



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

Robert Guessferd, Selectmen Liaison



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MINUTES OF THE PLANNING BOARD MEETING DATE – JANUARY 28, 2026 - 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>E</u>	Vice-Chair <u>X</u>	Member <u>X</u>	Member <u>X</u>

James Crowley	Julia Paquin	Timothy Lyko	George Hurd
Member <u>X</u>	Member <u>E</u>	Alternate <u>S</u>	Alternate <u>E</u>

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

I. CALL TO ORDER BY CHAIRPERSON

Mr. Ulery called the meeting to order at 7:01 PM.

II. PLEDGE OF ALLEGIANCE

Mr. Ulery 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. Ulery asked the Clerk to call for attendance.

IV. SEATING OF ALTERNATES

Mr. Boyer was seated for Mr. Malley and Mr. Lyko was seated for Ms. Paquin.

V. MEETING MINUTES

- 7 January 2026 Meeting Minutes

Mr. Crowley moved to approve the 7 January 2026 meeting minutes.

Motion seconded by Mr. Boyer. Motion carried 5/0/2 (Ulery, Lyko).

VI. CORRESPONDENCE

A. 84 Lumber Company – Establish Bond for Off-site & On-Site Improvements

Mr. Crowley moved to approve a bond amount of \$90,780.00 relative to the Off-Site Improvements and On-Site Landscaping Improvements for the 84 Lumber Company Development at 3 Sullivan Road – Map 145/Lot 015-000 as presented in the memorandum from the Development Services Director, Elvis Dhima, to Brooke Dubowik, Town Planner, dated January 15, 2026, together with the Town of Hudson Road Guarantee Estimate Form. Motion seconded by Mr. Boyer. Motion carried 7/0/0.

44
45 **IX. OTHER BUSINESS – *The Board took up this agenda item at this time.***

46 A. 16 Brady Drive Amended Approval – Removal of Easement language.
47

48 Mr. Van der Veen moved to approve the removal of Stipulation No. 2 from the Town of Hudson
49 Planning Board Notice of Approval dated October 22, 2025, for the approved Site plan entitled
50 *SP# 09-25 Brady Drive Industrial Condominium Complex Site Plan*, due to an administrative
51 error, as outlined in the memorandum from the Town Planner Brooke Dubowik to Planning
52 Board Chairman Timothy Malley, dated January 15, 2025.
53 Motion seconded by Mr. Crowley. Motion carried 7/0/0.
54

55 **VII. OLD BUSINESS**

- 56 A. Washville Car Wash Site Plan 9 Morgan Road
57 SP# 10-25 Map 156/Lot 016
58 Purpose of Plan: to propose a new car wash building with associated parking and
59 customer accessible vacuum machines. Application acceptance & hearing (Deferred from
60 12/10/25).
61

62 *Mr. Van der Veen recused himself from this item but continued in his role as Secretary.*
63

64 Mr. Crowley moved to accept the Site Plan Application for Washville Car Wash SP# 10-25, Map
65 156 / Lot 016, 9 Morgan Road, Hudson, NH.
66 Motion seconded by Mr. Boyer. Motion carried 6/0/0.
67

68 Frank Doherty, Washville Car Wash, explained that Washville operates 24 facilities from Long
69 Island, to Bangor, ME, with another 10-15 under preconstruction or currently being permitted. The
70 typical hours of operation are Monday-Saturday from 7:00AM-7:30PM, and 8:00AM-5:00PM on
71 Sunday. This is a fully automated car wash which is fully staffed. There are no self-service bays.
72 The vacuums, which are free to customers and the general public, are turned after hours. There
73 will be no noise or disturbance outside of typical operating hours. This proposed use is a
74 replacement for a previously approved restaurant use in the same location. This building will be
75 approximately 25% smaller than the approved restaurant use, leading to less pavement, less
76 parking, and more open space. The smaller footprint means that the building will be further away
77 from the buffers and property lines than the previously approved use. The proposed use leads to
78 63% less traffic during the week than the approved use had on Saturdays, though a slightly higher
79 number of total vehicles on a Saturday. The proposed use will also close 3.5 hours earlier than the
80 restaurant would have. The sound studies proved that the noise from the proposed use would be
81 equivalent to a light rain or normal conversation. The nearest residence is approximately 125'
82 away. The State Alteration of Terrain permit and DOT items are being worked through at this time.
83

