



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

Robert Guessford, Selectmen Liaison



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

**MINUTES OF THE PLANNING BOARD
MEETING DATE – JANUARY 14, 2026 - DRAFT**

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Tim Malley Chair <u>E</u>	Jordan Ulery Vice-Chair <u>X</u>	Ed Van der Veen Member <u>X</u>	Victor Oates Member <u>X</u>
James Crowley Member <u>E</u>	Julia Paquin Member <u>X</u>	Timothy Lyko Alternate <u>E</u>	George Hurd Alternate <u>S</u>
Todd Boyer Alternate S	Bob Guessferd Select. Rep X	Brooke Dubowik Town Rep. X	

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. Hurd was seated for Mr. Crowley.

V. MEETING MINUTES

• 10 December 2026 Meeting Minutes

Mr. Boyer moved to approve the 10 December 2026 meeting minutes.

Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.

VI. CORRESPONDENCE

A. Update and Request for Corridor Funds – Elvis Dhima, Director of Development Services
• Lowell / Birch / Belknap Road – Right of Way Purchase*

40 Elvis Dhima, Director of Development Services, announced that the Belknap Road Extension has
41 been added to the 10-Year Plan. The Town has been completing evaluations by a third-party
42 assessor for the properties that will be impacted by this project. 76 and 88 Lowell Road have agreed
43 to sell the properties that are required for this project for a total amount of \$210,000. An additional

44 \$50,000 is needed to complete the purchase. This includes the right of way permanent and
45 temporary easements. Both owners were great to work with.

46
47 Mr. Boyer asked if these will be lot line adjustments to the properties. Mr. Dhima stated that
48 approximately 9,000 s.f. will be taken from each lot for the project. This will create a 50' right of
49 way with associated easements.

50
51 Ms. Paquin asked when the project may move forward. Mr. Dhima stated that the Town will have
52 a shovel-ready project and will wait to hear from the State regarding a start date, potentially
53 summer 2027.

54
55 Mr. Van der Veen moved to recommend to the Board of Selectmen the expenditure of up to
56 \$260,000 for the purchase of the right of way using Zone 1 Traffic Improvements Corridor
57 Account 2070-000-701 and Zone 2 Traffic Improvements Corridor Account 2070-000-702 as
58 requested by the Development Services Director Elvis Dhima. Motion seconded by Mr. Boyer.

59
60 Discussion:
61 Mr. Oates stated that he believes the motion should recommend an increased expenditure of up to
62 \$50,000 for a total of \$260,000 based on previous motions made.

63
64 Mr. Van der Veen **amended** his motion to recommend to the Board of Selectmen to increase the
65 expenditure by \$50,000 to \$260,000 for the purchase of the right of way using Zone 1 Traffic
66 Improvements Corridor Account 2070-000-701 and Zone 2 Traffic Improvements Corridor
67 Account 2070-000-702 as requested by the Development Services Director Elvis Dhima. Motion
68 seconded by Mr. Boyer.

69 Motion carried 7/0/0.

70
71 Mr. Oates stated that the Board's bylaws require advanced provision of materials of seven days or
72 greater for cases it is to hear. The bylaw was not followed for this evening's meeting and so there
73 is a procedural defective record. This could open any of the cases being heard tonight to legal risk
74 should they be approved or denied. He received an email from the Town Planner approximately
75 five days prior to the meeting stating that all Board members were not included on the original
76 digital communication, including himself.

77
78 Ms. Dubowik stated that the Board knows that all packets are available on Wednesday by the end
79 of the day. Mr. Oates stated that this view is not the bylaw requirement which the Board runs by.
80 The bylaw states that materials will be received in one way or another seven days or more prior to
81 a meeting. His materials were not even dated seven days prior to the meeting, and his electronic
82 copy was received five days prior to the meeting. Mr. Ulery explained that the Town Planner stated
83 that the packet was available online on Wednesday, seven days prior to this meeting. Mr. Oates
84 noted that this is not what the bylaw states. At this time, the bylaws do not state that the Board has
85 to figure this out on its own but that materials will be provided to members. Due to a violation of
86 the bylaws, this could leave all cases opened tonight at potential legal risk.

87
88 Ms. Paquin noted that she also had not received her packet. Upon contacting the Town Planner,
89 the packet was sent over immediately. She reviewed the packet online, but it is easier to do so

90 using a physical copy. She received the printed copy only late last night. She asked if materials
91 could be sent earlier.

92
93 Mr. Boyer suggested continuing with the meeting. Mr. Oates stated that this would put every
94 applicant heard this evening at legal risk due to the violation of the bylaws. He is not comfortable
95 putting the applicants at risk. Mr. Ulery stated that it does not; it puts the Board at risk if the
96 applicant decides to take action.

97
98 Mr. Boyer moved to continue with the meeting and for the Board to hear the cases in front of it.
99 Motion seconded by Mr. Van der Veen. Motion carried 6/1/0 (Oates).

100
101 **VII. NEW BUSINESS**

102 A. Colbea Gas Station & Convenience Store 91-97 Lowell Road
103 SP# 12-25 Map 198/Lots 11, 12, 14, 15, 16
104 Purpose to depict a gas station and convenience store consisting of six (6) dispenser
105 islands for a total of twelve (12) fueling station, and associated improvements including
106 but not limited to access, grading, stormwater management, utilities, lighting, and
107 landscaping. Application acceptance & hearing.

108
109 Mr. Ulery asked if the applicant is comfortable with the terms of the Board hearing the case this
110 evening. Chris Drescher, attorney for the applicant, stated that the applicant accepts.

