



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/DECISIONS OF THE PLANNING BOARD MEETING DATE: MAY 29, 2024

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Tim Malley Chair <u>X</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>	Michael Lawlor Alternate <u>X</u>	George Hall Alternate <u>X</u>	Tim Lyko Member <u>X</u>
Bob Guessferd Select. Rep <u>X</u>	Dave Morin Alt. Select. Rep. <u>E</u>	Jay Minkarah Town Rep. <u>X</u>	

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
None.

- V. MINUTES OF PREVIOUS MEETING(S)
 - 15 May 2024 Meeting Minutes.
Mr. Ulery moved to approve the April 24, 2024 meeting minutes as amended.
Motion seconded by Mr. Lyko. Motion carried 6/0/1 (Crowley).

- VI. OLD BUSINESS
 - A. Barrett Hill LLC Open Space Development Plan 75 Barretts Hill Road
SB# 08-23 Map 151/Lot 059
Purpose: to depict a thirteen (13) lot open space subdivision on Map 151, Lot 059, and all associated improvements (Continued from the March 27, 2024 meeting).

WAIVER GRANTED:

Mr. Ulery moved to grant the requested waiver **§289-37.A** – Plan Schedule and form, to not require a minimum construction time of two years, where it would typically be required, based on the Board’s discussion, the testimony of the Applicant’s representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

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

Mr. Lyko moved to approve the subdivision plan entitled: Barrett Hill Subdivision SB# 08-23, Map 151/Lot 059, 75 Barretts Hill Road, Hudson, New Hampshire; prepared by: Keach-Nordstrom

Associates, 10 Commerce Park North Suite 3B, Bedford, NH 03110; prepared for: Barrett Hill, LLC, 21 Continental Boulevard, Merrimack NH 03054, consisting of twenty-four sheets, and general notes 1-30 on sheet 1; dated December 6, 2023, last revised May 14, 2024; and:

That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing;

Subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. Prior to Planning Board endorsement of the subdivision Plan-of-Record, Town Counsel shall favorably recommend on the Development Agreement, Declaration of Covenants and Restrictions, Sight Distance, Drainage, and Cistern Easement Deeds.
3. A cost allocation procedure (CAP) amount of \$6,194.00 per unit for single-family residential, or of \$5,679.00 per unit within a duplex shall be paid prior to the issuance of a Certificate of Occupancy for the new house lots.
4. All monumentation shall be set or bonded for prior to Planning Board endorsement of the Plan-of-Record.
5. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
6. Prior to the Planning Board endorsement of the Plan, all necessary NHDES protective well radius easements marked on sheets 6 & 7 shall be recorded at the HCRD.
7. Maintenance of the onsite drainage system shall be constructed and maintained in compliance with local and NHDES requirements for such systems, and the perpetual maintenance of the stormwater treatment structures and treatment and pocket pond outside of the ROW, shall be the responsibility of the future homeowner's association comprised of all the homeowners within this subdivision.
8. Construction activities involving the proposed undeveloped lots shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.
9. If lot development involves blasting and/or ramming of bedrock materials, said activities shall be limited to the hours between 7:00 A.M. and 5:00 P.M. Monday through Friday only. Said blasting/ramming activities shall be prohibited on Saturday and Sunday.
10. Stones from stonewalls removed due to construction activity shall be reused onsite to construct new stonewalls or for other ornamental landscaping purposes.

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

B. Central Gas Site Plan
SP# 08-23

77 Central Street
Map 182/Lot 217

Purpose: to depict the proposed layout for a gas station and convenience store with drive thru window and all associated site improvements. (Continued from the May 15, 2024 meeting).

Mr. Crowley made a motion that the applicant look into driveway entrance/exit on Melendy Road in lieu of its current location at Central and Lowell Road.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

Mr. Crowley made a motion to eliminate the curb cut on Central Street and change the entrance and exit to Melendy Road and keep Lowell Road.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

Mr. Crowley made a motion that construction hours be limited to Monday through Friday 7:00 A.M. to 7:00 P.M., eliminating Saturday hours of construction.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

The applicant agreed to construction hours of 7:00 A.M. through 7:00 P.M. Monday through Friday, and 8:00 A.M. through 4:00 P.M. on Saturday.

