



# TOWN OF HUDSON

## Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

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### HUDSON PLANNING BOARD MEETING MINUTES May 23, 2012

#### **I. CALL TO ORDER**

Acting Chairman George Hall called this Planning Board meeting to order at 7:01 p.m. on Wednesday, May 23, 2012, in the Community Development's Paul Butler meeting room in the Hudson Town Hall basement.

#### **II. PLEDGE OF ALLEGIANCE**

Acting Chairman Hall asked Mr. Malley to lead the assembly in pledging allegiance to the Flag of the United States of America.

#### **III. ROLL CALL**

Acting Chairman Hall asked Secretary van der Veen to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

**Members**

**Present:** James Barnes, Glenn Della-Monica, George Hall, Tim Malley, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

**Members**

**Absent:** Vincent Russo (excused).

**Alternates**

**Present:** Irene Merrill, Marilyn McGrath, and Jordan Ulery (arrived at 7:03 p.m.)

**Alternates**

**Absent:** Nancy Brucker (Selectmen's Representative Alternate).

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**Staff**

**Present:** Town Planner John Cashell.

**Recorder:** J. Bradford Seabury.

**IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

Acting Chairman Hall seated Ms. McGrath in place of the absent Mr. Russo.

**V. MINUTES OF PREVIOUS MEETING(S)**

Acting Chairman Hall said he would defer review of the minutes of past meetings.

**VI. CASES REQUESTED FOR DEFERRAL**

Acting Chairman Hall noted that no cases had been requested for deferral for this meeting.

**VII. CORRESPONDENCE**

**A. Report on New Hampshire Demographic Trends**

Town Planner Cashell discussed the attachments he had provided, saying he had provided this demographic information to help the member keep up-to-date with what was going on with respect to the demographic population of the State of New Hampshire.

Acting Chairman Hall asked if there were any questions or comment.

Selectwoman Brucker said she thought it was interesting but did not know how it pertained to business.

Town Planner Cashell suggested young people left this area because of the climate, not appreciating the cold weather in the wintertime.

Selectman Maddox suggested this information should be placed on file for the Master Plan update, to be incorporated as applicable.

Acting Chairman Hall expressed agreement, saying he did not know if the Board needed to take any action at this time, and he suggested that Town Planner Cashell provide this information to the intern who would be working on the Master Plan

**B. Site Plan Approval Request  
Dr. Deepak Sharma**

**1 Bockes Road  
Map 145/Lot 1**

Acting Chairman Hall noted that the Board also had received a request from David R. Jordan, PE/LLS/LEED AP, of MHF Design Consultants, Inc., for an extension with respect to the Bockes Road strip mall. He noted that Town Planner Cashell would put this item on a future agenda.

Ms. McGrath moved to defer further consideration of this item to the meeting of June 27, 2012; Mr. Della-Monica seconded the motion.

**VOTE:** No further comment being brought forward, Acting Chairman Hall called for a verbal vote on the motion. All members voted in favor, and Acting Chairman Hall declared the motion to have carried unanimously (7-0).

**C. Site Plan Modification Request  
Stellar Motors**

**57 Lowell Road**

Acting Chairman Hall noted that the Board had also received a request from Mr. Michael Febonio pertaining to desired changes for the Stellar Motors plan, and he asked if Town Planner Cashell expected this to be done formally or informally.

Town Planner Cashell said he had provided that correspondence to see whether the Board wanted to determine if this request should be handled at a regular meeting or informally. He discussed the details of what Mr. Febonio had outlined in his letter, saying he did not know if the Board would want a public hearing.

Acting Chairman Hall suggested this was getting into dangerous territory, since the Fire Department was involved.

Ms. McGrath noted that Mr. Febonio was also requesting review of lighting that had not been provided in his initial request, saying she agreed that this was something about which the Board should be careful.

Acting Chairman Hall said he felt that was an item that the Board should look at, and there should be a meeting for that, but the Board should be careful about getting between the Fire Department and the applicant.

Selectman Maddox said he felt this constituted an amended site plan. Acting Chairman Hall expressed agreement, saying he felt the Board should address both items.

Selectman Maddox noted that the Fire Department could not say YEA or NAY to something on the site plan. Acting Chairman Hall said he had not read it that way, but he did not want to get into the details at this time.

