



TOWN OF HUDSON

Planning Board



Timothy Malley, Chairman

Marilyn McGrath, 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: DECEMBER 8, 2021

In attendance = X

Alternate Seated = S

Partial Attendance = P

Excused Absence = E

Tim Malley
Chair X

Ed Van der Veen
Vice-Chair X

Elliott Veloso
Secretary X

Jordan Ulery
Member X

Dillon Dumont
Member X

William Collins
Member X

Victor Oates
Alternate X

Michael Lawlor
Alternate X

Marilyn McGrath
Alt. Select Rep. E

David Morin
Select. Rep. X

Brian Groth
Town Rep. X

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

None.

V. MINUTES OF PREVIOUS MEETING(S)

- 09 June 2021 Meeting Minutes – Decisions

Mr. Ulery moved to accept the 09 June 2021 Meeting Minutes (as written/amended).

Motion seconded by Mr. Collins. Motion carried 6/0/0.

- 10 November 2021 Meeting Minutes – Decisions

Mr. Ulery moved to accept the 10 November 2021 Meeting Minutes (as written/amended).

Motion seconded by Mr. Van der Veen. Motion carried 5/0/1 (Collins abstained).

- 17 November 2021 Meeting Minutes – Decisions

Mr. Dumont moved to accept the 17 November 2021 Meeting Minutes (as written/amended).

Motion seconded by Mr. Ulery. Motion carried 4/0/2 (Veloso & Van der Veen abstained).

VI. CONCEPTUAL REVIEW ONLY

- | | |
|----------------------------------------------------------------------|------------------------------------|
| A. Strickland Brothers Oil Change Conceptual Site Plan
CSP# 02-21 | 100 Lowell Road
Map 198/Lot 147 |
|----------------------------------------------------------------------|------------------------------------|

Purpose of Plan: to propose a 10-minute oil change business at 100 Lowell Road. Application acceptance & hearing.

After discussion, Mr. Dumont made a motion to end the design review. Motion seconded by Mr. Collins. All in favor – motion carried 6/0/0.

VII. OLD BUSINESS

- | | |
|-----------------------------------------------------------------|-----------------------------------------------------|
| A. Bobcat of New Hampshire Conditional Use Permit
CUP# 10-21 | 2 Rebel Rd & 345 Derry Rd
Map 101/Lots 018 & 019 |
|-----------------------------------------------------------------|-----------------------------------------------------|

Purpose of Plan: to allow a stormwater management system within the Wetland Conservation Overlay District. Application acceptance & hearing.

See motion below.

- | | |
|---------------------------------------------------|---------------------------------------------|
| B. Bobcat of New Hampshire Site Plan
SP# 11-21 | 2 Rebel Rd & 345 Derry Rd
Map 173/Lot 29 |
|---------------------------------------------------|---------------------------------------------|

Purpose of Plan: to propose a new parking lot/access drive for both lots, as well as adding outdoor display and storage areas. The construction of two building additions with associated site improvements and outdoor display areas. Application acceptance & hearing.

Mr. Collins moved to approve the conditional use permit and site plan for Bobcat of New Hampshire at 2 Rebel Road & 345 Derry Road; Map 101 Lot 018-000 & Map 101 Lot 019-000, entitled: Site Development Plans, Tax Map 101 Lot 18 & 19 / Tax Map 2 Lot 34A, Bobcat of New Hampshire, 2 Rebel Rd & 345 Derry Rd (Hudson, NH) 307 Nashua Rd (Londonderry, NH); prepared by TFM, 48 Constitution Drive, Bedford, NH 03110; prepared for owner/developer Mal-Mar, LLC, 9 Dover Rd, Chichester, NH 03258, and Bobcat of New Hampshire; consisting of 15 sheets with General Notes 1-15 on Sheet 2 (C-2) and Notes 1-30 on Sheet 5 (C-4); dated July 26,

