

# **USA Ninja Challenge**

## **STAFF REPORT**

March 27, 2019

**SITE:** 17 Friars Drive – Map 209/Lot 5 – MSP# 02-19

**ZONING:** I

**PURPOSE OF PLAN:** change of use application to operate an “indoor commercial recreation” business, a permitted use in the Industrial zone, in a portion of building currently approved for office and industrial uses.

**PLAN UNDER REVIEW:** Pneutek Park, Friars Drive, Hudson, NH prepared by Maynard & Paquette Engineering Associates, LLC, 23 East Pearl St, Nashua, NH 03060, dated May 5, 1999.

**ATTACHMENTS:**

- A. Project Narrative.
- B. Zoning Determination dated March 11, 2019 from Bruce Buttrick, Zoning Administrator.
- C. Approved Plan of Record.

**STAFF COMMENTS:**

This application seeks approval pursuant to §334-16.1 of the Zoning Ordinance which requires Planning Board approval for a change of use. The site is currently approved for office and industrial. The applicant’s proposed use is classified as “indoor commercial recreation” which is a permitted use in the Industrial Zone.

The compatibility of this use among that of traditional industrial and office uses is high. The peak hours and parking demand (evenings and weekends) for indoor commercial recreation coincide with the off-peak hours for industrial and office uses. This use would actually require less parking on the overall site than an industrial or office use as it takes advantage of shared parking.

**APPLICATION TRACKING:**

- 15 MARCH 2019 – Special Site Review Committee Application submitted.
- 27 MARCH 2019 – Public Hearing scheduled.

**RECOMMENDED ACTION:** Staff recommends application acceptance, conduct of the public hearing, and consideration of minor site plan approval in accordance with the below DRAFT MOTIONS. In the event that the Committee determines more time is needed to review the application, or that it should appear before the Planning Board, a motion for deferment is provided after the draft acceptance motion.

***DRAFT MOTIONS***

**DRAFT MOTION TO ACCEPT:**

I move to accept the Special Site Review Committee application 17 Friars Drive, Map 209 Lot 5.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**DRAFT MOTION TO DEFER:**

I move to defer the further consider of the Special Site Review Committee application 17 Friars Drive, Map 209 Lot 5 to a date specific, the April 10, 2019 Planning Board meeting.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

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**DRAFT MOTION to APPROVE:**

I move to approve the use of indoor commercial recreation at 17 Friars Drive, Map 209 Lot 5.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

# MSP #02-19 Attachment A

Special Site Plan Committee members,

Re: Project Narrative for site plan approval at 17 Friars Dr. unit 18/19 Hudson NH

I am the owner of a USA Ninja Challenge franchise, which is a curriculum based children's fitness, obstacle gym.

Description: USA Ninja Challenge has developed an obstacle course skills program that incorporates basic skill sets from gymnastics, climbing, cross training and track & field. Ninja Challenge is open to boys and girls ages 4 to 17. The program is designed to meet the requirements of a full physical fitness program for today's youth. We incorporate a variety of apparatus including rings, bars, balance beams, peg boards and strength stations. Other specialized ninja training equipment is also used, such as cargo nets, traverse walls, slack lines, ropes, ladders, ledges, and warped walls. Each portion of every obstacle course includes corresponding conditioning and flexibility stations. The desired result of this program is to improve children's strength, flexibility and all-around athleticism.

This is a year-round program that runs very much like a gymnastics gym or dance studio with monthly tuition. The focus demographic is families with parents from their late 20's to early 40's with disposable income. Our program is very stable and our franchisees usually sign leases with a minimum of 5 years with an additional 5 year option.

Hours of Operation: USA Ninja Challenge gyms offer after-school classes Monday thru Friday from 3:30 to 8:30 pm. Classes and other activities are offered on Saturdays from 9:00 am to 6:00 pm and some Sunday afternoons. As demonstrated at other USA Ninja challenge franchise locations, this business type is very complimentary in Industrial zoned spaces. The hours tend to be almost opposite a typical M-F business, which helps with flow of traffic and parking. The Manchester location in particular has a very similar dynamic and has worked out very well with no issues.