Town Planner Cashell said that the consensus seemed to be that Mr. Febonio should come in for approval of these changes, saying he would so notify Mr. Febonio the following day.

Acting Chairman Hall stated that the Board would not do anything at this time.

Mr. Della-Monica said it would be nice to know what the Fire Chief wanted the hydrant to be placed there for. Acting Chairman Hall suggested that the Board should get something in writing from the Fire Chief.

**D. Comprehensive Housing Market Analysis, Manchester-Nashua, NH**

Acting Chairman Hall asked about the study that had been provided. Town Planner Cashell said it had been prepared by an economist now working for the government, saying he had worked with that author, but this report was somewhat dated and did not consider the slight upturn that had occurred in the past six months.

**VIII. PERFORMANCE SURETIES**

No **Performance Sureties** items were addressed this evening.

**IX. ZBA INPUT ONLY**

No **ZBA Input Only** items were addressed this evening.

**X. PUBLIC HEARINGS**

No **Public Hearings** items were scheduled for this evening.

**XI. OLD BUSINESS/PUBLIC HEARINGS**

No **Old Business/Public Hearings** items were addressed this evening.

**XII. DESIGN REVIEW PHASE**

No **Design Review Phase** items were addressed this evening.

**XIII. CONCEPTUAL REVIEW ONLY**

**A. Form-Based Zoning Presentation by Alan Manonian, AICP, Re: Rte. 111 from Greeley St./Kimball Hill Rd. to Burnham Rd.**

Town Planner Cashell noted that Mr. Manonian could not be present this evening, so the Board would try to reschedule this item for the future.

**XIV. NEW BUSINESS/PUBLIC HEARINGS**

**A. B & D Properties  
SP# 01-12**

**Map 105/Lot 8  
Derry Road**

**Purpose of plan: (a) Change of use from consignment center to 3,900-ft<sup>2</sup> restaurant & lounge. (b) Stand-alone 6,000-ft<sup>2</sup> retail building, and (c) Stand-alone 5,000-ft<sup>2</sup> general automotive repair. Application Acceptance & Hearing. Deferred Date Specific from the 04-25-12 Planning Board Meeting.**

Acting Chairman Hall read aloud the published notice, as repeated above.

Town Planner Cashell said this plan was ready for Application Acceptance.

Selectman Maddox so moved; Ms. McGrath seconded the motion.

**VOTE:** No further comment being brought forward, Acting Chairman Hall called for a verbal vote on the motion. All members voted in favor except for Mr. Hall who abstained, and Acting Chairman Hall declared the motion to have carried unanimously (6–0–1).

Mr. Pat Colburn, of the firm of Keach-Nordstrom Associates, Inc., Bedford, New Hampshire, appeared before the Board as the engineering representative of the property owner, Mr. William Tate, who was also present. Mr. Colburn referenced two plans displayed on the meeting room wall, identified as follows:

- ***Existing Conditions Plan, B&D properties, Map 105/Lot 8, 323 Derry Road, Hudson, New Hampshire***, prepared by Keach-Nordstrom Associates, Inc., dated February 3, 2012, last revised 4-16-12.
- ***Presentation Plan, B&D properties, Map 105/Lot 8, 323 Derry Road, Hudson, New Hampshire***, prepared by Keach-Nordstrom Associates, Inc., dated February 3, 2012, last revised 4-16-12.

Mr. Colburn described details of the plan, identifying the different buildings and areas, recalling that municipal water had been brought through this property to the St. Joseph Medical Center and across Christine Drive to provide water to other buildings,

with Mr. Tate and others having contributed to that project. He then described details of the lot in question, noting that one third of the property was undeveloped but had been used over the years for stockpiling materials. He said the applicant was coming forward with a mixed use for three parts, with one being a sit-down restaurant, which required a quite large separate septic system. The second piece of development would be a standalone building, proposed as a retail store (maybe in parts, depending on a proposed tenant), which could share a parking area with the restaurant site as well as having its own parking area. He said the third development would be a 5,000-ft<sup>2</sup> auto repair facility with its own parking lot.