84 Eric Poulin, P.E., Jones & Beach Engineering, explained that the proposal is for a 4,100 s.f. car
85 wash with self-serve vacuums in the front. The current design shows the building set to the rear of
86 the development pad with the vacuums fronting Morgan Road. The site will be serviced by one
87 driveway along Morgan Road, behind Cumberland Farms, and a driveway at the same location. A
88 bypass lane is also provided around the building. There is space on site from the kiosk to the start
89 of the drive-through lane for about a 20 car queue. If needed, this could stretch farther before

getting to Morgan Road. Stormwater is proposed to be collected via a closed drainage system and treated prior to discharge to the rear of the property. Fuss & O'Neill have reviewed the stormwater design and the applicant responded to their last letter to address any comments. In terms of utilities, sewer will be collected in front of the building and tied into an existing municipal sewer system. The building will tie into an existing gas main on Route 102. Power will also be brought in from Route 102 from an existing pole. There is an existing 6" water stub on Route 102 which can be tapped into to service the building with water. Lighting will be downcast, dark sky compliant, commercial-style lighting. Landscaping will be located on all sides of the development including a mix of ground shrubbery and tree cover. The applicant is proposing a solid stockade fence to completely block the use from residences to the north.

Mr. Poulin stated that the applicant is requesting three waivers. The first waiver is for 276-11.1.B(12), parking pavement within the 50' setback. This waiver was granted for the overall development, and this use will respect a similar proximity distance to the front property line. It will also respect the 35' green space buffer along Route 102. The second waiver is for 276-11.1.B.(12).(C), dealing with the 100' buffer to the residential use to the north. From an impact standpoint, this use is a reduction from the previous approval on all fronts. This use will lead to 1,740 s.f. less of impervious development area within the buffer, and 6,800 s.f. less of ground disturbance in the buffer from grading. The proposal will pull that grading 20' more away from the residential property line to the north. The last waiver is for 275-8.C.(6).(a) which requires a loading area for this type of use. Deliveries are very infrequent for the proposed use and usually done by van. There is not much inventory of any kind which needs to go into the building on any regular basis. Thus, the request is for a waiver instead of having to dedicate some of the development's square foot for a loading area which will not be used.

Mr. Crowley asked that the hours of operation be listed on the plans.

Mr. Boyer asked about the waiver for the loading space. He asked what may be brought onto the site and why a van would be appropriate instead of a large truck. Mr. Doherty explained that the facility does not need to stock a lot of supplies, materials, or chemicals. Usually, a box truck or delivery van drop off supplies periodically. The truck may pull into an unused vacuum space to unload. This allows for more green space on the site.

Public input opened @ 7:24PM.

Laurie Greer, 28 Derry Lane, owner at 35 Bowes Circle, and President of Abbies Landing, stated that Washville Car Wash is a Connecticut-based company, and she does not feel that they honestly care about the great town of Hudson and the harm will cause to residents' everyday lives. According to other car wash proposals, a tunnel can host up to eight vehicles with a design maximum throughput capacity higher than the typical demand and there can be a design capacity of 130 vehicles per hour. The projected continual operation average for this particular site is 30-60 per hour. The traffic study estimates 61 vehicle trips during the weekday AM hours and 100 during the PM hours. This average seems to be 14 cars per hour. Yet the capacity average is listed at 30-60 cars per hour. This would certainly be an increase in traffic. The applicant mentioned that it is generally understood that most car wash customers travel there on their way to some other primary destination. This is a membership-based business. It has unlimited monthly car

washes, meaning increased traffic, not just pass through traffic. She does not believe the proposed landscaping will make a dent in noise mitigation. She asked that the Board deny the proposed waiver for the 100' buffer. The proposed use should not enter into any of the residential buffer in any way. She does not see that a noise study was carried out. A car wash will make lots of noise. Hudson has a noise ordinance in place, and she asked how the proposed use compares. She expressed concern regarding idling pollution from customers cars at the business. The proposed vacuum systems appear to be self-serve. There are residences behind the car wash, and some directly across the street which will be impacted. The residents of Abbies Landing and The Village at Reeds Brook all average 70 years old or older and they would like to enjoy peace and quiet, not 100+ decimal readings from a car wash. The Board is tasked with protecting the health, safety, and welfare of the public. The noise alone from this potential car wash and vacuum center will directly affect the public.