A gym such as this would be categorized as "indoor commercial recreation". I am currently pursuing occupancy as a single use tenant at 17 Friars Dr. unit 18/19 Hudson NH. I would like to ask for a site plan approval for this proposed use from the town of Hudson's Special Site Plan Committee, for this building which is zoned industrial. The space is 6000 sq. ft. and is divided up into 1500 sq. ft. of office space and 4500 sq. ft. of warehouse space. The overall current configuration will remain the same with the warehouse area to be used for the gym space. Please don't hesitate to contact me if you have any questions or require additional information.

Thank you for your consideration in this matter,

Sincerely,

Brian O'Connor

603-425-4652

[brian@usainjinchallenge.com](mailto:brian@usainjinchallenge.com)



**TOWN OF HUDSON**  
Land Use Division



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

**Zoning Determination 19-023**

March 11, 2019

Brian O'Conner  
Ninja Kidz Obstacle Training Corp  
129 Stage Rd  
Hampstead, NH 03841

Re: 17 Friars Drive Map 209 Lot 005-000  
**District: Industrial (I)**

Dear Mr. O'Conner,

Your request: Can you operate a curriculum based children's fitness/obstacle gym within this building?

**Zoning Review/Determination:**

This site is a developed site with an approved site plan, for multi-tenant office /industrial use classification: Industrial (I).  
Your requested use I would deem as "Indoor commercial recreation" (D-20) category in the Table of Permitted Principal Uses § 334-21 and is a permitted use.  
However: §334-16.1 Site Plan Approval: "No person, persons, partnership, proprietorship, company, trust or corporation shall commence a new use, **change a use** or commence any site development activity (other than one- or two-family residential activity) without first **securing site plan approval from the Hudson Planning Board** pursuant to this chapter. These regulations shall apply to the development **or change or expansion of use of tracts for nonresidential uses** or for "multifamily dwelling units," which are defined as any structures containing more than two dwelling units, whether or not such development includes a subdivision or resubdivision of the site. **For the purpose of this chapter, change of use occurs when the use of any land or building is changed from one land use classification to another** or from one category to another category within a land use classification as specified in this chapter. E.g., grocery store changes to a food service establishment. No building permits shall be issued until site plan approval has been obtained from the Town of Hudson Planning Board and is recorded with the Hillsborough County registry of Deeds.

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

## MSP #02-19 Attachment B

Your proposal is a change of classification from Industrial to Commercial and would require an amended site plan review by the Planning Board. Please contact Brian Groth - Town Planner for site plan application details at (603) 886-6008.