He described the driveway arrangements, noting that Mr. Tate had cross-axis agreements to share the driveways as well as easements over the properties to use the existing driveways, so the last part of the plan was to connect the two driveways with a private driveway, which would be named. in accordance with Fire Department requirements.

Mr. Colburn discussed the stormwater design, noting that Hayner Swanson had designed a large area on Lot 8 for the purpose of servicing all three properties, but the rules were now out of date, so the proposed plan would utilize the existing stormwater area but would be making significant modifications, which he described in detail.

He noted the restaurant would have its own septic system, and the auto business would utilize a third area, also separate from the restaurant use.

Mr. Colburn noted that he was asking for waivers from the noise study and fiscal impact requirements, saying that there were other uses alongside so they did not feel that noise would be an issue, and they did not think the fiscal/environmental impacts would be a concern, since it would meet all state and local requirements.

He noted State-level approval would be needed for the septic system and the terrain (because more than 100,000 ft<sup>2</sup>, less than ten years old, would be disturbed), and both had been applied for, with permits pending.

He noted that he had applied for a permit to change the existing driveway, having discussions with NH-DOT, saying the left-turn warrant had already been met, and adding more vehicle trips would require it. He said the applicant had advanced a plan for a sliver widening on Route 102, and he then displayed that plan, identifying it as follows:

- ***NH Route 102 Improvement plan***, dated May 8, 2012, no revisions.

Mr. Colburn described details of the plan, noting that Route 102 was quite wide through this area, and the existing pavement with a 4-foot sliver would be used to provide a lane for 700 feet along the lot's frontage for turns into Merrill Road. He said NH-DOT was in favor of the plan, which would have clean pavement and clean striping, and a NH-DOT permit was expected.

Acting Chairman Hall opened the meeting for public input and comment, in favor or opposition.

Mr. William Tate, co-owner with his brother, gave a brief history of the parcel, noting they had put in an additional lane in 1986 as part of the original contribution to the subdivision, which had been resubdivided and changed. He said it had been their intention to keep the private road to accommodate the other parcels.

No one else coming forward to provide input, despite two requests by the chairman for comment for or against, Acting Chairman Hall declared the matter before the Board and asked if any members of the Board had any questions.

Mr. Della-Monica noted that he had been a tenant in one of the shops but had gotten out when he took employment elsewhere. He asked if there were anything to keep the driveway from being used by commuters to avoid the traffic light at the Robinson Road/Route 102 intersection. Mr. Colburn said there were no physical barriers, saying there could not be, because of the uses involved; he then commented that people wanting to go west on Route 102 were more apt to sit at the light and take advantage of getting left-turn access to Route 102 than to use Merchant Square Road.

Mr. Della-Monica noted there was a tree shown on the corner where the driveway turned, adding that he thought the view should be unobstructed. Mr. Colburn said he tended to agree and would have that changed.

Mr. Della-Monica said he would like to get input from both medical facilities with respect to noise that would occur when the development was under construction. Mr. Ulery noted that one of the facilities was empty at this time. Mr. Della-Monica said he was referring to the two currently occupied buildings, one onsite and one offsite.

Mr. Della-Monica asked if there were any idea of the type of restaurant and its hours of operation. Mr. Tate said there was an interested person, a young entrepreneur, and he expected it would be predominantly a breakfast shop. Mr. Della-Monica noted that the morning hours for the medical facility next to the restaurant were the busiest. Mr. Tate expressed agreement, but said it dwindled down by 10:00 a.m.

Mr. Ulery noted the plans called for two humps in the road. Mr. Colburn said the plan only showed one, to slow cars coming the other way, coming around the bend. He noted there would be warning signs, adding that the bump would also be a deterrent for anyone wanting to use the roadway as a cut-through.

Ms. McGrath asked Town Planner Cashell if he had a signed copy of the response from Keith Nordstrom. Mr. Colburn said it was his error not to have signed that document, and had slipped by him; he then signed the original.

Ms. McGrath referenced Note 15, concerning blasting, asking for limitation to Monday through Friday. Mr. Colburn said that would be no problem and he agreed to change it.

Ms. McGrath asked hours of operation for the three businesses, noting that nothing was shown on the plan for any of them. Mr. Colburn said he would add the hours for the next meeting but did not know what they were at this time.

