

Official

HOOKSETT PLANNING BOARD MEETING

Hooksett Municipal Building

35 Main Street

Council Chambers, Room 105

Monday, November 2, 2020

6:00 PM

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

PLEDGE OF ALLEGIANCE

INTRODUCE MEMBERS OF THE BOARD

PRESENT: Richard (Dick) Marshall (Chairman), Chris Stelmach, Paul Scarpetti, M. Reed, and David Boutin (Town Council Representative)

ALTERNATES: Mike Somers and Don Winterton

EXCUSED: Tom Walsh (Vice-Chairman)

STAFF: Nicholas Williams (Town Planner)

APPROVAL OF MINUTES FOR OCTOBER 19, 2020

October 19, 2020 Meeting – D. Boutin motioned to approve the minutes of the October 19, 2020 meeting with amendments. Seconded by M. Reed.

D. Winterton should be added as being present as an alternate.

Motion carried unanimously with a vote of 7-0.

D. Marshall: Brett Scott has voluntarily resigned from the Board. We thank Brett for his interest in Town government and wish him well in his future endeavors. We will be recruiting a new alternate.

D. Boutin motioned to recommend Mike Somers to the Town Council to become a full Planning Board member. Seconded by P. Scarpetti. Motion carried unanimously with a vote of 7-0.

BOARD DISCUSSION

1. State roadway improvements- Hooksett Road from Alice Ave to Martins Ferry

N. Williams: NHDOT has begun the process of soliciting feedback from the Town on proposed highway improvements to DW Highway between the intersection of Alice Avenue and Martins Ferry Road which is approximately 1.5 miles of roadway. I suspect that much of the conversation will invariably

46 involve potential widening of this section of highway to a dual carriageway in either direction, with as-
47 sociated turning bays. Work is not scheduled to begin until 2023. I will be participating in the design
48 element of this project with DOT, so I would like some direction from the Board on preferred design,
49 lighting, safety concerns, bike/sidewalk infrastructure, etc... suggestions to bring to these discussions.
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51 N. Williams showed aerials of this area.
52

53 D. Marshall: The cross section for this section of highway was anticipated as being the same as the
54 section from Shaws to Martins Ferry Road. With that came a sidewalk or shoulder sufficient for bicy-
55 cles. To think this would be done in the 10 year program or even start in 2023 is a dream. With that
56 type of cross-section you are talking about land taking of at least one side of Rt. 3. It is in the 10-year
57 plan but I suspect it would be some distance out. I am curious as to cameras instead of loops. The loops
58 in the pavement are for signals. There are systems which use cameras for volume. Rt. 3 has always
59 been on the list for roads to have a bike path. It was supposed to go from Manchester to Concord.
60

61 D. Boutin: It is my opinion, given the traffic on Rt. 3 and given what the traffic will most likely be in
62 the future, I recommend we have a four lane configuration from Martins Ferry to Alice and at some
63 point we will be looking at a four lane configuration to the Manchester border. It will be safer. I recom-
64 mend a sidewalk.
65

66 D. Marshall: The town would be maintaining those sidewalks.
67

68 M. Reed: I recommend a crosswalk at Mammoth Road.
69

70 D. Marshall: I would like to see a pedestrian light attached to the system at Mammoth Road.
71

72 D. Boutin: A light at Cinemagic is going to be discussed.
73

74 D. Marshall: The likelihood of getting a traffic light at Cinemagic is not high because there is not
75 enough traffic generated. There is the question of impact fees.
76

77 N. Williams: Impact fees would have to be at an intersection with a town maintained right-of-way.
78

79 D. Marshall: This is a project that was planned 25 years ago.
80

81 D. Winterton: Would land acquisitions be done by eminent domain?
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83 D. Marshall: Most would be unless the businesses want out.
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85 P. Scarpetti: I would rather see a sidewalk than a bike path.
86

87 **OTHER BUSINESS**

- 88
89 **2. STARBUCKS AT MERCHANTS PLAZA #2020-10**
90 **1277 Hooksett Road, Map 31, Lot 1**
91 **Request to acquire a Certificate of Occupancy without installing the landscaping.**
92 **Landscaping to be completed in Spring 2021.**

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N. Williams: Site work on the previously approved Starbucks site is well under way. Mr. Sydney and Starbucks representatives aim to open for business in early March of next year. We have received a request to issue a certificate of occupancy, tentatively, in early March in order to allow business operations to begin. Landscaping will not be installed until late April/early May. I do not authorize Code Enforcement to issue a C/O until all site elements are installed to plan and inspected, therefore I am placing this request before the Board for a motion to approve or deny this request. I did request written verification from Starbucks representatives indicating that they are aware of Mr. Sydney's request and that they take no issue with operating for a short time in the absence of the approved landscaping. Starbucks is aware and takes no issue. That email correspondence is included with your mailing. It should be noted that this request is solely for the landscaping – there are various other items which are prerequisites to issuing a C/O, and Mr. Sydney will be expected to fully comply in order to request a C/O in March. The Town is also holding a \$93,000 bond on the site. I got a quote from the contractor today for the site landscaping in the amount of \$25,000. If he would like to move forward with this I think the Board should consider authorizing myself and Code Enforcement to issue a temporary 90 day C/O in March after having accepted the landscaping surety with the understanding the landscaping will be installed no later than the end of May.

