicles for any amount of time in the loading spaces.

Oates asked if there were any unresolved engineering items that would prevent conditional approval, assuming that outstanding DOT and DES permits are made conditions of approval. Elvis Dhima, Town Engineer, stated that there are not unresolved items at this time.

Mr. Boyer moved to approve the Non-residential Site Plan Application for Brady Drive Industrial Condominium Complex Site Plan, SP# 09-25, Map 105 Lot 020-000, 16 Brady Drive, Hudson, New Hampshire, 03051; prepared by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, New Hampshire, 03110, for: KLN Constructions, 70 Bridge Street, Pelham, New Hampshire, 03076; Consisting of sheets 1-15, with general notes 1-39 on Sheet 1; Dated August 5, 2025, revised October 6, 2025; and:

That the Planning Board finds that this application complies with the Zoning Ordinance, 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 development agreement, which shall be recorded at the HCRD along with the site plan.
2. Prior to Planning Board endorsement of the Plan, the easement depicted to the favor of the Town shall be subject to final administrative review by the Town Planner, and Town Engineer.
3. All improvements shown on the Plan, including notes 1-39, shall be completed in their entirety and at the expense of the Applicant or his/her assigns.
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. After the issuance of each foundation permit and prior to the issuance of each framing permit, the applicant shall submit to the Development Services Department a foundation “As-Built” plan on a transparency and to the same scale as the approved site plan. The

- foundation “As-Built” plan shall include the structural dimensions and lot line setback measurements to the foundation and be stamped by a License Land Surveyor. Any discrepancy between the approved site plan and foundation “As-Built” plan shall be documented by the applicant and be part of the foundation “As-Built” submission.
6. Prior to the issuance of a final certificate of occupancy, a L.L.S. certified “As-Built” site plan shall be provided to the Town of Hudson Development Services Department, confirming that the site conforms with the Planning Board approved plan.
  7. A cost allocation procedure (CAP) amount of \$32,600.00 shall be paid prior to the completion of the project, or last Building Inspection Sign Off.
  8. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall be allowed on Sundays.
  9. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
  10. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
  11. A note shall be added to the Plan prior to Planning Board endorsement, and it shall read: “Outside storage of materials and outside work activities are prohibited”.

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

B. Taybre Drive Subdivision Plan  
SB# 03-25

9 Alvirne Dr. & 190 R Derry Rd.  
Map 138/Lots 082 & 088

Purpose: to consolidate Map 138/Lots 082 & 088 into one (1) lot, known as Map 138/Lot 088, and depict the subdivision of Map 138/Lot 088 into nine (9) single-family residential lots, with all associated improvements (Deferred from the May 28, 2025 meeting).

Attorney Panciocco explained that the plans have undergone three sets of reviews by both Fuss & O'Neill, and the Engineering Department. This property is located in the R1 and R2 Zones. It is approximately 15 acres, and the applicant is proposing a 9-lot subdivision with a cul-de-sac single access road, approximately 900' long. Each lot will be at least one acre in size and will fully comply with the Town's zoning. Each lot will be served by a water line from the Town. There is an area on the site reserved for a future septic system. There is one large wetland at the right hand side of the plan. During a previous hearing on this item, there was concern regarding groundwater. The Board requested that a groundwater engineering report be provided. A site walk with many abutters took place on June 14<sup>th</sup>. The comments from the Town of Hudson Fire Department have been met, by adding an additional fire hydrant at the beginning of Taybre Dr. There were no comments from the Police Department. The applicant is requesting six waivers which were reviewed by Engineering.

William Hess, Hess Engineering, reviewed the drainage for the site. The water will still be directed in the same direction that it is currently. The site is now served by open drainage due to some changes to the slopes in the road. The applicant spoke with the Town regarding having no curb for the first 100', with swales to catch the water. It was agreed that a curb cut at the sag is the best option. The water will run into small swales and then enter the closed drainage system. Other than that, the proposed drainage has not changed. Per the Alteration of Terrain Bureau

(AoT), the applicant cannot have any groundwater recharge due to the water table. AoT is granting a waiver from this. AoT stated that the applicant should add check dams to promote infiltration. All water will stay on site and be treated in the pond.

