

1 **Official**

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3 **MINUTES**

4 **HOOKSETT PLANNING BOARD MEETING**  
5 **HOOKSETT TOWN HALL CHAMBERS (Room 105)**

6 **35 Main Street**

7 **Monday, September 19, 2022**

8 **6:00 PM**

9

10 **MEETING CALLED TO ORDER AT 6:04 P.M.**

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12 **PROOF OF POSTING**

13

14 **PLEDGE OF ALLEGIANCE**

15

16 **INTRODUCE MEMBERS OF THE BOARD**

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18 **PRESENT: Tom Walsh (Chairman), Chris Stelmach (Vice-Chairman), Mike Somers, Don**  
19 **Winterton, Paul Scarpetti (arrived at 6:14 pm), Denise Pichette Volk (arrived at 6:31 pm), and**  
20 **David Boutin (Town Council Representative)**

21

22 **ALTERNATES: Sheena Gilbert**

23

24 **EXCUSED: None**

25

26 **NOT PRESENT: Robert Duhaime (Alternate)**

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

29

30 **S. Gilbert will be a voting member.**

31

32 **APPROVAL OF MINUTES OF AUGUST 15, 2022**

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34 *D. Boutin motioned to approve the minutes of the August 15, 2022 meeting. Seconded by D.*  
35 *Winterton. Motion carried unanimously with a vote of 6-0.*

36

37 **PUBLIC HEARING**

38

39 **1. PORT ONE COMPANIES**

40 **47 Hackett Hill Road**

41 **Tax Map 17 Lot 7**

42 **Warehouse and Distribution Facility**

43 **Request for 1 Year Extension of Conditional Site Plan Approval**

44

Peter Bartash (Granite Woods Development): We are in the process of discussing the conditions of approval and would like to extend the duration of that approval so that we can continue discussions.

Open public hearing.  
No public comments.  
Close public hearing.

***D. Boutin motioned to approve the request for a 1-Year Extension of Conditional Site Plan Approval for Port One Companies, 47 Hackett Hill Road, Tax Map 17 Lot 7, Warehouse and Distribution Facility. Seconded by D. Winterton. Motion carried unanimously with a vote of 8-0.***

**2. NORTHPOINT ENGINEERING, LLC.**

**Hidden Oak Way Expansion**

**Hackett Hill Road – Manchester Tax Map 766 Lot 15J**

**Addition of 28 Residential Townhouse Units with Two Access Points on Hackett Hill Road**

Jeff Lewis (Northpoint Engineering, LLC): This is an existing 162-unit townhouse development that was permitted in 2014-2015. The developer is looking to add new units. These would be entirely in Manchester but the boundary is on the line of Hooksett. The bottom area is proposed to have a driveway onto Hackett Hill Road. The other driveway is off of Countryside. This has regional development impact. Two new driveway entrances would be onto Hackett Hill Road in Hooksett which will need driveway permits from Hooksett. They would be over 500' apart. The existing driveway is the main entrance. The units will be consistent with what is already there. We will be connecting to water and sewer mains on Hackett Hill Road. We are looking for feedback.

C. Stelmach: My concern is the bottom portion on Hackett Hill Road. There might be a site distance issue with the driveway that will be facing towards Front Street.

J. Lewis: We can add the site distance to the plan. My understanding is there is adequate site distance.

T. Walsh: I am seeing driveways A, B, and C. You are saying you only need two. Which one is already there?

J. Lewis: That is the way we labeled the driveways. Drive A is the driveway onto Hackett Hill Road. Drive B goes into drive A. Drives A and C have curb cuts on Hackett Hill Road.

T. Walsh: There was a break in that but I assumed that was a driveway. You are right so we are just looking at the two. Staff, any input from DPW or any issues? This is not the first time we have had this situation with this road.

N. Williams: They will have to comply with the dimensional regulations of our driveway regulations. I had a discussion with the Manchester planning staff as well as staff from Northpoint regarding the impact fees. As the driveways are onto a town road, we can assess roadway impact fees prior to or as a condition of issuing the driveway permits. I do not know if that is something the board wants to entertain tonight.

D. Winterton: In terms of impact fees how ruthless could we be?

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N. Williams: Typically what we would do for a townhome for the roadway portion, based on a flat rate, is \$870 per unit.

D. Winterton: We are talking about 120 units?

N. Williams: No. The portion of the expansion that directly impacts the town road is 20 units.

T. Walsh: I don't differentiate. The whole purpose of the impact fee is because it is the road. I wouldn't look at the fact that they are in Manchester any different than we would charge someone in Hooksett. That is just my take on it.

Open public hearing.

Roger Duhaime (78 and 82 Hackett Hill Road): I am surprised Manchester hasn't done anything with the sidewalks. I think this is the time we need to do something. You can see the trails from people going from Walmart and Bass Pro. There are a lot of homes there and I think there should be sidewalks with the amount of traffic. If more people are going to be put on that road something should be done.

T. Walsh: Where is the property line based on the road and pavement itself?

N. Williams: The southerly right-of-way is the property line.

T. Walsh: I am wondering whose sidewalks they would be seeing as there is a property line right there. Would it be up to Hooksett or Manchester to build and maintain? I don't think we can hold these townhouse units to a sidewalk for a mile and a half.

