



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

Robert Guessferd, 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 28, 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>X</u>	Julia Paquin Member <u>E</u>	Timothy Lyko Alternate <u>S</u>	George Hurd Alternate <u>E</u>
Todd Boyer Alternate <u>S</u>	Bob Guessferd Select. Rep <u>X</u>	Brooke Dubowik Town Rep. <u>X</u>	

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. Lyko was seated for Ms. Paquin.

V. MEETING MINUTES

- 7 January 2026 Meeting Minutes

Mr. Crowley moved to approve the 7 January 2026 meeting minutes.

Motion seconded by Mr. Boyer. Motion carried 5/0/2 (Ulery, Lyko).

VI. CORRESPONDENCE

A. 84 Lumber Company – Establish Bond for Off-site & On-Site Improvements

Mr. Crowley moved to approve a bond amount of \$90,780.00 relative to the Off-Site Improvements and On-Site Landscaping Improvements for the 84 Lumber Company Development at 3 Sullivan Road – Map 145/Lot 015-000 as presented in the memorandum from the Development Services Director, Elvis Dhima, to Brooke Dubowik, Town Planner, dated January 15, 2026, together with the Town of Hudson Road Guarantee Estimate Form.

Motion seconded by Mr. Boyer. Motion carried 7/0/0.

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IX. OTHER BUSINESS – *The Board took up this agenda item at this time.*

A. 16 Brady Drive Amended Approval – Removal of Easement language.

Mr. Van der Veen moved to approve the removal of Stipulation No. 2 from the Town of Hudson Planning Board Notice of Approval dated October 22, 2025, for the approved Site plan entitled *SP# 09-25 Brady Drive Industrial Condominium Complex Site Plan*, due to an administrative error, as outlined in the memorandum from the Town Planner Brooke Dubowik to Planning Board Chairman Timothy Malley, dated January 15, 2025.
Motion seconded by Mr. Crowley. Motion carried 7/0/0.

VII. OLD BUSINESS

A. Washville Car Wash Site Plan 9 Morgan Road
SP# 10-25 Map 156/Lot 016
Purpose of Plan: to propose a new car wash building with associated parking and customer accessible vacuum machines. Application acceptance & hearing (Deferred from 12/10/25).

Mr. Van der Veen recused himself from this item but continued in his role as Secretary.

Mr. Crowley moved to accept the Site Plan Application for Washville Car Wash SP# 10-25, Map 156 / Lot 016, 9 Morgan Road, Hudson, NH.
Motion seconded by Mr. Boyer. Motion carried 6/0/0.

Frank Doherty, Washville Car Wash, explained that Washville operates 24 facilities from Long Island, to Bangor, ME, with another 10-15 under preconstruction or currently being permitted. The typical hours of operation are Monday-Saturday from 7:00AM-7:30PM, and 8:00AM-5:00PM on Sunday. This is a fully automated car wash which is fully staffed. There are no self-service bays. The vacuums, which are free to customers and the general public, are turned after hours. There will be no noise or disturbance outside of typical operating hours. This proposed use is a replacement for a previously approved restaurant use in the same location. This building will be approximately 25% smaller than the approved restaurant use, leading to less pavement, less parking, and more open space. The smaller footprint means that the building will be further away from the buffers and property lines than the previously approved use. The proposed use leads to 63% less traffic during the week than the approved use had on Saturdays, though a slightly higher number of total vehicles on a Saturday. The proposed use will also close 3.5 hours earlier than the restaurant would have. The sound studies proved that the noise from the proposed use would be equivalent to a light rain or normal conversation. The nearest residence is approximately 125' away. The State Alteration of Terrain permit and DOT items are being worked through at this time.

Eric Poulin, P.E., Jones & Beach Engineering, explained that the proposal is for a 4,100 s.f. car wash with self-serve vacuums in the front. The current design shows the building set to the rear of the development pad with the vacuums fronting Morgan Road. The site will be serviced by one driveway along Morgan Road, behind Cumberland Farms, and a driveway at the same location. A bypass lane is also provided around the building. There is space on site from the kiosk to the start of the drive-through lane for about a 20 car queue. If needed, this could stretch farther before

90 getting to Morgan Road. Stormwater is proposed to be collected via a closed drainage system and
91 treated prior to discharge to the rear of the property. Fuss & O'Neill have reviewed the stormwater
92 design and the applicant responded to their last letter to address any comments. In terms of utilities,
93 sewer will be collected in front of the building and tied into an existing municipal sewer system.
94 The building will tie into an existing gas main on Route 102. Power will also be brought in from
95 Route 102 from an existing pole. There is an existing 6" water stub on Route 102 which can be
96 tapped into to service the building with water. Lighting will be downcast, dark sky compliant,
97 commercial-style lighting. Landscaping will be located on all sides of the development including
98 a mix of ground shrubbery and tree cover. The applicant is proposing a solid stockade fence to
99 completely block the use from residences to the north.

