

1 **Official**

2
3 **AGENDA**
4 **HOOKSETT PLANNING BOARD MEETING**
5 **HOOKSETT TOWN HALL CHAMBERS (Room 105)**
6 **35 Main Street**
7 **Monday, August 16, 2021**
8 **6:00 PM**

9
10 **MEETING CALLED TO ORDER AT 6:00 P.M.**

11
12 **PROOF OF POSTING**

13
14 **PLEDGE OF ALLEGIANCE**

15
16 **INTRODUCE MEMBERS OF THE BOARD**

17
18 **PRESENT: Tom Walsh (Chairman), Chris Stelmach (Vice-Chairman), Paul Scarpetti, Don**
19 **Winterton, Mike Somers, and David Boutin (Town Council Representative)**

20
21 D. Boutin left at 8:33 pm.

22
23 **ALTERNATES:** Robert Duhaime

24
25 **EXCUSED:** Denise Pichette Volk, Matt Reed

26
27 **STAFF:** Nicholas Williams (Town Planner)

28
29 Robert Duhaime will be a voting member this evening.

30
31 **APPROVAL OF MINUTES OF JULY 19, 2021, AND AUGUST 2, 2021**

32
33 **July 19, 2021 Meeting** – *D. Boutin motioned to table accepting the minutes of the July 19, 2021*
34 *meeting Seconded by M. Somers. Motion carried with a vote of 7-0*

35 **August 2, 2021 Meeting** – *P. Scarpetti motioned to approve the minutes of the August 2, 2021*
36 *meeting with the following amendments:*

37 *Line 117 - “August 2” should be replaced with “August 16.”*

38 *Line 30 & 31 should be D. Boutin 1st and D. Winterton seconded.*

39 *Seconded by R. Duhaime. Motion carried with a vote of 6-0-1 abstention M. Somers absent*

40
41 **CONCEPTUAL DISCUSSION**
42

43 **1. EMILY MITCHELL, AR BUILDING COMPANY, INC.**
44 **1821 Hooksett Road, Map 6, Lot 10 and 18 Legends Drive, Map 25, Lot 80-3**
45

46 Jason Kambitsis and Emily Mitchell from AR Building Company were present to talk about some con-
47 ceptual designs for the project. They gave background information on the company, showed a map of
48 their footprint in NE. Showed examples of other designs that they have done at other properties. They
49 are proposing to do multi-family, it is currently zoned commercial. Start with 5 of the 45 units. This is
50 very conceptual. Legends Drive is similar. They are looking for feedback, perceptions likes and dis-
51 likes from the Board.
52

53 D. Boutin- On the Legend Drive site on the southern side is showing vacant is it going to stay vacant?
54 Are you going to put a permanent easement on it?
55

56 J. Kambitsis- Half of where the tree coverage will stay vacant and yes, we can put an easement.
57

58 C. Stelmach- Where would the driving range go?
59

60 J. Kambitsis - It would all go.
61

62 P. Scarpetti- The zoning is commercial?
63

64 N. Williams- No its performance.
65

66 J. Kambitsis-- These would sit below the house on Post Road.
67

68 P. Scarpetti- This is just conceptual, if we were to entertain any of this, I feel that the buffer is not
69 enough on this.
70

71 D. Winterton- Do you ever do parking under the building?
72

73 J. Kambitsis-No, it brings the building up higher.
74

75 R. Duhaime- Why Hooksett why now?
76

77 J. Kambitsis Demographically it makes sense, it seems like the right time. From a rental standpoint it
78 makes sense, there is a need for housing everywhere we go. For us it's a way to capitalize on the mar-
79 ket. If you would like to visit a site of ours the closest place to visit is in East Providence, for a tour.
80

81 R. Duhaime- Commercial helps the taxpayers, and residential does not.
82

83 J. Kambitsis -We don't change the level of service for any project we do.
84

85 D. Boutin- On the Hooksett Road site the property abuts up to 12 homes, what I would bring to your
86 attention these residents are going to come to the hearing and ask about lighting. Do you know how far
87 the driveway entrance is on Hooksett Rd.? How many units on the Hooksett RD site?
88