Danna Truslow, registered professional geologist in the State of New Hampshire, reviewed her report. She was asked to review the groundwater flow, infiltration, and potential impacts from the fill. In addition to reviewing the existing geologic reports, she reviewed the soils work that was done previously to determine the soil characteristics. Three shallow wells were installed to measure groundwater levels and understand the subsurface materials. The three wells were measured multiple times. Groundwater flows from a high area near the school towards the Merrimack River. The underlying material is fine to medium sand that is unsaturated for much of the way. The materials there are generally well-drained sand and gravels, slightly finer lower on the site. She detected no silt or clay in the borings. The same general groundwater flow pattern as predicted in the USGS report was seen, generally northeast to southwest. The depth-to-water was about 8' below land surface at the top of the site, near the top of the cul-de-sac, and about 2.8' down at the lowest, close to the curve in the road. These water levels changed somewhat over the summer.

Ms. Truslow stated that the groundwater elevation at the top of the site, on the 9<sup>th</sup> of July, was 160.77 feet. In August it had dropped to 159.57. Close to the curve in the road, the elevation was 154.17 in early July and dropped to 153.26 in mid-August. The bottom of the wet pond is 153.3, and the bottom of the other pond is 150.75. The outlet comes out at 155 and trickles in. This is below the water table per DES' requirement. She did not model the impacts beyond the site limits. She did not examine abutter wells. The groundwater flow pattern on the site was essentially parallel to the property line. The water level will stay low and not come up above the existing land surface. There will be some grading and clearing on this site, but this will be replaced with topsoil.

Mr. Ulery noted that the applicant stated there would be no water filtration upwards, yet there are puddles on the site. Ms. Truslow stated that there may be puddles if there is rainfall, but these infiltrate into the ground and filter into the soil. There is fairly permeable soil in this area. The amount of fill proposed to be added to the property should not increase groundwater levels because the groundwater is already below the native soil level.

Mr. Oates expressed concern that there are no visuals regarding how the water on this site could potentially impact abutter wells in the surrounding area. He asked why there was not a peer review of the Truslow report. Mr. Dhima stated that there was a review. He was on site for the testing of the water table. The applicant had a wetland scientist on site to confirm the details. This is a built up site. From the technical side, the applicant has addressed pretty much everything. There is a stipulation that a final review will be done by Staff to make sure nothing is missed. It is his understanding that everything has been addressed so far. Mr. Oates stated that none of the abutter wells or potential impacts to them were considered. He asked if Mr. Dhima's opinion is that abutter wells will never be impacted by this proposal. Mr. Dhima stated that a peer review has been done by Fuss & O'Neill three times. There are no wells proposed to be dug on this site. Mr. Oates stated that none of the reviews have reported on potential impacts to nearby wells from the water flow from this site. Mr. Dhima stated that he cannot give a 100%

guarantee, but he cannot see, based on the data provided, how the water from this site would impact nearby properties. There will not be signed site plans without permits from the State. Mr. Oates stated that the Board always receives a peer review. The Board is being asked to trust Ms. Truslow's report and move forward without a peer review. Mr. Dhima stated that there is no peer review study for wells on a property when Town water is being used for the project. Mr. Oates stated that he previously requested the impact of the water beyond the site. Mr. Dhima stated that there is a high groundwater table in this area and a wetland that the water seems to drain into. It does not appear that the proposed development will change this.

Mr. Crowley asked why there was not a proposed change to the plan which could eliminate the need for a groundwater recharge waiver. Mr. Dhima stated that the applicant is requesting a waiver is being requested because this item cannot be met. If the State is willing to entertain an AoT permit, then he is comfortable with the proposal. Mr. Crowley asked why data for abutter groundwater conditions was not provided. Mr. Dhima stated that the industry standard is to design for what is being produced on the site. After the peer review it was determined the pre-versus post- areas did not match. The applicant fixed this and resubmitted information to the State. These requirements are currently being met. If there are abutter issues in the field, he will bring them directly to the Board to be handled.

Mr. Ulery stated that the bottom elevation is 168 and the road will be at around 172. The basin at the bottom of the site is 152-156. Across the street, it is 160. The water to the site is from a Town source. He asked where the water which currently is effecting Alvirne Dr. is coming from and if the proposed development will impact it.

Attorney Panciocco stated that the lots in this area were constructed around 1963 which predates mapping of the wetlands. These lots were located very close to the water table. The basements of the new homes are proposed to be approximately 8'-10' higher than the existing homes in this area.