100
101 Mr. Poulin stated that the applicant is requesting three waivers. The first waiver is for 276-
102 11.1.B(12), parking pavement within the 50' setback. This waiver was granted for the overall
103 development, and this use will respect a similar proximity distance to the front property line. It
104 will also respect the 35' green space buffer along Route 102. The second waiver is for 276-
105 11.1.B.(12).(C), dealing with the 100' buffer to the residential use to the north. From an impact
106 standpoint, this use is a reduction from the previous approval on all fronts. This use will lead to
107 1,740 s.f. less of impervious development area within the buffer, and 6,800 s.f. less of ground
108 disturbance in the buffer from grading. The proposal will pull that grading 20' more away from
109 the residential property line to the north. The last waiver is for 275-8.C.(6).(a) which requires a
110 loading area for this type of use. Deliveries are very infrequent for the proposed use and usually
111 done by van. There is not much inventory of any kind which needs to go into the building on any
112 regular basis. Thus, the request is for a waiver instead of having to dedicate some of the
113 development's square foot for a loading area which will not be used.

114
115 Mr. Crowley asked that the hours of operation be listed on the plans.

116
117 Mr. Boyer asked about the waiver for the loading space. He asked what may be brought onto the
118 site and why a van would be appropriate instead of a large truck. Mr. Doherty explained that the
119 facility does not need to stock a lot of supplies, materials, or chemicals. Usually, a box truck or
120 delivery van drop off supplies periodically. The truck may pull into an unused vacuum space to
121 unload. This allows for more green space on the site.

122
123 Public input opened @ 7:24PM.

124
125 Laurie Greer, 28 Derry Lane, owner at 35 Bowes Circle, and President of Abbies Landing, stated
126 that Washville Car Wash is a Connecticut-based company, and she does not feel that they
127 honestly care about the great town of Hudson and the harm will cause to residents' everyday
128 lives. According to other car wash proposals, a tunnel can host up to eight vehicles with a design
129 maximum throughput capacity higher than the typical demand and there can be a design capacity
130 of 130 vehicles per hour. The projected continual operation average for this particular site is 30-
131 60 per hour. The traffic study estimates 61 vehicle trips during the weekday AM hours and 100
132 during the PM hours. This average seems to be 14 cars per hour. Yet the capacity average is listed
133 at 30-60 cars per hour. This would certainly be an increase in traffic. The applicant mentioned
134 that it is generally understood that most car wash customers travel there on their way to some
135 other primary destination. This is a membership-based business. It has unlimited monthly car

136 washes, meaning increased traffic, not just pass through traffic. She does not believe the
137 proposed landscaping will make a dent in noise mitigation. She asked that the Board deny the
138 proposed waiver for the 100' buffer. The proposed use should not enter into any of the residential
139 buffer in any way. She does not see that a noise study was carried out. A car wash will make lots
140 of noise. Hudson has a noise ordinance in place, and she asked how the proposed use compares.
141 She expressed concern regarding idling pollution from customers cars at the business. The
142 proposed vacuum systems appear to be self-serve. There are residences behind the car wash, and
143 some directly across the street which will be impacted. The residents of Abbies Landing and The
144 Village at Reeds Brook all average 70 years old or older and they would like to enjoy peace and
145 quiet, not 100+ decibel readings from a car wash. The Board is tasked with protecting the
146 health, safety, and welfare of the public. The noise alone from this potential car wash and
147 vacuum center will directly affect the public.
148

149 Steve Boufford, 6 Easy Street, expressed some concerns with the waiver of the 100' buffer. Noise
150 is also a concern for enjoyment of his property with its proximity to the proposed car wash.
151

