



# TOWN OF HUDSON

## Planning Board

Timothy Malley, Chairman

Robert Guessferd, Selectmen Liaison



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### MINUTES OF THE PLANNING BOARD MEETING DATE – DECEMBER 10, 2025 - APPROVED

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>E</u>
James Crowley Member <u>X</u>	Julia Paquin Member <u>E</u>	George Hall Alternate <u>X</u>	George Hurd Alternate <u>S</u>
Todd Boyer Alternate <u>S</u>	David Morin Select. Rep <u>X</u>	Brooke Dubowik Town Rep. <u>X</u>	Jay Minkarah NRPC Rep. <u>E</u>

#### 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. Hurd was seated for Ms. Paquin and Mr. Boyer was seated for Mr. Oates.

#### IX. NEW BUSINESS: *(The Board took this agenda item up at this time)*

- A. Proposed Retail Building Site Plan & Conditional Use Permit 1 Bockes Road  
 SP# 11-25 & CUP 04-25 Map 145/Lots 001  
 Purpose of Plan: to propose a 12,000 SF multi-tenant retail building with associated parking and drainage improvements. The retaining wall and minor site grading will encroach into the 75-foot wetland buffer. Application acceptance & hearing.

Mr. Malley noted that, due to the room attendance being overcapacity, this case will need to be deferred to 28 January 2026.

Mr. Ulery moved to defer this hearing to 28 January 2026.  
Motion seconded by Mr. Boyer. All in favor – motion carried 7/0/0.

The Board recessed until 7:05 PM.

44 **V. MEETING MINUTES**

- 45 • 12 November 2025 Meeting Minutes

46  
47 Mr. Ulery moved to approve the 12 November 2025 meeting minutes.

48 Motion seconded by Mr. Crowley. Motion carried 7/0/0.

49  
50 **VI. PUBLIC INPUT (NON-AGENDA ITEMS)**

51  
52 Public input opened @ 7:06 P.M.

53  
54 Jim Dobbins, 4 Eagle Drive, spoke to the Board regarding property taxes. The Planning Board  
55 has a direct impact on resident's property taxes by the decisions it makes. He stated that his  
56 Town taxes are up 95% over the last ten years, and up 45% over the last five. School taxes were  
57 up 94% over the same decade. There has been a 37% inflation rate to the Town, but the tax rate  
58 is up 94.5%. This year the Town is using \$1.3M in cash reserves to lower the property taxes to  
59 minimize the impact. This kicks the can down the road. The Town's population in the last decade  
60 has only grown 3.2%. In the last five years, it has only grown 1.6%. Approximately 3 ½ years  
61 ago, at a Town Meeting, Department Heads for Police, Fire and DPW were asked if known  
62 development would impact personnel, facility, or equipment needs. Every department said no;  
63 this would have a minimum impact. Residents have noted that the Town needs a minimum of 8-  
64 10 more firefighters just to meet base growth impact needs based on decisions that were made by  
65 this Board. The Target site that was approved was supposed to provide \$5M in tax relief to the  
66 Town by now but has elicited only \$2M by his calculations. This will lead to a \$3M shortfall per  
67 year over the next few years. The Town is seeing more accidents, citations, and arrests, more  
68 calls, and more traffic directly and indirectly. This is costing the residents more money. He asked  
69 what the Board is doing to truly understand the infrastructure needs and costs on the plans it  
70 approves, and the revenue needed to cover those costs for the next number of years. This Board  
71 did not want an infrastructure study done and does not yet have a Master Plan to guide it. He  
72 asked how a Master Plan can be created without knowing the real infrastructure impact, needs,  
73 and costs that are being caused by the development in the Town. Second, the Board cannot  
74 blame population growth on rising costs. Surrounding towns of Litchfield, Londonderry, Pelham,  
75 Dracut, and Tyngsborough have a combined population growth rate more than double that of  
76 Hudson. Those towns are rising at 7% and Hudson grew at 3.2% over the same period of time.  
77 He asked if the Board know how many of the Town's emergency calls or responses are due to  
78 pass-through traffic caused by developments. He asked if there is data to show the real impact  
79 surrounding towns are having on Hudson. He suggested assessing border towns with a fee.  
80 Vastly increased costs are being driven by development, not population. He asked when the  
81 Board last did a comprehensive review of impact fees for these type of developments. He asked  
82 if the rates are sufficient to cover the costs being created. He asked if the Board is using a simple  
83 inflation rate, as his 95% tax rate increase does not equal a 37% inflation rate. Residents lose and  
84 developers win. The State allows the Town to set its own impact fees. He asked the Board's plan  
85 to help alleviate the burden.