89 J. Kambitsis- 225 on both sites. 5 45-unit buildings. We do down lighting, and don't want to look like
90 shopping mall.
91

92 D. Boutin- I would suggest pull away from Post Rd as much as possible.
93

94 P. Scarpetti- Have you thought of a mixed-use property here? By adding a commercial, residential,
95 multi?
96

97 J. Kambitsis - We are not commercial developers. Commercial is not good right now. We typically shy
98 away from commercial. We are really focused on people who want to move out of their home. Or want
99 a nice new home.
100

101 P. Scarpetti- Is this market rate?
102

103 J. Kambitsis- Yes.
104

105 D. Winterton- You said you build yourselves; do you use local labor?
106

107 J. Kambitsis- Yes, we use local labor. It comes down to who can build it for us at the best rate, and
108 quality.
109

110 R. Duhaime- What's the smallest units, you have built? What would be the benefit for us to switch
111 from commercial to residential with you.
112

113 J. Kambitsis - These properties have been on the market and have not been picked up by commercial.
114 The commercial footprint is getting smaller and smaller. Residential housing is growing. We get that
115 question a lot. We see a lot of commercial front closed.
116

117 R. Duhaime- What's the minimum that you want to put in that is successful?
118

119 J. Kambitsis - 225 is what we have explored.
120

121 D. Boutin- Apartments are not permitted in commercial, so what would need to be done to change that?
122

123 T. Walsh- A petition warrant, or a variance, or a change in zoning from the Planning Board. For the
124 Legends one on the performance zone that would come to the Board for a waiver. Planning board has
125 jurisdiction over the performance zone. In terms of the 2 lots themselves, I do share Robs concern on
126 this. We seem to be the hotspot for multi-family. I still think our long-term plans with zoning have a
127 shot. How many bedrooms? How many kids would be there?
128

129 J. Kambitsis - 1 and 2 bedrooms, 1.33 per 100 is a kid. Our communities do not attract families. It is
130 viewed as a transient population. We based that number off our last 5 to 10 builds.
131

132 T. Walsh- Have you ever done an estimate to figure out if this is going to be a public cost or a public
133 benefit.
134

135 J. Kambitsis- At our properties we have our own trash, we take care of our own roads. Our properties
136 are self-contained.

137
138 D. Boutin- You said these would be all market rate, I would encourage you to consider 10% having
139 what we call affordable. We have a lot of working families in the area, who won't be able to afford
140 that. At the end of the day, we really have not solved the housing shortage in the area. 2nd on the
141 Hooksett Roadside, is there any possibility for you to rotate the house away from Post Road.

142
143 P. Scarpetti- Are these standalones or do you need both?

144
145 J. -We do not need both we can do any one of them. These are all good questions, happy to answer any
146 questions, and are happy to be in this town.

147
148 **COMPLETENESS REVIEW AND PUBLIC HEARING**

149
150 **2. KB NEVILLE, LLC #2021-18**
151 **45 & 51 Mount St. Mary's Way, Map 14, Lot 1-4**
152 **Lot line adjustment**

153
154 Erin Lambert CE from Wilcox and Barton representing KB Neville. Here to give the overview of the
155 project. We are before you tonight to present the lot line adjustment and a site plan. They are both re-
156 lated. The lot line would be to adjust land from 45 to 51 to make all the parking on one lot. Currently
157 45 is used as a daycare.

158
159 T. Walsh opened the Public Hearing at 6:44 for the lot line adjustment, T. Walsh asked if there was any
160 public comment, there being none closed the Public Hearing at 6:45.

161
162 *D. Boutin motioned to approve the lot line adjustment for 45 & 51 St. Mary's Way, Map 14, Lot 1-4,*
163 *seconded by D. Winterton.*

164
165 *Vote in favor. 6-1.*

166
167 P. Scarpetti- the last time the applicant was in here there was some percentage of commercial vs resi-
168 dential in this area, is that applicable?

169
170 N. Williams- They went before the ZBA to get an entitlement to exceed the allowable residential and
171 was approved as the master plan and they did get that entitlement.