152 Phillip Naish, 8 Mehan Drive, asked why the Board would consider approving the plan when
153 exceptions are being requested by the applicant to expand outside of their bounds, beyond the
154 easements. The project's parking lot could likely be reduced in order to fit within the existing lot.
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156 Ms. Greer asked about an environmental impact study and potential impacts to nearby water
157 sources and wildlife.
158

159 Public input closed @ 7:37PM.
160

161 Mr. Doherty and Mr. Poulin stated that, in terms of PFAS potential contamination, there is a
162 standard letter from DES on the Alteration of Terrain (AoT) permit, with comments which are
163 being addressed. As part of the AoT permit, the applicant has to engage with New Hampshire
164 Fish & Game and answer any concerns and questions to their satisfaction prior to obtaining the
165 AoT permit. This process is ongoing. There are two components on the site relating to
166 contaminant protection. The stormwater system has treatment within it as well as skimmers to
167 collect any oils or greases, as required by the State. The stormwater system implements current
168 best management practices. The plan also shows a water treatment system, including a bar screen
169 and a series of tanks. The goal is to allow filters to pick out the contaminants through the
170 process. Approximately 60% of the water onsite is recycled. The system injects both ozone and
171 oxygen for bacteria and odor control. The system can be seen on Sheet C3 of the plan.
172 Independent testing from the State confirms the effluent quality from the site.
173

174 Mr. Boyer asked the number of Washville sites in NH. Mr. Doherty stated that there are three
175 existing in NH, with an additional 3-4 in development.
176

177 Mr. Crowley asked about a noise study for the proposed use. Currently, a noise study has not
178 been submitted to the Board. He read from Ordinance 249-4 which states specific maximum
179 noise limits. Compliance with these limits cannot be reasonably determined without a
180 professional acoustical analysis conducted in accordance with 249-4. The Planning Board has
181 requested noise studies for other car wash use applications that proposed car wash.

182
183 Mr. Crowley moved to require a noise study for this application, per Hudson Ordinance 249
184 standards. Motion seconded by Mr. Oates.

185
186 Discussion:

187 Mr. Oates stated that no third-party acoustic study has been performed for this application. He
188 conducted his own decibel study, and, at the bottom of Easy Street, this read 45-50 decibels. This
189 will increase closer to the site. He obtained 85-90 decibel readings closer to the site. He would like
190 to see counter data. He would like to see a sound study for the dryers, vacuums, and idling cars all
191 running at once.

192
193 Motion carried 7/0/0.

194
195 Mr. Ulery asked about modifying the size of the parking lot. Mr. Doherty stated that the goal is
196 enough pavement for safe operations and reasonable queuing. This can be reviewed further. The
197 proposed impacts are much less than were previously approved for the restaurant use. The
198 disturbance area from where the grading ends is 40' away from the property line. The previous
199 approval was 20' away. This plan has been pulled 20' further away. The development footprint
200 shows the width of the drive lane at 12.5'. The approved restaurant use went further into the buffer
201 than this proposal. The intention was to keep the impact to a minimum. The proposed use will be
202 20' less in the setback than the previous approved use.

203
204 Mr. Oates asked the number of proposed vacuum stations. Mr. Poulin stated that this would be 18.
205 Mr. Oates suggested eliminating eight of these stations and shifting the building southward. Mr.
206 Doherty stated that he would look into this suggestion. Mr. Oates stated that reviewing the design
207 slightly differently could lead to a reduction in the waivers being requested. He would like to see
208 data or financial justification if the applicant decides not to reduce the number of stations.

209
210 Mr. Crowley stated that the Amherst Street Washville site has 18 vacuum stations, but the
211 maximum number of stations occupied during the period in which he observed the site was three.
212 Eliminating eight stations would still leave the applicant with ten stations. He would like to see
213 this analyzed further.

214
215 Mr. Doherty stated that the minimum criteria for safety and efficiency are known for these sites,
216 but he will consider these suggestions.

217
218 Mr. Oates stated that he would like to continue this hearing before further discussing any of the
219 other waiver requests. Mr. Lyko suggested that the Board continue to discuss the waiver regarding
220 the loading dock, in order to help the applicant to further consider any changes to be made to the
221 site.

222
223 Mr. Oates moved to continue the Site Plan Application for Washville Car Wash SP# 10-25, Map
224 156 /Lot 016, 9 Morgan Road, Hudson, NH, to date certain, March 11, 2026.
225 Motion seconded by Mr. Crowley. Motion carried 6/0/0.