2021 and last revised November 12, 2021; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision and the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. All improvements shown on the Plan shall be completed in their entirety and at the expense of the applicant or the applicant's assigns.
3. A cost allocation procedure (CAP) amount of \$2,601.30 shall be paid prior to the issuance of a Certificate of Occupancy.
4. Prior to the issuance of a Certificate of Occupancy, an L.L.S. Certified "as-built" site plan shall be provided to the Planning Department, confirming that the site conforms to the Plan approved by the Planning Board.
5. The specifications of the stormwater retention pond drainage and oil separator, as agreed by the Town Engineer, will be reflected on the final Plan.
6. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
7. The applicant shall schedule a pre-construction meeting with the Town Engineer prior to applying for a building permit.
8. 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.
9. Blasting or ramming activities shall be limited to the hours between 9:00 A.M. and 5:00 P.M., Monday through Friday. Blasting activities are prohibited on Saturday and Sunday.
10. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 9:00 P.M., Monday through Saturday only. This condition shall also be noted on the final Plan.

Conditions Recommended by the Conservation Commission

11. Construction and restoration shall comply with Best Management Practices set forth in *New Hampshire Storm Water Manual Volume 3: Erosion and Sediment Control*.
12. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.

13. The Town Engineer or his representative 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 remediation.

14. “No Cut/No Disturb” signage shall be installed along the wetland buffer boundary prior to issuing Certificates of Occupancy per Hudson Zoning Ordinance, Article IX §334-35 (E.).

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

C. MacThompson Site Plan
SP# 12-21

48 Lowell Road
Map 190/Lot 191

Purpose of Plan: to re-develop the site as a multi-use commercial site to include business or professional office, retail business and personal service establishment, and eating & drinking establishment. Application acceptance & hearing.

WAIVERS GRANTED:

Mr. Dumont moved to grant a waiver from § 275-8:C(2), to allow fewer than required off-street parking spaces to be provided, 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. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from § 275-8:C(4), to allow for 9-foot by 20-foot and 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. Ulery. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from § 275-8:C(6), to not require a dedicated loading space, 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. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from § 275-8:C(7)(a), to allow less than 10% of the interior of a parking lot to be landscaped, 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. All in favor – motion carried 7/0/0.

Mr. Dumont moved to grant a waiver from § 276-11.1(B)(22), to not require the minimum 35-foot green area along the frontage, 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. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from § 276-11.1(B)(25), to allow portions of the parking area and travelway to be located within setbacks, 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. All in favor – motion carried 7/0/0.

Mr. Van der Veen moved to grant a waiver from **ETGTD 920.3.13 & 930.4**, to allow the existing and non-conforming stormwater drainage (regarding Minimum Stormwater Drainage Pipe Slope & Velocity) to be used as part of the proposed site plan, 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. All in favor – motion carried 7/0/0.

Mr. Ulery moved to continue the public hearing for the site plan application for the MacThompson Site Plan at 48 Lowell Road, Tax Map 190 Lot 191-000 to date certain, December 22, 2021.

Motion seconded by Mr. Collins. All in favor – motion carried 7/0/0.

VIII. OTHER BUSINESS

A. Zoning Amendment Discussion

REPEAL ARTICLE XIII - HOUSING FOR OLDER PERSONS

Ballot Question:

Are you in favor of repealing, in its entirety, Hudson Zoning Ordinance Article XIII – Housing for Older Persons? This would have no effect on age-restricted developments that currently exist or have been approved. The effect of the repeal would be to stop incentivizing future development of age-restricted developments.

Mr. Veloso moved to send this question to public hearing, date specific, December 22, 2021.

Motion seconded by Mr. Collins. All in favor – motion carried 7/0/0.

REDUCE SETBACKS FOR ACCESSORY STRUCTURES IN THE TR ZONE

Ballot Question:

Are you in favor of reducing the side-yard and rear-yard setbacks for accessory structures, such as sheds in the Town Residential zone? These neighborhoods are in the core of Town and have much smaller lots than elsewhere in Town.