172
173 R. Duhaime- I would have liked to see the landscape plans beforehand.

174
175 T. Walsh - The lot line is approved first, now we have a site-plan ahead of us.

176
177 **3. KB NEVILLE, LLC #2021-17**
178 **45 Mount St. Mary's Way, Map 14, Lot 1-4**
179 **Convert existing daycare into 8 residential units**

180

181 E. Lambert- The site plan you have in front of use is for 45 St. Mary's Way currently we have a day-
182 care at the site. The request is to convert the building into 8 2-bedroom apartments. There will be 3
183 apartments in the original part of the building and 2 in the back addition, 1 underneath, and 2 more in
184 the upper corner. The property slopes down a bit. We also added sidewalks. We are basically creating
185 20 parking spaces. You can see the lot line runs right through the center of that landscape area. This
186 will promote clear direction to the residents in the apartments and the residential homeowners. There
187 will be new stairs added to the south face. We do need to add a sidewalk. We are also upgrading the
188 sewer service, and water services. Catch basin need to be cleaned out, and adequate drainage will be
189 added. There is a net increase of impervious area. We are adding 4 site lighting poles, trees will remain.

190
191 T. Walsh- Nick does this cover the requirements?

192
193 N. Williams- within the residential site plans requirements it does, the zoning for this particular MUD2
194 as part of the master plan there are no specific requirements for landscaping.

195
196 D. Winterton- Is Mount St. Mary's a town road?

197
198 N. Williams- No it is a private way.

199
200 D. Winterton- Are the apartments sprinkled?

201
202 Erin. Lambert- Yes.

203
204 R. Duhaime- I would have liked to review the landscape plan earlier. The same owner owns both lots,
205 but that may not always be.

206
207 N. Williams- As this is a MUD 2 there is nothing specific that regulates landscaping in a residential
208 area.

209
210 **T. Walsh opened the Public Hearing at 6:59, there being no public comment closed the Public**
211 **Hearing at 6:59.**

212
213 P. Scarpetti- What was the final discussion on the impact fees?

214
215 N. Williams- We did talk about that in the technical review this is a multi-family and assed an impact
216 fee at a flat fee of \$4,750 per unit for 3 and up so based on the matrix I would assess them that impact
217 fee unless otherwise directed by the board.

218
219 **R. Duhaime motioned to approve the conversion seconded by C. Stelmach.**
220 **Motion carried unanimously with a vote of 7-0.**

221
222 **BRIEF RECESS**

223
224 Jason Plourde of VHB we conducted a peer review of the traffic study that TF Meran had prepared for
225 the proposed development. They collected traffic counts prior to covid. In NH we look at peak months.
226 We saw no problems with the way the traffic count was conducted. Really where we are at now, I want
227 to make sure the Board aware of is that Hackett Hill Road it is under NHDOT jurisdiction. They are

228 showing that it is having an impact. is not under town jurisdiction it is under NHDOT, so under their
229 decision. The other issues are over at Hackett Hill Road and RT 3a, those are the 2 intersections, and
230 the applicants are working on those. The 3rd is comment 13 of 14 is missing some of the analysis.

231
232 R. Duhaime- Does the traffic counts pick up trucks, and turning ratios?

233
234 J. Plourde- Yes, we do. We account for all types of vehicles, pedestrians walking etc., and those num-
235 bers are used in the count.

236
237 P. Scarpetti- My biggest concern is the traffic. These were done in February when it is quiet. Have you
238 done a traffic study to have a bond in place if the traffic study was wrong?

239
240 J. Plourde – We grew the 2018 traffic counts out to 3 years. In NH we are required to grow it out to
241 peak months, and we applied historical growth rates. We feel we used the right methodologies accord-
242 ing to NHDOT standards.

243
244 R. Duhaime- How do we get the State to mitigate the risks and fix the issues.

245
246 J. Plourde- I would suggest if you had any concerns of a State Road in a Town, reach out to the district
247 office. They are willing to work with municipalities.

