

**Official**

**HOOKSETT PLANNING BOARD MEETING**

**Hooksett Municipal Building**

**35 Main Street**

**Council Chambers, Room 105**

**Monday, August 3, 2020**

**6:00 PM**

**MEETING CALLED TO ORDER AT 6:01 P.M.**

**PLEDGE OF ALLEGIANCE**

**INTRODUCE MEMBERS OF THE BOARD**

**PRESENT: Richard (Dick) Marshall (Chairman), Tom Walsh (Vice-Chairman), Christopher Stelmach, Matt Reed, Paul Scarpetti, Brett Scott, and David Boutin (Town Council Representative)**

**ALTERNATES:**

**EXCUSED:**

**NOT PRESENT: Mike Somers (Alternate)**

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

**APPROVAL OF MINUTES OF JULY 20, 2020**

**July 20, 2020 Meeting – D. Boutin motioned to approve the minutes of the July 20, 2020 meeting with amendments. Seconded by T. Walsh.**

T. Walsh: Line 218 should read “this” instead of “tis” and “conex” instead of “condex.”

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

**CONTINUED PUBLIC HEARING**

- 1. AMERICAN ASPHALT PAVING #2020-21  
Londonderry Turnpike, Map 32, Lot 25-2  
Commercial site plan**

N. Williams referenced a memorandum from Jon Rokeh dated July 29, 2020 which referenced the landscaping plan and stating they moved the garage so that it is not within the setbacks. He also stated the need to make sure the access easement is recorded with the Registry of Deeds.

P. Scarpetti: How many boxes will be on site?

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Jon Rokeh (Rokeh Consulting): I don't know the number of boxes. The applicant said those are temporary and he will move them back as far as he can until the garage is built.

P. Scarpetti: I think we should put a limit on the boxes as well as add a sunset clause. It would be fair to have a screen fence north to south in front of the boxes and have it designated on the plan where the asphalt can be dumped.

J. Rokeh: If he has piles it would be after hours when he cannot go to the pit and doesn't want to leave it on the truck.

P. Scarpetti: What is the caliper of the trees?

J. Rokeh: I moved the gravel area back, moved the sign, and put in a combination of trees some of which will be going up the driveway. If a fence is put in I want to make sure it doesn't interfere with the turning of the trucks.

P. Scarpetti: If you put a fence north to south you should be able to do the circle.

J. Rokeh: Once the garage is built the fence goes away?

P. Scarpetti: Yes.

D. Boutin: Does he have to come back for a revised site plan once the garage is built?

D. Marshall: We would set a condition of approval then it becomes a matter for the Code Enforcement Officer.

Robert Stewart: The storage containers are only there until we get the garage up. I will remove the boxes from the property. If the asphalt is dumped it is only for a week or a couple of days and only because Brocks closes at 3:30.

D. Boutin: I think we need a letter from the owner stating that the boxes will be removed and will not be stored there.

T. Walsh: How big do the trees get?

J. Rokeh: The red maples will get about 25' tall, there will be shrub trees by the sign, and the pee gee's will be up the side and in the center.

Open to public comments.

No public comments.

Close to public comments.

Close public hearing.

93 ***D. Boutin motioned to approve a commercial site plan for American Asphalt Paving, #2020-21, Londonderry Turnpike, Map 32, Lot 25-2 with the following conditions: 1) A letter stating the boxes are***  
94 ***being removed and will not be stored on site; and 2) There will be a designated area where the as-***  
95 ***phalt will be dumped and a screening fence will be installed.***  
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98 T. Walsh: Are you going to be dumping the asphalt on the gravel?  
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100 R. Stewart: Yes. It is recyclable and hardens so the gravel does not mix with it.  
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102 ***Seconded by P. Scarpetti. Motion carried unanimously with a vote of 7-0.***  
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104 **COMPLETENESS REVIEW AND PUBLIC HEARING**  
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106 **2. UNIVERSITY COMMONS, LLC #2020-25**  
107 **University Circle, Map 14, Lot 1-11**  
108 **Site plan for 5 buildings consisting of 20 Townhouses**  
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110 D. Marshall: Are the plans complete?  
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112 N. Williams: Yes.  
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114 ***T. Walsh motioned to find the site plan for 5 buildings consisting of 20 Townhouses complete for***  
115 ***University Commons, LLC #2020-25, University Circle, Map 14, Lot 1-11. Seconded by C. Stelmach.***  
116 ***Motion carried unanimously with a vote of 7-0.***  
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118 N. Williams: We have a memorandum dated July 21, 2020 from Bruce Thomas. He conducted a re-  
119 view to the revisions of the plans and is recommending the ADA ramp that was previously supposed to  
120 have been installed at the intersection of Campus Drive and University Circle be done as a condition of  
121 approval to come into full ADA compliance. I have received comments from the Fire Department as  
122 far as parking on the site. With parked vehicles in the roadway there might not be enough room for Fire  
123 to get around in an emergency situation. I think the Board should have a discussion as far as the ar-  
124 rangement of parking on the site and potentially adding in between 6 to 8 overflow guest parking  
125 spaces on the site potentially adjacent to the proposed mailbox house.  
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127 D. Marshall: Has water been approved?  
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129 N. Williams: I have a memorandum from water with their list of requirements.  
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131 T. Walsh: Has this been part of the master plan of the university area from the beginning?  
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133 N. Walsh: Yes. The 2004 master plan.  
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135 Kent Brown (Brown Engineering): In 2007 the layouts of the apartments were adjusted. In 2010  
136 Alumni Drive was amended. Nothing with this site was amended since the original master plan.  
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138 D. Boutin: Are these going to be sprinklered?  
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N. Williams: They are required to be sprinklered.