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227 *Mr. Van der Veen retook his seat.*

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VIII. NEW BUSINESS

- B. Proposed Retail Building Site Plan & Conditional Use Permit 1 Bockes Road
SP# 11-25 & CUP# 04-25 Map 145/Lot 001
Purpose: to propose a 12,000 SF multi-tenant retail building with associated parking and drainage improvements. The retaining wall and minor site grading will encroach into the 75-foot wetland buffer. Application acceptance & hearing. (Deferred from 12/10/25).

Mr. Van der Veen moved to accept the Non-Residential **Site Plan** for the Proposed Retail Building, SP# 11-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH.
Motion seconded by Mr. Oates. Motion carried 7/0/0.

David Jordan, Greenman-Pedersen, Inc. (GPI), explained that the proposal is for a 12,000 s.f. multi-tenant retail building. The parcel is located in the General 1 Zoning District. As a point of reference, the Board approved an almost identical site plan for this site in 2010. The main difference is that the previously approved building was a bit larger at 12,800 s.f. The currently proposed building is smaller because the wetland setbacks for commercial uses have increased from 50' to 75'. There is a wetland located on the northeast side of the property which defines those setbacks. A multi-tenant retail building use is allowed by-right in the General 1 District. The use requires a total of 60 parking spaces. The proposed access to the property is from Bockes Rd. This site would not be allowed to have access off of Route 111. Required to access off of Bockes Road only. As the property abuts Route 111, the applicant is obligated to get a driveway permit from DOT and a new permit was received in November. In terms of access and circulation, there are two-way drive aisles proposed around all sides of the building. There are two loading zones proposed behind the building. The truck turning movements demonstrate that fire trucks can negotiate the site, trash trucks can adequately access the site, and delivery trucks can access the site adequately.

Mr. Jordan explained that, in terms of stormwater, there are a series of onsite catch basins around the building which all connect to an underground stormwater detention system in front of the building, under the parking lot. There is also a treatment unit before the stormwater exits the detention system and is discharged to the surface. The plan meets the requirements for peak flow reduction and water quality treatment. This property was an asbestos disposal site. Due to that, stormwater infiltration is not allowable. Thus, a waiver has been requested for increase in volume of discharge, and also the groundwater recharge volume per the stormwater regulations. All water flow from the site will eventually end up in Beaver Brook on the other side of Route 111.

In terms of utilities, Mr. Jordan explained that he proposal includes an on-site well. There is not public water available at this location. There will also be an on-site septic system because there is no public sewer in this area. The building will be sprinkled, and a 30,000 gallon fire cistern is proposed on the property, consistent with the Fire Department request. A landscape plan was submitted which shows landscaping on all sides of the property. This property has frontage along three streets and across Bockes Road is a residential subdivision. There is a 100' setback requirement between this commercial use and the nearest residential property. The proposed layout shows 88' from the nearest residential property line and a waiver has been requested. This is consistent with what was requested and granted in 2010. On the Bockes Road side of the

275 property, there is some hefty landscaping proposed. The applicant has taken steps to address the
276 screening of the building from residential abutters and passersby on Bockes Road. In total, 23
277 trees and 191 shrubs are proposed throughout the site. Also, there will be offsite improvements
278 made to both Route 111 and the intersection of 111 and Lawrence Road, including a dedicated
279 right turn lane on this side of Route 111, and the widening of Lawrence Road at its intersection
280 with Route 111 to allow for two lanes exiting Lawrence Road onto Route 111. There will be a
281 stop condition on Lawrence Road at Route 111 and on Route 111 there is currently a flashing
282 yellow light.

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284 Public input opened at @ 8:25 PM.

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286 Steven Cotroneo, 2 Rolling Woods Drive, stated that this was originally approved 20 years ago,
287 before residents lived in the area. He stated that the buffer measure is wrong; it is not 88'. In
288 terms of the right hand turn, this will need to be constructed using someone else's property. His
289 written statement is supported by nearly 90 residents and outlines specific health and safety
290 concerns and questions which must be addressed before any approval is considered. He is not
291 opposed to the development but has concerns regarding if the proposal is appropriate, safe, and
292 responsibly designed. This site is located at the only entrance to the Rolling Woods
293 neighborhood. Any impacts from this project will be felt daily by families who live there.