Steve Boufford, 6 Easy Street, expressed some concerns with the waiver of the 100' buffer. Noise is also a concern for enjoyment of his property with its proximity to the proposed car wash.

Phillip Naish, 8 Mehan Drive, asked why the Board would consider approving the plan when exceptions are being requested by the applicant to expand outside of their bounds, beyond the easements. The project's parking lot could likely be reduced in order to fit within the existing lot.

Ms. Greer asked about an environmental impact study and potential impacts to nearby water sources and wildlife.

Public input closed @ 7:37PM.

Mr. Doherty and Mr. Poulin stated that, in terms of PFAS potential contamination, there is a standard letter from DES on the Alteration of Terrain (AoT) permit, with comments which are being addressed. As part of the AoT permit, the applicant has to engage with New Hampshire Fish & Game and answer any concerns and questions to their satisfaction prior to obtaining the AoT permit. This process is ongoing. There are two components on the site relating to contaminant protection. The stormwater system has treatment within it as well as skimmers to collect any oils or greases, as required by the State. The stormwater system implements current best management practices. The plan also shows a water treatment system, including a bar screen and a series of tanks. The goal is to allow filters to pick out the contaminants through the process. Approximately 60% of the water onsite is recycled. The system injects both ozone and oxygen for bacteria and odor control. The system can be seen on Sheet C3 of the plan. Independent testing from the State confirms the effluent quality from the site.

Mr. Boyer asked the number of Washville sites in NH. Mr. Doherty stated that there are three existing in NH, with an additional 3-4 in development.

Mr. Crowley asked about a noise study for the proposed use. Currently, a noise study has not been submitted to the Board. He read from Ordinance 249-4 which states specific maximum noise limits. Compliance with these limits cannot be reasonably determined without a professional acoustical analysis conducted in accordance with 249-4. The Planning Board has requested noise studies for other car wash use applications that proposed car wash.

182
183 Mr. Crowley moved to require a noise study for this application, per Hudson Ordinance 249
184 standards. Motion seconded by Mr. Oates.

185
186 Discussion:

187 Mr. Oates stated that no third-party acoustic study has been performed for this application. He
188 conducted his own decibel study, and, at the bottom of Easy Street, this read 45-50 decibels. This
189 will increase closer to the site. He obtained 85-90 decibel readings closer to the site. He would like
190 to see counter data. He would like to see a sound study for the dryers, vacuums, and idling cars all
191 running at once.

192
193 Motion carried 7/0/0.

194
195 Mr. Ulery asked about modifying the size of the parking lot. Mr. Doherty stated that the goal is
196 enough pavement for safe operations and reasonable queuing. This can be reviewed further. The
197 proposed impacts are much less than were previously approved for the restaurant use. The
198 disturbance area from where the grading ends is 40' away from the property line. The previous
199 approval was 20' away. This plan has been pulled 20' further away. The development footprint
200 shows the width of the drive lane at 12.5'. The approved restaurant use went further into the buffer
201 than this proposal. The intention was to keep the impact to a minimum. The proposed use will be
202 20' less in the setback than the previous approved use.

203
204 Mr. Oates asked the number of proposed vacuum stations. Mr. Poulin stated that this would be 18.
205 Mr. Oates suggested eliminating eight of these stations and shifting the building southward. Mr.
206 Doherty stated that he would look into this suggestion. Mr. Oates stated that reviewing the design
207 slightly differently could lead to a reduction in the waivers being requested. He would like to see
208 data or financial justification if the applicant decides not to reduce the number of stations.

209
210 Mr. Crowley stated that the Amherst Street Washville site has 18 vacuum stations, but the
211 maximum number of stations occupied during the period in which he observed the site was three.
212 Eliminating eight stations would still leave the applicant with ten stations. He would like to see
213 this analyzed further.

214
215 Mr. Doherty stated that the minimum criteria for safety and efficiency are known for these sites,
216 but he will consider these suggestions.