Close public hearing.

***D. Boutin motioned to approve the addition of 28 residential townhouse units with two access points on Hackett Hill Road for Northpoint Engineering, LLC, Hidden Oak Way Expansion, Hackett Hill Road – Manchester Tax Map 766 Lot 15J, with the condition that the application for the two driveway permits and remittance of payment include impact fees of \$870 per unit prior to driveway permits being issued. Seconded by P. Scarpetti.***

C. Stelmach: I want to make sure the site distance for the driveway is correct.

N. Williams: That will be verified at the time they submit the driveway permit application.

***Nay by S. Gilbert. Motion carries with a vote of 7-1.***

N. Williams: As this is a matter of regional impact, the meeting minutes including the public comment will be forwarded to Manchester.

**REVIEW OF PROPOSED WETLAND IMPACT**

**Moved to first item of the evening.**

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140 **3. KEITH AND JESSICA MATTE**  
141 **78 Chester Turnpike**  
142 **Tax Map 15 Lot 56**  
143 **Proposed Construction of Building Addition in Wetland Buffer**  
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145 T. Walsh: Is this just a review from us? What action is needed from the planning board?  
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147 N. Williams: The way the regulations are worded, we need a recommendation from both conservation  
148 and the planning board before they go to the ZBA to request the entitlement. The drawing that was sub-  
149 mitted says 50' for the wetland buffer. Our regulations say 40' and that should be corrected.  
150

151 Keith Matte: We are looking for your approval so we can move forward to the ZBA. I marked the  
152 drawing to show why I cannot go anyplace else. My house is within 10' of the wetland buffer. The wet-  
153 land in question is a drainage ditch. It is wet and has plant life. We don't want to change it or touch it. I  
154 like to keep the property looking country. We are not looking to take down trees. We have a temporary  
155 structure and we are being taxed on it. I am not going any further than that structure or the driveway  
156 that is already there.  
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158 *D. Boutin motioned to recommend to the ZBA the proposed construction of a building addition in*  
159 *the wetland buffer for Keith and Jessica Matte, 78 Chester Turnpike, Tax Map 15 Lot 56. Seconded*  
160 *by D. Winterton. Motion carried unanimously with a vote of 6-0.*  
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162 **OLD BUSINESS**  
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164 **4. PORT ONE COMPANIES**  
165 **47 Hackett Hill Road**  
166 **Warehouse and Distribution Facility**  
167 **Board Review of Conditions of Approval**  
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169 T. Walsh: We gave a conditional approval at the request of this applicant last September that had two  
170 prongs. One that dealt with off-site improvements by the toll road going up to Rt. 93 at Exit 11, im-  
171 provements to Exit 11, and the intersection of Hackett Hill Road and 3A. The other condition dealt  
172 with how to get water and sewer up there. Both of these were contingent on getting written agreements  
173 with the town. We did that out of good faith just to move this project forward because we were told the  
174 DOT which oversees both of these roads is more cooperative with conditional approvals versus con-  
175 cepts. Over last fall and winter the applicant worked with Town Council, including expanding our TIF,  
176 and finally did sign a memorandum of understanding. The final language is signed. Now, the board is  
177 being asked to change the conditional approval. Right now the current conditional approval says no  
178 building permits will be issued until an agreement has been made with the Town of Hooksett. In a nut-  
179 shell, they are asking us to change it to seek a building permit now based on a letter we just got from  
180 them. Has everybody gotten the letter?  
181

182 The members of the board stated they have received the letter.  
183

184 T. Walsh: Tonight we are deciding if we are going to entertain changing the conditional approval. If it  
185 is voted by a majority that we are going to entertain it then we will have to reschedule a public hearing  
186 to vote on changing the conditional approval, I would suspect, at our next meeting.

187  
188 N. Williams: That is correct. There are two documents. One is the actual conditions of approval that  
189 had been edited by the applicant with the proposed changes. If we need him, our town legal counsel is  
190 available on stand-by via telephone.

191  
192 D. Winterton: Last September we gave the conditional items for construction, and the project got on  
193 the 10-year plan. I think it would be impossible for any applicant to know what is going to happen at  
194 the area, and with that change I think it is appropriate for us to consider this.

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196 T. Walsh: I don't disagree that things have changed in terms of what the intersection might look like.  
197 In terms of the actual letter, this states an insubstantial impact to traffic at the Hackett Hill Road/3A in-  
198 tersection. Nicholas, if you can confirm in the minutes or even the videos, their engineer, when we first  
199 heard them, said the glass was overflowing in terms of traffic and he expected/anticipated about 30 per-  
200 cent of a bleed from Rt. 93 onto 3A. When you look at the 400 parking spaces, the shifts, the vendors,  
201 and all the truck traffic I guess it is a subjective thing to say that it is insubstantial. I contend it is proba-  
202 bly not that insubstantial. When did the DOT come out with the conclusion that a five-lane T intersec-  
203 tion was preferable?

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205 T. Walsh referred to and read from the letter dated September 1, 2022 to Nicholas Williams from Peter  
206 Bartash.

