

1 **Official**

2

3 **AGENDA**

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

6 **35 Main Street**

7 **Monday, January 3, 2022**

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), Don Winterton, Mike**
19 **Somers, and David Boutin (Town Council Representative)**

20

21 **ALTERNATES: Sheena Gilbert, Denise Pichette Volk, and Robert Duhaime**

22

23 **EXCUSED: Paul Scarpetti and Matt Reed**

24

25 **NOT PRESENT:**

26

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

28

29 **S. Gilbert and D. Pichette Volk will be a voting members this evening.**

30

31 **APPROVAL OF MINUTES OF DECEMBER 6, 2021**

32

33 **December 6, 2021 Meeting – D. Boutin motioned to table the minutes of the December 6, 2021**
34 **meeting to the February 7, 2022 meeting due to just having received them to review. Seconded by C.**
35 **Stelmach. Motion carried with a vote of 7-0.**

36

37 **WAIVERS**

38

39 **1. JOE MAYNARD, BENCHMARK ENGINEERING**

40 **26 Andrea Avenue**

41 **Tax Map 15 Lot 42-11**

42 **Waiver of well radius requirements under Section 11.13 of Town Development Regula-**
43 **tions**

44

45 N. Williams: This is a standard waiver request. The required 75' well radius extends over the property
46 line approximately 6' to 8'. A waiver is requested so that they can have their DES waiver recorded with
47 the deed.

48
49 D. Boutin: Do we have an easement from the property in which it radiating over?

50
51 N. Williams: We do not.

52
53 D. Boutin: Shouldn't there be?

54
55 T. Walsh: For the radius, I don't believe so.

56
57 N. Williams: We have granted waivers for a lot of these.

58
59 ***D. Boutin motioned to approve the waiver of well radius requirements under Section 11.13 of Town***
60 ***Development Regulations for Joe Maynard, Benchmark Engineering, 26 Andrea Avenue, Tax Map***
61 ***15 Lot 42-11. Seconded by M. Somers.***

62
63 D. Winterton: Do we put that on the deed?

64
65 N. Williams: It can be recorded as an easement if you know it is going to happen based on the sub-di-
66 vision plan set ahead of time. This is a DES waiver that does two things. It absolves the abutting prop-
67 erty owner of any liability if there is any contamination attributed to their property from the well, and it
68 puts the new property owner on notice of the non-conformance if the property changes hands.

69
70 T. Walsh: Can you remind me how this happened that these are coming before us?

71
72 N. Williams: There was a change in the zoning ordinance in 2006 that decreased the minimum lot
73 frontage in certain zones. It put us in a position where we see a lot of smaller lots the 75' radius barely
74 fits inside the property boundary.

75
76 R. Duhaime: Is it a proposed or propelled well?

77
78 N. Williams: The one for Andrea was submitted before the well was installed. That well is in. This one
79 was submitted between Code Enforcement Officers so we are retroactively doing it. The next one was
80 moved prior to them submitting this one.

81
82 C. Stelmach: On these smaller lots they know the radius's will overlap onto other properties. Why
83 would DES do that to the smaller lots? They increase the radius and create a problem, and people have
84 to get waivers, because they overlap. Is there something else they can do on these smaller lots to fix
85 that?

86
87 N. Williams: DES is concerned because of the leach field.

88
89 T. Walsh: This one appears that it would have fit within the bounds.

90

91 Jeffrey Shattuck: I am not sure why it was put there. We have more than enough room. If we had know
92 this we would have shifted it into the property lines.

93
94 T. Walsh: So the hardship of this waiver is because we were in between building inspectors?
95

96 N. Williams: Yes. It was not caught.
97

98 **Motion carried unanimously with a vote of 7-0.**
99

- 100 **2. T.F. BERNIER, LLS.**
101 **51 Goffstown Road**
102 **Map 22 Lot 32-6**
103 **Waiver of well radius requirements under Section 11.13 of Town Development Regula-**
104 **tions**
105

106 N. Williams: This one was moved from its original location that was shown on the plan set, and I am
107 not clear as to why it was moved. The well is in.
108

109 Jeffrey Shattuck: It was moved because it was really wet the day the well company came and that is
110 where they put it. It is as far back as they could get it.
111

112 R. Duhaime: What are all the lines?
113

114 N. Williams: The building envelope is in the center. The lines are a graphic representation of the dis-
115 tance from the corner of building to the lot line.
116