Mr. Oates stated that it is typical to model the potential impact beyond the site itself. He was surprised not to see this done. Mr. Malley stated that the model shows that the water will not flow onto abutter sites. Mr. Boyer asked if a model of surrounding areas is typical. Ms. Truslow stated that this depends on the type of work. This type of model is usually done if there will be a large groundwater withdrawal, which is not proposed as part of this project. There are similar soil conditions around the site. The wells dug showed that the water flow is consistent with the USGS maps.

Attorney Panciocco stated that a stormwater report was submitted and reviewed by Fuss & O'Neill. Ms. Oates stated that there was no peer review of Ms. Truslow's report.

Attorney Panciocco reviewed all of the waiver requests submitted as part of the Board's packet.

Public input opened @ 9:02 P.M

Janice Walsh, 14 Alvirne Drive, stated that she knows someone who lives on Mansfield Drive and groundwater is an issue.

Barbara Taylor, 11 Alvirne Drive, stated that the water flow line depicted on the applicant's map is alongside her fence. A 20' tree buffer zone between the properties was previously discussed. She asked if there will be a buffer zone to the road. She requested that the Board include a stipulation for regrading of the nearby properties.

Alexandra Ange, 7 Alvirne Drive, stated that the neighbors are concerned regarding how the proposed septic systems may impact nearby wells. A possible reduction to the project would help reduce concerns.

Tom Elliot, 6 Alvirne Drive, stated that his house sits in wetlands. He has had a flooded basement previously. He will call the Town Engineer if this happens again. The map shows the water flowing toward his house. If the water flows toward the wetlands, it will need to go through his basement to get there. The data was taken during a very dry summer and should likely be reconsidered. He asked about the impact of the construction equipment on the already poor roads in this area.

Public input closed @ 9:10 P.M

Mr. Oates moved to require a peer review to cover Ms. Truslow's report and to detail how the water flow from this site will impact nearby properties.

Motion seconded by Mr. Crowley. Motion failed 2/5/0 (Malley, Ulery, Boyer, Van der Veen, Guessferd)

Mr. Oates stated that it is clear the Board has decided to trust the applicant's paid consultant and not require a review of the science.

Mr. Boyer moved to grant a waiver from **§289-20.B.2. – Catch-Basins**, in accordance with recommendation by the Town Engineer, 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.

#### Discussion:

Mr. Hess stated that Alvirne Drive cannot be tied into the catch basin system for the proposed development, as it would overflow the system. This would require a differently designed system.

Motion carried 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§289-28.F – Curb Cuts**, in accordance with recommendation by the Town Engineer, 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 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§289-28.C – Street Cross-section**, in accordance with



recommendation by the Town Engineer, 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.

Discussion:

Mr. Crowley stated that he believes there should be a drainage easement shown on Lot 88-9. Mr. Hess stated that all easements will be finalized with the Town prior to approval.

Motion carried 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§290-5.A.4 – GRV**, in accordance with recommendation by the Town Engineer, 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 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§289-37. A. – Phasing**, in accordance with recommendation by the Town Engineer, 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.

Discussion:

Mr. Ulery asked about the proposed phasing and the existing Alvirne Drive roadway condition. Mr. Dhima stated that it would be better to have the construction completed in one shot. If significant cracks are seen, the developer will be alerted. The Board could ask the developer for donations toward potential fixes needed for the road.

Motion carried 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§930-1 (ETGTD)** in accordance with recommendation by the Town Engineer, 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).

Mr. Boyer moved to grant a waiver from **§276-11.B (2)** in accordance with recommendation by the Town Engineer, 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 5/2/0 (Oates and Crowley).

Mr. Boyer moved to grant a waiver from **§HR 289.18.Y** in accordance with recommendation by the Town Engineer, 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.

Discussion:

Mr. Crowley stated that he believes this has been a requirement of the Board before. He asked about capturing more of the drainage prior to the sag on the site. Mr. Hess stated that the proposal was the one that created the best resolution and satisfies the Town Engineer and DPW.

There was discussion regarding the 100' to start of vertical curve 2% portion of this waiver. Mr. Hess stated that 2% would not be exceeded on this site. The Board determine that this waiver was no longer needed.