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208 T. Walsh: I did know the study had been done and did not know DOT came out with a recommenda-  
209 tion.

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211 N. Williams: To my knowledge I don't believe they have made a recommendation as to the design. In  
212 all of our discussions that we have had in the last three months with DOT and the applicant, I do not  
213 believe there was a set design.

214  
215 Peter Bartash (Granite Woods Development JV, LLC): That is correct. That specific statement in the  
216 letter was not saying DOT has concluded specifically and concurrently the five-lane intersection is a  
217 preferred choice. That is reflecting conversations that were held in meetings with DOT and you can see  
218 our comments from the last planning board meeting about the fact that the DOT had determined a five-  
219 lane intersection may be a preferable alternative to a rotary based on the initial findings of their study  
220 that they have been undertaking for the entire corridor. No definitive conclusion has been reached.

221  
222 T. Walsh: It says, "has initially concluded". Thank you for the comments. I am not trying to beat this  
223 to death. I just read it and questioned it because I did not hear any conclusions and I was in most of  
224 those meetings myself. Another thing that is stated in this letter that I don't remember hearing, and I  
225 could have, is the NH DOT is likely to find a way to fund the improvements sooner. I did not hear that.

226  
227 P. Bartash: At the last planning board meeting, CR Willeke was here on behalf of DOT as well as Da-  
228 vid Rodrigue. When asked about the timing of funding of the state's portion what they had said is if the  
229 Town of Hooksett were prepared to move ahead with the improvement more quickly, meaning the  
230 town has the funding and is prepared to do so (often it is the case within the 10 year plan other projects

231 are delayed or stalled) DOT would be looking to reallocate funding in order to accelerate the time line  
232 for starting the project more quickly.

233  
234 S. Gilbert will no longer be a voting member as D. Pichette Volk is now in attendance.

235  
236 T. Walsh: I did not hear it but I am doing my due diligence.

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238 N. Williams: It was lines 171 through 175 of the minutes.

239  
240 T. Walsh: The issue I have on what we are deciding tonight, and it didn't dawn on me until reading  
241 this over the weekend, is this pretty much looks like an agreement to me. Our original condition of ap-  
242 proval said that we need an agreement with the town on the traffic off-site improvements before a  
243 building permit can be issued. I know that many times (I think I am working on my 13th year) if the  
244 DOT needs a turn lane, we tell them to put a turn lane in and they pay for it. If they need a center lane,  
245 etc. etc. We are never in the business of negotiating. I look at this as a negotiation that I am not quite  
246 sure we have the right to do as a planning board. This is going to be a municipally developed intersec-  
247 tion. The whole project. The whole corridor. Once we do any review of drawings this is going off to  
248 town council and we will never probably see it again. Unlike these other things that we say you need  
249 this and you have to pay for it, there is no negotiating. The improvements they are proposing to give us,  
250 that have not changed since day one, does not come close to covering so it is a negotiation. I think it is  
251 not in our wheelhouse to be negotiating millions of dollars on a project at the planning board level. I  
252 think that is something that needs to be done at town council. Why didn't you bring this up in council  
253 when you were going through all the sewer issues?

254  
255 P. Bartash: If you go back to the meeting minutes of our meetings a year ago, we talked about this is-  
256 sue at length. At the time it was presented to us, as the applicant, that there were longstanding issues at  
257 Hackett Hill Road and 3A that needed to be addressed, resolved, and sorted out. There was a lot of  
258 stated mistrust in DOT as an entity and our ability to facilitate and negotiate those conversations with  
259 DOT. The reason we have requested the revisions to the language are minor in terms of the actual  
260 changes of the condition itself, in particular. There is a difference of four or five words. If you go back  
261 to the minutes of those meetings from a year ago, what I heard was there was a need from the town to  
262 have someone sitting with the DOT to unstick the conversation around how a traffic improvement  
263 would finally be made at the intersection of Hackett Hill Road and 3A. My comment in the letter about  
264 the impact from the project to the intersection being substantial or insubstantial is in context of the fact  
265 that there is a longstanding issue at that intersection as has been described by multiple stakeholders in  
266 the town. While our project will have impacts at that intersection the incremental impact from the pro-  
267 ject is not going to dramatically increase the scope of the pre-existing issue that was there before we  
268 even proposed our project. What I took away from those initial conversations was the town needed us  
269 as an entity to sit with DOT, get DOT to the table, and work on defining a path forward for improve-  
270 ments to that intersection. In the course of time, between now and then, the context around that inter-  
271 section had changed with the decision to implement a corridor study, the new funding that has been  
272 made available at the federal and state level, and DOT's decision to include the intersection of Hackett  
273 Hill Road and 3A on its 10-year plan. We never brought this up to town council because as we read the  
274 language of the conditions as it was written, a plan to us was not a set of fully engineered construction  
275 documents or some other additional bidding requirement to get a project out to bid to come back and  
276 finalize numbers for the scope of improvements at that intersection. It was to have a plan to facilitate  
277 those conversations. If you look at the language of our conditional approval the concept of facilitating