Ms. McGrath noted that Mr. Tate had indicated a breakfast use, but the plan designated it as restaurant and lounge, which changed it, so she would like to see some clarification.

Ms. McGrath asked about left-turn movement from Merchants Road onto Derry Road, saying she felt that would change the traffic numbers.

Ms. McGrath noted that ten parking spaces along Derry Road could cause a real hazard, saying she personally was not in favor of that, and that she felt that should be addressed to show how it could be changed—adding that she would suggest a reduction in the size of the building so that so many parking space would not be needed.

Mr. Colburn said this truly was a driveway, saying it would have to have a name just because of the Fire Department requirement. He noted that CLD had commented about problems from backing out of the parking spaces, and the speed hump had been his response to that. He said the reason the parking spaces were there was to try to get parking spaces adjacent to the uses they served—adding that he thought Hudson's parking requirements were outrageous, in his opinion. He said the added parking was because of the parking requirement being for more than was necessary, saying it was based on a high-turnaround sit-down restaurant (such as a Denny's), which called for 45 spaces. He said he would consider requesting a waiver for those parking spaces, as he did not think the applicant needed that number of parking spaces.

Addressing the left turn onto Derry Road, Mr. Colburn said the turn was in sight of the driveway, and the gaps created by the signal light would be more than sufficient.

Ms. McGrath responded to the statements about parking, saying that that many spaces might be needed, depending on the type of restaurant—referencing an existing site for a similar business, where not one parking spot was available when she drove by. She noted that the retail business was not yet identified, and it might require a lot of parking, saying those spaces and more might be needed, depending on what would go in there. Mr. Colburn said this small space would by no means be a big-box store.

Selectman Maddox asked if there would be signs under the STOP signs to kind of direct traffic. Mr. Colburn said they could certainly consider that.

Selectman Maddox suggested moving the leach fields to the south and putting five parallel spaces on either side, which would give ten spaces. Mr. Colburn referenced sheet 7, noting the nitrate setback proximity to the southern boundary was the cause of putting the septic so close, saying there was no breathing room.

Selectman Maddox asked if the Melissa Hoffman studio and the medical buildings would change their addresses. Mr. Colburn said he had run this by both Chief Buxton and Town Planner Cashell. Both of whom in the past had not exercised their ability to force existing businesses to change their addresses, noting that this would cause a lot of changes for the St. Joseph business (on stationary, calling cards, etc.). Selectman Maddox noted that E-911 was getting stricter.

Acting Chairman Hall said 116 parking spaces were being provided but only 106 would be needed. Mr. Colburn said it was a proximity thing, saying he could remove

the ten diagonal spaces but that would force the restaurant patrons to use the repair shop's parking spaces—adding that he had been attempting to avoid that.

Acting Chairman Hall noted that Mr. Colburn had said he thought the parking space requirement were excessive, saying he was a little lost, adding that he did not think anyone would park on the road, with those back-out parking spaces, to go to the restaurant. Mr. Colburn reiterated that he was concerned about proximity to the spaces being served. Acting Chairman Hall said the parking required for the restaurant was not around the restaurant, questioning the logic of the placement. He suggested taking them out and then coming back for a modification if it were later determined that the spaces were needed. He then asked what was used for the restaurant study, and what hours were involved—adding, however, that these questions did not need to be addressed at this meeting.

Mr. Della-Monica suggested changing it to eight diagonal parking spaces, saying this would provide greater view in the rear-view mirrors, eliminating quite a bit of backing out into oncoming traffic. Mr. Colburn said that was certainly worth considering.

Selectwoman Brucker expressed curiosity as to how many parking spaces were used by the medical building. Mr. Colburn said he did not know, noting that the traffic analyst had not seen much parking. Mr. Della-Monica said the folks who used that office had a short dwell time, adding that it was active very early in the morning and then dropped off. Ms. McGrath pointed out that this would depend on the medical office staying as the same kind of business, noting that it could change.

Mr. van der Veen expressed support with respect to parking off the road, saying straight backing out onto the road would lead to accidents, but he was agreeable to diagonal parking. Mr. Colburn expressed agreement.