111
112 Mr. Boyer moved to accept the application package as complete.
113 Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.

114
115 Attorney Drescher explained that the intended project is a gas station/convenience store to be
116 constructed at 91-97 Lowell Road in Hudson. This is a new application from what was previously
117 presented to the Board, including the removal of a previously proposed car wash. The Atwood
118 Avenue entrance has also been removed, through a storage building is still proposed along this
119 area as a maintenance shed. In terms of the daycare abutter, the plans still include a large fence
120 with a vegetative buffer to make sure the area is adequately screened. The plan is zoning complaint
121 for the most part, with the exception of two minor waivers being requested.

122
123 Chris Rice, TFMoran, explained that the project site consists of five existing properties which are
124 intended to be merged as part of the proposal. The total acreage, once merged, will be 3.4 acres.
125 There are no wetlands on the property. All of the properties are located in the Business Zoning
126 District. Of the five existing properties, all are vacant, with the exception of Tax Map 198 Lot 11.
127 This lot currently contains a single-family home and two garage buildings. These buildings are not
128 currently in use. All the existing structures are proposed to be demolished, with the exception of
129 the storage building which will be utilized. There are two existing curb cuts on Lowell Road, two
130 curb cuts on Atwood Drive, and one curb cut on Temple Street. As part of the proposed plan, the
131 curb cut on Temple Street and one alone Atwood Drive will be removed. The curb cut on Atwood
132 Drive which services the existing building is to remain. As it is much wider than regulations
133 currently allow, this will be shrunk down from approximately 100' to 60'. There are two
134 commercial abutters to the north between the site and Birch Street. To the northeast, there is an
135 existing single-family home. To the east is Lowell Road. To the southeast is a plaza, which

136 contains a daycare. Further to the south is a car storage area and adjacent to that is a single-family
137 home. Along the west side of that, the Town Residential Zoning District begins. The applicant
138 went before the Zoning Board of Adjustment in June 2024 and received a few variances related to
139 signage.

140
141 Mr. Rice stated that the proposed project consists of a one-story 5,400 s.f. gas station/convenience
142 store. There will be a pickup window and a drive-through lane with 12 stacking spaces. There will
143 be a separate fueling canopy with six dispenser islands, for a total of 12 fueling stations and four
144 EV charging stations. There will also be a generator on site in case of a power failure. Access to
145 the site is purely from Lowell Road. The building location will be set back on the property. The
146 face of the building will be approximately 220' from the edge of pavement on Lowell Road. The
147 fueling canopy is approximately 115' and the closest pavement on site to Lowell Road, other than
148 the two access drives, is approximately 70'. 47 parking spaces are required and 49 are shown on
149 the plan. The site will be serviced by municipal sewer and water, Liberty Gas, and Eversource
150 Electric. Regarding stormwater and drainage design, the existing site does not currently have any
151 stormwater treatment or detention. Small portions of the site drain toward Atwood Drive, Temple
152 Street, and the abutting property to the north. A majority of the site drains toward Lowell Road.
153 There are no existing roadside swales along Lowell Road. During preliminary design and
154 consultation with staff, the applicant was made aware of existing drainage problems along Lowell
155 Road and has been working with DPW as part of the offsite improvements plan to show a drainage
156 line running all the way down Lowell Road. Catch basins were added to help alleviate the issue.
157 Pretreatment of stormwater runoff is shown on the plans. The analysis shows that the proposal will
158 decrease the peak rate of runoff and volume to all discharge locations, with the exception of a
159 minor increase to Lowell Road. There will be no increase in the 2-Year storm and a very minor
160 increase to the remaining storm events. He stated that Mr. Dhima wrote a letter as part of the
161 Alteration of Terrain permit application which has been approved stating that he had no issue with
162 the additional flow. A robust landscaping plan was provided, including 59 new trees and 237
163 shrubs to be planted throughout the property. A sound study and traffic report were also provided.
164

165 Mr. Rice stated that the two waiver requests include one for the increased runoff onto Lowell Road,
166 including installation of off-site improvements to handle that. The second waiver request is for the
167 residential buffer on the property. As this is located in the Business Zoning District and surrounded
168 by residential uses, there is a buffer on the property, and a portion of the development is proposed
169 within that buffer. Most of the site activities will be located outside the buffer. A small portion of
170 the canopy of the building and some of the parking is within it. The project proposes the
171 implementation of landscaping and dark sky lighting to minimizing impacts to abutting properties.
172 There will also be a fence and landscaping along the abutting daycare building edge. The
173 recommendations from a second sound study include installation of a fence along a portion of
174 Temple Street to assist with some sound concerns.

175
176 In response to a question from Mr. Ulery, Attorney Drescher explained that the previously granted
177 variances run with the land and so are still considered to be applicable to the revised application.