278 conversations with DOT is specifically stated in one of those conditions. When we sat with DOT and  
279 we received our conditional approval from DOT one of the other things DOT said to us was we are go-  
280 ing to allow this project at Hackett Hill Road and 3A to be designated as a local project because we  
281 want the town to be able to effectively lead what this project becomes and to have much more of a  
282 voice in this project than if it were a state led project. We also, in our work with DOT, understood the  
283 details behind DOT's analysis of potential cost of those improvements. Ultimately the purpose of the  
284 letter we provided to the board was to show and demonstrate to the board what we had learned through  
285 our efforts in coordinating with DOT and members of the town, both the building department and the  
286 planning staff, to understand what a solution could look like for those issues. Before we even stepped  
287 foot in front of the planning board, we looked at the towns impact fees relative to this project and the  
288 first question we asked was the cost to the town of funding it's contribution toward creating a rotary at  
289 the end of the intersection of Hackett Hill Road and 3A. We were told it was almost the same as what  
290 the cost was of the impact fee itself. From the first day we came in front of the board we said we are  
291 going to take our involuntary contribution and effectively double it to provide the town with the money  
292 it would need to match the cost of that improvement because we have understood this has been an issue  
293 since day one. We have been here working to solve that issue. I think today where we sit we have made  
294 a lot more progress toward solving that issue than what I heard was the state of that issue when we first  
295 came here and started this process two years ago. That is the reason for the request and the context and  
296 I hope it answers your question.  
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298 T. Walsh: It does and a lot of what you said is true. I know that at the beginning we were insistent on  
299 seeing drawings and establishing that fair share. I am not trying to be an obstructionist. I am looking at  
300 it now after reading this and I understand it. Because we are into concepts now dealing with the state  
301 we are talking about the money. You offered \$1.1 million. It used to be \$3 to \$4 million. Now we are  
302 looking at \$6 to \$8 million. Now the town is going to be involved for probably \$800,000. My point is I  
303 think the planning board has done its job. We have identified the problems, we see what's going on, we  
304 can't complete it because we don't have drawings. We are simply talking about the money. I do not  
305 even know if we have the authority to be just talking about the money. I think that belongs in a room  
306 with the elected officials that are going to be overseeing the whole project. If you brought this to them  
307 next week you could probably still get your building permit with their blessing. That is just my opinion.  
308 I will open it up to anybody else. I do not know that it is our role to be negotiating a multi-million-dol-  
309 lar project as planning board members.  
310

311 D. Winterton: Could we ask Nicholas to ask our town attorney if we have the authority to deal with  
312 that type of negotiation or if it should be in the hands of the council?  
313

314 D. Boutin: Go ahead.  
315

316 Attorney Matt Serge (Town of Hooksett attorney) joined the meeting via telephone.  
317

318 T. Walsh: In reviewing the letter they gave us, we have done our job as a planning board the best we  
319 can. We didn't get drawings for the improvements and we understand why. It leaves us looking at a de-  
320 cision of conditional approval dealing with a multi-million-dollar town project. Is this even within the  
321 wheelhouse of the planning board or should this be best served as a decision of the elected officials be-  
322 ing the town council seeing as how it is basically an agreement about money?  
323

324 Attorney Serge: It is and it isn't. I learned a lot at that last hearing with DOT. When we started I was  
325 looking at what the schedule was, what does this look like, is this going to get done at some point in the  
326 future, where are we with this. DOT answered a lot of questions and clarified a lot of points. In the red-  
327 line changes I see some adjustments in the second bullet especially about the language about the agree-  
328 ment having a fully executed agreement versus documentation showing the effort such as this letter that  
329 the applicant proposed, etc. I am finding that minor in scope in terms of the change. I personally, as  
330 counsel, don't have an issue with that. As far as the money issue in terms of the impact fees that were  
331 scheduled for this, those been separately accounted for, correct?

332  
333 N. Williams: I think we talked about them initially in the first meeting. I cannot remember the figure  
334 off of the top of my head, but it is somewhere in the neighborhood of \$400,000.  
335

336 Attorney Serge: This escrowed amount that is being proposed for roadway improvements, which is re-  
337 ferred to on page 2 of the letter, is that separate from impact fees?

338  
339 N. Williams: Yes.  
340

341 Attorney Serge: As a planning board I think it is within your power. You can approve a change of a  
342 condition and add as a change that they are offering to escrow money toward those changes to the road.  
343 I think you can do that within your scope. I do think you have an interesting point about town council  
344 at least being informed of that. I don't have a problem with the Planning Board approving the red-line  
345 and changing those conditions as proposed. I think the planning board can amend the conditions if it  
346 chooses and the applicant is choosing to put this escrow in. I think the council should be aware of it via  
347 Andre. Down the road when this thing gets built out and the roadway work is done that will be a sepa-  
348 rate matter dealt with entirely outside of the planning board. I am comfortable with those proposed  
349 changes.  
350