86  
87 Public input closed @ 7:12 P.M.

88  
89 **VII. CONCEPTURAL DESIGN REVIEW**

90 A. CSP# 03-25 Restaurant Depot Conceptual Site Plan - 273 Lowell Road, Map 234/Lot 034

91  
92 Greg DiBona, LLA, Bohler Engineering, explained that the plans for the site include a new access  
93 road, which is being reconfigured to service the development. The proposed driveway would tie  
94 into that access road. The property is approximately 10 acres, primarily all undeveloped. The  
95 proposal is to construct a 50,000 s.f. Restaurant Depot. This is a national chain that offers  
96 wholesale products for a club membership. One must be affiliated with the restaurant business  
97 and/or have a restaurant license to shop there. The Depot is not open to the public. This is not a  
98 retail use, nor a warehouse use, but something in-between. Items can be pre-ordered but there is  
99 not a shipping aspect to the store. In terms of parking requirements, if this was a retail use, it would  
100 need approximately 250 parking spaces, but if it was a warehouse use, it would need approximately  
101 84 parking spaces. The plan currently shows 176 parking spaces, which is ideal for Restaurant  
102 Depot. The national standards for this chain are being applied to the site. The parking spaces  
103 proposed along the front are under an awning, playing into how the site typically functions for the  
104 business. There are a mix of parking spaces shown on the plan. Some of the spots throughout the  
105 site are 9’x18’. The applicant will likely either seek a waiver or relief from the design standards in  
106 terms of the traditional parking space sizes, to allow for some oversized, wider spaces. The  
107 building sits within all the setbacks. There is a residential buffer on the right hand side of the plan.  
108 The vegetation within that 100’ buffer will be preserved. The applicant was planning to supplement  
109 that with additional infiltration basins in the northern parking lot area, but the geotechnical data  
110 shows that the entire front portion of the site is sitting on ledge, so infiltration will not work there.  
111 The applicant is now considering the size of a basin at the bottom of the plan to try to make it  
112 approximately 15% larger. This would not cause a permanent disturbance to the site.

113  
114 Mr. Boyer asked about the dimensions of the pallet racking inside the store. This will help  
115 determine the type of use the business should be considered. Mr. DiBona stated that he would look  
116 into this further.

117  
118 Mr. Malley asked the proposed building height. Mr. DiBona stated that the typical max height is  
119 approximately 36’. There is not much office area proposed within the footprint.

120  
121 Mr. Van der Veen asked if a user is allowed to choose their own order items. Mr. DiBona stated  
122 that users pick items off the pallets themselves for purchase.

123  
124 Mr. Boyer asked the number of clientele expected for this use. This will help determine the number  
125 of traffic trips to the site. Shaun Kelly, Chappell Engineering, stated that the data shows a facility  
126 of this size during peak hours has a total of approximately 50 trips. This is essentially a customer  
127 arriving every 2-3 minutes and the customer leaving every 2-3 minutes. Mr. Malley asked why  
128 176 parking spaces are needed for this amount of usage. Mr. DiBona stated that a number of spaces  
129 will be used by employees. Most vehicles picking up at the site are SUVs and mini vans, leading  
130 to the requested wider spaces.

131  
132 Mr. Ulery asked if there are currently Restaurant Depot customers in southern New Hampshire.  
133 Mr. DiBona stated that, as there is not a current Restaurant Depot in this area, most are likely  
134 obtaining their supplies from Massachusetts.

135

136 Mr. Boyer stated that he believes most visitors to the site will likely need larger, wider spaces such  
137 as 10'x20'. Some employee spaces at 9'x18' would also be appropriate.

138  
139 Mr. Malley asked if the traffic calculations anticipated the number of Massachusetts customers  
140 who may visit this new New Hampshire site. Mr. Kelly stated that the rates are based on the square  
141 footage of the building and not necessarily geographic locations. Mr. Ulery suggested that the  
142 applicant consider that the Hudson Market Basket is one of the highest grossing stores in the chain.

143  
144 Mr. Crowley asked the planned days and hours of operation. Mr. DiBona stated that they would  
145 likely be typical retail hours.

146  
147 Mr. Ulery suggested interior and exterior photos of peer buildings to the one being proposed. Mr.  
148 DiBona agreed.

149  
150 Mr. Crowley noted that there will likely be shift employees for this business and the proposed  
151 number of parking spaces is likely based on data. He asked about potential overnight trailer storage  
152 on the site. Mr. DiBona stated that the applicant has not requested this on the plans.