178
179 Ryan Callahan, Epsilon Associates, explained that his company performed a noise study which
180 included an ambient sound level measurement program, to document existing sound levels on the
181 site and in the surrounding neighborhoods. It also included acoustic modeling to predict the impact

182 from the project on surrounding parcels. The sound study resulted in a technical report that
183 compared the results of the ambient sound level measurement program and the acoustic modeling
184 to the Town's sound limits. The Town of Hudson has ten different sound limits, which is quite
185 robust. The report reviews each in terms of its applicability to the project. The conclusions of the
186 report are that the project as designed will comply with all of the requirements of the Town's sound
187 limits. The initial study was peer reviewed by the Town's consultant who issued a request for
188 additional information which was provided via a revised report and a cover letter. The peer
189 reviewer provided a follow up letter to the revised version of the report. The conclusions of that
190 follow up letter indicate that the report was comprehensively and conservatively prepared and
191 addresses all pertinent local noise regulations. The sound study was done using microphones at
192 the site to document existing sound levels and acoustic modeling software to view the proposed
193 site using the site specific terrain and the site plan. The report is available through the Town.
194

195 Bob Duval, TFMoran, explained that the new project trip generation is approximately 240 trips
196 during the peak hours, entering and leaving the site. However, as this is a gas station/convenience
197 use with a very high rate of pass by trips, the actual number of new cars on the road is likely closer
198 to 62 in the AM and 66 in the PM. Anyone standing upstream or downstream of the site would see
199 thirty additional trips in the road volume, or roughly one new trip every two minutes. The study
200 reviewed a total of eight intersections. The new Birch Street intersection is a prospective
201 intersection. As this project will only be adding one trip every two minutes or so in the peak hour
202 at any one of these intersections, it is not proposed to have much effect. The conclusion of the
203 study is that the project will only add a few seconds of delay to any of the intersections and one or
204 two cars to the queue. The impacts will be essentially imperceptible to the average person at any
205 of the intersections. A review memo prepared by Fuss & O'Neill notes that the procedures used in
206 the report are reasonable. The analysis properly determines new trips versus pass by trips generated
207 by the site and also properly analyzes current and future year no build and build conditions.
208 Adjustments that needed to be made have already been submitted. There is not yet a second review
209 of those responses available. Some of the intersections reviewed as part of the study are already
210 overcapacity, due to the volume of existing traffic. Notwithstanding that, the proposed impacts are
211 minimal.
212

213 Ms. Paquin noted that the south driveway concerns her in terms of safety. All accidents at County
214 Road happen in the intersection with Lowell Road and these are fairly frequent.
215

216 Mr. Oates stated that the applicant should not include discussion regarding future potential
217 intersection traffic items that are not part of the plan set. Mr. Ulery noted that this will go into
218 effect in the future and should be discussed.
219

220 Mr. Oates asked how Atwood and Birch can have poor sightlines, yet the driveways show no
221 potential issue in the study. Mr. Duval stated that these are facts. Mr. Oates stated that it sounds
222 like an assumption.
223

224 Mr. Oates stated that Board members had difficulty making turning movements during a previous
225 site visit and the traffic impact study does not reflect this. Mr. Ulery noted that the applicant has
226 submitted a new plan and previous information does not necessarily come into play. Mr. Oates

227 asked why previous information is not valid, while new potential information is. Mr. Ulery stated
228 that the future information is included as a speculative analysis.

229
230 Mr. Duval stated that Mr. Dhima asked that Birch Street and its data be included. Mr. Oates asked
231 if the Town staff provided the applicant team with data on Birch Street in order to make its case.
232 Mr. Duval stated that the data was provided to help analyze the traffic in this corridor. There is no
233 intersection yet in which to collect data from and so Mr. Dhima provided data from the consultant
234 that designed the Birch Street intersection. Mr. Oates stated that the applicant is using someone
235 else's data and did not create their own analysis. Mr. Duval stated that, during a traffic study, his
236 company either takes its own counts or counts are provided. This is the data on which an analysis
237 is carried out.

238
239 Mr. Oates asked where the queuing analysis for the left and right hand turns at both driveways is
240 located in the report. Mr. Duval stated that the data comes from counts which were provided to
241 them. A traffic count firm was hired for the data collection at certain intersections. For other
242 intersections that are signalized, the Town's records were used.

243
244 Mr. Oates asked the 95th percentile queue length for left and right hand turns at the site driveways.
245 Mr. Duval stated that using the PM peak hour, at the north driveway this would be 14' and south
246 driveway would be 46' or approximately two cars, inside the site. Mr. Oates asked what happens
247 when the queues exceed the storage length. Mr. Duval stated that the storage length on site is
248 expansive, approximately ten car lengths. Less than one car is the queue length if the storage
249 exceeds.

250
251 Mr. Boyer stated that he is also concerned about the driveway to the south due to safety items and
252 would prefer a plan showing only the northern driveway.

253
254 Mr. Van der Veen asked the typical crash pattern at the County Road intersection. Mr. Duval stated
255 that this information was not provided. The data for the County Road intersections is lumped
256 together. Between the two, there were 22 crashes in approximately three years which is comparable
257 to the other intersections. It does not stand out as a generator.

258
259 Mr. Van der Veen asked why Atwood's sight distance is worse than the south driveway's sight
260 distance. Mr. Duval stated that the angle is much steeper.

261
262 Mr. Van Der Veen asked the number of cars that could queue from the drive through window to
263 the north driveway. It was noted that this is approximately 22 cars.

264
265 Ms. Paquin suggested a right hand only turn at both driveways. She noted that a previous applicant
266 had data for the County Road intersection which could be reviewed. She is concerned with the
267 safety of trying to cross the traffic pattern at this intersection. The center lane traffic already causes
268 problems in this location.

269
270 Mr. Ulery explained that the applicant team has not addressed whether a left hand turn at the south
271 or north entrance would cause extra delays. Attorney Drescher noted that the applicant has no
272 objection to making the south driveway right in/out only.

273

274 Mr. Oates asked if the Birch Street access was formally studied as an alternative. The applicant
275 team noted that there is no direct access from Birch Street. Mr. Duval stated that further study is
276 needed to see the interaction of certain queues. This information will be brought to the Board.