351 T. Walsh: Normally when we deal with money in terms of roadway improvements there is not usually  
352 a negotiation process. It is usually a DOT recommends this, you need to change your plans, and that is  
353 what you are going to have to do. This one I see a little differently. Even with the contribution of the  
354 \$1.1 million, even with the impact fees, it is a fraction of what this thing is actually going to cost. All  
355 that stuff is going to be determined and controlled by the town council, not us. Even if you are comfort-  
356 able with us being able to it, do you think best practices wise it is the best thing for us? This doesn't  
357 necessarily hold them up because our current conditional approval says that once they get an agreement  
358 with the town they get the permit. I am uncomfortable with us stepping into this part of the negotiations  
359 on that whole corridor, money-wise.  
360

361 Attorney Serge: I see this differently rather than negotiation as it is being offered. There was already a  
362 proposal to pay an escrow. I believe this is simply being proposed, at the time of the permit, to off-set  
363 the cost of the improvements which we don't know what those final costs are going to be. If the board  
364 feels more comfortable, we could have Andre involved and discuss it further separately. I acknowledge  
365 your concern and think it is valid.  
366

367 T. Walsh: This is the same offer we got last September. Nothing has changed with the numbers.  
368

369 Attorney Serge left the meeting.  
370



371 T. Walsh: The other reason I think council should take this, and I don't like giving things to council,  
372 one way or the other if they get their permit now assuming the 26th is still the start date for roadway  
373 improvements admittedly we are going to have two or three years of traffic getting worse over there  
374 and it is already our most dangerous intersection. Are we the ones to decide for the town council's con-  
375 stituents that is going to occur over there? I think it is better served by the councilors. They can answer  
376 to their constituents. This will make things worse for two to three years we know.  
377

378 D. Boutin: I didn't understand what you just said. Could you explain yourself?  
379

380 T. Walsh: We know we are going to increasing the traffic flow over there for three years anyway prob-  
381 ably between the build out of the 26th and the build out of the intersections. Now we are affecting peo-  
382 ple's lives. I think it is a better place for council to decide and be responsible to their constituents as  
383 elected officials rather than us. That is an opinion. It is a serious thing. I look at it only because it is a  
384 dangerous intersection and we are potentially making it worse.  
385

386 D. Boutin: I agree with you to some extent, but let's face reality. We make these kinds of decisions all  
387 year long. We don't say well let's the council decide. If you are going to do that why have a planning  
388 board? I think we can make the decision right here.  
389

390 T. Walsh: That is your opinion. The money has been my larger issue. The traffic is secondary. Yes we  
391 do those public hearings all the time. Speaking of the money, and I was surprised at the answer, I fig-  
392 ured you would be supportive of it going to council because it is basically just a money question and a  
393 negotiation question. Not too long ago you told us we didn't even have the business to stick our nose  
394 into how much is was going to cost for the housing needs assessment but now it okay for us to negoti-  
395 ate this?  
396

397 P. Scarpetti: They can get a building permit now, but they can't get the occupancy permit?  
398

399 N. Williams: They are proposing the change to the conditions such that the board authorizes our de-  
400 partment to issue a building permit. As the conditions are right now no.  
401

402 P. Scarpetti: Do we have a condition of holding back on the occupancy permit?  
403

404 P. Bartash: To amend that, the language of the conditional planning board approval refers to an agree-  
405 ment with DOT and the letter of approval from the DOT requests that the Town of Hooksett withhold  
406 an occupancy permit until we, as the applicant, have constructed the improvements between the inter-  
407 section of Hackett Hill Road and the toll road.  
408

409 P. Scarpetti: and put up the money in that letter.  
410

411 P. Bartash: That is correct.  
412

413 P. Scarpetti: Then the 10% for the round-about is covered. They are talking \$250,000 to \$400,000 for  
414 the work at the toll booth and the balance would go toward the 10% figuring it is around \$6 million.  
415

416 T. Walsh: It is close and it is estimates.  
417

418 P. Scarpetti: They did talk about this being moved up if the town started working on this. We have  
419 money in the impact fees so we could start designing the round-about. We don't need their money right  
420 now. We need to step up as well as far as to get going on this and we can get going on it. DOT said it.  
421 Andre should be talking to them and town council can approve it so we can start designing it because it  
422 is a problem that has been there. What is actually going on out there as far as work wise right now? I  
423 would like you to explain that to the board. We need to work with them also and I know you want to.  
424

425 T. Walsh: We have been working with them very much. We gave them a huge conditional approval  
426 which we don't usually like to do. I am not trying to be a sabbatore. I am generally concerned that it  
427 should be in a better place. The council could approve this next week then they get their building per-  
428 mit. In two weeks we will have to have another meeting and a public hearing to vote on whether or not  
429 we are going to change the conditions and then it still says something about not getting a CO until what  
430 agreement? We keep going back and forth with an agreement that seems clear to me. Why is it so diffi-  
431 cult to lock that in writing with the town? I am beside myself. What really bugs me is while they were  
432 in council for six months why didn't this come up then? They could have had a building permit right  
433 now. When you see things that happen that do not make sense you have to start looking at it a bit dif-  
434 ferently.  
435

436 C. Stelmach referenced the letter from DOT regarding conditional approval and asked if the board has  
437 seen it.  
438