153  
154 Mr. Crowley asked about noise generation for the site. Some noise generating items on the site are  
155 proposed to be located closely to the nearby residential properties. He suggested that a noise study  
156 be required for the application process. He also suggested that the traffic study the  
157 Lowell/Dracut/River Road intersection. A fiscal impact study should be considered due to  
158 potential saturation of development in this area. Regional impact notifications may be needed.

159  
160 Mr. Ulery suggested that the plans show circulation for tractor trailers around the site and access  
161 for a fire pumper or ladder truck to the rear of the building. A description of the business plan and  
162 a proposed division of retail versus wholesale will be helpful to the Board.

163  
164 **VIII. OLD BUSINESS**

165 A. Nirel, LLC Accessory Garage 140 Old Derry Road  
166 SP# 08-25 & CUP# 03-25 Map 105/Lot 032  
167 Purpose of Plan: to propose a 1,344 SF accessory garage with associated site  
168 improvements, including a stormwater management area which will disturb  
169 approximately 3,092 SF of wetland buffer, but there are no proposed wetland impacts as  
170 a result of this project (Deferred from June 25, 2025).

171  
172 Mr. Ulery moved to defer the proposed Accessory Garage Non-Residential Site Plan application  
173 and Conditional Use Permit application, SP# 08-25 and CUP# 03-25, Map 105/Lot 032, 140 Old  
174 Derry Road, Hudson, NH, to date certain 27 May 2026.  
175 Motion seconded by Mr. Boyer. Motion carried 7/0/0.

176  
177 B. Washville Car Wash Site Plan 9 Morgan Road  
178 SP# 10-25 Map 156/Lot 016  
179 Purpose of Plan: to propose a new car wash building with associated parking and  
180 customer accessible vacuum machines. Application acceptance & hearing. (Deferred  
181 from November 12, 2025).

182  
183 *Mr. Van der Veen recused himself and Mr. Hall was seated at 8:13PM.*

184  
185 Erik Poulin, P.E., Jones & Beach Engineers, LLC, apologized for the delays associated with the  
186 application. He requested a continuance to the next Board meeting.

187  
188 Mr. Ulery moved to defer the Site Plan application for Washville Car Wash SP# 10-25, Map  
189 156/Lot 016, per the applicant’s request to 28 January 2026.  
190 Motion seconded by Mr. Boyer. Motion carried 7/0/0.

191  
192 **X. OTHER BUSINESS**

193 **A. 2026 Planning Board Meeting Dates & Deadlines**

194  
195 *Mr. Van der Veen retook his seat and Mr. Hall returned to his Alternate position at 8:18PM.*

196  
197 The Board reviewed and accepted the 2026 meeting dates and deadlines. The Board added a  
198 meeting on 7 January 2026 to hold a Public Hearing for the proposed Zoning Amendments.

199  
200 Mr. Boyer moved to hold an additional meeting on 7 January 2026.  
201 Motion seconded by Mr. Crowley. Motion carried 7/0/0.

202  
203 **B. Zoning Amendment Discussion – schedule dates for public hearings.**

204  
205 Ben Witham-Gradert, Associate Planner, explained that the ZORC meeting process determined  
206 five proposed amendments to put forward. The first two are essentially required to go forward as  
207 they are to bring the current Ordinance into compliance with State law. The first one is related to  
208 changes from the State related to accessory dwelling units (ADUs). There are one or two  
209 proposed discretionary changes that are include. One is to change the size of an ADU and  
210 increase the upper limit to 950 s.f. There is a requirement that said ADU may not be larger than  
211 the primary dwelling unit on the property. In addition, a change is proposed to remove the  
212 requirement that ADUs cannot have a driveway, as this Board opted to have two driveways be  
213 permitted by-right.

214  
215 In response to a question from Mr. Crowley, Mr. Witham-Gradert noted that if voters vote this  
216 down, per State law, the discretionary items will not move forward, and the State changes will  
217 override whatever the Town has on the books.

218  
219 There was discussion regarding the manufactured housing restriction that corresponds directly  
220 with definitions in the Zoning.

221  
222 The second proposed amendment is in line with State changes and includes no discretionary  
223 items. This is to expand the sections of Town for which a Family Day Care use is allowed. The  
224 States change allows this by-right in all districts. If the voters vote this item down, it would still  
225 be permitted as is mandated by the State.