294
295 Mr. Cotroneo stated that the applicant submitted three variances. The first variances request deals
296 with the residential buffer. Commercial properties are typically required to maintain a 100' buffer
297 from residential properties to protect homes from noise, lighting, traffic, and runoff. In this case,
298 the applicant is requesting approval of an 88' buffer. Based on the materials submitted, the 88'
299 buffer only exists on paper. It is not certified by survey verified measurements. He personally
300 measured the distance from the corner of Bockes Road and Lawrence Road to the start of the
301 project site and found it to be approximately 66'. The Town's public GIS map shows it at 160'.
302 This is nearly a 100' discrepancy. GIS is a reference tool, not a survey. If the applicant is correct,
303 at the closest point, the separation would be 88' or 14' away from his house. The primary
304 mitigation offered for this proximity appears to be bushes. The impacts are not theoretical. A
305 large parking lot would place commercial lighting and vehicle headlights only feet from his
306 home. Dumpsters will attract rodents and wildlife into neighboring yards. Bushes do not block
307 light; they do not stop noise or activity, and they do not prevent pests. As this buffer is
308 foundational to all of the requested variances and has not been independently verified, none of
309 the variances should be approved as presented.

310
311 Mr. Cotroneo stated that variances 2 and 3 deal with groundwater recharge and increased
312 stormwater volume. As this site is an asbestos disposal site, he understands that infiltration could
313 compromise the cap. Due to infiltration not being feasible, stormwater leaving the site will
314 increase in volume. This area already relies on a retention pond, indicating that stormwater is
315 already a concern. Increasing volume places additional pressure on downstream wetlands and
316 neighboring properties, especially during heavy rain events or system failures. All requested
317 variances rely on long-term mechanical performances. Once built, there is no practical way to
318 undo the outcome if the systems fail.

319

320 In terms of traffic access and safety, Mr. Cotroneo stated that Rolling Woods has a single
321 entrance with limited visibility. Adding commercial access in this area will concentrate traffic at
322 the exact point residents use for access. The proposal would effectively create a second four-way
323 intersection feet away from another intersection on Route 111 which already experiences
324 congestion and a history of accidents. Bockes Road is narrow and winding and already used as a
325 cut through. Introducing a multi-tenant commercial entrance will add increased vehicle volume
326 to a roadway that was not designed for it. At the Conservation Commission meeting, the
327 applicant noted that they hoped an emergency vehicle would be able to turn around on the site.
328 Emergency access should be demonstrated through design and analysis, not assumed. A school
329 bus stop is immediately adjacent to the site. These conditions warrant serious evaluation before
330 approval.

331
332 Mr. Cotroneo stated that asbestos is a regulated cancer causing substance, This site is listed by
333 NH DES as an inactive asbestos proposal site, meaning asbestos containing material remains in
334 the ground. Any disturbance of asbestos contamination requires NH DES approval. Given the
335 scope of this project, subsurface disturbance appears unavoidable. Construction cannot legally
336 proceed without a plan in place. The applicant's plan also indicates a drinking well on site. Given
337 the site's designation and proximity to homes, private wells, wetlands and areas where children
338 gather, this raises serious questions. It is responsible for the Town to require confirmation that a
339 complete asbestos management plan has been approved prior to any local approval.

340
341 In terms of environmental pollutions and buffer concerns, Mr. Cotroneo stated that the current
342 proposal does not adequately protect nearby homes from environmental impacts. The landscape
343 plan consists primarily of low growth shrubs which do not function as a meaningful buffer. This
344 will not mitigate noise, prevent light spills, or address traffic or pest impacts. Limited
345 landscaping on one side of the road is not sufficient. A functional commercial property requires
346 continuous mature height evergreen screening. Another major concern is the risk of chemical
347 contamination reaching nearby private wells and wetlands. Commercial development introduces
348 hazards such as fuel leaks, oil runoffs, and chemical releases from tenants and deliveries. This is
349 not hypothetical. In New Hampshire, commercial sites have contaminated resident wells, forcing
350 families on bottled water for years. Concrete and asphalt are not barriers. Over time, chemicals
351 migrate through cracks in drainage systems into soils, wetlands, and groundwater. The connected
352 wetlands drain toward streams and ponds, expanding the impact beyond the site. He contacted
353 the Governor's Office and was advised that a baseline testing of nearby private wells before
354 construction, followed by post-construction monitoring, it is a prudent step. Without this,
355 baseline responsibility cannot clearly be established. With it, accountability exists.