439 T. Walsh: We saw that a couple of weeks ago. It talks about the turn lane.  
440

441 M. Somers: I understand your concerns about the money. I have the same concerns. The money is still  
442 the same as it was a year ago. I do not know if that should be a hiccup in what is being proposed. I like  
443 Paul's idea that we align with the DOT memo that we received. Once we open up the conditional ap-  
444 proval we are now negotiating. At this point I think we should put on the table that we will not issue a  
445 CO until whatever target we shoot for is accomplished. I think right now we are seeing paperwork and  
446 memos. Ultimately, we need to see dirt being moved. At that point we can see this will be resolved. I  
447 think from past testimony we are talking 18 months at least before they will be done building. I think  
448 we have some time, but there should not be a CO issued until we see some level of improvement on  
449 that intersection.  
450

451 P. Bartash: In terms of what work is happening right now, we received our wetlands approval from  
452 both the state and federal agencies in August. There is dewatering of the wash pond going on pursuant  
453 to those approvals and some internal soils management on site categorizing and stock piling material  
454 that is on site today. There was some limited removal of material from the site which was relative to an  
455 invasive species that was discovered during clearing and grubbing work that was covered under the no-  
456 tice of intent to cut that was filed in late August. There is no extraction or masquerading happening on  
457 site right now. As far as the question of an agreement, any form of agreement relative to the construc-  
458 tion of this round-about or rotary improvement is going to be between the Town of Hooksett and the  
459 DOT. It is not going to be between us as an applicant and DOT. The letter we received from DOT was as  
460 much of an agreement as we are going to receive from DOT relative to our project and what work we  
461 are capable of doing as an applicant. As far as it being a negotiation or not, we can go back to the meet-  
462 ing minutes from the ZBA meeting in September of 2020. The dollar amount has not changed. We ar-  
463 rived at that dollar amount based on what we assumed would be a worst-case scenario from a cost per-  
464 spective to fund those improvements. Sitting here today and having CR Willkey's testimony at the last

465 planning board meeting, that math is backed up by DOT's own assessment and analysis of potential  
466 costs of the improvement itself. As far as timing we are looking at an 18-month timeline before we are  
467 even able to take occupancy with a tenant. That is how long it is going to take to construct the water  
468 and sewer to the project. Even with that 18-month timeline there is still time past that mark where a  
469 tenant would be completing their fit-up work before they are taking full occupancy. As I understand it,  
470 the rotary proposition failed when it went to vote was the voters did not want to fund the town's 10%  
471 match to perform the improvement. From my conversations with DOT and my personal opinion of the  
472 situation, the lack of funding for this improvement has been a key impediment to the fact that this im-  
473 provement has not moved forward. We cannot control the timeline of completing the improvement on  
474 Hackett Hill Road and 3A. What we can do is facilitate the conversation which is what we have done.  
475 We can provide funding which is what we proposed to do and received a conditional approval to do.  
476 The requested modifications to the language are specifically to allow us to proceed with our project  
477 which is what allows us to make the funding contribution to the town so the town can call DOT and say  
478 we have the money, we are ready to start moving this project forward, let's get the schedule moved up  
479 on it. That can't happen until we are ready to move to a building permit at which time, we will make  
480 the contribution that needs to be made in order for this to move forward. What I am hearing is a lot of  
481 conversation about this being a one-way sort of need where we are being seen as having a need and  
482 now we are coming and making an ask. I am describing a situation where I see the need of both parties  
483 (the Town of Hooksett and its stakeholders) and our need from a time-line perspective. I am proposing  
484 to try to meet both of those needs at the same time without significantly or heavily altering the condi-  
485 tional approval that was granted in September of 2021.  
486

487 T. Walsh: I asked you earlier why you did not go to council like the original conditional approval said  
488 or we assumed. Why didn't you go back with today's information instead of coming here because you  
489 could probably get the same result in the same time frame and eliminate my concerns about why we are  
490 even involved in it at this level?  
491

492 P. Bartash: I have deferred at this point in the process to the town's guidance on the appropriate pro-  
493 cess to follow and this seemed to be the appropriate process.  
494

495 T. Walsh: Fair enough.  
496

497 P. Scarpetti: We have two councilors here. Dave and Roger. As far as getting the conversation going  
498 about the round-about or other design that is from the council. Where is that on your end? If we blow  
499 through that \$670,000 does the council have to approve using the impact fee money to put the 10% up?  
500

501 D. Boutin: There is nothing happening. It hasn't even been on the agenda.  
502

503 Roger Duhaime: This has been a issue before Peter even came in. When he came to ZBA I let him  
504 know he was getting a property that already had issues. Thirteen years ago I asked DOT for a plan and  
505 was told there was no funding. I agreed to the MOU because I thought it was what the planning board  
506 approved and we would have a plan from DOT for the issues at this intersection. I have been disap-  
507 pointed with DOT from the get-go. You are making an approval with DOT. I do not know what it will  
508 take to get DOT to come to the table. I think going through this process is a mistake at this point for  
509 this planning board.  
510

511 T. Walsh: The money is allotted in the 10-year plan for 2026. To make it sooner is only an if, if things  
512 change in the projects that come before it. The question has always been where the town will get its  
513 portion. With the \$1.1 million, plus the impact fees, we think we have it covered. That could change  
514 because if the cost on the turn lane goes up that is going to cut into the difference and if the project at  
515 Hackett Hill Road/3A goes up it may not be enough. So the question was asked where we would get  
516 the short falls.