C. Stelmach: Is the site going to be loomed now with the plantings in the Spring?

N. Williams: The plantings would be done in the Spring. They want to get their temporary C/O in March but they cannot plant in March. We would be looking to have everything installed per the plans by the end of May.

C. Stelmach: That could be messy and turn to mud.

P. Scarpetti: I agree with Nicholas. I think we should leave it up to Code Enforcement and give them until May 31, 2020. The \$25,000 is a separate issue because they have to put money up that is held for two years and this is something above and beyond. I think this should become a procedure as this won't be the last time someone comes before us to do something like this. I think the \$25,000 should be provided to the Town when they get the temporary C/O and then they get it back when the landscaping is in and inspected by the Town. They should also have a signed proposal and should list the town and/or the company so if the Town had to hire that company they have already agreed to do it for either the Town or developer.

D. Winterton: It sounds adequate to me as long as we have enough money in reserves. With a 90 day C/O they would not want to shut down after 90 days.

D. Boutin: I think it would be cleaner if the bond included Starbucks in it so that Starbucks would be responsible if Mr. Sydney does not do what he says. Starbucks should be responsible if Mr. Sydney does not perform. I think May 15, 2020 is a reasonable date.

P. Scarpetti: We have had some late Springs. If we ask for money they are going to want it back as soon as possible and the landscapers are going to want to get in there as soon as possible. I think they should be done by the May 31, 2020.

139 N. Williams: I think we should give Nick the authority to extend it to May 31, 2020 if that becomes
140 the situation but I think we should hold their feet to the fire and get it done as quickly as possible.

141
142 M. Reed: I like the idea of setting a standard of May 31, 2020 for anyone that comes in for a C/O dur-
143 ing the winter.

144
145 D. Boutin: If that is the case we need to have Nick put something together and then have a Hearing on
146 the site plan regulations and probably the sub-division regulations as well so we have it in black and
147 white so no one is treated differently.

148
149 P. Scarpetti: If you have them provide the landscapers name with a signed contract and they provide
150 that with the issuance of the money then they are obligated to do the work for the developer or for the
151 Town for that amount of the money instead of trying to find someone.

152
153 D. Boutin: I believe the Town has no right to tell a landscaper they are obligated to the Town.

154
155 D. Marshall: This project is owned by Mr. Sydney. If you are gong to issue the temporary C/O you are
156 issuing it to the owner for that property. Starbucks is just leasing. You need to be dealing with that
157 owner. Following standard procedure, you give the owner 90 days from the issuance of the C/O to do
158 the landscaping. If you put a date to that it is the end of May.

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160 *D. Boutin motioned to have a Certificate of Occupancy issued to Starbucks at Merchants Plaza,*
161 *#2020-10, 1277 Hooksett Road, Map 31, Lot 1 with the condition that the landscaping will be com-*
162 *pleted by May 15, 2020.*

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164 *P. Scarpetti motioned to have a Certificate of Occupancy issued to Starbucks at Merchants Plaza,*
165 *#2020-10, 1277 Hooksett Road, Map 31, Lot 1 with the conditions that: 1) It will expire May 31,*
166 *2020 if the landscaping is not complete; 2) They will have to put up a bond for the amount specified*
167 *on an assigned landscape contract to the developer and the money will be held starting at the time of*
168 *the issuance of the C/O and will be refunded when the landscape has been approved. Seconded by*
169 *M. Reed.*

170
171 M. Somers: Yes

172 D. Boutin: No

173 D. Winterton: Yes

174 P. Scarpetti: Yes

175 C. Stelmach: Yes

176 M. Reed: Yes

177 D. Marshall: Yes

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

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181 3. PROPOSED ZONING AMENDMENTS

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183 N. Williams: The Board must hold its first public hearing on any proposed zoning amendments to be
184 placed on the 2021 warrant no later than January 7, 2021. I anticipate that we will complete our process
185 a bit earlier. As a reminder, we are working with the following proposal so far, and of course I welcome

186 other suggestions you might have:

187

188 Removal of Performance Zone overlay and re-zoning to Medium Density Residential for Map 30 Lots
189 14, 15, 16, 18, 21, 22, 23, 24, 27, and 28. These lots all have frontage on either Martins Ferry Road or
190 MacAllister Street immediately behind McDonald's/Eversource. All lots contain single family homes
191 and/or accessory structures.