Sincerely,



*Bruce Buttrick, MCP*

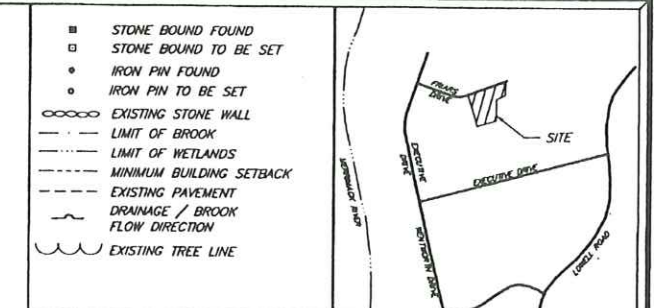
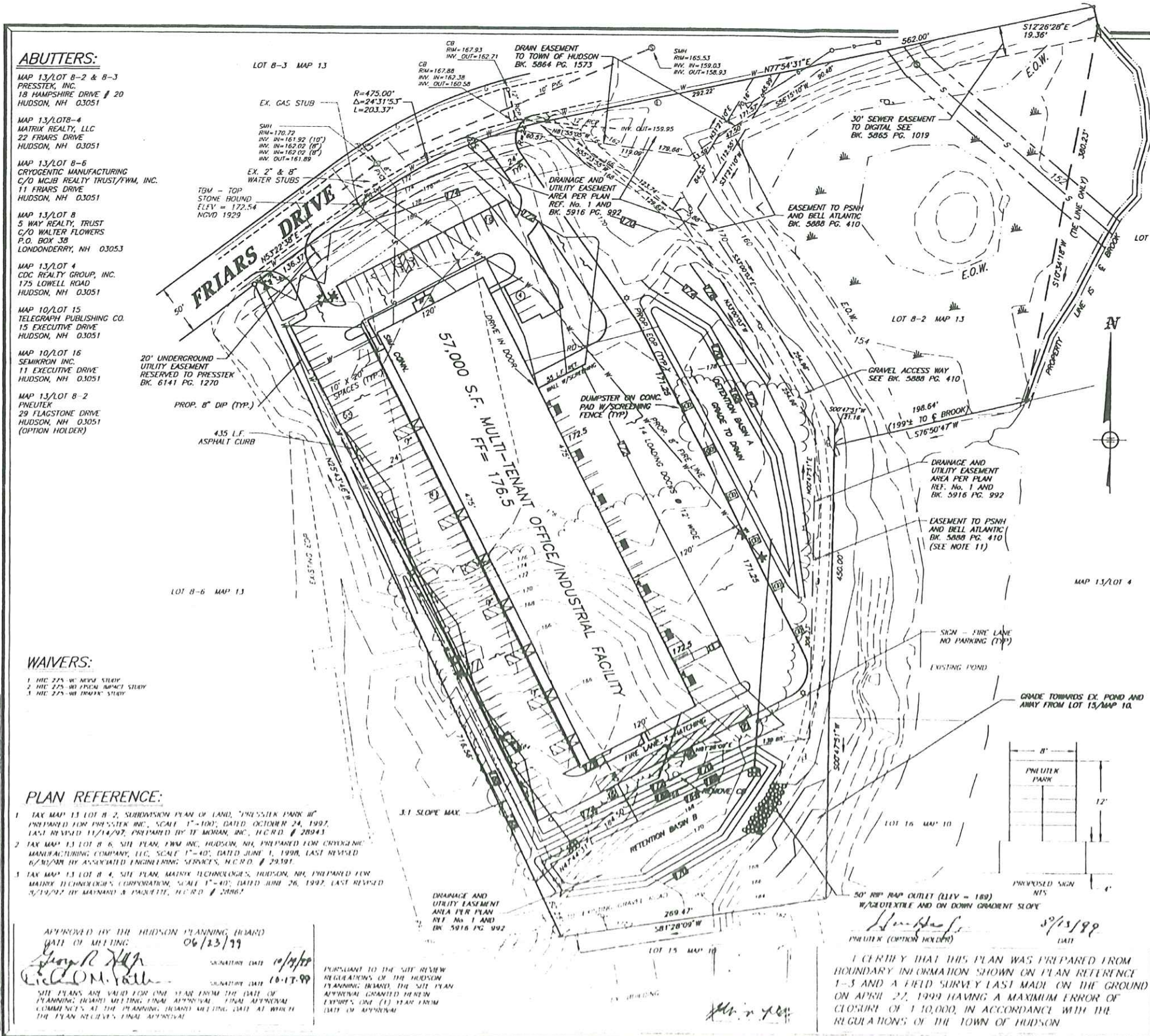
Zoning Administrator/Code Enforcement Officer

(603) 816-1275

[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
B. Groth, Town Planner  
Owner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*



