



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: SEPTEMBER 11, 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>	Tim Lyko Member <u>X</u>	George Hall Alternate <u>X</u>	Michael Lawlor Alternate <u>X</u>
Todd Boyer Alternate <u>X</u>	Bob Guessferd Select. Rep <u>X</u> (7:18pm)	Dave Morin Alt. Select. Rep. <u>E</u>	Jay Minkarah Town Rep. <u>X</u>

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- 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)
 - 28 August 2024 Meeting Minutes.
Mr. Ulery moved to approve the August 28, 2024 meeting minutes.
Motion seconded by Mr. Crowley. Motion carried 6/0/0.
 - VI. PERFORMANCE SURETIES
 - Establish Surety Bonds – by Elvis Dhima, Town Engineer
 - Target Development Onsite & Landscaping Improvements (Continued from the August 28, 2024 meeting)

Mr. Crowley recused himself @ 7:02 P.M. Mr. Boyer seated as Member.

Mr. Boyer moved to approve a bond amount of \$11,426,310.00 relative to the On-Site and landscaping improvements at 269 Lowell Road, Map 239/Lot 001-000 & Map 234/Lots 005, 034, and 035 as presented in the memorandum from the Town Engineer, Elvis Dhima, to Jay Minkarah, Interim Town Planner, dated July 2, 2024, together with the Road Guarantee Estimate Form.

Motion seconded by Mr. Lyko. Motion carried 5/1/0 (Oates).

Mr. Crowley returned to seat @ 7:04 P.M. Mr. Boyer back to Alternate.

- 48 Friars Drive Water & Sewer Bond Release - \$214,500.00

Mr. Ulery moved to release the bond for 48 Friars Drive relative to the Water & Sewer infrastructure, in the amount of \$214,500.00, in accordance with the recommendation of the Town Engineer, Elvis Dhima.

Motion seconded by Mr. Lyko. All in favor – motion carried 6/0/0.

VII. NEW BUSINESS

- A. Colbea Enterprises, LLC Site Plan 14 Brenton Ave, 7 Atwood Ave, & 91, 95, 97 Lowell Rd
SP# 09-23 Map 198/Lots 11, 12, 14, 15, & 16

Purpose: to depict the construction of a proposed gas station with convenience store, consisting of six (6) dispenser islands for a total of twelve (12) fueling stations, along with a proposed car wash, and associated improvements including but not limited to, access, grading, stormwater management, utilities, lighting, and landscaping. Application acceptance & hearing.

Mr. Oates moved to declare the Colbea Enterprises, LLC Site Plan a Development of Regional Impact.

Motion seconded by Mr. Crowley. Motion failed 2/4/0 (Malley, Ulery, Van der Veen, & Lyko).

Mr. Ulery moved to accept the site plan application for the Gas Station / Convenience Store / Car Wash, Colbea Enterprises, LLC SP# 09-23, Non-Residential Site Plan, Map 198 / Lots 11, 12, 14, 15, & 16, 91, 95, 97 Lowell Road, 14 Brenton Avenue, Hudson, NH.

Motion seconded by Mr. Lyko. All in favor – motion carried 6/0/0.

Public Input opened @ 7:34 P.M.

- Patty Langlais of 22 Stonewood Drive, owner of Stonewood School directly abutting the proposed gas station, concerned about the noise of the carwash that is located on the infant/toddler side of the building, the impact this gas station will have on her business, and the concern of the 30 kids that get on and off the bus at the intersection of Atwood and Lowell Road.
- Julia Paquin of 29 Atwood Ave, concerned with the amount of time it already takes to get out of Atwood Ave onto Lowell Road, and the additional exit onto Atwood from the proposed gas station.
- Martha Lachance of 89 Lowell Road, concerned with the proposed gas stations driveway being so close to hers, accidents on Lowell Road, kids and families on Atwood, and the childcare center and the school bus stop at Atwood & Lowell.
- Sean Conroy of 29 Atwood Ave, concerned with the bus stop and the safety of the kids crossing the road at Lowell & Atwood.

Public Input closed @ 7:47 P.M.