277

278 Mr. Boyer stated that a right in/out does not usually work and is not enforceable. One driveway at
279 the north is adequate and the other can be removed. Mr. Oates stated that staff seems to be allowing
280 the south driveway to move forward and it is unclear if the Board has any ability to change this.
281 According to staff, the applicant's requested waivers are not required. The applicant team
282 explained that there were previously waivers with regard to the driveway design which staff stated
283 were no longer applicable due to recent rule changes. Mr. Boyer stated that the suggestion is to
284 design something better.

285

286 Mr. Van der Veen asked about widening the north driveway. This could be an option from an
287 egress standpoint, if the south driveway is eliminated.

288

289 Attorney Drescher noted that the applicant is proposing to add an 8' tall, 100 linear feet long, solid
290 stockade fence along the rear property line to account for any noise level increases.

291

292 Public input opened @ 8:26PM.

293

294 Patty Langlois, 22 Stonewood Lane and owner of the Stonewood School, stated that she has had
295 meetings with the applicant team. She is concerned regarding the fence and buffer proposed by the
296 applicant and making sure it will be maintained. The property has infringed on her fence and not
297 been well maintained in the past. She would like the new fence installed prior to any construction
298 occurring as this is located right next to her playground.

299

300 Brian Sojka, 11 Atwood Ave, expressed concern that the applicant could still move forward with
301 a car wash and additional vacuum stations in the future. The applicant team stated that the vacuum
302 island is still included on the plan in order to meet the parking requirement. The applicant has no
303 intention at this time to include a car wash or vacuum stations and would need to come back before
304 the Board in order to ever do so.

305

306 Mr. Sojka expressed concern regarding noise and lighting from the project. He would like to see a
307 fence on Temple Street and Atwood Avenue. He expressed concerns from a nearby abutter
308 regarding similar items. The requested 100' variance [waiver] should not be granted to the
309 applicant.

310

311 Daryl Noble, 12 Atwood Avenue, expressed concern regarding the traffic in this area and the
312 ability to enforce certain traffic measures.

313

314 Martha Lachance, 89 Lowell Road, stated that she would like a fence built between the two
315 properties. The center lane is a suicide lane, and the Birch Street intersection may help some, but
316 not entirely.

317

318 Ed Thompson, 22 Burns Hill Road, stated that this is already a busy intersection. He would like to
319 know if the Police Department records regarding accidents in this area have been reviewed by the
320 Board and/or Town Engineer. He asked about potential air quality issues as part of the project and
321 asked if air quality testing has been considered. There are already seven gas stations in Town, six
322 within 3.9 miles of each other. The road is already a level D of service, which indicates difficult
323 to failing conditions. This is on top of the concerns in potentially converting parts of County Road
324 into a one-way road. The applicant is requesting a waiver from the residential use buffer. The
325 applicant states that, despite being within the Business District, the site is abutted by residential
326 homes on three sides. Due to this, enforcement of the 100' buffer would generate significant
327 hardship for any site development for business uses. He asked if granting the hardship is in any
328 way a hardship for the residential homes that abut it. The plan does not meet zoning, as evidenced
329 by the waiver. There is a lot of this property in the buffer.

330
331 Public input closed @ 8:45PM.
332

333 Mr. Van der Veen asked the anticipated hours of operations. Mr. Rice stated that the current
334 proposal is for 24/7. Mr. Van der Veen asked how lighting will be handled within the 100' buffer
335 zones. Mr. Rice stated that there will be reduced lighting after a certain time after hours. The
336 project meets all of the requirements for Town lighting.

337
338 Mr. Oates stated that the new Town regulations around lighting include that it should be dark sky
339 compliant and no light should leave the site at any time. In terms of the hours of operation, he
340 would like to explore the storefront closing at a certain time, with the pumps allowed to be open
341 24/7. He asked why the emergency generator was excluded from the sound study. The proposed
342 generator is not allowed within the 100' buffer due to Town code, Section 276-11.1.B.12.C.
343

344 Mr. Oates stated that he would like to see that the fence along the daycare abutter be no less than
345 10'-12' tall in order to help mitigate noise decibels from the project. It should be installed prior
346 to any construction.

347
348 Mr. Boyer moved to continue the proposed Site Plan Application for Colbea Gas Station &
349 Convenience Store, SP# 12-25, Map 198/Lots 11, 12, 14, 15, 16, 91-97 Lowell Road, Hudson,
350 NH, to 25 February 2026 at 7PM.

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

352
353 *The Board took a five minute recess.*
354

355 B. Erickson Foundation Solutions Lot Line Relocation & Site Plan 14-18 Clement Road
356 SB# 08-25 Map 161/Lots 49 & 50

357 Purpose: to depict a lot line adjustment of Map 161/Lots 49 & 50. Application acceptance
358 & hearing.

359
360 SP# 13-25

361 Purpose: to depict the proposed parking expansion and associated improvements on Lot
362 49, and the proposed gravel laydown yard and associated improvements on Lot 50.
363 Application acceptance & hearing.