Mr. Oates made a motion to have all double wall fill spill containments for the UST's (Underground Storage Tanks) will have a capacity of fifteen (15) gallons where five (5) gallons is currently required.

Motion seconded by Mr. Crowley. Mr. Oates & Mr. Crowley withdrew the motion.

Mr. Crowley made a motion that the starting point for measuring the 276-11.1.B(12)(C) (100' foot buffer) separation density for the Central Gas Non-Residential Plan is the Business Zoning line abutting residential zones on the Master Site Plan.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

@ 9:53 P.M. Mr. Van der Veen moved that the meeting go past the 10:00 P.M. hour.

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

Mr. Crowley made a motion that the applicant shall submit two line of sight plan and profiles from Map 190 / Lot 182 and Map 182 / Lot 212 for Planning Board review.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

Mr. Crowley made a motion to upgrade the fuel truck turning plan to show entrance and exit from Central Street through the onsite parking area.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

Mr. Crowley made a motion that underground fuel storage tank vents shall be installed with state of the art abatement equipment to control benzene emissions or other pollutant releases even if not required for underground storage tank permit approval from NHDES.

Motion seconded by Mr. Oates. Motion failed 2/5/0 (Malley, Ulery, Van der Veen, Lyko, and Guessferd).

Mr. Oates requested a redundant overflow prevention system for the UST's (Underground storage tanks) including a primary overflow device both audible and visual alarm and secondary overflow prevention valve be installed.

WAIVERS GRANTED:

Mr. Van der Veen moved to grant a waiver from **§276-11.1.B(12)(C)**, General Plan Requirements, to not require a 100' buffer between commercial and residential uses, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request for said waiver.

Motion seconded by Mr. Lyko. Motion carried 5/2/0 (Oates & Crowley).

Mr. Van der Veen moved to grant a waiver from **§193-10.G**, Driveway Design Criteria, to allow for more than one driveway onto the proposed site, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language unclouded in the submitted Waiver Request Form for said waiver.

Motion seconded by Mr. Lyko. Motion carried 5/2/0 (Oates & Crowley)

Mr. Oates moved to continue the site plan application for Central Gas Site Plan SP# 08-23, 77 Central Street, Hudson, NH, Non-Residential Site Plan, Map 182 / Lot 217, to date certain, June 26, 2024.

Motion seconded by Mr. Van der Veen. All in favor – motion carried 7/0/0.

VII. OTHER BUSINESS

- A. Surety Bond Establishment – Barretts Hill OSD Plan (contingent upon SP# 08-23 approval), requested by Elvis Dhima, Town Engineer.

Mr. Van der Veen moved to approve a surety bond in the amount of \$1,252,974.00 relative to the On-Site (Windsor Lane) Improvements for Barretts Hill OSD, 75 Barretts Hill Road, Map 151/Lot 059-000, as presented in the memorandum from the Town Engineer, Elvis Dhima, to Jay Minkarah, Interim Town Planner, dated April 18, 2024, together with the Road Guarantee Estimate Forms.

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

Mr. Van der Veen moved to approve a surety bond in the amount of \$154,212.00 relative to the Off-Site Improvements for Barretts Hill OSD, 75 Barretts Hill Road, Map 151/Lot 059-000, as presented in the memorandum from the Town Engineer, Elvis Dhima, to Jay Minkarah, Interim Town Planner, dated April 18, 2024, together with the Road Guarantee Estimate Form.

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

- B. Planning Board Appointments
Interview - Todd Boyer (alternate vacancy expiring December 2026)

VIII. ADJOURNMENT

Mr. Ulery moved to adjourn. Motion seconded by Mr. Lyko. All in favor motion carried 7/0/0.
Meeting adjourned at 10:52 P.M.

Ed Van der Veen, Secretary

Mr. Ulery accepted the minutes on 6/26/24 as amended.

Motion seconded by Mr. Lyko. All in favor - motion carried 7/0/0

Note: Planning Board minutes are not a transcript. For full details on public input comments, please view the meeting on HCTV (Hudson Community Television).