Selectman Maddox asked the width of the private road. Acting Chairman Hall said he thought it would be 24 feet.

Town Planner Cashell asked how much more time was needed with NH-DOT. Mr. Colburn said it was just a matter of approving the engineering plans. Mr. Cashell asked about CLD; Mr. Colburn said he had not heard back from then, but he did not think there was much left. Mr. Cashell suggested that the July 11<sup>th</sup> date was open for the next hearing.

Mr. Barnes asked if they had any idea on truck delivery traffic for the St. Joseph Medical Center, noting deliverymen would tend to use the driveway rather than the lighted intersection. Mr. Colburn said he could talk with the Medical Center's administration and suggest they talk to their drivers.

Ms. McGrath moved to defer, at the applicant's request, further review of the B&D Site Plan application, date specific, to the meeting of July 11th; Mr. Della-Monica seconded the motion.

**VOTE:** No further comment being brought forward, Acting Chairman Hall called for a verbal vote on the motion. All members voted in favor except for George Hall, who abstained, and Acting

Chairman Hall declared the motion to have carried unanimously (6–0–1).

## **XV. OTHER BUSINESS**

Town Planner Cashell said Mr. Manonian had apologized, but there had been a family matter and he was now fully employed elsewhere. He then stated that Mr. Manonian might not get back, adding that he had gone out today to take some videos of the traffic flow along the affected roadways (Greeley Street, Kimball Hill Road, and Route 111). He said a lot could be done with private investment, saying he was not as yet prepared to show the videos, but light sequencing could be improved. He noted that the ratio of traffic from Kimball Hill Road crossing Central Street to Greeley Street suggested the light stayed on longer than needed. He noted that there really had not been much Greeley Street traffic around 4:30 p.m. to 5:00 p.m.

He said he had walked through Benson Park, noting that some people parked at Burger King, but he felt that stretch could be improved—such as using the old parking area on the southerly side of Route 111. He said a formal crosswalk could be introduced there, to get over to Burger King, to make it safer (noting he had observed a family of four doing that, crossing Route 111 during the evening peak hour).

Selectman Maddox said he had been asking the Police Chief about the planned reengineering of the lights by the State, saying as he understood it Greeley Street and Kimball Hill Road would have their own turning times.

Selectman Maddox noted that the Nashua Regional Planning Commission had committed to assist in traffic counts for the planned activity in the southern end of town, which would count toward the Town's contribution.

Selectwoman Brucker said Benson Park was a magnet for someone to come up with a restaurant or a major store near the park.

Town Planner Cashell distributed certificates to those who had attended the CPR AED class held on May 9, 2012.

## **XVI. ADJOURNMENT**

All scheduled items having been addressed, Selectman Maddox moved to adjourn; Mr. Barnes seconded the motion.

**VOTE:** Acting Chairman Hall called for a verbal vote on the motion.  
All members voted in favor.

Acting Chairman Hall then declared the meeting to be adjourned at 8:15 p.m.

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**HUDSON PLANNING BOARD Meeting Minutes  
May 23, 2011**

**Page 11**

Date: June 5, 2012

\_\_\_\_\_  
George Hall, Acting Chairman

J. Bradford Seabury, Recorder

\_\_\_\_\_  
Edward van der Veen, Secretary

These minutes were accepted as amended following review at the 06-13-12 Planning Board meeting.

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**HUDSON PLANNING BOARD Meeting Minutes  
May 23, 2011**

**Page 12**

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 06-13-12:

Page 7, 1st paragraph, last line — Removed superfluous semicolon following word “keep.”

Page 7, 4<sup>th</sup> paragraph, first line — clarified that the tree was shown where the driveway turned.

Page 7, 5<sup>th</sup> paragraph, 3rd line — Added final sentence: “Mr. Della-Monica said he was referring to the two currently occupied buildings, one onsite and one offsite.”

Page 7, 6<sup>th</sup> paragraph, next-to-last line — Changed sentence to read “Mr. Della-Monica noted that the morning hours for the medical facility next to the restaurant were the busiest.”

Page 8, 8th paragraph, last line — Changed “#-991” to “E-911.”

Page 10, 2nd paragraph, 2nd line — Corrected spelling of “Burger King.”