



TOWN OF HUDSON

Planning Board

Glenn Della-Monica, Chairman

Marilyn McGrath, Selectmen Liaison



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

PUBLIC MEETING TOWN OF HUDSON, NH October 11, 2017

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, October 11, 2017 at 7:00 p.m. in the "Buxton Community Development Conference Room" at Town Hall. The following items will be on the agenda:

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
- V. MINUTES OF PREVIOUS MEETING(S)
 - 20 September 17 Meeting Minutes – Decisions
- VI. CASES REQUESTED FOR DEFERRAL
 - 1) Contractor's Facility – 140 Old Derry Rd. – Map 105/Lot032
- VII. CORRESPONDENCE
- VIII. OLD BUSINESS/PUBLIC HEARINGS:
 - 1) Commercial Development Site Plan – 120 & 126 Derry St. – Map 156/Lot 15 & 16 – SP#11-17
Purpose of Plan: to construct a free-standing pharmacy, service station and proposed future restaurant with parking facilities. Public Hearing.
- IX. NEW BUSINESS/PUBLIC HEARINGS
 - 1) New Fire Station – 204 Lowell Road
Purpose of Petition: to conduct a public hearing under RSA 674:54 for Planning Board non-binding comments on conformity or non-conformity of the proposal with normally applicable land use regulations. Public Hearing
 - 2) Brox Industries, Inc. – Greeley St. & Barretts Hill Rd. – Map 115, Lot 5
Purpose of Petition: Renewal of Earth Excavation Permit.
- X. OTHER BUSINESS
- XI. ADJOURNMENT

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 10:00 a.m. on the Tuesday prior to the day of the meeting.
The public is invited to attend.

George Theborge AICP
Land Use Director

POSTED: Town Hall, Library & Post Office – 09-23-17

MINUTES/DECISIONS OF THE PLANNING BOARD
MEETING DATE: SEPTEMBER 20, 2017

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

Glenn Della-Monica Chairman <u> X </u>	Timothy Malley Vice-Chair <u> X </u>	William Collins Secretary <u> X </u>	Charles Brackett Member <u> E </u>
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Jordan Ulery Member <u> X </u>	Dillon Dumont Member <u> X </u>	Elliott Veloso Alternate <u> X </u>	Ed Van der Veen Alternate <u> X </u>
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Ethan Meinhold Alternate <u> E </u>	Marilyn McGrath Select. Rep. <u> E </u>	David Morin Alt. Select. Rep. <u> E </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**
- V. MINUTES OF PREVIOUS MEETING(S)**
 - 16 August 17 Meeting Minutes – Decisions

Mr. Malley moved to approve the 16 August 17 Meeting Minutes, with corrections proposed by Mr. Elliot.

Motion seconded by Mr. Ulery. 6 yeas, 0 nays and 0 abstention. Motion carried.
- VI. CASES REQUESTED FOR DEFERRAL**
- VII. CORRESPONDENCE**

Mr. Thebarga indicated that correspondence had been received on two of the applications.

Mr. Della-Monica stated that the correspondence would be discussed when those items come up.
- VIII. PERFORMANCE SURETIES**

IX. ZBA INPUT ONLY

A. Bluebird Self-Storage – 256 Lowell Rd. – Map 228/Lots 7 & 8 – ZI#01-17

Purpose of Plan: to construct a new, 3-story, 112,500 sf self-storage facility with access from Lowell Rd. Site improvements to include a new driveway to provide access around the building, stormwater mgt. system, utilities, landscaping, lighting and other site appurtenances.

MOTION: I move for the Planning Board to forward the following “Input Only” recommendation to the ZBA, concerning the Wetland Buffer Impact associated with the site improvements for the Bluebird Self Storage, Map 228 Lots 007 & 008 Lowell Road, Hudson:

From a planning perspective, the proposed project design avoids impacting wetlands through construction of a retaining wall and provides stormwater treatment and detention that will mitigate runoff impacts on adjacent wetlands, downgradient water bodies, and adjacent properties.

The Planning Board recommends that the wetlands and wetland buffer boundary be clearly marked during the construction process.

Motion by Mr. Malley, second by Mr. Ulery. The motion passed unanimously.

X. PUBLIC HEARINGS

XI. OLD BUSINESS/PUBLIC HEARINGS

XII. DESIGN REVIEW PHASE

XIII. CONCEPTUAL REVIEW ONLY

XIV. NEW BUSINESS/PUBLIC HEARINGS

A. Masimo Semiconductor – 25 Sagamore Park Rd.– Map 227/Lot 002 – SP#08-17

Purpose of Plan: to construct two connected loading docks with paved loading access and stormwater improvements.