- LEGEND**
- STONE BOUND FOUND
  - STONE BOUND TO BE SET
  - IRON PIN FOUND
  - IRON PIN TO BE SET
  - EXISTING STONE WALL
  - - - LIMIT OF BROOK
  - - - LIMIT OF WETLANDS
  - - - MINIMUM BUILDING SETBACK
  - - - EXISTING PAVEMENT
  - - - DRAINAGE / BROOK FLOW DIRECTION
  - ~ EXISTING TREE LINE
- VICINITY**  
1"=1000'
- NOTES:**
- PRESENT ZONING: "I" INDUSTRIAL
  - PROPOSED USE: MULTI-TENANT OFFICE/INDUSTRIAL FACILITY
  - THE PURPOSE OF THIS PLAN IS TO CONSTRUCT A 57,000 S.F. MULTI-TENANT OFFICE/INDUSTRIAL BUILDING WITH ASSOCIATED PARKING AND MANEUVERING SPACE.
  - TOTAL AREA OF PARCEL: 456,918± SQ. FT. OR 10.49± AC.
  - LOT NUMBERS REFER TO HUDSON ASSESSOR'S MAP 13
  - IRON PINS TO BE SET AT ALL PROPERTY CORNERS AND CERTIFIED BY A LICENSED LAND SURVEYOR PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
  - LOT SHALL BE SERVICED BY TOWN WATER AND SEWER.
  - STREET ADDRESS TO BE ACQUIRED FROM THE HUDSON FIRE DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
  - DEVELOPMENT AGREEMENT DATED \_\_\_\_\_ IS ON FILE WITH THE TOWN OF HUDSON AND IS RECORDED AT THE H.C.R.D.
  - C.A.P. AMOUNT OF \$ 35,340 TO BE PAID PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY SUBJECT TO INFLATION INDEXING AS PERMITTED BY THE IMPACT FEE METHODOLOGY. CAP FEES WILL BE PRORATED PER INDIVIDUAL OCCUPANCY.
  - ALL ABOVE GROUND SERVICES SUCH AS PSHH, TELEPHONE, FIRE ETC. TO BE PROVIDED FROM UTILITY EASEMENT TO SOUTH AND EAST OF BUILDING.
  - MINIMUM BUILDING REQUIREMENTS:  
LOT SIZE = 45,560 SQ. FT.  
ROAD FRONTAGE = 150 FT.  
BUILDING SETBACKS: FRONT YARD = 50 FT.  
SIDE AND REAR YARD = 15 FT.  
WETLAND = 50 FT.
  - ALL SITE LIGHTING TO BE HOODED AND DIRECTED ON SITE.
  - SOIL CONSERVATION SERVICE MAP 28 LISTS SOILS AS:  
"WMA", "WUB", "WUC", "WUD" - WINDSOR LOAMY SAND, 0-25% SLOPES
  - GREEN SPACE REQUIRED: 35%  
GREEN SPACE PROVIDED: 55%
  - PARKING REQUIREMENTS:  
WAREHOUSE: 1 SP / 1000 SF X 42,750 SF = 42.75 SP  
OFFICE: 1 SP / 300 SF X 14,250 SF = 47.5 SP  
TOTAL PARKING REQUIRED = 90.25 SP  
TOTAL PARKING PROVIDED INCL. H/C = 118 SP
  - APPROPRIATE EROSION CONTROL MEASURES (HAY BALES, SILT SCREEN FENCE, ETC.) SHALL BE INSTALLED PRIOR TO INITIATION OF ANY SITE WORK AND SHALL BE MAINTAINED BY THE DEVELOPER UNTIL ADEQUATE VEGETATIVE COVER IS ESTABLISHED ON ALL GRADED AREAS.
  - ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED UPON COMPLETION OF SITE GRADING.
  - N.E.P. F.I.R.M. COMMUNITY-PANEL NUMBER 33092 0010H INDICATES THAT THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATION, SIZE, AND ELEVATION OF ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN ON THIS PLAN, PRIOR TO THE START OF ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND TO BE INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION SHALL BE TAKEN BEFORE PROCEEDING WITH THE WORK.
  - ALL EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY.
  - WETLAND DELINEATED BY RICHARD W. BOND. SEE PLAN REFERENCE 1.
  - ALL HANDICAPPED PARKING SPACES SHALL CONFORM TO ADA REQUIREMENTS FOR SIGNAGE AND STRIPING.
  - HESS MAPPING CONDUCTED AND APPROVED ON 11/12/97. SEE PLAN REFERENCE 1.
  - THERE WILL BE NO OUTSIDE STORAGE OR PARKING IN UNDESIGNATED AREAS.