217
218 Mr. Oates stated that he would like to continue this hearing before further discussing any of the
219 other waiver requests. Mr. Lyko suggested that the Board continue to discuss the waiver regarding
220 the loading dock, in order to help the applicant to further consider any changes to be made to the
221 site.

222
223 Mr. Oates moved to continue the Site Plan Application for Washville Car Wash SP# 10-25, Map
224 156 /Lot 016, 9 Morgan Road, Hudson, NH, to date certain, March 11, 2026.

225 Motion seconded by Mr. Crowley. Motion carried 6/0/0.

226
227 *Mr. Van der Veen retook his seat.*

228
229 **VIII. NEW BUSINESS**

- 230 B. Proposed Retail Building Site Plan & Conditional Use Permit 1 Bockes Road
231 SP# 11-25 & CUP# 04-25 Map 145/Lot 001

232 Purpose: to propose a 12,000 SF multi-tenant retail building with associated parking and
233 drainage improvements. The retaining wall and minor site grading will encroach into the
234 75-foot wetland buffer. Application acceptance & hearing. (Deferred from 12/10/25).
235

236 Mr. Van der Veen moved to accept the Non-Residential **Site Plan** for the Proposed Retail
237 Building, SP# 11-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH.
238 Motion seconded by Mr. Oates. Motion carried 7/0/0.
239

240 David Jordan, Greenman-Pedersen, Inc. (GPI), explained that the proposal is for a 12,000 s.f.
241 multi-tenant retail building. The parcel is located in the General 1 Zoning District. As a point of
242 reference, the Board approved an almost identical site plan for this site in 2010. The main
243 difference is that the previously approved building was a bit larger at 12,800 s.f. The currently
244 proposed building is smaller because the wetland setbacks for commercial uses have increased
245 from 50' to 75'. There is a wetland located on the northeast side of the property which defines
246 those setbacks. A multi-tenant retail building use is allowed by-right in the General 1 District.
247 The use requires a total of 60 parking spaces. The proposed access to the property is from
248 Bockes Rd. This site would not be allowed to have access off of Route 111. Required to access
249 off of Bockes Road only. As the property abuts Route 111, the applicant is obligated to get a
250 driveway permit from DOT and a new permit was received in November. In terms of access and
251 circulation, there are two-way drive aisles proposed around all sides of the building. There are
252 two loading zones proposed behind the building. The truck turning movements demonstrate that
253 fire trucks can negotiate the site, trash trucks can adequately access the site, and delivery trucks
254 can access the site adequately.
255

256 Mr. Jordan explained that, in terms of stormwater, there are a series of onsite catch basins around
257 the building which all connect to an underground stormwater detention system in front of the
258 building, under the parking lot. There is also a treatment unit before the stormwater exits the
259 detention system and is discharged to the surface. The plan meets the requirements for peak flow
260 reduction and water quality treatment. This property was an asbestos disposal site. Due to that,
261 stormwater infiltration is not allowable. Thus, a waiver has been requested for increase in
262 volume of discharge, and also the groundwater recharge volume per the stormwater regulations.
263 All water flow from the site will eventually end up in Beaver Brook on the other side of Route
264 111.
265

266 In terms of utilities, Mr. Jordan explained that he proposal includes an on-site well. There is not
267 public water available at this location. There will also be an on-site septic system because there
268 is no public sewer in this area. The building will be sprinkled, and a 30,000 gallon fire cistern is
269 proposed on the property, consistent with the Fire Department request. A landscape plan was
270 submitted which shows landscaping on all sides of the property. This property has frontage along
271 three streets and across Bockes Road is a residential subdivision. There is a 100' setback
272 requirement between this commercial use and the nearest residential property. The proposed
273 layout shows 88' from the nearest residential property line and a waiver has been requested. This
274 is consistent with what was requested and granted in 2010. On the Bockes Road side of the

property, there is some hefty landscaping proposed. The applicant has taken steps to address the screening of the building from residential abutters and passersby on Bockes Road. In total, 23 trees and 191 shrubs are proposed throughout the site. Also, there will be offsite improvements made to both Route 111 and the intersection of 111 and Lawrence Road, including a dedicated right turn lane on this side of Route 111, and the widening of Lawrence Road at its intersection with Route 111 to allow for two lanes exiting Lawrence Road onto Route 111. There will be a stop condition on Lawrence Road at Route 111 and on Route 111 there is currently a flashing yellow light.

