

**Official**

**HOOKSETT PLANNING BOARD MEETING  
HOOKSETT TOWN HALL CHAMBERS (Room 105)  
35 Main Street  
Monday, October 7, 2019**

**MEETING CALLED TO ORDER AT 6:00 P.M.**

**PROOF OF POSTING**

**PLEDGE OF ALLEGIANCE**

**INTRODUCE MEMBERS OF THE BOARD**

**PRESENT:** Richard (Dick) Marshall (Chairman), Tom Walsh (Vice-Chairman), Paul Scarpetti, David Boutin, Christopher Stelmach, and Robert Duhaime (Town Council Rep.)

**ALTERNATES:** Brett Scott

**EXCUSED:** Matt Reed

**STAFF:** Nicholas Williams (Town Planner)

**APPROVAL OF MINUTES OF SEPTEMBER 9, 2019 and SEPTEMBER 23, 2019**

**September 9, 2019 Meeting** – *P. Scarpetti motioned to table the minutes of the September 9, 2019 meeting, due to there not being enough Board members present to vote that attended the September 9, 2019 meeting. Seconded by R. Duhaime. Motion carried unanimously with a vote of 7-0.*

**September 23, 2019 Meeting** – *T. Walsh motioned to approve the minutes of the September 23, 2019 meeting. Seconded by P. Scarpetti. R. Duhaime and C. Stelmach abstained. Motion carried with a vote of 5-0.*

**COMPLETENESS REVIEW AND PUBLIC HEARING**

- 1. THE JOCELYN D. SCARPETTI TRUST #19-21  
7 Marcel Way, Map 36, Lot 31-1  
3 lot subdivision**

P. Scarpetti stepped down.

Joe Wichert: Our application is to sub-divide two new building lots from the Scarpetti residence. It is 11.95 acres. All of the frontage encompasses on the cul-de-sac and coming back. The applicant would like to create an existing 7.6 acre lot with a house and two new building lots. Lot 31-4 will be 1.52 acres and Lot 31.3 will be 2.09 acres. As part of this application we had to go to the ZBA. In the MDR zone we need 150 ft. of frontage with municipal sewer and water. The two lots proposed have 111.5 ft.

That variance was granted and it is noted in Note 8 on the plan. We are asking for a couple of waivers relative to abutting detail on abutting lots. The checklist states that we have to have a septic system and water supply within 200 ft. We have shown the houses the best as we could off of google earth and other resources that we had, but do not have the ability to put in the septic and wells so we are asking for that relief. The two new lots will have public water. There was a community water system that has since been taken over by Penechuck which is the operator of the system. They would have on-site septic. The Scarpetti residence has an existing well and we are looking to reuse that well and leave it as is. There is a water shut off on the property so if it ever fails it has the ability to hook into the water system. Our state sub-division approval is pending. We provided test pit results and had the wetlands flagged. On the Scarpetti property, if you subtract out the area of the wetlands, there are 3.716 acres of buildable and on Lot 31-3 there are almost 2.1 acres. The test pit results were good. There will be two easements as part of the application; 1) The existing Scarpetti residence encroaches onto Lot 31-4 and we are looking to protect that through a well radius easement; and 2) A generic easement so that Lot 3 would be using the existing water shut off that is there.

D. Marshall: All three lots will be serviced by municipal water?

J. Wichert: No. The middle one, the residence, will remain on well.

D. Marshall: Municipal water is available should anything go wrong?

J. Wichert: Yes.

R. Duhaime: You said there was a waiver for the septic?

J. Wichert: Our state approval is pending. We are going to put in a well radius so the septic system on Lot 31-4 can't be in that specific area.

R. Duhaime: I am not seeing any of the houses on the lots. On Lot 31-4 are you building the house in the front of that lot?

J. Wichert: Yes. It depends on who buys it and what they want. If it is built for spec I think they would put the leach field in front and a garage under or attached.

R. Duhaime: I was curious as to why you turned it or faced it toward the road. It looks like you are going to put the driveway over the leach field.

J. Wichert: That is the state required 4,000 sq. ft. A leach field, even if we go stone and pipe, is going to be 1,000 or 1,200. It will be a quarter of that size. We have enough room.

T. Walsh: You said there is going to be an easement on Lot 31.4 for the well radius. Does that reduce the buildable area on the small lot even more?

J. Wichert: It would probably reduce it around 4,500 sq. ft.

T. Walsh: Most of it is in the set-back.

T. Walsh: When the ZBA gave you the variance for the road frontage did they know that the well radius would require a waiver as well?