**ABUTTERS:**

MAP 13/LOT B-2 & B-3  
PRESSTEX, INC.  
18 HAMPSHIRE DRIVE # 20  
HUDSON, NH 03051

MAP 13/LOT B-4  
MATRIX REALTY, LLC  
22 FRIARS DRIVE  
HUDSON, NH 03051

MAP 13/LOT B-6  
CRYOGENIC MANUFACTURING  
C/O MCB REALTY TRUST/FWM, INC.  
11 FRIARS DRIVE  
HUDSON, NH 03051

MAP 13/LOT B  
5 WAY REALTY, TRUST  
C/O WALTER FLOWERS  
P.O. BOX 38  
LONDONDERRY, NH 03053

MAP 13/LOT 4  
CDC REALTY GROUP, INC.  
175 LOWELL ROAD  
HUDSON, NH 03051

MAP 10/LOT 15  
TELEGRAPH PUBLISHING CO.  
15 EXECUTIVE DRIVE  
HUDSON, NH 03051

MAP 10/LOT 16  
SEMIRON INC.  
11 EXECUTIVE DRIVE  
HUDSON, NH 03051

MAP 13/LOT B-2  
PNEUTEK  
29 FLAGSTONE DRIVE  
HUDSON, NH 03051  
(OPTION HOLDER)

**WAIVERS:**

- THE 275-WI WETLAND STUDY
- THE 275-WI FISCAL IMPACT STUDY
- THE 275-WI TRAFFIC STUDY

**PLAN REFERENCE:**

- TAX MAP 13 LOT B-2, SUBDIVISION PLAN OF LAND, "PNEUTEK PARK II" PREPARED FOR PRESSTEX INC., SCALE 1"=100', DATED OCTOBER 24, 1997, LAST REVISED 11/14/97, PREPARED BY DE MORAN, INC., H.C.R.D. # 28943
- TAX MAP 13 LOT B-6, SITE PLAN, FWM INC, HUDSON, NH, PREPARED FOR CRYOGENIC MANUFACTURING COMPANY, LLC, SCALE 1"=40', DATED JUNE 1, 1998, LAST REVISED 6/2/98 BY ASSOCIATED ENGINEERING SERVICES, H.C.R.D. # 29391
- TAX MAP 13 LOT B-4, SITE PLAN, MATRIX TECHNOLOGIES, HUDSON, NH, PREPARED FOR MATRIX TECHNOLOGIES CORPORATION, SCALE 1"=40', DATED JUNE 26, 1997, LAST REVISED 3/14/97 BY MAYNARD & PAQUETTE, H.C.R.D. # 28867

APPROVED BY THE HUDSON PLANNING BOARD  
DATE OF MEETING 06/13/99

*George R. Hall*  
PLANNING BOARD MEMBER  
SIGNATURE DATE 06/13/99

*Richard W. Bond*  
ENGINEER  
SIGNATURE DATE 06/13/99

SITE PLANS ARE VALID FOR ONE YEAR FROM THE DATE OF PLANNING BOARD MEETING. FINAL APPROVAL, FINAL APPROVAL COMMENCES AT THE PLANNING BOARD MEETING DATE AT WHICH THE PLAN RECEIVES FINAL APPROVAL.

IN ACCORDANCE TO THE SITE REVIEW REGULATIONS OF THE HUDSON PLANNING BOARD, THE SITE PLAN APPROVAL EXPIRES THREE (3) YEARS FROM DATE OF APPROVAL.

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCE 1-3 AND A FIELD SURVEY LAST MADE ON THE GROUND ON APRIL 22, 1999 HAVING A MAXIMUM ERROR OF CLOSURE OF 1/10,000, IN ACCORDANCE WITH THE REGULATIONS OF THE TOWN OF HUDSON.

*Richard W. Bond*  
PNEUTEK (OPTION HOLDER)  
DATE 06/13/99

**SITE PLAN**  
**PNEUTEK PARK**  
**FRIARS DRIVE**  
**HUDSON, NEW HAMPSHIRE**

PREPARED FOR  
PNEUTEK  
29 FLAGSTONE DRIVE  
HUDSON, NEW HAMPSHIRE 03051

SCALE 1"=50'  
DATE MAY 5, 1999

**Maynard & Paquette**  
**Engineering Associates, LLC**  
Consulting Engineers and Land Surveyors  
23 East Pearl Street, Nashua, NH 03060  
Phone: (603)863-8433 Fax: (603)863-7227



DESIGNED	DATE	CHECKED	APPROVED	BOOK & PAGE	5/2/99	4	D	10409
PLANNING BOARD	DATE	APPROVED	DATE	PLAN NUMBER	06/13/99	1		1