*The waiver was withdrawn.*

Mr. Boyer moved to approve the Taybre Drive Subdivision Application SB# 03-25, Map 138/Lots 088 & 082, 9 Alvirne Drive, Hudson, New Hampshire 03051; prepared by: Hess Engineering and Construction, 63 West Street, Ashland, NH 03217; prepared for: M.R. Lacasse Homes, LLC, 9 Scenic Lane, Hudson, NH 03051; consisting of 22 sheets and general notes 1-21 on Sheet 6; dated April 24, 2025, last revised September 18, 2025; and:

That the Planning Board finds that this application complies with the Zoning Ordinance, 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 Subdivision Development Agreement, which shall be recorded at the HCRD along with the site plan.
2. Prior to endorsement of the Plan, the Subdivision Development Agreement and water easement depicted to the favor of the Town, shall be subject to final administrative review by the Town Planner and Town Engineer.
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. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of-Record.
5. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
6. A cost allocation procedure (CAP) amount of \$6,230.00 per unit shall be paid prior to issuance of a Certificate of Occupancy.
7. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall be allowed on Sundays.
8. Prior to recording the plans, the applicant shall submit to the Planning Department staff, a final written summary of all comments received and the applicant's corresponding responses, to the satisfaction of the Planning Department.

Motion seconded by Mr. Ulery.



Discussion:

Mr. Crowley suggested an additional stipulation for a contribution to the Sidewalk Fund. Mr. Malley noted that the Fund has not yet been fully setup.

Mr. Oates stated that he will not voice his approval tonight as the Board still does not have verified data on how certain items on the site will affect the abutter wells or the wetland system. The applicant's hydrogeologic report was never peer reviewed and looked only at on site conditions. It is the Planning Board's duty under RSA 674:36 to protect the public health and safety, not to assume. Approving this application without that verification puts the Town, the Board, and the residents at risk. For those reasons, he will vote no.

Motion carried 5/2/0 (Oates and Crowley).

**VIII. NEW BUSINESS:**

A. Campbello Street Extension OSD Subdivision Plan	36 Campbello Street
SB# 06-25	Map 165/Lot 049
Purpose of Plan: to depict an Open Space Development (OSD) of Map 165/Lot 049 into eleven (11) single-family residential lots. Application acceptance & hearing.	

Mr. Van der Veen moved to start a new case after 9:30PM. Motion seconded by Mr. Boyer. All in favor – motion carried 7/0/0.

Mr. Boyer moved to continue the meeting past 10PM. Motion seconded by Mr. Van der Veen. Motion carried 6/1/0 (Oates).

Mr. Oates removed himself from the meeting at 9:57PM. Mr. Hall was seated in his place.

*The Board took a brief recess at 9:57PM. Approximately 10-15 minutes of the meeting were not recorded. The Board returned from recess at 10:06PM.*

Mr. Van der Veen moved to accept the Campbello Street Extension OSD Subdivision Plan application SB# 06-25, Map 165/Lot 049-000, 36 Campbello Street, Hudson, New Hampshire 03051. Motion seconded by Mr. Ullery. All in favor – motion carried 7/0/0.

Public input opened @ 10:13PM.

John Colby, 11 Kenyon Street, addressed the Board.

Public input closed @ 10:15PM.

There was discussion regarding a previous court order, its relevance to this case, and whether the allowed total lot yield was calculated correctly.

There was discussion regarding holding a site walk for this property. A majority of the Board determined this was not necessary.

Mr. Crowley voiced concerns regarding the pre- and post- stormwater contributions at the eastern end of the block. There will be more volume infiltrated post-construction next to a wetland area. Mr. Ulery stated that the applicant has not yet been able to provide any input on these questions.

Mr. Hall moved to continue further consider of the Campbello Street Extension OSD Subdivision Plan application SB# 06-25, Map 165 / Lot 049-000, 36 Campbello Street, Hudson, New Hampshire 03051, to November 12, 2025. Motion seconded by Mr. Crowley. All in favor – motion carried 7/0/0.

## **IX. OTHER BUSINESS**

- A. Public Hearing – Land Use Regulations: Article XI Special Site Review Committee
- Conditional Use Permit – Wetland Buffer Impacts

Public input opened & closed @ 10:35 P.M. – No public input.

Mr. Ulery moved to adopt the proposed amendment to Article XI Special Site Review Committee, paragraph 275.22, paragraph 275.29 as heard at the October 22, 2025 public hearing and based upon the Board's discussions and amendments added thereto. Motion seconded by Mr. Boyer. All in favor – motion carried 7/0/0.

## **X. ADJOURNMENT:**

Mr. Ulery moved to adjourn. Motion seconded by Mr. Boyer. All in favor – motion carried 7/0/0.

Meeting adjourned at 10:37 P.M.

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Ed Van der Veen  
Secretary

*Mr. Ulery accepted the minutes on 11/12/25.  
Motion seconded by Mr. Crowley. 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).*