Public input opened at @ 8:25 PM.

Steven Cotroneo, 2 Rolling Woods Drive, stated that this was originally approved 20 years ago, before residents lived in the area. He stated that the buffer measure is wrong; it is not 88'. In terms of the right hand turn, this will need to be constructed using someone else's property. His written statement is supported by nearly 90 residents and outlines specific health and safety concerns and questions which must be addressed before any approval is considered. He is not opposed to the development but has concerns regarding if the proposal is appropriate, safe, and responsibly designed. This site is located at the only entrance to the Rolling Woods neighborhood. Any impacts from this project will be felt daily by families who live there.

Mr. Cotroneo stated that the applicant submitted three variances. The first variances request deals with the residential buffer. Commercial properties are typically required to maintain a 100' buffer from residential properties to protect homes from noise, lighting, traffic, and runoff. In this case, the applicant is requesting approval of an 88' buffer. Based on the materials submitted, the 88' buffer only exists on paper. It is not certified by survey verified measurements. He personally measured the distance from the corner of Bockes Road and Lawrence Road to the start of the project site and found it to be approximately 66'. The Town's public GIS map shows it at 160'. This is nearly a 100' discrepancy. GIS is a reference tool, not a survey. If the applicant is correct, at the closest point, the separation would be 88' or 14' away from his house. The primary mitigation offered for this proximity appears to be bushes. The impacts are not theoretical. A large parking lot would place commercial lighting and vehicle headlights only feet from his home. Dumpsters will attract rodents and wildlife into neighboring yards. Bushes do not block light; they do not stop noise or activity, and they do not prevent pests. As this buffer is foundational to all of the requested variances and has not been independently verified, none of the variances should be approved as presented.

Mr. Cotroneo stated that variances 2 and 3 deal with groundwater recharge and increased stormwater volume. As this site is an asbestos disposal site, he understands that infiltration could compromise the cap. Due to infiltration not being feasible, stormwater leaving the site will increase in volume. This area already relies on a retention pond, indicating that stormwater is already a concern. Increasing volume places additional pressure on downstream wetlands and neighboring properties, especially during heavy rain events or system failures. All requested variances rely on long-term mechanical performances. Once built, there is no practical way to undo the outcome if the systems fail.

In terms of traffic access and safety, Mr. Cotroneo stated that Rolling Woods has a single entrance with limited visibility. Adding commercial access in this area will concentrate traffic at the exact point residents use for access. The proposal would effectively create a second four-way intersection feet away from another intersection on Route 111 which already experiences congestion and a history of accidents. Bockes Road is narrow and winding and already used as a cut through. Introducing a multi-tenant commercial entrance will add increased vehicle volume to a roadway that was not designed for it. At the Conservation Commission meeting, the applicant noted that they hoped an emergency vehicle would be able to turn around on the site. Emergency access should be demonstrated through design and analysis, not assumed. A school bus stop is immediately adjacent to the site. These conditions warrant serious evaluation before approval.

Mr. Cotroneo stated that asbestos is a regulated cancer causing substance. This site is listed by NH DES as an inactive asbestos proposal site, meaning asbestos containing material remains in the ground. Any disturbance of asbestos contamination requires NH DES approval. Given the scope of this project, subsurface disturbance appears unavoidable. Construction cannot legally proceed without a plan in place. The applicant's plan also indicates a drinking well on site. Given the site's designation and proximity to homes, private wells, wetlands and areas where children gather, this raises serious questions. It is responsible for the Town to require confirmation that a complete asbestos management plan has been approved prior to any local approval.

In terms of environmental pollutions and buffer concerns, Mr. Cotroneo stated that the current proposal does not adequately protect nearby homes from environmental impacts. The landscape plan consists primarily of low growth shrubs which do not function as a meaningful buffer. This will not mitigate noise, prevent light spills, or address traffic or pest impacts. Limited landscaping on one side of the road is not sufficient. A functional commercial property requires continuous mature height evergreen screening. Another major concern is the risk of chemical contamination reaching nearby private wells and wetlands. Commercial development introduces hazards such as fuel leaks, oil runoffs, and chemical releases from tenants and deliveries. This is not hypothetical. In New Hampshire, commercial sites have contaminated resident wells, forcing families on bottled water for years. Concrete and asphalt are not barriers. Over time, chemicals migrate through cracks in drainage systems into soils, wetlands, and groundwater. The connected wetlands drain toward streams and ponds, expanding the impact beyond the site. He contacted the Governor's Office and was advised that a baseline testing of nearby private wells before construction, followed by post-construction monitoring, it is a prudent step. Without this, baseline responsibility cannot clearly be established. With it, accountability exists.