364
365 Mr. Boyer moved to accept the **Lot Line Relocation Application** for Erickson Foundation
366 Solutions, SB# 08-25, Map 161; Lots 049 & 050, 14 & 18 Clement Road, Hudson, NH.
367 Motion seconded by Mr. Hurd. Motion carried 7/0/0.
368
369 Pete Madsen, Keach Nordstrom Associates, explained that the lot line adjustment is proposed to
370 facilitate a parking expansion on Lot 49. The proposal is to take 11,000 s.f. taken from Lot 50 and
371 add it to Lot 49. The plan shows a proposed slope and drainage easement.
372
373 Public input opened and closed at @ 9:02 PM. – No input.
374
375 Mr. Boyer moved to approve the **Lot Line Relocation Application** for Erickson Foundation
376 Solutions, SB# 08-25 Map 161; Lots 049 & 050, 14 & 18 Clement Road, Hudson, NH; prepared
377 by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110,
378 for: Clement Warehouse LLC, 14 Clement Road, Hudson, NH 03051, and 18 Clement Road,
379 LLC, 29 Boyd Road, Hudson, NH 03051, Consisting of sheets 1-17, with general notes 1-34 on
380 Sheet 1; Dated October 27, 2025; and:
381 That the Planning Board finds that this application complies with the Zoning Ordinance, and
382 with the Land Use Regulations and for the reasons set forth in the written submissions, together
383 with the testimony and factual representations made by the applicant during the public hearing;
384
385 Subject to, and revised per, the following stipulations:
386 1. All stipulations of approval shall be incorporated into the Notice of Approval, which shall
387 be recorded at the HCRD along with the site plan.
388 2. Prior to Planning Board endorsement of the Plan, the easement depicted to the favor of
389 the Town shall be subject to final administrative review by the Town Planner, and Town
390 Engineer.
391 3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final
392 administrative review by Town Planner and Town Engineer.
393
394 Motion seconded by Mr. Van der Veen. Motion carried 7/0/0.
395
396 Mr. Van der Veen moved to accept the Site Plan application for Erickson Foundation Solutions,
397 SP# 13-25, Map 161/Lots 49 & 50, 14-18 Clement Road, Hudson, NH.
398 Motion seconded by Mr. Boyer. Motion carried 7/0/0.
399
400 Mr. Madsen explained that Lot 49 contains the existing Erickson Foundation Solutions business.
401 Lot 50 has an existing single-family house and a gravel laydown area. The proposal for Lot 49
402 including adding additional parking spaces on the site to help expand the business. The proposed
403 parking space dimensions are 18'x9'. This reduced size is proposed in order to gain as many spaces
404 as possible, while also reducing impervious area. Additional work includes upgrading the ADA
405 area in front of the building. This will be restriped and made more compliant with current ADA
406 standards. For Lot 50, the proposal includes expanding the gravel laydown yard by approximately
407 8,000 s.f. To the right of the laydown yard is will be an infiltration pond which will service the
408 drainage for both lots. The proposed subsurface stormwater detention system will take runoff from
409 the parking lot expansion and detaining it. This will then pipe to an infiltration pond on Lot 50.

410 The infiltration pond will provide treatment for both properties. There is a significant grade change
411 between the properties which the applicant is looking to push a bit further using a 1.5:1 rip rap line
412 slope. This will be good for erosion control. There is an area of an asbestos disposal site on the
413 property which NHS flagged. Approximately 20 years ago. This area had asbestos which was
414 capped and filled. The applicant is looking to place additional fill on top of this which is usually
415 acceptable. Note 34 on the plan mentions that the owner shall employ a licensed contractor to
416 perform that work.

417
418 Mr. Madsen reviewed the landscape plan. Landscaping was added in the few areas which are
419 available for landscaping. The applicant is proposing two shade trees and 34 shrubs. The lighting
420 plan shows building mounted fixtures proposed on the backside to light up the proposed parking
421 lot. All lighting will be downcast and full cut off. The Town's peer reviewer had one comment
422 which can be addressed. The applicant is requesting five total waivers, with the explanation that
423 this is an existing lot with some nonconformities. In terms of landscape waivers, one is requested
424 from Section 275.8.7-C for shade trees. The other is from Section 275.3.7-D for shrubs. Due to the
425 existing restrictions on the parcel, including the steepness of the topography and the fact that there
426 is little undeveloped space, the applicant is requesting waivers to allow for two shade trees where
427 nine are required and 34 shrubs where 27 or 83 are required. The difference in the required number
428 is due to the fact that this is either based on parking spaces or on total parking lot area. The shrub
429 calculation by parking spaces leads to 27 required. The shrub calculation by total parking lot area
430 leads to 83 required. Granting these waivers would not be contrary to the spirit and intent of the
431 regulations as the proposed landscaping, in conjunction with the existing landscaping, will provide
432 aesthetic relief and adequate shade for the proposed improvements.

433
434 Mr. Madsen stated that the next waiver is from Section 276.11.1 B.24 for open space. The current
435 open space on Lot 49 is 39.6 where 40 is required; it is currently non-conforming. With the lot line
436 adjustment and the parking addition, the proposed open space will be reduced to 30.7. The open
437 space could be made conforming by granting more lot area with the land adjustment but, as the
438 property is already non-conforming, granting this waiver would not be contrary to the spirit and
439 intent of the regulations, as open space is still being provided to the maximum extent practicable
440 when considering existing conditions and restrictions of the lot. The next waivers are from Section
441 276.11.1.B.22 for green area and Section 276.11.1-B.12.C for the 100' residential buffer. The
442 applicant is restricted by the existing conditions of the parcel. For the green area, 35' of green area
443 is required along the property's frontage. Granting this waiver would not be contrary to the spirit
444 and intent of the regulations as the green areas are still maintained to the maximum extent
445 practicable. In the Industrial Zone, there are many adjacent properties that do not have any green
446 area at all. In terms of the residential buffer, there are existing features on the site within the 100'
447 residential buffer. If this regulation was strictly followed, the applicant would not be able to access
448 the property because the driveway would be within the 100' residential buffer. Granting this waiver
449 would not be contrary to the spirit and intent of the regulations, as the majority of site development
450 lies outside of the buffer and the only areas within the buffer are existing access points.