D. Boutin: The Fire Department brought up the access of the fire trucks. The only parking on site is the garage and one space in the driveway.

K. Brown: We did not put additional parking in because we are trying to limit impervious space which is a drainage issue. We went with a 24' cross section so there would be room for someone to park on the road. We also want to discourage people from having three cars or leaving a vehicle there. None of those issues are public safety issues. If the Fire Department wants those extra spaces we will try to find them.

D. Boutin: What if someone moves from another state and needs the extra space?

B. Scott: I think this should have overflow parking.

P. Scarpetti: You could make the cul-de-sac smaller so you can put parking on the inside with a couple of parking spaces by the mailbox.

D. Marshall: The Board can require that there be overflow parking.

K. Brown: The requirement is two parking spaces per unit which we meet the zoning for. We will find overflow spaces. I just wanted to let you know why we did not put them in. We did not have the input from the Fire Department when we were having those discussions.

T. Walsh: The Fire Department has to question if there would be overflow parking. I don't know why we are mandating a parking spot so long as the Fire Department can get their vehicles in safely. I would put in some striping but if there is no ordinance I don't see why we would require it.

K. Brown: I would like to meet with the Fire Department to resolve this.

Open public hearing.

Open to public comments.

No public comments.

Close to public comments.

***D. Boutin motioned to table the site plan for 5 buildings consisting of 20 Townhouses for University Commons, LLC #2020-25, University Circle, Map 14, Lot 1-11 until the August 17, 2020 Planning Board meeting. Seconded by M. Reed.***

