

1 **HOOKSETT PLANNING BOARD WORKSHOP**
2 **HOOKSETT TOWN HALL CHAMBERS (Room 105)**
3 **35 Main Street**
4 **Monday, September 13, 2021**
5 **6:00 PM**

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

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9 **PROOF OF POSTING**

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11 **INTRODUCE MEMBERS OF THE BOARD**

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13 **In attendance- Donald Winterton, Tom Walsh, Sheena Gilbert, Christopher Stelmach,**
14 **David Boutin (left at 7:08pm), Matthew Reed, Paul Scarpetti, Denise Pichette-Volk (left at**
15 **6:53pm),**

16
17 **Absent- Robert Duhaime, Michael Somers.**

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19 **PLEDGE OF ALLEGIANCE**

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21 **WORKSHOP DISCUSSION**

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23 **1. Master Plan Draft Review**

24 N. Williams- this has been several years in the making and has not been updated since 2004. The
25 document provided is the meat and potatoes of the 200 plus page plan. This is the summation of
26 bits and pieces that was submitted. We conducted community wide survey, hosted a design
27 charette, and internal review with department heads and Southern Nh Planning Commission.
28 This is broad. Ultimately what council is looking for since this is in draft form, we need a motion
29 from this board to adopt. The way that this is structured we have our implementation matrixes. In
30 the front I tried to pull out some main themes that were discussed, there are 70 bullet points.

31
32 T. Walsh- How many of you have actually read through this? So not many of us have read this in
33 its entirety. When is Town Council looking for something to be sent to them?

34
35 N. Williams- I think by the end the fall. By state statue it needs to be linked to the CIP. Each
36 item in the CIP is supposed be directly linked to an item in the master plan, and they would like
37 something that is adopted by the Town.

38
39 T. Walsh- I think if we go over this item by item without everyone having read it, can we give
40 those time to read through it and then come back and discuss at another workshop.

41
42 D. Boutin- The members need to read through this before we decide.

43
44 N. Williams- the next Planning board meeting is full so I would suggest the 1st meeting in
45 October I think would be better.

46
The Board reserves the right to close the meeting at 9:00pm and continue any unheard items to the next Board meeting.

47 **D. Boutin motioned to move discussion of the master plan to the meeting on the October 4th**
48 **seconded by D. Winterton.**

49

50 **Roll Call**

51 **D. Boutin - Yes**

52 **T. Walsh – Yes**

53 **D. Pichette Volk- Yes**

54 **P. Scarpetti - Yes**

55 **M. Reed - Yes**

56 **C. Stelmach – Yes**

57 **D. Marshall – Yes**

58

59 **All in favor 7-0**

60

61 **2. Proposed Zoning Text/Map Amendments**

62

63 N. Williams- We are entering zoning amendment season. Now is the time we will start having
64 meaningful discussions if there are proposed map amendments. So far, all that has come out of
65 our meetings is with the affordable housing subcommittee. They met several times pre pandemic.
66 They met 1x in August and 1x in September. They did motion to push propose 3 amendments 2
67 of which was text amendment 1 of which was a map amendment to the planning board to push
68 onto public hearing in March. David is a member of the subcommittee and can present.

69

70 D. Boutin- The 2nd amendment would be article 6 and it has to do with the affordable housing
71 ordinance. It says that for any multifamily development there needs to be a minimum of 10%
72 that needs to be set aside for workforce housing. It doesn't specify nor does HUD specify if they
73 must be 1, 2 or 3 bedrooms. The 10% discussion is on page 1 of the minutes. That one is straight
74 forward, 10% is a number that most communities use, it would ensure that when a developer
75 came it, we wouldn't have to negotiate, and it would be an automatic 10% they can do more than
76 that if they like.

77

78 T. Walsh- Does HUD define affordable housing the same way as workforce housing?

79

80 D. Boutin- HUD says to take the median of the household income for the county, then you take
81 60% of that and then multiple it by 30%. Regardless of the size that was what they would pay.

82

83 T. Walsh- One upon time we did our homework, and we had our fair share based on statue based
84 on affordable housing units in Hooksett.

85

86 D. Boutin- We may have at one time, but some have been turned into condos. We lost a large
87 amount of apartment buildings, I am unaware of any small housing units, and if that gets us to
88 fair share, I am unsure.