451
452 Mr. Van der Veen moved to extend the meeting to 11PM.
453 Motion seconded by Mr. Boyer.

454
455 Discussion:

456 Ms. Paquin expressed concern with continuing the meeting to 11PM. Mr. Ulery stated that the
457 meeting would hopefully conclude before that, but the Board has to take action to continue the
458 meeting past 10PM.

459

460 Mr. Oates asked the purpose of continuing the meeting past 10PM. He does not see value in this
461 as the hearings will not be able to be completed this evening.

462

463 Mr. Boyer explained that this is being done as a safety valve. Board members made a commitment
464 and have a duty to hear the items on the agenda. Mr. Oates stated that the Town's business can be
465 done by stopping at 10PM. The hearings will not be completed this evening. He is far more familiar
466 with this process than others. He asked how many Board members are needed in order to continue
467 the meeting. Mr. Ulery stated that the number is four.

468

469 Ms. Dubowik stated that this is not the only time the Board has gone past 10PM for a meeting. Mr.
470 Oates stated that the last Board meeting did not go past 8PM so the planning is pretty poor. A vote
471 is not needed; it will go the way it always goes.

472

473 Motion carried 6/1/0 (Oates).

474

475 Public input opened and closed at @ 9:23 PM. – No input.

476

477 It was noted that a waiver would be needed for the requested 18"x9' parking spaces.

478

479 Mr. Oates asked which specific ordinance goal is being preserved by granting any of the waivers.
480 He asked what the applicant is attempting to accomplish. Mr. Madsen stated that the waivers are
481 required in order for the applicant to be compliant due to existing conditions of the site. Mr.
482 Oates asked that the applicant read the definition of 'hardship' and then comment on it. Mr.
483 Madsen stated that he submitted a written record and has spoken at length regarding the waivers
484 requested and how they meet the spirit and intent of the regulations. In response to a question
485 from Mr. Oates, Mr. Madsen stated that the condition of these waivers was absolutely not self-
486 created. Mr. Oates stated that most of the requests are self-inflicted due the proposal. He asked if
487 the constraints were known to exist prior to the plan to expand the use. Mr. Madsen stated that
488 the items were known, which is why the waivers are being requested. Mr. Oates asked why the
489 Town should absorb those consequences. Mr. Madsen stated that it is the Board's prerogative to
490 approve or deny any waiver request. Mr. Oates asked if a reasonable use of the property would
491 still exist without the waivers. Mr. Madsen stated that it would as it exists today. Mr. Oates stated
492 that the statement shows that the waivers are not required per the law in order for the property to
493 be used reasonably.

494

495 Mr. Ulery stated that Mr. Oates should not attack the applicant. He asked him to suspend his line
496 of questioning.

497

498 Mr. Oates continued his line of questioning. He asked if the requested waivers are cumulative.
499 He stated that he is only asking questions of the applicant. The only person attacking anyone is
500 Mr. Ulery who is raising his voice and barking. Mr. Ulery stated that personal attacks are a

501 measure of low mentality. Discussions between the Board and applicant go through the Chair. As
502 such, as has taken that ability away from Mr. Oates.
503

504 Mr. Van der Veen asked who will use the parking spaces. Mr. Madsen stated that the majority
505 will be used by employees. The parking spaces out front measure 8'x18.5'.
506

507 Mr. Oates asked the applicant why the 100' buffer exists. Mr. Madsen stated that the abutting
508 property has a residential house on it. Mr. Oates asked who the buffer is meant to protect. Mr.
509 Madsen stated that the buffer is meant to provide a buffer for adjacent abutting uses. Mr. Oates
510 asked what harms the buffer prevents. Mr. Madsen stated that the waiver requests have been
511 made. He would prefer not to discuss why the Ordinance was created and why the regulations
512 exist. Mr. Ulery stated that this would be speculative on behalf of the applicant. Mr. Oates asked
513 if a preexisting encroachment justifies new encroachment. Mr. Ulery stated that this would be
514 speculative on behalf of the applicant.
515

516 Mr. Oates stated that he has 15 more questions around this topic. Mr. Ulery asked that the
517 questions be centered around the waiver request itself. Mr. Oates stated that they are. It is the
518 applicant's prerogative if he chooses not to answer.
519

520 Mr. Oates asked if nonconformity allows intensification. If the answer is yes, he asked that the
521 applicant cite the provision. Mr. Madsen stated that he is unsure how to answer that.
522

523 Mr. Oates asked what specific hardship makes compliance impossible. Mr. Madsen stated that,
524 due to the 100' buffer, if the waiver is not granted, there would be no way to access the property.
525

526 Ms. Paquin asked if the existing house is occupied. Mr. Madsen stated that it is not. The house is
527 currently used for training for the business. If the lot were to be sold in the future, it would
528 comply with the necessary zoning setbacks to make it a livable property.
529

530 Ms. Paquin asked how steep of a slope the property has. Mr. Madsen stated that the easement
531 includes the ability to construct and maintain the slope. It would be difficult to get landscaping to
532 take on the slope.
533

534 Mr. Boyer moved to grant a waiver from **§ 275-8.7.(C) – Landscaping Requirements – Shade**
535 **Trees** to allow the existing trees and proposed landscaping to provide sufficient cooling for the
536 property, based on the Board's discussion, the testimony of the Applicant's representative, and in
537 accordance with the language included in the submitted Waiver Request Form for said waiver.
538 Motion seconded by Mr. Hurd. Motion carried 6/1/0 (Oates).
539

540 Mr. Oates stated that he had additional questions to ask of the applicant, though it appears Mr.
541 Boyer would like to speed through the process. The Board did not discuss the topic on which a
542 waiver was just granted. He asked if all of the votes were going to be handled in this way. Mr.
543 Ulery stated that he asked for discussion during the last vote and none was heard. Mr. Oates stated
544 that the motion was seconded and so there was no point. The Board has now moved onto another
545 waiver, and he has more questions to ask. It is not appropriate to fast forward through the planning
546 process. The Board could instead continue the hearing.