Mr. Cotroneo stated that the site is zoned as General 1. When this property was zoned, it was not surrounded by established residential neighborhoods. Today, it is directly adjacent to homes, private wells, wetlands, and neighborhoods, with a single point of access. Decisions must reflect present day conditions, not historical zoning. In closing, given the sensitivity of this area, it is not sufficient for the developers to rely solely on their studies. The Town should require independent third-party environmental and traffic reviews funded through escrows and selected by the Town.

Deb Lescault, 16 Rolling Woods Drive, stated that there is one retention pond in the neighborhood, and she asked if the proposal would add any water into this. Mr. Jordan stated that

it will not. Ms. Lescault noted that there is a stream along the applicant's property, and she asked how it would be protected.

Public input closed at @ 8:44 PM.

Mr. Jordan noted that Route 111 is a DOT-controlled road. The Board can make a recommendation, but certain criteria need to be met before DOT will install a traffic signal on their roadway. DOT determined that they have jurisdiction over the right turn lane and the widening of Lawrence Road due to the proximity to Route 111. Those are improvements that DOT wants to make for this project. He stated that he is a licensed land surveyor in the State of New Hampshire. The plans do have dimensions on them, and he has certified the dimensions with his stamp. The proposal will not widen Route 111 or Lawrence Road onto anyone's property. There is enough right of way for that work without impacting abutters. The intersection improvement plan will be submitted for the record. Regarding the residential setback statement, the 88' dimension is clearly shown on the plan. Sheet 4 of 13 shows it measured from the edge of pavement behind the building to the nearest residential property line, as defined in the Zoning Ordinance. The property has been surveyed, and this information is included in the existing conditions. The plans have been peer reviewed by Fuss & O'Neill and there are some minor comments which will be addressed through additional notes on the plan. The residential buffer requirement has been reviewed by the third party consultant and vetted through them. Regarding the treatment of stormwater runoff, there are a series of measures proposed for the site. Catch basins throughout the site will collect any sediment and have oil/gas hoods over them to keep petroleum products contained within the basin. Runoff then flows to a detention system where it will be detained and slowly released over time. When it exits the detention system, it goes through a treatment filter to provide additional cleansing to meet both the local, state, and EPA requirements for water quality protection. In terms of asbestos, prior to construction, a licensed environmental consultant will create a health and safety plan and soil management plan, to be submitted to the State.

Mr. Van der Veen asked how the residential setback was measured from the edge of the Bockes Road right of way. Mr. Jordan explained that this point was taken from the recorded subdivision plan which defines where the property line is. That plan was produced by another surveyor.

Mr. Crowley asked if it has been documented as to whether there has been significant settlement or change to the existing grade of the site since 2008. Mr. Jordan stated that there has been no activity on the site since well before 2010. The cap has not been disturbed since that time. Mr. Crowley stated that he believes there should be signs or warnings on the site to keep people away from asbestos on the site. Mr. Jordan stated that he is not aware of a requirement from when the cap was placed to have signage on the site. This would have been worked out with DES. DES has signed off on the work done. Moving forward, the health and safety plan and soil management plan submittals to DES may lead to signage.

Mr. Crowley expressed concern with work on the site disrupting the cap. A geotechnical report of some type may be needed. Mr. Jordan stated that the site currently drops significantly and fill will be brought onto the property. Not all work will influence the cap. Geotechnical consultants can be utilized moving forward in the process, prior to a building permit application.

Mr. Crowley moved for a geotechnical report to be submitted for this application.
Motion seconded by Mr. Oates.