517  
518 R. Duhaime: I went through this with DOT. All this funding comes into Hooksett and then leaves.  
519 There is plenty of money but it is not coming here.

520  
521 D. Winterton: Having been on the council when the round-about went to warrant and was turned down  
522 by the voters because of the cost. We are talking about an involuntary contribution, which is one of our  
523 conditions, that may or may not cover the cost.

524  
525 T. Walsh: You just hit what my point has been. Council dealt with the round-about, not the planning  
526 board. All they did was survey us. As soon as this becomes a multi-million-dollar town project. \$1.5  
527 million is going to be part of that project. Why aren't they involved in looking at this whole thing on a  
528 fiscal basis rather than us? That is my only position.

529  
530 D. Winterton: My suggestion is we cannot do anything tonight because whatever we do tonight re-  
531 quires a public hearing. If we schedule a public hearing that gives the applicant time to go to town  
532 council and see if they don't even have to come back.

533  
534 T. Walsh: That is fair enough.

535  
536 Board discussion ensued on potential action that potentially could be taken.

537  
538 *D. Winterton motioned to recommend a public hearing to continue Port One Companies, 47 Hackett*  
539 *Hill Road, Warehouse and Distribution Facility, board review of conditions of approval. Seconded*  
540 *by C. Stelmach.*

541  
542 *D. Boutin motioned to table Port One Companies, 47 Hackett Hill Road, Warehouse and Distribu-*  
543 *tion Facility, board review of conditions of approval. Seconded by T. Walsh.*

544  
545 N. Williams: We would have to schedule this as a public hearing because it was a condition of the  
546 original approval during the first public hearing, we have to renotify the abutters. A public hearing with  
547 the renotifications it what would have to be scheduled.

548  
549 D. Boutin: That would not satisfy his original request.

550  
551 T. Walsh: It is the only way it can happen.

552  
553 **ROLL CALL**  
554 **D. Boutin: Yes**  
555 **D. Winterton: No**  
556 **M. Somers: No**  
557 **P. Scarpetti: No**

558 **C. Stelmach: No**

559 **D. Pichette Volk: No**

560 **T. Walsh: No**

561

562 **Motion fails with a vote of 6-1.**

563

564 *D. Winterton motioned to recommend scheduling a public hearing for October 3, 2022 for Port One*  
565 *Companies, 47 Hackett Hill Road, Warehouse and Distribution Facility, board review of conditions*  
566 *of approval. Seconded by P. Scarpetti.*

567

568 **D. Boutin: No**

569 **D. Winterton: Yes**

570 **M. Somers: Yes**

571 **P. Scarpetti: Yes**

572 **C. Stelmach: Yes**

573 **D. Pichette Volk: Yes**

574 **T. Walsh: Yes**

575

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

577

578 Break at 7:20

579

580 Reconvene at 7:30

581

582 D. Boutin did not return to the meeting. S. Gilbert will be a voting member.

583

## 584 **BOARD CONCEPTUAL DISCUSSION**

585

### 586 **5. CATHOLIC CHARITIES OF NEW HAMPSHIRE**

587

**1821 Hooksett Road**

588

**Tax Map 6 Lot 10**

589

**Proposed Assisted Living Facility and Commercial Pad Sites with Associated Off-Site**

590

**Roadway Improvements**

591

592 Jeff Lefkovich (Executive Director of Real Estate for Catholic Charities): There are three components  
593 to this site. This is a mixed income age restricted supported housing community. The building at the  
594 southern part of the property is 132-unit senior living community. Eighty percent of those units will be  
595 one-bedroom. The middle portion is a 90-unit senior living community. We would be asking for relief  
596 on the parking requirements. We are thinking of proposing to change it from two parking spaces per  
597 unit to one and a half spaces per unit. That takes into consideration staffing. Most of our staff will be  
598 coming from off-site. We won't need as much staffing as you would with assisted living. The idea with  
599 the mixed income is we are going to be able to accommodate older adults whose incomes range from  
600 low, middle, and market rate income. More so on the lower and middle income. What is shown on the  
601 commercial pad sites on the northern part of the property are place holders. That will be modified. We  
602 are looking at no more than 22,000 sq. ft. of commercial space. That is about half of what it originally  
603 was when I first came here. As a result of the density we have traffic studies that were completed. We  
604 understand we are going to need to have a signaled intersection where we come out to Rt. 3. Pleasant