117 *D. Boutin motioned to approve the waiver of well radius requirements under Section 11.13 of Town*
118 *Development Regulations for T.F. Bernier, LLS, 51 Goffstown Road, Map 22 Lot 32-6. Seconded by*
119 *M. Somers. **Motion carried unanimously with a vote of 7-0.***
120

121 **CONCEPTUAL DESIGN REVIEW/PROJECT PROPOSAL**
122

- 123 **1. JOE WICHERT, LLS.**
124 **Map 18 Lot 29; 3 Dartmouth Street**
125 **14 Units Age-Restricted Housing**
126

127 Norris Viviers (Property owner at 3 Dartmouth Street): We came to you last month with a conceptual.
128 I came hoping to have a discussion with the board about the other allowed uses. I re-read Ordinance
129 10-A to look at the allowed uses in the zone. I produced a presentation highlighting my thoughts on the
130 area on the allowed uses and tried to see what would be economically feasible. The idea, as a devel-
131 oper, is to put in what fits in the area. I had the opportunity to speak with one of the neighbors. I sent
132 out a letter to all of the neighbors and Nicholas got some calls. Hooksett has 382 acres of undeveloped
133 commercial land. This is three acres. My objective is to figure out what this board wants to see there. If
134 it is not what I want to see then so be it. I cannot see any of the allowed uses going into this site. I con-
135 sidered a medical hospital, assisted living, and a hotel. This is not the prime location for a hotel. An ex-
136 tended stay hotel might be feasible. If I were a neighbor, I would rather see housing. I reached out to
137 the Farnam Center about a drug and alcohol rehabilitation center. They typically make good neighbors

138 because the people staying there are trying to make their lives better and they are supervised. I under-
139 stand the desire to see the front piece joined as one piece, but do not see that happening. To be held to a
140 standard to have that joined, I do not know how to address that. Could there be another vision for this
141 site? I think smaller is better. If you look at the success of Hooksett at Exit 10, the reason is because it
142 has elements that this site lacks. That is the number of rooftops within a certain radius, the proximity to
143 major roadways, frontage, lighted intersections, and destination stores. This site does not have that. I
144 dealt with something like this in Goffstown. Small developments have low rent tenants that do not have
145 the budgets to go into new spaces. The feasibility of this site is extremely low. For the foreseeable fu-
146 ture, this site does not have the characteristics to have this site support a six acre development. To the
147 east, north, and south there are homes. To the west is the site along Hooksett Road. If I am a home-
148 owner in this neighborhood I would want to see residential. One person called and said she thought the
149 value of her property would go down with residential instead of commercial.

150
151 D. Boutin: How many units with extended stay?
152

153 N. Viviers 72 units.
154

155 J. Wichert: It would be a 52' x 250' building.
156

157 N. Viviers: The current zoning would permit that by right as long as they are in the set-backs and
158 within the height requirement.
159

160 D. Boutin: This will not be an attractive building. you could redesign it. This looks like it would be a
161 Motel 6. I don't know how many units each has.
162

163 N. Viviers: They can be one bedroom or more of a studio set-up.
164

165 D. Boutin: Like a one bedroom, living room, and bath?
166

167 N. Viviers: Essentially. I asked Joe to do a quick calculation and lay-out in case the board was inter-
168 ested in this type of thing.
169

170 D. Boutin: I would need to see something that has a lot more character. This does not show any type of
171 landscaping. There needs to be a lot more thought put into the design of this so it is attractive to the
172 community and not look like a Motel 6.
173

174 R. Duhaime: There have been two previous realtors that have come into the board over the last few
175 years about this property and have gotten the same answer. We are not looking at residential without
176 some commercial development. Just doing the back with residential and no commercial in the front is
177 not what the town is interested in. If it was just about throwing condos in there, that would have been
178 done years ago. I have stayed at some of these types of extended stay places. Usually they are not on
179 the exit ramps. They are away from the road. The people are staying for a week or two or more. You
180 have to have a lot more vehicle space because there a lot more people staying there. If you bought both
181 lots, you could put that on the front piece Do you own the front and back or are the lots merged?
182

183 N. Viviers: I only own the back piece.
184

185 R. Duhaime: If you merge the two lots, and put this on the front, I might allow a couple of condos on
186 the back. I do not think it is fair if we let you put in residential where we did not allow it for the previ-
187 ous people that have come in on this. There is only so much frontage on DW highway. We are hoping
188 for commercial development.

189
190 D. Pichette Volk: This concept you are referring to as extended stay, does that translate to hotel and
191 does that translate as commercial?

192
193 J. Wichert: Yes.