89

90 M. Reed- Is there a list of what has been approved but not finished for apartments or houses?

91

92 N. Williams- I do have a running list of entitlements, we don't have anything with a running
93 entitlement that is multi family, nothing with a waning entitlement on it for a multi-family.

94

95 T. Walsh- Sunny Cell was a developer and we had given several extensions.

96

97 N. Williams- That came back before the Board for an extension, and I think he had come before
98 the board for 8 or 9 extensions and at the last request the Board denied the extension.

99

100 D. Winterton- As I remember the last time, we said one more year. And that was over a year ago.

101

102 T. Walsh- Yeah, we can all see the numbers, we know the vacancy rate is under. the issue or the
103 fact that we have been living under this eviction moratorium for the last year or 2, how has that
104 affected the vacancy rate.

105

106 D. Boutin- That never entered into our discussions.

107

108 D. Boutin- The next issue has to deal with parking for multifamily, the Board revised it last year
109 to require 2.5 parking spaces per multi-family unit and that accounts for visitor parking. We
110 revisited that issue parking, what we agreed on was if it was a 1 bedroom it would require 2.0
111 parking spaces. In both cases it would allow for visitor parking, which is very important. So that
112 was the 2nd amendment. At the end of tonight we will be asking you to put this on the warrant.

113

114 N. Williams- The 3rd amendment which was a zoning map amendment which was the 43 acre
115 parcel at 17 Legends Drive, they are proposing to re-zone it to high density residential to allow
116 for 12 units per acre residential multi-family.

117

118 D. Boutin- The zoning for the property is performance review.

119

120 N. Williams- It was proposed to change it to the high density residential which would allow by
121 right 12 units per acre.

122

123 D. Boutin- The developers were here, and he is talking about 225 units and it would more than
124 meet the standard of the zoning ordinance. There has been some discussion with 3 potential
125 developers with ding mixed use but no had any interest in mix use as it was too far out, but if
126 developed properly they could walk to the shopping center, and it is close to the Police
127 department.

128

129 T. Walsh- Have you talked to the NHDOT and sought if we were losing 2 lanes in the 10- year
130 plan, last I knew we were moving forward with 5 lanes to t Boutin- from what I understand they
131 are still planning on 5 lanes right to exit 9.

132

133 D. Boutin- I have not heard that at all. In fact, the section from Benton Road to Manchester city
134 line is to be 5 lanes. And all the traffic would be all coming out to a traffic light.

135

136 T. Walsh- What is the zoning behind legends?

137

138 N. Williams- Mixed use district 5, which allows for certain commercial and non-nuisance
139 industrial and excavation pit operation.

140

141 P. Scarpetti- Its 43 acres that means 516 units if they build that out completely, I agree that it
142 should be residential. Is there anything in between that, if we give them the approval for the high
143 density, what's the limit, they were talking about building it 4 stories that is going to be a lot.

144
145 D. Boutin- they are only proposing 225, and that is what we will approve and if they expand that
146 will they come back.

147
148 P. Scarpetti- Is there anything in between to get to the 250?

149
150 N. Williams - If the concern was the density an MDR would support 4 units an acre.

151
152 D. Boutin- We can also consider a deed restriction on the property. We can have the
153 conversation with the developer. We can't know all in the future. We can come up with an
154 agreement with the developer that they can only have x number of units on the property.

155
156 N. Williams- I correct myself the MDR is 1 unit per acre.

157
158 D. Boutin- We have not done enough to solve the affordable multifamily units. Legends's project
159 is a start, and once the public sees it, they will be less against it.

160
161 D. Pichette Volk- I thought I remember reading something in a series of minutes about spot
162 zoning.

163
164 N. Williams- I brought up the questions and David said that no It would not be spot zoning.

165
166 T. Walsh- I have some questions on this and I would like to see more numbers on this, I think it
167 would be a great location for residential and also on other uses. In terms of the moving forward
168 with any potential warrants. Cause we are in a workshop now.

169
170 N. Williams- once the proposal is submitted to the board, there needs to be a motion to put it
171 forward to public hearing. We have to hold a public hearing, and then a motion to put it forward
172 on the warrant. And if any changes there would need to be another Public Hearing.

173
174 D. Pichette Volk- The affordable housing subcommittee is a subcommittee of what? The
175 Planning Board?

