



TOWN OF HUDSON

Planning Board



Timothy Malley, Chairman Roger Coutu, Selectmen Liaison

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

MINUTES/DECISIONS OF THE PLANNING BOARD MEETING DATE: MAY 26, 2021

| | | | |
|--|--|--|--------------------------------------|
| In attendance = X | Alternate Seated = S | Partial Attendance = P | Excused Absence = E |
| Tim Malley Chair <u> E </u> | Ed Van der Veen Vice-Chair <u> X </u> | Elliott Veloso Secretary <u> X </u> | Jordan Ulery Member <u> X </u> |
| Dillon Dumont Member <u> X </u> | William Collins Member <u> X </u> | Victor Oates Alternate <u> X </u> | Leo Fauvel Alternate <u> X </u> |
| David Morin Select. Rep. <u> X </u> | Marilyn McGrath Alt. Select Rep. <u> E </u> | Brian Groth Town Rep. <u> X </u> | |

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

IV. MINUTES OF PREVIOUS MEETING(S)

- 5 May 21 Meeting Minutes – Decisions

Mr. Ulery moved to accept the 5 May 21 Meeting Minutes (as written/amended).

Motion seconded by Mr. Collins. Motion carried 6/0/1 (Morin abstained).

- 21 May 2021 Meeting Minutes – Decisions

Mr. Collins moved to accept the 21 May 21 Meeting Minutes (as written/amended).

Motion seconded by Mr. Ulery. Motion carried 6/0/1 (Morin abstained).

V. NEW BUSINESS

- A. 151 Robinson Road Conditional Use Permit
CU# 05-21

151 Robinson Road
Map 111/Lot 017

Purpose of Plan: to depict the construction of a single-family home and driveway access to the existing upland feature of the parcel. The site will have a permanent wetland buffer

impact of 1,775 square feet (0.04 acres) and a temporary wetland buffer impact of 2,895 square feet (0.07 acres). Application acceptance & hearing.

Mr. Collins moved to accept the conditional use permit application for 151 Robinson Road, Map 111/Lot 017.

Motion seconded by Mr. Ulery. Motion carried – 6/0/1 (Morin abstained).

Mr. Dumont moved to approve the Conditional Use Permit application for 151 Robinson Rd, to allow for work with the wetland buffers as depicted in the plan entitled: Variance & Conditional Use Plan; prepared for the Town of Hudson; prepared by Sandford Surveying and Engineering, 597 New Boston Rd., Bedford, NH 03110; dated April 28, 2021.; subject to, and revised per, the following stipulations:

1. A stipulation and or note shall be added to the final plan set that states “Construction and restoration shall comply with Best Management Practices set forth in New Hampshire Storm Water Manual Volume 3: Erosion and Sediment Control
2. During construction and restoration erosion, control barriers shall be installed and maintained to the satisfaction of the Town Engineer and the Hudson Conservation Commission.
3. The Engineering Department shall be allowed to inspect the boundaries of the wetland and wetland buffer areas during construction and report any finding to the applicant and the Conservation Commission for immediate remediation.
4. Although difficult to achieve efforts should be made to keep earthen stockpiles and construction materials out of the wetland buffer to avoid further disturbances.
5. Any proposed landscaping within jurisdictional resource areas shall consist of species native to northeastern USA region. Prior to implementation, a final landscape plan with plant schedule, shall be submitted to the Town for review and approval.
6. A recommendation to future home owners by the applicant should be made asking that fertilizers utilized for landscaping and lawn care should be slow release, low-nitrogen types (<5%) to help minimize nutrient loading in wetlands adjacent to the site.
7. A note shall be added to the plan set that states no additional impervious surfaces can be added to the site.
8. Construction activities at the site shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.

Motion seconded by Mr. Ulery. Motion carried - 6/0/1 (Morin abstained).

B. B & H Fuel Storage Tank Farm Site Plan
& Conditional Use
SP# 11-20 & CU# 04-21

19 Constitution Drive
Map 170/Lot 042

Purpose of plan: to show a 4-bay garage (3,200 sf) for service/repairs of cars and trucks and associated office, as well as a proposed area onsite for oil fuel storage tanks (3,315 sf). Application Acceptance & Hearing.

Mr. Dumont moved to accept the site plan & conditional use permit applications for B & H Oil Company at 19 Constitution Drive; Map 170/Lot 042-000.

Motion seconded by Mr. Ulery. Motion carried- 6/0/1 (Morin abstained).

WAIVER GRANTED:

Mr. Ulery moved to grant a waiver from **§193-10.F**, driveway width, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Collins. Motion carried - 6/0/1 (Morin abstained).

