



# TOWN OF HUDSON

## Planning Board

### Special Site Review Committee



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### MEETING MINUTES

#### March 30, 2016

- I. CALL TO ORDER BY CHAIRPERSON AT 3:02 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

**Members Present:** John Cashell, Chairman, Glenn Della-Monica, Marilyn McGrath (Selectmen Representative),

#### IV. NEW BUSINESS/PUBLIC HEARINGS

- A. Capri Pizza of Hudson - 76 Derry Street - Map 165/Lot 147 - MS#01-16

**PURPOSE OF PLAN:** to install a 24 ft. X 24 ft. outdoor deck at the rear of the restaurant, having 4 tables with seating capacity for 16 patrons. Application Acceptance and Hearing by the Special Site Review Committee.

At the start of the meeting, Special Site Plan Review Committee member, Marilyn McGrath, cited, that after her review of this application the requirements for its submission, which are basically the same as those of a Site Plan application, did not appear to be complete.

Chair, John Cashell, stated that the application, although substantially complete, does not presently include the written permission of the owner of the property, i.e., allowing for the proposed deck addition to be built at the subject premises. That is, the strip-mall complex, known as, 102 Plaza, located at 76 Derry, St., Map 165/Lot 147, Hudson, NH.

Ms. McGrath, cited that without the property owner's written authorization for the Applicant to apply for the proposed deck, she did not see how it would be within the Committee's authority to accept the application, which is needed to proceed with the meeting.

In reply, Ch. Cashell, stated that leading up to this meeting, the Applicant assured him that the owner's written permission to construct the proposed deck was forthcoming. Note: at this meeting the Applicant failed to produce the property owner's written permission to allow for the proposed deck to be applied for with the Town.

At this point in the meeting, a notified abutter, Dianne F. Cannava, was recognized by the Chair, and was allowed to address the Committee on the matter at-hand. At this point, Ms. Cannava submitted a copy of a letter she wrote, addressed to "John Cashell and Special Review Committee Members", dated March 30, 2016; please see a copy of Ms. Cannava's letter attached hereto. In her letter, Ms. Cannava, cites, in part the following:

The addition (i.e., the proposed outdoors deck) will increase the visibility, decrease the privacy, foster trespassing and produce exterior noise; all of which will cause an adverse impact on the quality of life for all the residents of Willow Creek. Ms. Cannava, also cited, and its inclusion is in her attached letter, that she is the President of the Willow Creek Homeowner's Association (HOA), and that she was present at this meeting to represent the Association's collective concerns about the proposed deck. She said that she wasn't particularly opposed to the Applicant seeking to expand his business operation, but that she and the Association she represents, want to make sure that if it (the deck) is approved, that it will not cause harm to Willow Creek residents' privacy and quality of life.

At this point in the meeting, Ms. McGrath stated, that in addition to the Applicant needing to complete the application submission requirements, in particular, receiving the written permission of the owner to apply for the deck, that she also wanted to receive, in writing, the written recommendations from both the Fire and Police Chiefs, and for each of them to cite any concerns they may have regarding the proposed expansion. Ms. McGrath, said only by receiving such input, would she, as a member of the Committee, feel comfortable in proceeding to take action on this application.

To the effect of the above, Mr. Jared Steven's, the Applicant, addressed the Committee, stating that he would make certain, being the business owner, to not allow patrons to be too load or have the deck open beyond the allowed hours of operation. He also agreed with Committee members that there would be no entertainment allowed on the deck. Note: the Committee did not determine the hours of operation for the deck. This issue was to be determine at a subsequent meeting.

After Mr. Stevens addressed the Committee, presented the plans for the deck and specified its location at the rear of the building, he stated that access to the deck would be provided for in accordance with the Fire Dept's. requirements, and that no access was planned from the outside to the deck itself.

At the conclusion of this meeting, it was agreed that the Committee would meet again, i.e., once the Applicant received the owner's written authority to apply with the Town for the deck, and for Mr. Cashell to receive written recommendations from both the Fire Chief and the Police Chief concerning this application. The meeting was then continued to the following Wednesday, i.e., at 3:00 P.M. in the Buxton Meeting Rm., April 6, 2016, provided the aforementioned provisions were provided for.

With no other business to come before the Committee, the meeting adjourned at approximately 3:45 P.M.

Motion to adjourn by Ms. McGrath; carried unanimously.

Respectfully Submitted,

John Cashell  
Chair