MOTION: I move to accept the Site Plan application for 25 Sagamore Park Road, Tax Map 227, Lot 2.

Motion by Mr. Malley, second by Mr. Ulery. The motion passed unanimously.

MOTION: I move to approve the Site Plan entitled: Proposed Loading Dock for Masimo Semiconductor 25 Sagamore Park Road, Hudson, NH, prepared by Crossman Engineering, 103 Commonwealth Ave, North Attleboro, MA, dated AUG 2017, consisting of Sheets 1 – 14, in accordance with the following terms and conditions:

1. The applicant shall prepare an Amended Site Plan of Record in recordable form citing the existing Site Plan of Record.
2. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the amended Site Plan-of-Record, which shall be favorably reviewed by Town Counsel prior to Planning Board endorsement of the Plan.
3. All improvements shown on the Amended Site Plan-of-Record, including all Notes on the plan, shall be completed in their entirety and at the expense of the Applicant or his assigns.
4. 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 Community Development Department, confirming that the site conforms to the Planning Board approved site plan.
5. Maintenance of the stormwater drainage system shall be constructed and maintained in compliance with NHDES requirements for such systems.
6. 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 construction activities shall be allowed on Sundays.
7. This plan shall be subject to final engineering review and approval.
8. The amended site plan of record shall be revised to establish designated snow storage areas which shall not be permitted in the 150-foot Merrimack River Corridor buffer.

Motion by Mr. Malley, second by Mr. Veloso. The motion passed unanimously.

B. Commercial Development Site Plan – 120 & 126 Derry St. – Map 156/Lot 15 & 16 – SP#11-17

Purpose of Plan: to construct a free-standing pharmacy, service station and proposed future restaurant with parking facilities. Application Acceptance and Hearing.

MOTION: I move to accept the Site Plan application for 120 Derry Rd, Tax Map 156, Lots 15& 16.

Motion by Mr. Malley, second by Mr. Collins. The motion passed unanimously.

MOTION: I move to defer further review of the 120 Derry Road Site Plan application, date specific, to the 11 OCT 17 meeting.

Motion by Mr. Malley, second by Mr. Veloso. The motion passed unanimously.

XV. OTHER BUSINESS

XVI. ADJOURNMENT

Motion to adjourn by Mr. Malley. Seconded by Mr. Ulery. The motion passed unanimously.

Meeting adjourned at 10:00 p.m.

William Collins
Secretary

DRAFT



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

October 4, 2017
Job #5467

Mr. George Thebarga
Land Use Director
Hudson Planning Department
12 School Street
Hudson, NH 03051

**RE: PROPOSED CONTRACTOR'S FACILITY
140 OLD DERRY ROAD
HUDSON, NH**

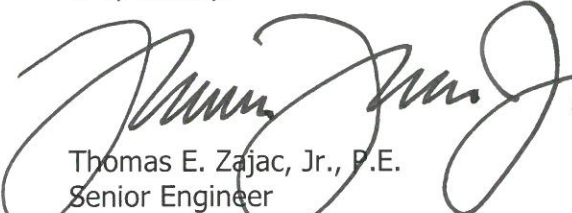
Dear Mr. Thebarga,

On behalf of our client, Nirel, LLC, we respectfully request a postponement of the above-referenced project, currently scheduled for the October 11, 2017 Planning Board meeting, until the October 25, 2017 meeting.

The reason for the postponement is to allow adequate time to address the peer review comments received on September 26, 2017.

In advance, we thank you for your cooperation in this matter. As always, please feel free to contact me if you have any further questions regarding this project.

Respectfully,



Thomas E. Zajac, Jr., P.E.
Senior Engineer
Hayner/Swanson, Inc.

204 Lowell Rd Fire Station RSA 674:54 Review

Staff Report
11 October 2017

SITE: 204 Lowell Road -- Map 216/Lot 15 – CSP #4-17

ZONING: R2

PURPOSE OF PETITION: Construction of the new Fire Station is exempt from Planning Board site plan review. Per RSA 674:54, the Board of Selectmen has requested that the Planning Board conduct a public hearing and consider issuing non-binding comments on the project related to conformity or non-conformity with normally applicable land use regulations.

PLAN UNDER REVIEW ENTITLED:

Non-Residential Site Plan – South Hudson Fire Station, Map 216 Lot 15, 204 Lowell Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc. dated: 18 SEPT 2017 (no revision date), consisting of Sheets 1-5 of 10 and 7-10 of 10 (said plans are attached hereto).

ATTACHMENTS:

1. Memo from Chief Buxton dated 9-18-2017, Board of Selectmen meeting minutes dated 8-8-2017 requesting Planning Board input, Section 674:54 Governmental Use of Property, memo from Zoning Administrator dated 10-4-2017 on zoning criteria – Attachment “A”.