Discussion:

Mr. Jordan stated that commercial buildings are built all the time. Geotechnical reports are created and submitted for those projects at the appropriate time. It is unclear within the site plan regulations where there is the authority to require a geotechnical report prior to the applicant knowing if the project will be able to move forward. Mr. Crowley stated that the site plan regulations allow the Board to require special reports. Mr. Ulery stated that this allowance is for a Conditional Use Permit, not a site plan. The applicant stated that he is willing to submit a geotechnical report at the appropriate time. This could be a stipulation instead of a precondition of site plan approval.

Mr. Crowley AMENDED his MOTION for a geotechnical report to be submitted for this application, prior to a foundation permit.

Discussion:

Mr. Oates stated that the geotechnical report will provide engineering data regarding any impact on the runoff from the asbestos.

Mr. Boyer stated that he was not in favor of the original motion, as he found it to be unfair to the applicant, but is behind the amended motion.

Motion seconded by Mr. Oates. Motion carried 7/0/0.

Mr. Crowley noted that only a traffic generation memo was submitted instead of a full traffic study. Mr. Jordan stated that this was all that was requested by DOT. Mr. Crowley stated that he needs to know what types of businesses will be going into this building, as it will impact how he views the traffic impact. Mr. Jordan stated that a sit-down restaurant is not contemplated. The site is limited by its drinking water well and septic system. Mr. Boyer stated that the project would also be restricted by the number of parking spaces. A use that would require more would have to come before the Board for approval. The application is for a retail space as it is defined within the Zone. Mr. Oates stated that, if this is approved without any stipulations, the applicant would not have to come back to the Board for changes and could essentially build out anything in the realm of retail they want. Mr. Ulery stated that this is incorrect. Mr. Van der Veen noted that certain retail uses drive more customers than others. Mr. Crowley stated that a traffic memo is not sufficient. Typically, the Board requests a traffic for this type of build out. Mr. Jordan explained that the traffic memo uses Land Use Code 822: Strip Retail Plaza less than 40,000 s.f. A full blown traffic study would use the same land use code and end up with the same number of trips per peak hour. The crux of a study is contained within the memo.

Mr. Crowley noted that the Town can have some administrative abilities on the site to help increase transparency regarding potential health concerns. He suggested a stipulation that at the required preconstruction meeting, a copy of an approved health and safety plan by the New

Hampshire DES and a disclosure of a licensed asbestos disposal site contractor to manage the site shall be presented. Mr. Jordan stated that this would be reasonable.

Mr. Crowley suggested an additional stipulation that, prior to issuance of the certificate of occupancy, there shall be submittal of a New Hampshire DES approved closure report including site restoration and capping plan to the Town of Hudson. Mr. Jordan stated that any closure document tied to the project that needs to be reviewed by the State will be shared with the Town.

Mr. Van der Veen asked about the hours of refuse removal for the dumpsters. Mr. Jordan stated that this information can be included on the plan. Mr. Van der Veen asked about moving the dumpsters from the residential side of the development. Mr. Jordan stated that this is likely possible.

Mr. Boyer stated that the State will not allow for any work in the cap on the site. All work must be on top of it. Information about the cap is available on the DES website. The applicant has stated that they will bring fill into the site. There are many DES regulations regarding asbestos sites. Mr. Crowley stated that he is only look for administrative transparency regarding the cap.

Mr. Ulery noted that questions regarding wastewater and stormwater need to be further considered. Mr. Boyer suggested that the applicant submit topographicals including grades and depths for the proposed fill and utilities.

There was discussion regarding potentially changing the parking space sizes in order to allow for certain items to be moved around the site.

Mr. Oates moved to continue the Non-Residential **Site Plan** for the Proposed Retail Building, SP# 11-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH to date certain March 25, 2026. Motion seconded by Mr. Crowley. Motion carried 7/0/0.

Mr. Van der Veen moved to accept the **Conditional Use Permit** for the Proposed Retail Building CUP# 04-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH. Motion seconded by Mr. Boyer. Motion carried 7/0/0.

Mr. Oates moved to continue the **Conditional Use Permit** for the Proposed Retail Building CUP# 04-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH, to date certain March 25, 2026. Motion seconded by Mr. Crowley. Motion carried 7/0/0.

X. ADJOURNMENT:

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

Meeting adjourned at 9:40 P.M.

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Ed Van der Veen
Secretary

***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.***

DRAFT