D. Boutin: I would like the Town Planner to get an answer from the Fire Department with regard to the overflow parking.

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

**CONCEPTUAL DISCUSSION**

187           **3. 1378 REALTY TRUST**  
188                 **1135 Hooksett Road, Map 41, Lot 10**  
189                 **6 Townhouse style units**  
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191 David Jordan (GPI, Greenman-Pedersen, Inc): This is located in the Performance Zone (PZ). We re-  
192 cently filed a variance with the ZBA and they requested we come before you. They have continued  
193 their public hearing. In 2014 Mr. Mastriano filed a petition with the ZBA similar to what we filed re-  
194 cently to allow townhouses in the PZ. On October 6, 2014 a meeting was held with the Planning Board  
195 so they could provide comments to the ZBA. In terms of this project we are rerouting access to Mam-  
196 moth Road. There is a house on Hooksett Road built around 1900 that has been vacant for several  
197 years. In 2014 the plan was for eight units, not six; Two four unit buildings. The discussion was cen-  
198 tered around the driveway being off of Mammoth Road and the relationship with that driveway and the  
199 abutters driveway. The Planning Board also expressed reluctance to allowing residential housing due to  
200 it not being an allowed use. The ZBA held a second public hearing and allowed a variance for eight  
201 units on this property. The discussion was also about water and sewer and how it would serve this site  
202 and the abutting sites. In June of 2016 a formal application was filed with Planning Board. They made  
203 the determination that the site plan application was incomplete. The variance granted two years prior  
204 for six units was lapsing and never pursued. It is the same this evening for six units coming in off of  
205 Mammoth Road. One of the differences is that we are requesting residential in PZ with HDR specifica-  
206 tions. Due to the topography of the site it is not possible to access this driveway from Hooksett Road.  
207 We have filed for a driveway permit application with DOT and it has been granted. The stormwater  
208 treatment is on the front of the site where the house currently is. We will be attaching into the state sys-  
209 tem and that has been approved. The units will be served by Manchester Water Works. The line is in  
210 front of the site on Mammoth Road. They will add a hydrant in front of building. We have had prelimi-  
211 nary discussions with the Fire Department. The configuration of the driveway provides the turn around  
212 they need. The units will be sprinkled. Sewer is available from Hooksett Road and will be extended  
213 into our site and continued to Mammoth Road to provide for extension to other properties along Mam-  
214 moth Road. These would be three bedroom units with a one stall garage and parking in front of garage.  
215 There would be three guest parking spaces on the side of Unit 1. A closed stormwater drainage system  
216 would be on site. Rain gardens and treatment areas will be on site which will be recharged and dis-  
217 charged onto Hooksett Road. We have an initial landscape scheme. Abutters expressed concern and  
218 there was some discussion with regard to screening along the abutting properties. We would work to  
219 address their concerns. A 6' high fence was proposed but it was correctly pointed out that, due to the  
220 elevation of the site, it would not provide adequate screening. We would look to put in 20' range ar-  
221 borvitaes. We are looking for feedback and comments to provide to the ZBA.  
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223 N. Williams: With regard to the PZ, Article 10-A, Section A - Statutory Authority states: This Article  
224 10-A is enacted by the Town of Hooksett pursuant to NH RSA 674:21. This innovative land use control  
225 ordinance shall provide for all approvals by the Planning Board in the District. Any decision made by  
226 the Planning Board under this innovative land use control ordinance may be appealed directly to the  
227 Superior Court in the same manner provided by Statute for appeals from the Planning Board, as set  
228 forth in RSA 676:5, III and RSA 677:15. Waivers from particular requirements of this Article 10-A  
229 may be granted by the Planning Board where the applicant demonstrates substantial compliance with  
230 the standards set forth in Article 10-A. Section C: Purpose, Paragraphs 1 through 7 inclusive.” Article  
231 10-A, Section E, Permitted Uses states: “All land uses or combinations thereof, identified hereunder are  
232 permitted within the U.S. Route 3 Corridor Performance Zoning District and are subject to review for  
233 suitability by the Planning Board. Prior to Planning Board approval of a proposed use, the applicant

234 must demonstrate that use will meet each of the performance standards and/or land use controls estab-  
235 lished in this Ordinance, the Hooksett Subdivision Regulations, the Hooksett Non-Residential Site Plan  
236 Review Regulations, and shall not produce negative impacts on surrounding properties.

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238 The Planning Board takes on the judiciary role that includes granting these types of waivers. I under-  
239 stand precedent may have been set in 2014 where there was an application made to the ZBA for a vari-  
240 ance on this site. That should not have happened. This is the correct forum for this application.

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242 D. Boutin: Where is the dumpster?

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244 D. Jordan: At the end of the driveway.

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246 D. Boutin: Have you talked with the Fire Department about the overflow spaces and are they satisfied  
247 with that?

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249 D. Jordan: They have seen this plan and said they are. We do not have anything in writing.

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251 D. Boutin: Did the Fire Department put a template on this plan for turning the vehicle around?

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253 D. Jordan: They required us to put a template on the plan and we did.

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255 C. Stelmach: This says the driveway is 22' wide. What is the distance between lot line to lot line?

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257 D. Jordan: There is a 40' right of way and we will be grading up to the property line on both sides.

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259 C. Stelmach: Would you be putting a barrier in to hide the abutters?

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261 D. Jordan: At that location a fence would be effective.

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263 C. Stelmach: Is there any ledge that you have to blast for?

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265 D. Jordan: We would have do test pits to give a definitive answer.

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267 C. Stelmach: Would wells be an issue?

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269 D. Jordan: There is a private well on the Silkman property. Concern was expressed about the impact  
270 on that well. We would be willing to see if we could provide municipal water to that property.

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272 T. Walsh: Is it impossible or more costly to build the driveway from Hooksett Road?

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274 D. Jordan: It is impossible. It is extremely steep before there were requirements. You would end up in  
275 a cut situation you would never get out of.

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277 T. Walsh: Are these units for sale or rentals. If for sale what is the estimated sale price.

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279 C. Mastriano: I have not yet determined that.

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D. Marshall: How big is each unit?

C. Mastriano: 1,800 sq. ft. After talking with DOT, they were in favor of having the driveway off of Mammoth Road due to the traffic on Route 3.