J. Wichert: When we went to the ZBA we were not as far along with this as we are now so I am not entirely certain if we had it shown. If we need to we could make that lot a bit bigger. It will increase the size of the the lot and increase the size of the well radius easement. There would be an increase in buildable so if the Board wanted us to guarantee there are 1.5 acres of buildable exclusive of the easement we can run a line an extra few feet and it will compensate for that extra 4,000 sq. ft. we are going to lose on the easement. It can be accomplished if that is what the Board prefers.

D. Boutin: I think it would be better to move that line. I cannot understand the waiver request they are looking for. They state the issue they want to resolve, but we do not have an appropriate request.

D. Marshall: They need to submit an formal waiver request.

R. Duhaime: This is supposed to be a 1.5 acre lot. If the well radius goes into that buildable area are you meeting MDR rules if it happens that you are just under?

J. Wichert: We will submit it as 1.5 exclusive of the easement. We will do a buildable area table and put that on there.

***D. Boutin motioned to table the completeness review and public hearing for The Jocelyn D. Scarpetti Trust #19-21, 7 Marcel Way, Map 36, Lot 31-1, 3 lot subdivision until the September 21, 2019 meeting beginning at 6:00 pm. Seconded by R. Duhaime.***

D. Marshall: If this motion passes it will serve as the public's only notice.

**Motion carried unanimously with a vote of 7-0.**

P. Scarpetti returned.

## **APPOINTMENTS**

### **2. KENNETH MILENDER, P.G., P.E., MILLER ENGINEERING & TESTING 1663 Hooksett Road Groundwater Resource Conservation District**

K. Milender: With me is Attorney Andrew Sullivan representing Colby Enterprises LLC.

Attorney Andrew Sullivan (The Andrew Sullivan Law Firm): We went to the Conservation Commission. We believe this site is not properly in the groundwater overlay. There are two town maps that differ. Ken did an analysis of the soil and has a report.

K. Milender: At the request of the client, we drilled four test borings on the property. The deepest ones went down 20' and the shallowest was 16'. The subsurface conditions we found were glacial till from right below the top soil down to the deeper sections of the borings. Based on the findings, we determined this property is glacial till and glacial till is not considered an aquifer material. We presented our

findings to the Conservation Commission and they punted. They decided to have us appear in front of you and put the ball in your court.

Attorney Sullivan: This is predicated on Article 19, Section C. According the Conservation Commission they have the ability to push this to the Planning Board. The Conservation Committee requested that this maybe should go for third party review. I do not think that it is necessary given the thoroughness of Ken's study and analysis.

D. Marshall: The Conservation Commission has recommended we have an independent third party assessment completed to determine whether this property is glacial till or falls in the groundwater conservation district. Rarely does the Conservation Commission ask us to do anything and they have been exceptionally cooperative with us when we have issues.

R. Duhaime: I would think we would go with the Conservation Commission's recommendations. Even so, I am sure you have talked to the developer and know there are some restraints as to what a gas station would look like on this site. This Mount St. Mary's building in on the website. That is a beautiful building. Can you see a fuel canopy in front of that? I can't. I can't see a gas station anywhere in that area. Maybe you have great plans to screen it, but I would think glacial till would be just the first of your many problems of putting a gas station on that site. How would you put a gas station on a hill, in front of a building like that? I don't know what plans you have or what expense you are willing to spend to make it fit that site, but I am pretty sure that this would have to be a brick building, with dormers and have to match the existing site. I am just curious as to which direction you are going in that a gas station could fit that corner.

Attorney Sullivan: That is not on the agenda tonight. The only thing on the agenda is whether or not, pursuant to Article 19, Section C, there is a need for a third party review. This is on the west corner of that intersection and I think it can be accommodated.

R. Duhaime: I just wanted to make sure that you don't spend an expense that may not end up favorable.

T. Walsh: I am going to support the recommendation for a third party. It is not personal or anything to do with this project in particular. Just like traffic studies, and other things, of late, we have been getting recommendations from applicants, and their engineers, and we have had conversations on many things recommending we should be looking at things from a different angle.

P. Scarpetti: In the glacial till you mentioned the amounts of gravel. Can you explain that?

K. Milender: Glacial till has a gravel component. It also has a lot of silt and clay. An aquifer material would be course-grained stratified-drift which has a lot of sand and gravel, not much silt, and no clay. Glacial till is a mixture of all the grain sizes from clay through boulders. It is also much denser than a normal sand and gravel deposit would be. There is a density issue and a grain size issue that make glacial till lousy for passing water. In reverse it is the lack of fine grain components, the silt and clay, that makes stratified-drift such a good water producer. Gravel in glacial till is a normal thing. It is the smaller grain sizes that fill in the pore spaces that make the difference.