547

548 Mr. Oates moved to continue the **Site Plan Application** for Erickson Foundation Solutions,
549 SP# 13-25, Map 161; Lots 049 & 050, 14 & 18 Clement Road, Hudson, NH, to date certain
550 February 11, 2026.

551 Motion seconded by Mr. Guessferd.

552

553 Discussion:

554 Mr. Guessferd stated that he seconded the motion because it is unclear if the Board will be able to
555 make progress on the application this evening. It would be good for the Board to begin to hear the
556 next application on the agenda as well. Mr. Ulery agreed that he would be in favor of continuing
557 this hearing at this time.

558

559 Motion carried 5/2/0 (Boyer and Hurd).

560

561 *Mr. Oates exited the meeting at 9:46PM.*

562

563 C. Nottingham Square Fast-Food Restaurant

564 SP# 14-25

142 Lowell Road
Map 204/Lot 73

565 Purpose: to depict the layout of a proposed fast-food restaurant with drive-thru and the
566 accompanying parking lot modifications on the property. Application acceptance &
567 hearing.

568

569 Mr. Boyer moved to accept the site plan application for the Non-residential Amended Site Plan
570 Nottingham Square Fast-Food Restaurant, SP# 14-25, Map 204; Lot 073-000, 142 Lowell Road,
571 Hudson, NH. Motion seconded by Mr. Van der Veen.

572 All in favor – motion carried 6/0/0.

573

574 Pete Madsen, Keach Nordstrom Associates, stated that the Nottingham Square Plaza is seeking to
575 construct a 4,200 s.f. fast food restaurant with a drive-through. This will include some parking
576 modifications and utility improvements. The project is located in both the Business and the
577 Residential Zones. All work for the building construction will be done within the Business zone.
578 In terms of parking, the site has 264 existing spaces. The required parking for all uses in the retail
579 center including the proposed fast food use is 327 spaces. The applicant is proposing 222 and
580 seeking a waiver request for this. A trench will be cut across the main driveway for the sewer. The
581 Town requires 12 queuing for the drive-through and 20 are shown on the plan. There is no proposed
582 tenant at this time. There is not much proposed for grading and drainage, aside from a few new
583 catch basins and drain manholes. The existing drainage system collects runoff from the parking
584 lot and pipes it behind the building to a stormwater management pond that has been in existence
585 since the site was constructed in 2005. There are no additional stormwater management BMPs or
586 features required. The project leads to an overall reduction in impervious area through the
587 introduction of a grass area. There is existing water and sewer on the property which the project
588 will tie into. A grease trap is proposed as required for the kitchen service. The erosion control plan
589 includes a chain-link fence around the limits of the project with the strawbale barrier. In terms of
590 the landscape plan, one waiver is requested for shrubs. The applicant is proposing 69 shrubs where
591 123 shrubs are required. The lighting plan shows a number of building mounted lights and existing
592 light poles in the parking lot which will be reused.

593

594 In terms of waivers, Mr. Madsen stated that the first is from the landscaping for the shrubs. The
595 applicant is proposing 69, where 63 are required if calculating by parking spaces. If calculating by
596 total parking lot area, the requirement is 123. The landscape plan shows that existing landscaping
597 on site will be retained. Granting this waiver would not be contrary to the spirit of the regulations
598 as the proposed landscaping is in conjunction with the existing landscaping and will still provide
599 aesthetic relief for the proposed improvements. The applicant submitted a traffic study and parking
600 counts, along with some drone footage taken on Saturday, October 18th and Friday, October 17th.
601

602 Manny Souza Jr., representing Nottingham Square, stated that no tenant has yet been set for this
603 location. The most extensive use was considered in terms of parking and traffic.
604

605 Christine Trearchis, VHB, explained that the parameters of the study focused on the signalized
606 intersection at the site driveway, Lowell Road at Nottingham Square. The Town provided VHB
607 with 24-hour counts for a weekday and a Saturday, both occurring towards the end of September
608 2025. In examining future conditions, VHB followed New Hampshire DOT's practice of looking
609 at two future outlook years, the first in 2026 and the second in 2036, assuming a 1% annual
610 background growth rate. This allowed for the creation of a no-build volume for the future
611 conditions, representing what traffic is expected to look like in 2026 and 2036, even if the proposed
612 use is not constructed. The next step is to estimate the traffic generated for this proposed restaurant,
613 using the Institute of Transportation Engineers (ITE) trip generation manual and the industry
614 standard rates for a high-volume fast food restaurant with a drive-through. The rates for a high-
615 volume fast food restaurant are typically between 45%-85% higher than the land use code for a
616 standard fast food restaurant with a drive through so. Fast food restaurants have approximately a
617 50% pass by rate. An analysis for intersection performance was completed at the study area
618 intersection. The key takeaway from the analysis is that intersection is congested under existing
619 conditions, especially in the morning headed southbound, and in the evening headed northbound.
620 The intersection operates with some delays and queues under existing conditions, which is not
621 expected to change with or without this project. The addition of a proposed restaurant would
622 produce some minor changes in delay and queuing, specifically in the Saturday midday primarily
623 on the Nottingham driveway approach, as well as at the southbound left turn into the driveway.
624 The parking study was completed using drone aerial photography to capture the parking demand
625 at the existing site. The rear parking behind the building, where employees tend to park, is typically
626 busy. The main customer lot on the street front, is regularly operating well below capacity. The
627 peak occurred on a Friday evening around 6:00PM-7:00 PM. It was under 50% capacity with
628 approximately 135 spaces still available for parking. To evaluate the future parking needs of a
629 restaurant, VHB used ITE's parking generation manual for a fast food restaurant with a drive
630 through. The peak parking demand would be approximately 70 spaces on a Friday and 50 spaces
631 on a Saturday. An internal capture rate is also included in the analysis. The result is that the
632 projected peak parking demand for the Plaza on a Friday would be approximately 190 spaces, and
633 on a Saturday would be 144 spaces. The proposed site plan provides 222 parking spaces, with 18
634 spaces in the rear for employees and 204 spaces in the main lot. The projected peak parking
635 demand remains comfortably within that supply. The overall traffic and parking impacts were
636 characterized as fairly minor. The study recommends a few measures to help ensure safe and
637 efficient operations moving forward. One of which is to coordinate with the Town and the Town's
638 Engineering Department on the signal timing. There was also a recommendation for monitoring