Mr. Veloso moved to approve the Conditional Use Permit and Site Plan applications entitled: Site Plan, B & H Fuel Storage Tank Farm; prepared by Edward N. Herbert Assoc., Inc., 1 Frost Road, Windham, NH 03087; prepared for B & H Oil Company, Inc., 6 Starwood Drive, Hampstead, NH 03841; consisting of 18 sheets, with terms and conditions 1-8 on Sheet 1 and fourteen unnumbered general notes on Sheet 2; latest revision dated April 9, 2021; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the the Development Agreement, which shall be recorded at the HCRD, together with the Site Plan.
2. A CAP fee amount of \$8,990.70 shall be paid prior to issuance of a Certificate of Occupancy.
3. Construction and restoration shall comply with Best Management Practices set forth in New Hampshire Storm Water Manual Volume 3: Erosion and Sediment Control.
4. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer and the Hudson Conservation Commission.
5. The Engineering Department shall be allowed to inspect the boundaries of the wetland and wetland buffer areas during construction and report any findings to the applicant and the Conservation Commission for immediate remediation.

6. Stockpiling of construction materials is not allowed in the wetland buffer areas during construction.
7. The BioNet Erosion Control Blanket shown on sheet 7 of 18 shall be extended beyond the area shown to include coverage on all slopes 2:1 or greater near the wetland area to aid in slope stabilization.
8. Two to three additional shrubs or trees be planted in the area of the wetland buffer disturbance to aid in slope stabilization.
9. The Applicant make a best effort at preserving the large Mable Tree at the bottom of the buffer area to be impacted.
10. Final administrative review by Town Planner and Town Engineer.
11. Construction activities shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sundays.
12. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday.

Motion seconded by Mr. Ulery. Motion carried- 6/0/1 (Morin abstained).

VI. OLD BUSINESS

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| A. Forest Meadows Subdivision & Conditional Use SB# 03-21 & CU# 03-21 | 58 R Gowing Road Map 237/Lot 032 |
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Purpose of Plan: to depict the subdivision of Lot 237/Lot 032 into eight (8) residential lots. Application acceptance & hearing.

Mr. Collins moved to accept the subdivision plan for 58 R Gowing Road; Map 237/Lot 032.

Motion seconded by Mr. Veloso. Motion carried - 6/0/1 (Morin abstained).

Mr. Dumont moved to continue the public hearing for the subdivision application for 58 R Gowing Road; Map 237/Lot 032, to date certain, June 23, 2021.

Motion seconded by Mr. Collins. Motion carried – 6/0/1 (Morin abstained).

B. El Toro Cigar & Lounge
SP# 05-21

29 Lowell Road
Map 190/Lot 002

Purpose of Plan: to create a cigar lounge within the existing retail establishment.
Application acceptance & hearing.

WAIVERS GRANTED:

Mr. Dumont moved to grant a waiver from **§275-8.C.2** regarding parking count, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Ulery. Motion carried – 6/0/1 (Morin abstained).

Mr. Ulery moved to grant a waiver from **§275-8.C.4** to allow for 9-foot by 18-foot parking spaces, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Veloso. Motion carried – 6/0/1 (Moring abstained).

Mr. Ulery moved to grant a waiver from **§275-8.C.5.b** to allow for 9-foot by 18-foot parking spaces, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Collins. Motion carried – 6/0/1 (Morin abstained).

Mr. Collins moved to approve the Site Plan Application for a change of use for 29 Lowell Road, Map 190 Lot 24 to permit a Cigar Bar Liquor License as depicted in the application and on the plan entitled: Existing Conditions & Proposed Parking Lot Layout Map, 190 Lot 24, 29 Lowell Road Hudson, New Hampshire; prepared by Promised Land Survey, LLC, PO Box 447, Derry, New Hampshire 03038; prepared for El Toro Cigars & Lounge, 98 Lowell Road, Hudson, NH 03051; consisting of 1 sheet, with notes 1-6 on Sheet 1; dated February 3, 2021, last revised May 19, 2021; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD.
2. This decision hereby approves the addition of an accessory use to permit a Cigar Bar Liquor License for members of the Applicant's private club.
3. The second floor shall only be used as office and/or storage as an ancillary use to the retail operation.

4. A sign shall be posted on the front of the building facing Lowell Road stating “No On-Street Parking”.
5. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.
6. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:30 P.M., Monday through Saturday only.

Motion seconded by Mr. Ulery. Motion carried – 6/0/1 (Moring abstained).

VII. ADJOURNMENT

Motion to adjourn by Mr. Collins. Seconded by Mr. Van der Ulery. All in favor – motion carried 7/0/0.

Meeting adjourned at 8:49 p.m.

Elliott Veloso
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 on public input comments, please view the meeting on HCTV (Hudson Community Television).