MOTION:

Mr. Oates moved that Colbea Enterprises, LLC, conduct a formal safety analysis of the Atwood and Lowell intersection and surrounding areas to address the following concerns:

1. Assess Accident Risk:
 - Review the frequency and causes of accidents at the Atwood and Lowell intersection.

- Identify risk factors contributing to these incidents and recommend measures to mitigate future accidents.
2. Evaluate the Impact of Proposed Development:
 - Analyze the potential increase in traffic volume resulting from the construction and operation of the proposed gas station.
 - Assess whether this increased traffic will exacerbate existing safety concerns and propose necessary interventions, such as removing access via Atwood, adding traffic signals, or other traffic-calming measures.
 3. Improve Pedestrian Safety:
 - Investigate current pedestrian safety measures, particularly in the vicinity of the school bus stop used by approximately 30 children three times a day.
 - Recommend improvements to pedestrian crossings, signage, or other protective measures to ensure the safety of children and other pedestrians.
 4. Traffic Impact of Adjacent Facilities:
 - Assess potential impacts if the proposed gas station garage is used as a parts center for other regional gas stations, contributing to increased delivery traffic and congestion in the residential area.
 - Is it safer with two entrances vs one.

This safety analysis will serve as a proactive measure to ensure that the intersection and its surrounding area are safe for both drivers and pedestrians before the development of the gas station and any additional business-related traffic is introduced.

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

Chairman Malley put the Board into a recess @ 9:14 P.M., and back in @ 9:22 P.M.

Mr. Crowley made a motion to request the applicant provided a sound study.
 Motion seconded by Mr. Oates. Motion carried 5/2/0 (Malley & Ulery).

Mr. Crowley moved to request a site walk, to date specific, October 12, 2024 at 9:00 A.M.
 Motion seconded by Mr. Oates. All in favor – motion carried 7/0/0.

Mr. Oates moved to continue the public hearing for the site plan application; Gas Station / Convenience Store / Car Wash, Colbea Enterprises, LLC SP# 09-23, Non-Residential Site Plan, Map 198 / Lots 11, 12, 14, 15, & 16, 91, 95, 97 Lowell Road, 14 Brenton Avenue, Hudson, NH, to date specific, October 23, 2024.
 Motion seconded by Mr. Crowley. All in favor – motion carried 7/0/0.

Mr. Oates made a motion to extend the meeting past 10:00 P.M.
Motion seconded by Mr. Crowley. All in favor – motion carried 7/0/0.

VIII. OLD BUSINESS

- B. Miara Transportation Garage Addition Site Plan & Conditional Use Permit 12 Bockes Road
 SP# 06-24 & CUP# 01-24 Map 136/Lot 1

Purpose: to depict the proposed construction of a 9,600 square-foot garage with attached 3,600 square-foot awning in the rear of the property. The proposed structure will be used for trailer storage to keep snow and weather away from trailers and equipment. This structure will sit within an existing gravel yard that was approved in 2017 for wetland impacts (Deferred from the July 24, 2024 meeting).

Mr. Van der Veen moved to accept the Non-Residential Site Plan application Miara Transportation Garage Addition Site Plan SP# 06-24 & Conditional Use Permit CUP# 01-24, Map 136 / Lot 001, 12 Bockes Road, Hudson, New Hampshire.

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

Public input opened & closed @ 10:04 P.M. – No public input.

WAIVERS:

Mr. Ulery moved to grant a waiver from **§276-11.1.B(12)(c)**, General Plan Requirements, to allow for the construction of a building within the 100’ buffer of a residential property, where it would otherwise not be allowed, 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 7/0/0.

APPROVAL:

Mr. Oates moved to approve the site plan application for Non-Residential Site Plan Miara Transportation Garage Addition SP# 06-24 & Conditional Use Permit CUP# 01-24, Map 136 Lot 001, 12 Bockes Road, Hudson, New Hampshire, 03051; prepared by: Keach-Nordstrom Associates, Inc. 10 Commerce Park North, Suite 3, Bedford, NH 03110; prepared for: Granite Realty Trust, 12 Bockes Road, Hudson NH; consisting of 8 sheets and general notes 1-27 on Sheet 1; May 20, 2024, last revised August 8, 2024; and:

That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations with consideration of the waivers granted; 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 the issuance of a final certificate of occupancy, an L.L.S. Certified “As-Built” site plan shall be provided to the Town of Hudson Land Use Department, confirming that the site conforms to the Planning Board approved Site Plan.
3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
4. A cost allocation procedure (CAP) amount of \$15,456.00 shall be paid prior to the issuance of a Certificate of Occupancy for the lot improvements to be done.
5. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
6. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall be allowed on Sundays.

7. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
8. Affirmation from the Conservation Commission that they reviewed & approved the outfall to the south wetland buffer.

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

IX.

ADJOURNMENT

Mr. Oates moved to adjourn. Motion seconded by Mr. Crowley. All in favor motion carried 7/0/0.
Meeting adjourned at 10:29 P.M.

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.