176
177 D. Boutin- The Planning Board.

178
179 ***D. Boutin motioned that we send the issue of 10% multi-family that we discussed earlier,***
180 ***seconded by Paul Scarpetti.***

181
182 T. Walsh- I was hoping that we did not take up anything in the recommendations the
183 subcommittee has been up to their eyes on this, but we have not had a chance to look at this and
184 get caught up. Why are we rushing into this?

185
186 D. Boutin- This is not complicated; I have explained it we want to move it forward on the
187 agenda.

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D. Winterton- If this were to be passed and if these 200 apartments were to be built, who will make sure that they are in compliance.

N. Williams- There is a deed restriction that is registered that we put in place, they would need to be in compliance with fair housing standards and would file and meet with me yearly to make sur they are in compliance.

T. Walsh- I think it is the fair standards housing act of 1937, most of these units are being market rate, what would happen of a developer could not fill the units at market rate? Is there anything to prevent them from filling it with affordable housing and or HUD?

D. Boutin- There was a question raised regarding the affordable housing units being built different than the market rate, and the answer is no.

D. Winterton- When these building go to be assed, is the assessment reduce by 10%, or is the developer going to take the hit.

P. Scarpetti- They could take the income approach.

D. Boutin- the income approach would be the most feasible approach to this for the developer.

T. Walsh- I still think that this does not need to be decided on at this time. I want to do the math and make sure that there is not an adverse effect on the school system. I am not ready I am not deciding on this tonight.

D. Boutin- I have done a lot of research on this the average number of kids is 1.3. The reality is, it's always the same argument and that is traffic and or kids, we need to talk about what is best for the town. People need a place to live. We have young adults moving out of Hooksett because there is no place to live. Elderly wants to move out of their homes and into apartments.

T. Walsh- We keep talking about traffic and schools because of the 35 million budget and we see the traffic.

Roll Call

D. Boutin - Yes

T. Walsh – No

D. Pichette Volk- Yes

P. Scarpetti - Yes

M. Reed - Yes

C. Stelmach – No

D. Marshall – Yes

Vote in favor 5-2.

234 *D. Boutin motioned to put a zoning amendment on the warrant for parking spaces for a 1-*
235 *bedroom unit at 2 parking spaces vs 2.5 Seconded by D. Pichette Volk.*

236

237 **Roll Call**

238 **D. Boutin - Yes**

239 **T. Walsh – Yes**

240 **D. Pichette Volk- Yes**

241 **P. Scarpetti - Yes**

242 **M. Reed - Yes**

243 **C. Stelmach – Yes**

244 **D. Marshall – Yes**

245

246 **All in favor 7-0**

247

248 *D. Boutin motioned to identify legends property on the zoning map as high-density residential*
249 *vs what it is currently zoned at as performance and move it to a public hearing. Seconded by*
250 *D. Winterton.*

251

252 D. Winterton- What I would really like to see is to have the abutters at the Public Hearing.

253

254 D. Boutin- You can't control that it just gets posted.

255

256 N. Williams- It is not like a regular application. We are only required to let the property owner
257 be notified; we have as a courtesy notified the abutters.

258

259 D. Winterton- I would like to make an amendment to the motion to notify the abutters.

260

261 D. Boutin- That is not how we handle zoning amendments in Hooksett. We have a public hearing
262 and if it is passed then it goes on the warrant. We do not notify the abutters and I don't believe
263 we should start doing that.

264

265 N. Williams-That is not required set by state stature, we have in the past notified the abutters as a
266 courtesy prior to my time here and we have continued with that courtesy. But we are required to
267 notice in writing only to the owner and notice in the union leader.

268

269 D. Winterton withdrew the amendment knowing we are going to do it anyway by precedent.

270

271 T. Walsh- I still think that this is still premature, we have time its September.

272

273 **Roll Call**

274 **D. Boutin - Yes**

275 **T. Walsh – No**

276 **D. Pichette Volk- Yes**

277 **P. Scarpetti - Yes**

278 **M. Reed - Yes**

279 **C. Stelmach – Yes**

280 **D. Marshall – Yes**

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Vote in favor 6-1

N. Williams- If there are any other changes, we can still take them and talk about it.

D. Boutin- We talked about the Cigna property. The developer desires to do a mix use on that property. The application is going in front of the ZBA soon. If they do agree and grant the variance, it would be my recommendation to do something on the zoning on those properties if it is not rezoned then they cannot do what they want to do. They have asked the town to do a master plan on that site, so the town will have a lot of input on what goes in there.