605 Street meets up with Rt. 3 at an angle which is a concern. We are thinking about designing that where  
606 Pleasant Street would turn so it is a safe 4-way stop with a signal. I have been talking with Amy at  
607 American Fences as we have been going through this process. She is fully aware of what we are think-  
608 ing about doing and supportive. We wanted to push the access road as far south as we could so it  
609 wasn't impacting her business and it gets much closer to where Pleasant Street meets up. We think we  
610 can accomplish that as far as creating a much safer intersection. We are working on stormwater manage-  
611 ment. Where you see the open faces between the middle building and commercial that is the area north-  
612 east of the property That is a surface retention area. The area between the access road that runs through  
613 the property and the easement for the gas line will also serve as a retention pond area. The bottom  
614 southwestern portion where it sticks out west will also serve as a surface retention pond. We are leav-  
615 ing quite a bit of the area open. We tried to pull the buildings away from the abutting property lines as  
616 much as possible. Wherever we need to we will create berms and vegetation to make sure we are  
617 screening and masking as much as we can. That also includes the commercial pad sites. The buildings  
618 will not be taller than three stories. Some of the challenges we are running into is the off-site infrastruc-  
619 ture. We understand now we have to bring the sewer line and water lines up that are 4,000 ft. away on  
620 Rt. 3. We also have to bring phase 3 power up in addition to doing the intersection. We are trying to  
621 figure out cost wise how we are going to make that work. The on-site program looks good. We don't  
622 think it will be a problem for the abutting properties. We are at the point where we are figuring out how  
623 to deal with the off-site.  
624

625 C. Stelmach: Has the state reach out to you about your idea for a signalized intersection?  
626

627 J. Lefkovich: The traffic engineer has been in touch with DOT. They are meeting on that now to figure  
628 out what the requirements are. That would be something we would need to do and it is the right thing to  
629 do.  
630

631 D. Pichette Volk: You mentioned one and a half parking spaces as opposed to two. Is that for both  
632 buildings?  
633

634 J. Lefkovich: Yes.  
635

636 P. Scarpetti: What are you doing in the commercial spaces?  
637

638 J. Lefkovich: We are not interested in any high-volume drive through's. We heard a hardware store  
639 and hot tub business were interested. We would like to attract businesses that can benefit the people liv-  
640 ing there and the surrounding neighborhood. We want to have a lot of walking trails.  
641

642 P. Scarpetti: What is the little building?  
643

644 J. Lefkovich: The existing house. That will be taken down.  
645

646 D. Winterton: Were there plans for an Alzheimer's unit or memory unit originally?  
647

648 J. Lefkovich: It was originally proposed but we probably be doing that. We did a market study and  
649 there is a need for independent assisted living. We are struggling with a shortage of labor in health care.  
650 We will be utilizing staff within our existing business.  
651

652 D. Winterton: How large are your various sites where you have health care workers?  
653

654 J. Lefkovich: We have six health care centers. It would be the staff coming from our home office in  
655 Manchester. They would also have offices within these buildings as well. There would be food and ac-  
656 tivities center as well.  
657

658 S. Gilbert: Did you say that you would not necessarily have folks that will need extensive care?  
659

660 J. Lefkovich: We want to help people age in place. We will have people come in at the independent  
661 level and have things in place to help them stay as long as they can. Over time people spend down as-  
662 sets. They would be able to stay on the property and relocate to a less expensive apartment.  
663

664 S. Gilbert: What about the type of care? Is there an intention to transfer to another facility?  
665

666 J. Lefkovich: If someone needs skilled care or rehab, we will be able to accommodate them at another  
667 facility if they choose to go there.  
668

669 T. Walsh: So this is getting away from assisted living and turning into more apartments.  
670

671 J. Lefkovich: No. It is supported. It has the healthcare component, social services, meal programs, ac-  
672 tivities and transportation.  
673

674 P. Scarpetti: You mentioned you will want relief for the one and a half parking spaces. Across from  
675 the middle building, could you look at a provision for the future in case it becomes a problem so people  
676 are not parking on the streets. Across the street looks like it might be a good option for overflow park-  
677 ing.  
678

679 J. Lefkovich: That is a good suggestion.  
680

681 T. Walsh: Was it DOT requesting the lights or your concept?  
682

683 J. Lefkovich: It is the traffic engineer that determined that based on the anticipated level of traffic from  
684 the entire program. It triggered those requirements.  
685

686 T. Walsh: I know this is conceptual. The building scale looks the same size but one has 132 and one  
687 90. Are they smaller units?  
688

689 J. Lefkovich: That will evolve. That is what we are using for general planning. Most likely the two  
690 legs coming out on the southern building will come out a little bit more.  
691

692 T. Walsh: It is still a concept drawing?  
693

694 J. Lefkovich: Yes.  
695

## 696 **BUSINESS OCCUPANCY/TOWN DEVELOPMENT UPDATE**

697  
698 On DW Highway Platinum is nearing completion.

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Dominos plaza - the front building is pretty much up and are doing their foot ups now.

Seasons Market - site work is underway.

Aim Tek - a defense contractor out of MA - they are looking at a piece of land on Petersbrook to build a 100,000 sq. ft. manufacturing facility.

Discussion ensued regarding East Point Drive.

**OTHER BUSINESS**

Discussion ensued regarding suggestions on reviewing master plan.

**ADJOURNMENT**

***M. Somers motioned to adjourn at 8:00 pm. Seconded by D. Winterton. Motion carried unanimously with a vote of 7-0.***

**The next regularly scheduled meeting of the Planning Board will be held October 3, 2022 at 6:00 pm.**

**Respectfully submitted by,**

**/s/ AnnMarie Scott**

**AnnMarie Scott  
Recording Clerk**