356
357 Mr. Cotroneo stated that the site is zoned as General 1. When this property was zoned, it was not
358 surrounded by established residential neighborhoods. Today, it is a directly adjacent to homes,
359 private wells, wetlands, and neighborhoods, with a single point of access. Decisions must reflect
360 present day conditions, not historical zoning. In closing, given the sensitivity of this area, it is not
361 sufficient for the developers to rely solely on their studies. The Town should require independent
362 third-party environmental and traffic reviews funded through escrows and selected by the Town.

363
364 Deb Lescault, 16 Rolling Woods Drive, stated that there is one retention pond in the
365 neighborhood, and she asked if the proposal would add any water into this. Mr. Jordan stated that

366 it will not. Ms. Lescault noted that there is a stream along the applicant's property, and she asked
367 how it would be protected.

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369 Public input closed at @ 8:44 PM.

370
371 Mr. Jordan noted that Route 111 is a DOT-controlled road. The Board can make a
372 recommendation, but certain criteria need to be met before DOT will install a traffic signal on
373 their roadway. DOT determined that they have jurisdiction over the right turn lane and the
374 widening of Lawrence Road due to the proximity to Route 111. Those are improvements that
375 DOT wants to make for this project. He stated that he is a licensed land surveyor in the State of
376 New Hampshire. The plans do have dimensions on them, and he has certified the dimensions
377 with his stamp. The proposal will not widen Route 111 or Lawrence Road onto anyone's
378 property. There is enough right of way for that work without impacting abutters. The intersection
379 improvement plan will be submitted for the record. Regarding the residential setback statement,
380 the 88' dimension is clearly shown on the plan. Sheet 4 of 13 shows it measured from the edge of
381 pavement behind the building to the nearest residential property line, as defined in the Zoning
382 Ordinance. The property has been surveyed, and this information is included in the existing
383 conditions. The plans have been peer reviewed by Fuss & O'Neill and there are some minor
384 comments which will be addressed through additional notes on the plan. The residential buffer
385 requirement has been reviewed by the third party consultant and vetted through them. Regarding
386 the treatment of stormwater runoff, there are a series of measures proposed for the site. Catch
387 basins throughout the site will collect any sediment and have oil/gas hoods over them to keep
388 petroleum products contained within the basin. Runoff then flows to a detention system where it
389 will be detained and slowly released over time. When it exits the detention system, it goes
390 through a treatment filter to provide additional cleansing to meet both the local, state, and EPA
391 requirements for water quality protection. In terms of asbestos, prior to construction, a licensed
392 environmental consultant will create a health and safety plan and soil management plan, to be
393 submitted to the State.

394
395 Mr. Van der Veen asked how the residential setback was measured from the edge of the Bockes
396 Road right of way. Mr. Jordan explained that this point was taken from the recorded subdivision
397 plan which defines where the property line is. That plan was produced by another surveyor.

398
399 Mr. Crowley asked if it has been documented as to whether there has been significant settlement
400 or change to the existing grade of the site since 2008. Mr. Jordan stated that there has been no
401 activity on the site since well before 2010. The cap has not been disturbed since that time. Mr.
402 Crowley stated that he believes there should be signs or warnings on the site to keep people away
403 from asbestos on the site. Mr. Jordan stated that he is not aware of a requirement from when the
404 cap was placed to have signage on the site. This would have been worked out with DES. DES
405 has signed off on the work done. Moving forward, the health and safety plan and soil
406 management plan submittals to DES may lead to signage.

407
408 Mr. Crowley expressed concern with work on the site disrupting the cap. A geotechnical report
409 of some type may be needed. Mr. Jordan stated that the site currently drops significantly and fill
410 will be brought onto the property. Not all work will influence the cap. Geotechnical consultants
411 can be utilized moving forward in the process, prior to a building permit application.

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Mr. Crowley moved for a geotechnical report to be submitted for this application.
Motion seconded by Mr. Oates.

Discussion:

Mr. Jordan stated that commercial buildings are built all the time. Geotechnical reports are created and submitted for those projects at the appropriate time. It is unclear within the site plan regulations where there is the authority to require a geotechnical report prior to the applicant knowing if the project will be able to move forward. Mr. Crowley stated that the site plan regulations allow the Board to require special reports. Mr. Ulery stated that this allowance is for a Conditional Use Permit, not a site plan. The applicant stated that he is willing to submit a geotechnical report at the appropriate time. This could be a stipulation instead of a precondition of site plan approval.