248
249 T. Walsh- I am fearful of the traffic on this project. I wish there was even on a low end and estimation,
250 for the properties that aren't being built. but we are still at least another 4 lots that could be built.
251 Where will the driveway be?

252
253 J. Plourde- It will be across from LMH driveway which is fenced off.

254
255 **CONTINUED PUBLIC HEARING**

256
257 **1. PORT ONE COMPANIES #2020-29**
258 **47 Hackett Hill Road, Map 17, Lot 7**
259 **500,000 sf warehouse/distribution building**

260
261 P. Bartash we have been working with NHDOT traffic peer review and the Towns. We have also gone
262 to the Conservation Commission hearing and are abiding to the wetland's protections. The states peer
263 reviewer stated the issue at the toll really is not the toll it is these intersections that cause a backup to
264 the toll. We realize that there is an issue that needs to be solved. We have added future growth into our
265 traffic counts. What happens if the development ends up generating 10% more traffic than anticipated.
266 The intersection at Hackett Hill is already near capacity and we will put it at over capacity. We are pro-
267 posing a voluntary contribution of almost 100% to the tune of \$450,000 to address the issues, the issue
268 has been communication and funding for all of the stakeholders. We are here to make the required im-
269 pact fees and more. We have arrived at the conclusion that this amount of funding will help get the
270 town to where it needs to be with its portion of the funding and ours.

271
272 T. Walsh- You mentioned that you allowed for the other lots in your traffic report numbers.

273

274 J. Plourde- The proposed development is 500,000 sf. As far as background lots they only included
275 Chucksters, and not any other growth. The 1st round of traffic counts did include it.

276
277 R. Duhaime- How are we going to get the state to move on this, we still need a solution.

278
279 P. Bartash- We have committed \$1.1 million in voluntary and involuntary contributions.

280
281 T. Walsh- The one person we need to hear from is the State and they have not come forward. Can we
282 get them to a meeting?

283
284 P. Bartash- The state was at the peer review. Their response was what they are seeing is a backup to the
285 intersections and not the tolls themselves.

286
287 P. Scarpetti- I want to see this as much as anyone else. This also hinges on the State and their approval.

288
289 P. Bartash- This is a common problem we see everywhere. Until you have an approved project that is
290 conditional then you have a calling card with the State. Go to the Governor and state your case.

291
292 D. Winterton- Have you gotten confirmation that the state money is still available for the roundabout?

293
294 B. Thomas- The last time that I checked yes, it is still set aside. TA Garron was going to investigate it.

295
296 T. Walsh- The state hired X to see the issues. Staffing issues was a factor that led to delays. Improve-
297 ments at Hackett Hill and 3a would also help alleviate issues. So, if the 2 are mirrored together it would
298 address the issues.

299
300 P. Bartash- There is good faith in getting this project approval. The State knows that we are serious and
301 knows we have committed funds to the project.

302
303 T. Walsh- If you get approved, how long will it take you to build the facility?

304
305 P. Bartash- We have 2 to 3 months of additional work to do. From there, there is probably 1 month of
306 site work, and 12 months for building. And then 3 to 5 months for the tenant to outfit the building.

307
308 C. Stelmach- The driveway issue, the driveway on the plans is across from Cate Road and now its near
309 LMN? NHDOT does plow from the bridge. Looks like you will need to cut a guardrail to get in. Can
310 we do a quick site walk and see where this driveway is going? Or stake it off or put color on the guard-
311 rail. We'd like to talk to the adjoining property owner to look at an easement on the site to get to the
312 property.

313
314 P. Bartash- We have reviewed the site extensively, we have offered the site walks many times, and at
315 this time due to timing a site walk is something that we are not willing to do due to timing constraints.

316
317 P. Scarpetti- The sewer and the water how is that progressing with the town?
318

319 P. Bartash- It is still an ongoing conversation. We are moving in the right direction; we are coming to a
320 solution to bringing water & sewer to the site and area. We are looking at strategies to fund the full im-
321 provements including the pump station.