226

227 The third item is related to setbacks within the Town-Residential (TR) District. This is to reduce  
228 setback requirements from 30/15/15 down to 20/10/10 for front, rear, and side setbacks. The  
229 reason for this is due to historical construction in Hudson. Many homes constructed within the  
230 TR District currently have part of the building already within the setback. Thus, any modification  
231 to the home would likely require a variance. It makes sense to change the zoning to align with  
232 how the lots were historically designed.  
233

234 The fourth item is a new use to be included on the Table of Principal Permitted Uses, for a Data  
235 Center. There are not any current applications for data centers, but this is to future proof the  
236 Town as data centers tend to be different from other industrial uses. The use is characterized by  
237 long periods of high noise due to cooling required and very intense utility usage, both electricity  
238 and water. This use is proposed to be only allowed in the Industrial District. Crypto centers  
239 would also fall under this use definition.  
240

241 There was consensus on the Board to amend the fourth item to change the “P” (by-right) in the  
242 Table to an “S” for a Special Exception process. This change will be reflected at the Public  
243 Hearing presentation.  
244

245 The fifth amendment is related to Section 334-110 Growth Management – Findings. It proposes  
246 to replace the outdated language with “Growth management practices and findings of fact  
247 shall be in accordance with the most recently adopted Master Plan”. This will help to keep the  
248 Ordinance up to date.  
249

250 Mr. Ulery moved to schedule the first public hearing on the Zoning Amendments on 7 January  
251 2026. Motion seconded by Mr. Crowley.  
252 Motion carried 7/0/0.  
253

#### 254 C. Sidewalk Fund establishment petition – Schedule for Public Hearing 255

256 The Board discuss the Sidewalk Fund establishment petition. Establishment of this Sidewalk Fund  
257 would allow the Planning Board the option of taking a donation in lieu of requiring sidewalks for  
258 certain projects. This requires the will of the voters. The specific definition and administrative  
259 rules for the Fund would be discussed after its establishment by the Board.  
260

261 Mr. Malley expressed concern with this being a slippery slope in terms of housing affordability  
262 and increasing taxes in Town. The establishment of this Fund should be considered in terms of  
263 affordable housing for the Town. Mr. Witham-Gradert explained that paying into the Fund  
264 generally is cheaper and costs less to the developer than requiring sidewalks. The Planning Board  
265 could still require sidewalks in some areas of Town, if it so chooses.  
266

267 Mr. Hurd noted that it is very expensive in Town to build a house. The sidewalk fee will continue  
268 to increase each year. Hudson seems to be moving away from affordable housing. Mr. Witham-  
269 Gradert stated that the Board could make the percentage as low as it feels appropriate once the  
270 Fund is established. Under the current rules, developers must pay 100% of the cost, unless the  
271 Board chooses to waive the sidewalk requirement. This is an opportunity to save developers some

272 costs, while also putting the sidewalk funds in a place that can then be utilized by the Board as it  
273 sees fit.

274  
275 Mr. Morin expressed concern with putting the Sidewalk Fund vote forward to voters without a  
276 clear idea as to what the percentage and associated rules around the Fund may look like. Mr.  
277 Witham-Gradert stated that the first step is to establish the Fund.

278  
279 Mr. Ulery moved to recommend that the Board of Selectmen move this forward for public  
280 hearings.

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

282  
283 Mr. Malley noted that the Board previously entered into a three month trial regarding public input  
284 for non-agenda items. This trial period has ended, and the Board should discuss its will moving  
285 forward.

286  
287 Mr. Crowley moved to extend the trial period for another three months.

288 Motion seconded by Mr. Van der Veen.

289  
290 Discussion:

291 Mr. Ulery stated that two people have spoken but neither spoke specifically to what the Planning  
292 Board can legally do about their concerns.

293  
294 Mr. Boyer stated that the public input from this evening mentioned commercial and industrial  
295 development and what the Board is doing about it in terms of taxes. This could place the Board in  
296 trouble if an impending applicant so desired. Mr. Hurd agreed.

297  
298 Mr. Crowley stated that it can be a helpful way for the public to address items of concern that the  
299 Planning Board could take action on.

300  
301 Mr. Witham-Gradert agreed that this is not a risk-free process, as it requires the Chair to moderate  
302 the discussion.

303  
304 Motion failed 2/5/0, (Mr. Ulery, Mr. Boyer, Mr. Hurd, Mr. Morin, and Mr. Malley in opposition.)

305  
306 **XI. ADJOURNMENT:**

307  
308 Mr. Boyer moved to adjourn. Motion seconded by Mr. Ulery.

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

310  
311 Meeting adjourned at 9:18 P.M.

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315  
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Ed Van der Veen  
Secretary

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319  
320  
321

*Mr. Boyer moved to approve the minutes as presented.*

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

***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).***