P. Scarpetti: I agree with someone else taking a look at this, but I can't see them having to go through the level of the test borings again.

D. Marshall: If you hire a third party, it is a question of whether the third party decides to accept the data or to redo the borings. If we are just going to have them review a report filed by this company, I am not sure that proves anything.

D. Boutin: Who representing the town has challenged these reports?

D. Marshall: The Conservation Commission.

D. Boutin: On what basis?

D. Marshall: They believe their groundwater district is correct.

D. Boutin: I read their report. Requiring another soil analysis like this is expensive, time delaying, and I am not sure what it is going to accomplish. I can't support it when it is not going to accomplish anything. If the Conservation Commission didn't like the analysis they should have made that decision, but they kicked it back to the Planning Board to make that decision. I don't find that to be a strong reason for us to do that.

D. Marshall: They kicked it back to us because we are the ones that have the right to require the third party. The Conservation Commission works diligently when they develop their groundwater protection district. Based on one opinion only they should get rid of it?

D. Boutin: How many opinions do you want?

D. Marshall: I would like a third party.

D. Boutin: So they come back with the same data and that is the end of the ball game?

D. Marshall: As far as this goes.

D. Boutin: The Conservation Commission did not give us a solid reason.

C. Stelmach: Looking at this site it is where the Blue Bird is. Is that virgin ground where you were drilling and testing or imported from when Bluebird went in?

K. Milender: There was a building there but it has been gone for a number of years. Our borings generally drill through what we think is virgin ground.

C. Stelmach: If there was fill brought in you would have to excavate that down and start over to a whole new job site.

K. Milender: Our determination was there was four to five feet. It's origin is beyond my pay grade. Would that have to be excavated depending on the development and where it occurs? Possibly.

D. Boutin: You provided a table of different kinds of stratum and different depths. In your professional experience, when you put this all together in one bowl, what is the end result?

K. Milender: Fairly consistently across the site, there was a few feet of fill, the top soil was not stripped before they placed the fill, and there was naturally occurring glacial till soil down to the depths of our borings. Normally there will be glacial till all the way down to bedrock. There won't be any buried aquifers.

D. Boutin: Based on this data, this is essentially determining where you can put a foundation?

K. Milender: The purpose of the borings was to determine whether there was glacial till soils there or a more permeable stratified-drift aquifer material. These were not geotechnical borings. I do not think a site layout has been designed.

***R. Duhaime motioned to submit to a third party to test the soil in the matter of Kenneth Milender, P.G, P.E., Miller Engineering & Testing, 1663 Hooksett Road, Groundwater Resource Conservation District. Seconded by T. Walsh. Opposed by D. Boutin.***

T. Walsh: I don't like to see people spend money twice, however, when we see something as sensitive as this, and contradictory by the maps, I think to find out for sure it should be done with a third party.

**Motion carries with a vote of 6-1.**

## **WAIVERS**

### **3. SOUTHERN NH UNIVERSITY #19-20**

**Victory Lane/Donati Drive/West Alive Ave, Map 38, Lot 8-1**

**Waiver for Dimensional Performance Standards and Location of Signs**

Applicant has withdrawn.

## **DISCUSSION**

Discussion ensued on the standards and regulations of materials that can be used for buildings.

D. Marshall: Originally we were going to discuss this formally tonight, however, once our town attorney looked at the draft regulations, there were some issues that needed to be addressed.

D. Marshall: We have received a notice from the Town of Bow regarding a sub-division for our review.

N. Williams: I was just forwarded the preliminary plans for the proposed round-about by Bicentennial Drive and North River Road adjacent to the The Derryfield School. It is only in Manchester, but they would like comments from The Planning Board. This is a plan by the Manchester DPW, The Derryfield School, and SNHU.

D. Marshall: This was presented at the Southern New Hampshire Planning Commission, and I am on record saying this is the worst round about design I have ever seen.

D. Boutin: It would make sense to think about looking at the Hooksett Corridor and River Rd. and think about proposing that as mixed use. The reality is we don't have enough housing in the Town of Hooksett.

D. Marshall: The concept of affordable housing has been lost. If you are looking at creating workforce housing I agree with you. If you are contemplating doing that you need a year start.

T. Walsh: As a different matter, we have over 400 lots approved but no homes.

D. Marshall: The economy may be good, but it is not the right turn for that.

D. Boutin: By doing mixed use you can help with the cost of the land. We have hit a wall and nothing is getting done.

### **ADJOURNMENT**

*T. Walsh motioned to adjourn. Seconded by R. Duhaime. **Motion carried unanimously.***

**The meeting was adjourned at 6:57 pm.**

**Respectfully submitted by,**

**AnnMarie White  
Recording Clerk**