322
323 B. Thomas- Bruce explained where the initial plan proposal for the water & sewer would be indicating
324 a cost of 7-10 million dollars. The Town came up with a scheme of having the developer takes the loan
325 out and pay it for the first two years while they are getting underway, and then the incremental will pay
326 that loan off in taxes, but they were not too happy about that, so we are looking at a different scheme.
327 We want to get the infracture in. Some of the negotiation will be eliminating some of the water.

328
329 P. Bartash- The purpose of the TIFFF district is to increase improvements, and we agree that the burden
330 should not lie on the taxpayers.

331
332 D. Winterton- I have no idea how we would structure a motion to approve. Maybe the town attorney
333 can propose a motion to approve. I am lost.

334
335 B. Thomas- I will draft an agreement, they will look at it and then they will agree then the Town Ad-
336 ministrator, Finance Director and Town Attorney and whoever else. Then a staff report to the Town
337 Council asking the Town Council to allow the TA to sign the agreement.

338
339 Cronin- I have drafted motions before. I believe they could draft a motion to approve the plan with the
340 condition that prior to the commencement of construction that they come back and present a compre-
341 hensive agreement with respect to sewer & water infrastructure and 2ndly by having that approval and
342 calling card that they have a plan to address the traffic.

343
344 R. Duhaime- We know that there is a solution, its just finding it. We have dangled a carrot and they
345 won't bite. I am not a fan of conditional approvments.

346
347 P. Bartash - We are already pass the point of review. We have lost lots of money on this project. We do
348 not have anymore time. I understand the past issues. But the point of conditional approval is so we can
349 get past this and move forward and work on outstanding issues.

350
351 T. Walsh called those from the public wishing to speak at 8:14. Kerry Mc Cloud of CMG Industries,
352 has spoken with Peter last week. Our concern initially was the driveway essentially cuts our property
353 into 2. We are happy with the proposals I think this is going to give vehicles enough room, and not get
354 everyone so staked up. Gives everyone a little bit more room.

355
356 A. Bouchman- We own the property at the bottom of Hackett Hill, and we see accidents at the bottom
357 of the hill, please act soon we have a developer who wants to act on this.

358
359 T. Walsh closed the Public Hearing at 8:17 pm.

360
361 P. Scarpetti- the money contribution, is there a sunset clause after so many years? I know 6-years for
362 impact fees.

363
364 P. Bartash -It would follow the 6-year statutory requirement. We would be treating our voluntary con-
365 tributions the same.

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D. Winterton- I agree with what Paul is saying, this is a huge project for Hooksett, and I don't want to lose them, they have been doing everything they can to do this.

Members of the Board had discussion on how an exact motion should be read, as they have not come into a situation like this before. They want to approve the motion but there are still conditions that need to be met and understand that there is a timeline on this. P. Bartash added that his attorney has background on this and could draft something for review. The Board decided that it was in the best interest to have Town Council look it over and give us a recommendation on how a motion should be read.

Attorney Cronin can supply a draft of a motion for review for consideration as a starting point.

T. Walsh will call a special meeting on August 23rd.

The Non-public would be at 6:00 pm to discuss the project further before the Special Meeting.

***P. Scarpetti motioned to continue till August 23, 2021, seconded by C. Stelmach.
Vote in favor 7-0***

BUSINESS OCCUPANCY

N. Williams- The ZBA is looking to recruit 2 members to participate in rewriting the Sand and Gravel Pit Ordinance. Do we have any volunteers?

C. Stelmach and P. Scarpetti volunteered.

P. Scarpetti- The Town council appointed a subcommittee for changes to the ordinances. D. Boutin looks like the chair of this committee, and they are looking at taking the zoning changes to the Town Council level to have them have the authority to do so. I am insulted it is insulting to us and the ZBA and that we can't make these decisions.

D. Boutin left meeting at 8:33.

ADJOURNMENT

M. Somers motioned to adjourn at 8:36 pm. Seconded by D. Winterton. Motion carried unanimously with a vote of 6-0.

The next meeting of the Planning Board will be held September 20, 2021, at 6:00 pm.

Respectfully submitted by,

Alicia Jipson

412 **Alicia Jipson**
413 **Recording Clerk**