OUTSTANDING ISSUES:

1. Town staff met with the project design consultant to discuss site drainage and the limitations of the lot to accommodate stormwater detention and treatment.
2. Town staff also discussed traffic issues related to the project site on Lowell Road.
3. The project consultant will be preparing a memo to address these issues.
4. The Zoning Administrator has pointed out that the project does not comply with front yard and wetland buffer setbacks.

APPLICATION TRACKING:

- 18 SEPT 17 – Planning Board input request submitted.
- 11 OCT 17 – Planning Board hearing scheduled.

RECOMMENDATION:

For this Planning Board input hearing, staff recommends for the board to hear the applicant’s presentation, and his answering of any questions and/or concerns, and conclude this hearing. DRAFT MOTIONS are provided below for the board’s consideration.

DRAFT MOTIONS:

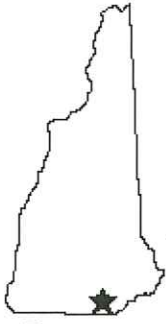
I move to accept the application concerning the Fire Station improvements associated with Map 216, Lot 15 204 Lowell Road, Hudson, NH.

Motion by: _____ Second: _____ Carried/Failed: _____

I move for the Planning Board to forward the following non-binding comments on to the applicant:

1. Due to site limitations, stormwater detention and treatment are not workable. Town staff is comfortable that the Lowell Road drainage infrastructure is adequate to accommodate surface water runoff from the site.
2. The Fire Station will be located on one of the Town's busiest roadways. The very low traffic volume associated with the facility during normal hours and the authority of emergency vehicles to establish right of way priority during peak hours address traffic concerns.
3. Noncompliance with front property line and wetland buffer setbacks are acceptable given the public safety purpose and importance.

Motion by: _____ Second: _____ Carried/Failed: _____



TOWN OF HUDSON

FIRE DEPARTMENT

39 FERRY STREET, HUDSON, NEW HAMPSHIRE 03051



Emergency 911
Business 603-886-6021
Fax 603-594-1164

Robert M. Buxton
Chief of Department

TO: George Theborge
Land Use Director

FR: Robert M. Buxton
Fire Chief

DT: September 18, 2017

RE: October 11, 2017 Planning Board Agenda



At the August 8, 2017 Board of Selectmen's Meeting, the Board approved the motion to instruct the Fire Chief to exercise the ability of the Town under RSA 674 to go to the Planning Board for a cursory review of the proposed fire station project.

The Fire Department will bring forward for an informal presentation of the proposal of 7,500 square foot facility located at 204 Lowell Road with associated parking and utilities. The proposal will include plans, specifications and an approximate construction schedule for review.

Selectman Coutu asked what would the motion be. Chief Buxton said theoretically to instruct the Fire Chief to exercise the ability of the town under RSA 674 to go to the Planning Board for a cursory review of the proposed fire station project.

Motion by Selectman Coutu, seconded by Selectman Morin, to instruct the Fire Chief to exercise the ability of the town under RSA 674 to go to the Planning Board for a cursory review of the proposed fire station project.

Selectman Morin wanted to say I was at the meeting Selectman McGrath but I don't think they really gave the Planning Board a presentation. Basically this is what we are doing. I talked with the Chief earlier this week and he plans on giving a presentation so they understand exactly what's going to take place. Selectman McGrath said they could have deferred that action but they weren't inclined. Selectman Morin thought a little different circumstances but absolutely. Selectman McGrath said just as an added thought, I'm not certain that you'll get an approval in one night like Irving Oil did but we'll see.

Vote: carried 5-0.

Chief Buxton said basically the last slide that we fall off with is basically the firm that we've projected to you or suggested to you tonight from the committee is StructureTone and this is a conceptual plan of the building that they would like to build for you on Lowell Road. The Finance Director forwarded you a review of the bid process, the bid plan agreeing with the recommendation and I'm asking you to move that piece of that process forward.

Selectman Routsis asked you had mentioned wanting brick veneer. Is StructureTone going to have it because there's no money allotted in that like the other ones have. Chief Buxton indicated StructureTone has built it into their base price.

Selectman Routsis's only other question is and this is just because it's my lack of knowledge. We are reducing their maximum amount by almost \$100,000 for additional allowances for masonry work and the emergency exhaust system. What is causing that reduction? Chief Buxton explained in their proposal also carried the additional 1,200 square feet of brick veneer which was an error on their part. The second error on their part was they also carried \$40,000 worth of monies for an exhaust system that was covered under \$125,000 allowances built into each of the bids for all that specialty equipment that the Fire Department requires.