The Board decided that garages still follow principal setbacks.

Mr. Collins moved to send this question to public hearing, date specific, December 22, 2021.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

BUILDING HEIGHT IN INDUSTRIAL ZONES

Ballot Question:

Are you in favor of reducing the allowable building height of industrial buildings near residential zones by requiring additional separation for buildings that exceed 38-feet in height?

It was decided that buffering between industrial/commercial uses from residential could be better addressed in site plan regulations.

Mr. Collins made a motion NOT to move forward with sending to public hearing because the board decided that buffering between industrial/commercial uses from residential could be better addressed in site plan regulations.

Motion seconded by Mr. Veloso. All in favor – motion carried.

DEFINITION: BUILDABLE AREA AND/OR AMEND 334-27.1.B

Ballot Question:

Are you in favor of revising the description of minimum buildable lot area for new subdivisions to require contiguous dry land that is not within the wetland conservation overlay district?

Mr. Collins made a motion NOT to move forward with sending to public hearing because the board feels it should be treated the same as land area within building setbacks.

Motion seconded by Mr. Van der Veen. All in favor – motion carried.

MIXED USE IN BUSINESS ZONES

Ballot Question:

Are you in favor of revising the mixed use requirements in the Business zones to allow for mixed use buildings with residential without requiring special exception? Such proposals would still require site plan review.

Mr. Ulery moved to send this question to public hearing, date specific, December 22, 2021.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

TABLE OF USES

The table of permitted uses is slightly outdated and eventually needs to be modernized. In the short term, it would be wise to separate Distribution Facilities from the Self-Storage & Warehouse category, E.8.

This item will be sent to public hearing, date specific, December 22, 2021.

HOME OCCUPATION – DAYCARE

Ballot Question:

Are you in favor of changing the home occupation ordinance to allow outdoor activity for daycares as required by state licensing of daycare operations?

Mr. Collins moved to send this question to public hearing, date specific, December 22, 2021.

Motion seconded by Mr. Ulery. All in favor – motion carried 7/0/0.

IX. ADJOURNMENT

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

Meeting adjourned at 10:19 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).



TOWN OF HUDSON

Planning Board



Timothy Malley, Chairman

Marilyn McGrath, 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: DECEMBER 15, 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> E </u>	Victor Oates Alternate <u> X </u>	
Michael Lawlor Alternate <u> X </u>	Marilyn McGrath Alt. Select Rep. <u> E </u>	David Morin Select. Rep. <u> X </u>	Brian Groth Town Rep. <u> X </u>

-
- I. CALL TO ORDER BY CHAIRPERSON AT 7:01 P.M.
 - II. PLEDGE OF ALLEGIANCE
 - III. ROLL CALL
 - IV. SEATING OF ALTERNATES

Mr. Oates for Mr. Collins
Mr. Lawlor for Mr. Malley

VI. OLD BUSINESS

A. Friars Drive Site Plan
SP# 10-21

Friars Drive
Map 209/Lot 001-000

Purpose of plan: to show a proposed 504,000 SF single-story state-of-the-art industrial facility with 104 loading doors on two sides, 362 car parking spaces and 71 trailer spaces. Application acceptance & hearing.

WAIVER GRANTED:

Mr. Veloso moved to grant a waiver from §275-8:C(2), to allow for a reduction in required 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. Ulery. All in favor – motion carried 7/0/0.

Public input opened @ 8:03 p.m.

Marie O'Donnell @ 942 Fox Hollow – Concerned about Lowell Road traffic, sees the upside of the tax revenue, but questions at what cost, questions the wildlife study, and commented on how this would be a lifelong change to Hudson.

Kathryn Neeld @ 335 Fox Hollow – Questioned the 200-foot buffer and states how it needs to be larger, questions if each new plan in Town needs to use up all the available land, size is grossly out of proportion to the neighborhood and would like to see the project decreased in size, and states the negative impact this will have to Hudson.