P. Scarpetti: The rear setback is at 22 and you have 30 noted. Is that denoting there is an 8' patio?

D. Jordan: Yes.

P. Scarpetti: It makes sense to me that Building No. 2 should also have three extra spaces. I would question the hydrant location. The major snow storage would be at the end of the driveway.

D. Jordan: We looked at additional guest parking. While the driveway meets DOT standards, it is too steep to have parking on it.

M. Reed: What is the background with not allowing townhouses in the PZ?

D. Marshall: Housing, in general, is not allowed in the PZ.

D. Boutin: We have been told these are three bedroom units. If you have three separate people renting a unit you could have 3 or 4 cars and the parking is going to be absorbed quickly.

D. Marshall: It would have to be defined what he is going to do. This could be for student housing with three cars per each unit and parking would be a problem.

D. Jordan: The owner and I have talked about this. One of the options is to make these two bedroom units. We would not be opposed to that. We don't want to have more cars than can be managed on the site.

P. Scarpetti: Keep the three bedrooms and eliminate one building. Have one building with 4 units further away from Mammoth Road. There would be more space and you would have happier neighbors.

D. Jordan: He has tried to develop this in a commercial manner and the hardship is the steep driveway. Mr. Mastriano is trying to find a use that makes sense. He has tried to sell and lease the property and has had no luck. Residential is the only option and we feel the multi-family is the most transitional use. The HDR zone is kitty corner across the street. We are trying to strike a balance between residential and commercial use.

T. Walsh: How long has this been empty?

Chris Mastriano (Property Owner, 1378 Realty Trust): 16 years. I had it listed for approximately \$50,000 under assessed value. It is time for me to do something with it and I am hoping for the Board's cooperation.

D. Boutin: I would issue a statement of support for the plan. I think it is well designed. I think the main issue is the parking. If these are three bedroom units I think we would have to require a limit on the number of cars parking.

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P. Scarpetti: I would be agreeable to a four unit building. It would keep the neighborhood as is with more green space.

T. Walsh and M. Reed agreed with P. Scarpetti.

D. Marshall: If I had my way I would grant a waiver for a single family home.

Charles Windhausen (110 Mammoth Rd.): I have a lot of issues with this design. Traffic on Mammoth Road is as bad as Hooksett Road. The driveway would be wedged between two abutting driveways. The footage is only 36' between the driveways, not 40'. I was surprised the state approved the driveway because the town doesn't allow driveway's with 50' of another driveway.

D. Marshall: The state cannot intentionally destroy a piece of property by denying all access so they would have to grant an access point to this property. Route 3 was prohibited because of the slope.

C. Windhausen: There is already a curb cut. What is preventing them from digging down and building something down below. There has never been a commercial design brought forward to the Planning Board.

D. Marshall: They cannot make the side yard clearances.

C. Windhausen: This has always been marketed as a residential property. They have got balconies looking down into my property and that is a privacy issue. I understand it is his property and he is trying to get maximum value, but this is at the cost of the abutters. I appreciate that you are seeing there is the possibility of too many cars. I am not opposed to a residential unit if they could be switch it around so there is a little more privacy so it does not affect the property values of the abutting homes. He is requesting a change from PZ to HDR. All of the property coming in on Mammoth Road is MDR. If they are going to approve the plan I think this should be MDR and not HDR. If they come in from Hooksett Road I think HDR would be okay. A single family and MDR would be much more preferable.

Michelle Kenney (106 Mammoth Road): All the traffic that has increased on Mammoth Road with all of the new developments. My garage was totaled with a car driving through it and into the neighbors yard through the fence. I have been at this property since 1991 and have faced all types of challenges on Mammoth Road. I had to hire somebody to plow snow due to what the plow trucks leave.

### **OTHER BUSINESS**

N. Williams: Southern New Hampshire Planning was looking for feedback on the state's transportation plan. It is also time to start thinking about zoning amendments. Starbucks has submitted all plan revisions and DOT gave their permit. Bruce Thomas's comments were addressed.

C. Stelmach: On the CIP plan, page 46 it says 6,200 miles and should be hours. On Page 48 the solid waste truck was a 2000 Peterbuilt not the 2005 freight liner.

### **ADJOURNMENT**



375 *T. Walsh motioned to adjourn at 7:17 pm. Seconded by M. Reed.*

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

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379 **The next meeting of the Planning Board will be held August 17, 2020 at 6:00 pm.**

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381 **Respectfully submitted by,**

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383 **/s/ AnnMarie White**

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385 **AnnMarie White**

386 **Recording Clerk**