Mr. Crowley AMENDED his MOTION for a geotechnical report to be submitted for this application, prior to a foundation permit.

Discussion:

Mr. Oates stated that the geotechnical report will provide engineering data regarding any impact on the runoff from the asbestos.

Mr. Boyer stated that he was not in favor of the original motion, as he found it to be unfair to the applicant, but is behind the amended motion.

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

Mr. Crowley noted that only a traffic generation memo was submitted instead of a full traffic study. Mr. Jordan stated that this was all that was requested by DOT. Mr. Crowley stated that he needs to know what types of businesses will be going into this building, as it will impact how he views the traffic impact. Mr. Jordan stated that a sit-down restaurant is not contemplated. The site is limited by its drinking water well and septic system. Mr. Boyer stated that the project would also be restricted by the number of parking spaces. A use that would require more would have to come before the Board for approval. The application is for a retail space as it is defined within the Zone. Mr. Oates stated that, if this is approved without any stipulations, the applicant would not have to come back to the Board for changes and could essentially build out anything in the realm of retail they want. Mr. Ulery stated that this is incorrect. Mr. Van der Veen noted that certain retail uses drive more customers than others. Mr. Crowley stated that a traffic memo is not sufficient. Typically, the Board requests a traffic for this type of build out. Mr. Jordan explained that the traffic memo uses Land Use Code 822: Strip Retail Plaza less than 40,000 s.f. A full blown traffic study would use the same land use code and end up with the same number of trips per peak hour. The crux of a study is contained within the memo.

Mr. Crowley noted that the Town can have some administrative abilities on the site to help increase transparency regarding potential health concerns. He suggested a stipulation that at the required preconstruction meeting, a copy of an approved health and safety plan by the New

457 Hampshire DES and a disclosure of a licensed asbestos disposal site contractor to manage the
458 site shall be presented. Mr. Jordan stated that this would be reasonable.

459
460 Mr. Crowley suggested an additional stipulation that, prior to issuance of the certificate of
461 occupancy, there shall be submittal of a New Hampshire DES approved closure report including
462 site restoration and capping plan to the Town of Hudson. Mr. Jordan stated that any closure
463 document tied to the project that needs to be reviewed by the State will be shared with the Town.
464

465 Mr. Van der Veen asked about the hours of refuse removal for the dumpsters. Mr. Jordan stated
466 that this information can be included on the plan. Mr. Van der Veen asked about moving the
467 dumpsters from the residential side of the development. Mr. Jodan stated that this is likely
468 possible.
469

470 Mr. Boyer stated that the State will not allow for any work in the cap on the site. All work must
471 be on top of it. Information about the cap is available on the DES website. The applicant has
472 stated that they will bring fill into the site. There are many DES regulations regarding asbestos
473 sites. Mr. Crowley stated that he is only look for administrative transparency regarding the cap.
474

475 Mr. Ulery noted that questions regarding wastewater and stormwater need to be further
476 considered. Mr. Boyer suggested that the applicant submit topographicals including grades and
477 depths for the proposed fill and utilities.
478

479 There was discussion regarding potentially changing the parking space sizes in order to allow for
480 certain items to be moved around the site.
481

482 Mr. Oates moved to continue the Non-Residential **Site Plan** for the Proposed Retail Building,
483 SP# 11-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH to date certain March 25, 2026.
484 Motion seconded by Mr. Crowley. Motion carried 7/0/0.
485

486 Mr. Van der Veen moved to accept the **Conditional Use Permit** for the Proposed Retail
487 Building CUP# 04-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH.
488 Motion seconded by Mr. Boyer. Motion carried 7/0/0.
489

490 Mr. Oates moved to continue the **Conditional Use Permit** for the Proposed Retail Building
491 CUP# 04-25, Map 145 / Lot 001, 1 Bockes Road, Hudson, NH, to date certain March 25, 2026
492 Motion seconded by Mr. Crowley. Motion carried 7/0/0.
493

494 **X. ADJOURNMENT:**

495
496 Mr. Oates moved to adjourn. Motion seconded by Mr. Boyer.
497 All in favor – motion carried 7/0/0.
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499 Meeting adjourned at 9:40 P.M.
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Ed Van der Veen
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 a video of the meeting is
available on HCTV (Hudson Community Television) www.hudsonctv.com.*

DRAFT