Brian Doak @ 832 Fox Hollow – Stated that he is trucker, want to pay attention to the NH statue because truckers will do what they want, talks about truck backup alarms, states no letters send to the abutter, he did not receive one, property values will drop, and comments on the smell of fuel from the idling trucks.

Scott Phelps @ 438 Fox Hollow – Questioned yard movement of trucks at night, larger trucks load and unload at night, not during the day.

Louise McNaulty @ 601 Fox Hollow – Stated that the abutter notice should have been sent directly to the abutters, not the condo association board, questioned the fencing, light pollution, noise, property values, states it will be bad for the town, new fire station, nursing home, Lowell Road cannot support this project.

Linda O'Donnell @ 604 Fox Hollow – What is the benefit to the community, the incentive of the business to the Town, why can't they produce a 3D visual of the building, will the trucks park on the Fox Hollow side.

Philip MacSweeney @ 10 Hickory Street – Happy with the hill and tree line being kept, we do not have many trees left in town.

Christine (mic dropped) @ 517 Fox Hollow – Questioned the wildlife study, specifically the New England Cotton Tail Rabbit, noise issues, thinks there could be more improvements.

Denise Hulse @ 16 Hickory Street – Appreciates the improvements made & the developer working with us, why just a fence and not a sound barrier, questions the planting types being grass and flowers, can we require the white noise backup alarms.

Carolyn Swan @ 818 Fox Hollow - Questioned on peak hours, and Lowell road congestion.

Paige Schaller @ 213 Fox Hollow – Questioned who will maintain the fences & why they are only 6-feet tall, does DES require the fence to be raised for wildlife travel, will

Willard Paper Street be part of the project or discontinue, wildlife study & questions if the hawks nest in one of the trees will be relocated.

Judith Fritz @ 217 Fox Hollow – Commented on the heavy Lowell Road traffic.

Brennan (Brandon) @ 617 Fox Hollow – Questions the time frame of the construction, the impact of the noise pollution, and the negative impact on property values during construction.

Linda Mayer @ 608 Fox Hollow – Concerned about the lighting impact, the surrounding gas stations already give off a lot of light.

Zach Evans @ 931 Fox Hollow – Traffic Study questions about volume & safety.

Ron Brown @ 5 Hickory Street – Wanted more detail on the fencing, drainage plans should be in layman's terms, questions what happens to the pollutants, and questions lighting and sound.

James Crowley @ 4 Fairway Drive – Wanted to see property value report for the abutters, no peer review of the wetland delineation, concerns on the traffic analysis, states a Planning Board member had concerns on the traffic.

Kendra Malone @ 613 Fox Hollow – Questioned abutter notification, and if anything submitted is public record.

Lisa Cooper @ 118 Fox Hollow – Questioned peak and off-peak traffic, residents have no chance to relax on the weekends, truckers will do what they want, and wants peace and quiet in the neighborhood.

Doug Hatfiend @ 731 Fox Hollow – Stated this is not the right type of business in this area of Town, concerned about the wildlife, traffic is already bad, and would like to see another smaller type of business go on this land.

Scott Phelps @ 438 Fox Hollow – Presented an audio example of a white noise backup alarm.

Brain Doak @ 832 Fox Hollow – Questioned why not make the land residential and not commercial with a small housing community.

Public comment closed @ 9:02 p.m.

9:02 p.m. opened to the Planning Board Members.

The Applicant requested feedback on the buffering/fencing treatment along Fox Hollow's property edge. The Town Planner suggested he meet with their condominium board to receive input on the Board's behalf. The Board agreed by consensus.

Mr. Veloso moved to continue the public hearing for the site plan application SP# 10-21 for the Friars Drive Industrial Facility at 161 Lowell Road; Map 209/Lot 001-000, to date certain, January 26, 2022.

Motion seconded by Mr. Ulery. All in favor – motion carried.

VII. ADJOURNMENT

Motion to adjourn by Mr. Oates. Seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

Meeting adjourned at 10:13 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).