T. Walsh- If they do vote in the affirmative and we need to reconsider looking at the 63 acres to the north, then that will require a change in the master plan includes these 2 properties identical to what they are as we set by plan. That means we have more work to do to the master plan.

P. Scarpetti- I was thinking it would be nice to give new board members all the ordinance and zoning. There is a huge discrepancy between the 1 per acre and the 12 per acre. We need to find something in between. Having a deed restriction is a lot on staff and having to police.

T. Walsh- this is what happens when you take zoning that was designed for big cities. The reason why you have 12 per acre is because they don't have the land that we do. I don't like putting deed restrictions on it either. I think that is problematic.

D. Boutin- That is being prejudice, we don't know those statements for sure. You said cities do this and towns do that.

T. Walsh- It's not prejudice it's a matter of square footage.

T. Walsh- I think I agree with Paul, and we need to find a middle of the road zoning. This has already been voted on and passed, you can bring questions and concerns at the Public Hearing.

P. Scarpetti- if we do that and then we set a precedence with legends, if we decide to do a medium density offer up the relief and try to get the town to adopt the new ordinance. I'd rater do it the right way with an ordinance, so they know what they are working with.

N. Williams- We have talked about this, and if you are not comfortable with the density you can adopt an overlay district that will allow, they type of development, but it will restrict it to the density you are looking for.

D. Boutin- I don't want to see us negotiating with the developer.

T. Walsh- This is not a negotiating board I think we just follow our rules and regulations.

3. Updates to Development Regulations

T. Walsh- The dominos sign slipped though the reason we put that 30-foot dimension was for the large plazas. So, if they had 16 tenants, they had place for them on the sign.

328
329 N. Williams- If they have 5 or more tenants, they are allowed a 1 doubled faced sign per lot at a
330 maximum height of 30 foot.

331
332 T. Walsh- Can you come up with language that limits 5 to 30 and under.

333
334 D. Boutin- Excused himself at 7:08pm.

335
336 N. Williams- Development regulations, this is something that we have been out of compliance
337 with EPA Standards and MS4 and storm water planning and land disturbance management
338 regulations at the state level for a long time, it was in the 2014 master plan to come into
339 compliance. I have prepared a document for you to read though Once we have read through it,
340 we then need to adopt it. Reading through it from an administrative point of view. There is
341 verbiage on page 4 of 9. Another item I note on the last page under section C it does state that the
342 municipality retains the right though accepts no responsibility to repair or maintain stormwater
343 structure if... The DPW Director has been concerned about a number of retention ponds that the
344 town maintains that is on private property. I think we need to bring Bruce to discuss. Please look
345 through it and provide any comments. And this meets the EPA standards

346
347 N. Williams- I would like to make one administrative change to our completeness review
348 checklist. Our process typically is after an applicant comes in with me for a preliminary
349 consultation, they get some rough plans together then we go to a technical review then they are
350 reviewed by sewer and water and the other utilities if necessary if they are hooking in and tyin
351 in. Once we get on the other side of that there seems to be an issue once we push it through to the
352 PB and a public hearing and then they bring their plans back to water, there are technical issues
353 that usually requires them to make a change to their utility plans and requires them to come back
354 to the PB for an amendment. I'd like to require if the applicant intends to submit for
355 completeness review and Public Hearing with the PB that they send their plans to the sewer
356 commission and utility review and then return to me with the appropriate stamp indicating they
357 have reviewed the utility plan and that they are fine with them so that we don't have to place that
358 as a condition on the approval, so that way we don't have these problems on the back end of
359 things slowing them down.

360
361 D. Winterton- This sounds like a plus for the applicant.

362
363 **T. Walsh- I'll look at the language.**

364
365 **ADJOURNMENT**

366
367 ***D. Winterton motioned to adjourn at 7:15 pm. Seconded by C. Stelmach. Motion carried***
368 ***unanimously with a vote of 5-0.***

369
370 **Respectfully submitted by,**

371
372 ***Alicia Jipson***

373
374 **Alicia Jipson**

375 **Recording Clerk**
376