639 during the initial opening period of the restaurant. The restaurant itself may need to assign staff to
640 help manage drive through queues and keep access points clear. Finally, some site design and
641 safety features for the drive through to make sure those exiting are clearly under a stop control and
642 have to yield to other vehicles within the parking lot. Site landscaping and building placements
643 should preserve adequate sight lines for drivers.

644

645 Mr. Ulery made the applicant aware of a Fox Hollow letter expressing some concerns. This should
646 be addressed at the next meeting.

647

648 Public input opened at @ 10:14 PM.

649

650 The owner of 21 Sunland Drive stated that his daughter was almost hit head-on in this area earlier
651 this week. He asked the Board to consider that there are currently three applications being heard
652 by the Board all within a small area of Lowell Road. The traffic is already congested. He noted the
653 number of nearby residents and asked the Board to consider their safety.

654

655 Ed Thompson, 22 Burns Hill Road, stated that it appears another fire hydrant is included in this
656 plan and he asked if that brings the total on site up to three. The applicant has stated that the tenant
657 is unknown but there can be a big difference between tenants in terms of traffic patterns and
658 queuing. He asked if all nearby tenants have been directly notified, especially Luks. He asked if
659 this would stall or hurt Luks' business. He stated that he did not see any handicapped spaces
660 marked on the drawing. He asked what could happen during large events at Luks. The existing site
661 was approved with a given number of parking spaces. The applicant is now stating that a
662 requirement of the site plan approval will be contingent on a waiver to reduce that number. He did
663 not see any new trip generation counts for Lowell Road. Different tenants will lead to different
664 traffic patterns. He expressed concern for Luks.

665

666 Jason Fiore, owner of Luks, stated that he understands the desire to expand the plaza. However,
667 he is already trying to do that. For the past month, each Friday and Saturday, he has been at fire
668 capacity, or 220. The proposed entrance would take up the front of his restaurant and function
669 room. It will put his patrons at risk as they have to cross the parking lot. He respectfully requested
670 that this approval wait until his lease is up. This will impact his business, his employees, and his
671 patrons. He has no desire to leave Hudson.

672

673 Anna Marie Watson, 21 Sunland Drive, expressed concerns regarding traffic and the intersection
674 at Pelham Road. There are three lights heading northbound for one lane. This is an issue. The
675 Town needs to fix the traffic is already has on Lowell Road before adding more traffic to Lowell
676 Road. The Town does not need another fast food restaurant.

677

678 Cathy Keenan stated that the pictures displayed of the parking lot do not represent what it looks
679 like during certain events at Luks. Luks is a great family restaurant, and it would be a shame for a
680 fast food restaurant to block access to it.

681

682 Public input closed at @ 10:30 PM.

683

684 Ms. Paquin stated that the net loss of 42 parking spaces proposed is concerning during busier
685 events at Luks.
686
687 Mr. Van der Veen stated that the project seems to be proposed to be located in the most congested
688 part of the parking lot. All of the customers for Luks will have to walk through the project area.
689 It appears that vehicles would be able to backup into the travel lane, which seems unsafe.
690
691 Mr. Boyer asked about a potential divider for the project's travel lane from other traffic in the
692 parking lot. The applicant team stated that this has not been suggested at this time.
693
694 Mr. Ulery noted that there would be a requirement for another site plan application for a future
695 specific tenant.
696
697 Mr. Van der Veen moved to continue the Non-Residential Amended Site Plan Nottingham
698 Square Fast Food Restaurant Application, SP# 14-25, Map 204; Lot 073-000, 142 Lowell Road,
699 Hudson, NH, to date certain March 11, 2026, with the applicant waiving the associated
700 deadlines. Motion seconded by Mr. Boyer.
701 All in favor – motion carried 6/0/0.
702

703 **VIII. ADJOURNMENT:**

704
705 Mr. Boyer moved to adjourn. Motion seconded by Ms. Paquin.
706 All in favor – motion carried 6/0/0.
707

708 Meeting adjourned at 10:40 P.M.
709
710
711
712
713
714

Ed Van der Veen
Secretary

715 *These minutes are in draft form and have not yet been approved by the Planning Board.*
716 *Note: Planning Board minutes are not a transcript. For full details a video of the meeting is*
717 *available on HCTV (Hudson Community Television) www.hudsonctv.com.*