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193 ***D. Boutin motioned to send the proposed removal of the Performance Zone overlay and re-zoning to***
194 ***Medium Density Residential for Map 30 Lots 14, 15, 16, 18, 21, 22, 23, 24, 27, and 28 to the voters.***
195 ***Seconded by M. Reed. Motion carried unanimously with a vote of 7-0.***

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197 Article 3 Section O of General Provisions - In any district where gasoline filling stations are allowed,
198 the lot on which any new gasoline filling station is to be situated shall be located at least one thousand
199 (1,000) feet from any lot on which there is an existing station. Proposed to remove this verbiage.

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201 ***D. Boutin motioned to strike the verbiage regarding not allowing gas stations to be within 1000' of***
202 ***each other. Seconded by D. Winterton. Motion carried unanimously with a vote of 7-0.***

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204 Parking Requirements for Multi-Family Developments: The verbiage within our zoning ordinance is
205 unclear and needs to be clarified. Under the Town Development Regulations, Multi-Family housing is
206 defined as any single structure which contains at least two separate dwelling units. Multi-Family
207 developments are permitted by right in: Medium Density Residential, High Density Residential, and
208 Mixed Use Districts 2 & 5 (with density requirements and water/sewer requirements), and are also
209 permitted by special exception in Urban Density Residential. The verbiage in each of these articles
210 pertaining to parking speaks to the conversion of existing structures to multi-family with regard to the
211 parking standards which are required. Each Article requires only 2 spaces per dwelling unit for multi-
212 family developments. 2 spaces per unit may be adequate for a duplex, however the ordinance needs to
213 consider developments on a larger scale – such as the recently approved University Commons
214 development – in which there are 20+ units with multiple bedrooms. A minimum of 2 spaces per unit
215 for larger developments such as this does not provide adequate overflow parking for guests, visitors,
216 etc... consider revising to require 2.5 spaces per unit on all developments which contain, as an
217 example, 10 or more units.

218

219 Board discussion ensued regarding overflow parking, calculations relative to such, and cost to the
220 developer. D. Marshall requested that N. Williams draft something that can be discussed at the next
221 Planning Board meeting.

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223 N. Williams: Something will also be drafted as far as the affordable housing and elderly housing
224 ordinance.

225

226 N. Williams: It has been suggested that another layer be added to the Zoning Ordinance that could
227 either prohibit self-storage facilities in certain districts or required that they be review and approved as
228 a conditional use.

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230 Board discussion ensued regarding the possible regulation of self-storage facilities with the Town.

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232 **OTHER BUSINESS**

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Town Development Update by N. Williams:

Brookview Drive has been completed through the rear of the development and has been paved through to Jacob Avenue. Mr. LaMontagne has done a nice job with the site work – looks good!

Autumn Frost Subdivision blasting has been completed. Contractors will be running electric and gas main installation to the site this week and hopefully we will start to see some progress on the road before the November 15th cutoff date for paving...

The NH Sportsdome project is moving ahead – when I was on site yesterday, contractors were working on driveway paving and the curb apron out onto Benton Road. They are looking to be fully operational by January.

A third party contractor working for Amazon has secured a deal to lease the old Poultry Products building on Bemis Road behind Bass Pro – the building will be (I assume) decontaminated, thoroughly cleaned, and used as a base of operations for Amazons HR for the facility on Quality Drive.

Another third party contractor working for Amazon has moved into a unit at 290 West River Road. The space will be used for Amazon driver training, which is interestingly conducted virtually.

The TIF Committee met this week to finalize negotiations on a land swap deal with Arleigh Green. The Town is looking to acquire a portion of Arleigh’s property located at 500 Quality Drive in order to construct a pump station for the Town’s ongoing sewer project on 3A. Final plans for this deal are set to be negotiated by next Wednesday.

The ZBA conducted a site walk of the west side of the Exit 11 proposal this week. The building proposed on the site – the largest of the 4 which have been proposed at Exit 11 – is massive to say the least... there were numerous concerns brought up during the site walk regarding the proposed retaining walls and their proximity to the DOT right of way for the Everett as well as concerns over the quality of the soils on the site. Both applicants for the Exit 11 proposal will appear before the ZBA again on November 10. In the meantime, please take a moment to review the provisions of RSA 36:54-58, here: <https://www.nh.gov/osi/resource-library/planning/documents/developments-regional-impact.pdf>.

It is highly likely that the ZBA will explore the possibility of having SNHPC conduct a review of this project under RSA 36:54 prior to making a decision.

ADJOURNMENT

D. Boutin motioned to adjourn at 7:02 pm. Seconded by C. Stelmach.

Motion carried unanimously with a vote of 7-0.

The next meeting of the Planning Board will be held November 16, 2020 at 6:00 pm.

Respectfully submitted by,

280 /s/ **AnnMarie Scott**
281
282 **AnnMarie Scott**
283 **Recording Clerk**