Selectman McGrath had some questions. It's a beautiful looking station. I can see that that will be a nice asset for the town that the residents will be pleased with. I have a couple of questions and just based on the presentation that you gave us when Keach Nordstrom went out and did the borings was there any consideration given - and I don't know. Let me just preface this by saying that I don't know if it would be a good use of time or not or whether or not it would save the taxpayers any money but was there any consideration given to geothermal for the heating? Chief Buxton said we did not. Basically my experience from looking at those projects is it takes a long time to get your return. There's a heavy escalation in installation costs. I apologize I didn't bring that with me but the research in the original plan that we had looked at was the geothermal is very expensive up front. It takes you several years to get that return on your investment. That is a method of heating and cooling but that was not something that we had requested in the package. Selectman McGrath said normally I wouldn't have even thought of it but you mentioned the borings but there was a building up...Chief Buxton said 208 Robinson Road is a lead certified building and there's no ability to open the windows. Its 100 percent climate controlled facility. That was not part of the base process that we looked at. From an estimate standpoint and what I wanted to also include was we had done due diligence with PortOne and Harvey Construction at the time who had built this facility in Londonderry. Basically they provided us with an update in regards to costing and then we added a five percent escalator to come up with the budgetary figure. One of the things that I'm very pleased with is with the increase in the construction activity in the State that we came in underneath the \$2.9 million. Does that mean that we're done spending money and there's an easement piece to look at and a couple other odds and ends that are outside of the contract. Budgetary wise we're in very good shape from where candidly you get a little nervous as you watch the construction world going round and round. You see the pricing of things going up and down. That's why we added those alternatives so we had a base price that had sheetrock within the building and then we had the alternatives for the concrete which is in my eyes the way to go from an investment and municipal building like that.

TITLE LXIV PLANNING AND ZONING



CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Governmental Use of Property

Section 674:54

674:54 Governmental Land Uses. –

I. In this section, "governmental use" means a use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the community college system of New Hampshire, or by a county, town, city, school district, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.

II. The state, university system, community college system of New Hampshire, county, town, city, school district, or village district shall give written notification to the governing body and planning board, if such exists, of a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use. Written notification shall contain plans, specifications, explanations of proposed changes available at the time, a statement of the governmental nature of the use as set forth in paragraph I, and a proposed construction schedule. Such notification shall be provided at least 60 days prior to the beginning of construction. Either the governing body or planning board of the municipality may conduct a public hearing relative to the proposed governmental use. Any such hearing shall be held within 30 days after receipt of notice by the governing body or planning board. A representative of the governmental entity which provided notice shall be available to present the plans, specifications, and construction schedule, and to provide explanations. The governing body or planning board may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing.

II-a. Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations.

II-b. The construction and operation of any solid waste disposal facility on land owned or occupied by any city or town within another city or town shall be subject to local land use regulations to the same extent as if the land were owned and occupied by a private entity. Nothing in this paragraph shall affect the construction and operation of a solid waste facility on land owned by a solid waste management district formed under RSA 53-A or RSA 53-B or any combination of municipalities authorized by an act of the general court, if the land is located within a city or town that is part of the district.

III. This section shall not apply to:

(a) The layout or construction of public highways of any class, or to the distribution lines or transmission apparatus of governmental utilities, provided that the erection of a highway or utility easement across a parcel of land, shall not, in and of itself, be deemed to subdivide the remaining land into 2 or more lots or sites for conveyance for development purposes in the absence of subdivision

approval under this title. For purposes of this subparagraph, "transmission apparatus" shall not include wireless communication facilities.

(b) The erection, installation, or maintenance of poles, structures, conduits and cables, or wires in, under, or across any public highways under RSA 231, or licenses or leases for telecommunication facilities in, under, or across railroad rights of way. For purposes of this subparagraph, "structures" shall not include wireless communications facilities.

IV. In the event of exigent circumstances where the delay entailed by compliance with this section would endanger public health or safety, the governor may declare a governmental use exempt from the requirements of this section.

Source. 1996, 262:1. 1998, 281:2. 2007, 29:1, eff. May 14, 2007; 361:32, eff. July 17, 2007.





TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

October 4, 2017

Site Plan Review Zoning Review/Comments

Re: Case: SP #04-17
Address: 204 Lowell Road
Zoning district: Residential Two (R-2)

Summary:

- 1) Building & parking lot are proposed within the 50 ft wetland buffer. (§334-35 C).
- 2) Building lacking front yard setback of 50ft from Lowell Rd. (§334-27 Table of Dimensional Requirements.)

Sincerely,

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: George Theborge – Dir Land Use
Chief Buxton
Deputy O'Brien