194
195 D. Pichette Volk: So that plan does not require any variance or adjustment to current zoning?

196
197 N. Williams: That is correct. That use would be permitted by right.

198
199 D. Pichette Volk: For me it doesn't seem like a huge leap to say that is okay.

200
201 J. Wichert: That is what is allowed. We have not gone through the design requirements yet. For con-
202 servative purposes we may have to make the building a little shorter and fatter in order to maintain the
203 100' front yard set-back. Short of that I think it fits. We have 108 parking spots. By ordinance we
204 would need either 72 or 90. In one spot it says one and a quarter and another spot it says one per room.
205 We are trying to illustrate this is out of place in this neighborhood. If the board is not interested in resi-
206 dential this is the direction we have to go. We do not want to hinder the commercial development for
207 the Rt. 3 frontage. We think that is more appropriate for commercial. It is our option that we will have
208 a hard time finding a commercial use that would fit with the ordinance and be viable.

209
210 C. Stelmach: Using the town's design standards, could you come up with a model of what this would
211 look like?

212
213 N. Viviers: Yes. This was just done as a shell of what would fit based on the ordinance.

214
215 T. Walsh: I understand the extended stay motel may be done by right. There would be 72 units with
216 working people staying in them that would be leaving for work at the same time. What about the traf-
217 fic? The building might be done by right, but there is a long way talking about traffic. In terms of the
218 three story building, we have seen these many times. The people who bought Park Place kicked the
219 people in the mobile home park out thinking we would just approve three story buildings. They walked
220 off and put some outrageous price on it so they can use it as a write off every year for a loss. We know
221 how this game works. The traffic would be a major issue. I agree a three story building does not fit in
222 that area.

223
224 D. Winterton: I appreciate your dilemma. In your development skill, I don't think you would have
225 brought this here unless you had an idea that it was marketable and there was a demand for what you
226 are bringing forward. When you talk about assisted-living, the medical side, I see a huge demand for
227 that. There is a lack of nursing homes, assisted living, and those kind of things.

228
229 N. Viviers: Mr. Chairman you mentioned traffic with the 14 units.

230

231 T. Walsh: 72 units would be worse. I mention traffic because it is already terrible. It is almost impossi-
232 ble to get in and out of that street. The glass is already full in my opinion which is unfortunate.
233

234 N. Viviers: That is part of my argument. To put 14 units there, not an extended stay facility and not a
235 drug and alcohol rehabilitation center which are going to be traffic intensive. I looked at the character-
236 istics of the neighborhood. I am assuming the reason we want to save land is for potentially better tax
237 revenue and tax impact. That is an argument for the 80's planning boards. There were more children
238 per household at a cost of \$3,000+ per child with net loss per household to allow residential develop-
239 ment. People are getting married later and having less children or no children. I proposed this as age-
240 restricted. Zero children. Zero impact on schools. We have a site sitting there with a house that could
241 be torn down or renovated. The analysis on taxes there is currently a site producing \$4,500 per year.
242 Fourteen units of age-restricted housing would produce \$108,000 per year and potentially \$150,000 per
243 year in 10, 15, or 20 years. Let's say it takes 10 years to develop that site that is over a million as op-
244 posed to \$4,500 per year. I don't understand the logic of not being willing to allow a residential use
245 within a residential neighborhood. If I go for a variance, one of the things I need to prove is that what I
246 am doing will not devalue people's homes. Fourteen homes at \$350,000 a piece equals \$109,000 per
247 year of revenue. I don't understand how it is better for the town to leave the site vacant.
248

249 D. Boutin: I have stayed at a lot of extended stays and they are a lot of business people. I would like to
250 see this parcel developed. The issue with the 14 units is it looks like you took a bag and stuffed it as
251 full as you could. From that standpoint, this does not have much character. As far as the commercial
252 use, I think the extended stay would make sense, but not the way this looks. The town does not make
253 decisions based on taxes.
254

255 J. Wichert: The plans you have in front of you are for scope and scale only. We were trying to mimic
256 the mobile home park to the east as far as schematics. If the board were to say we are alright with the
257 residential, but not the concept, we would fix that. We want to know if the board would allow residen-
258 tial before we moved forward.
259

260 D. Boutin: This design does not duplicate what is behind this. It is different. If you were to mimic that
261 design you would have to redesign this and you would not get 14 units.
262

263 J. Wichert: The only thing we did different is a front load garage.
264

265 D. Pichette Volk: How long have you owned this?
266

267 N. Viviers: Five months.
268

269 S. Gilbert: You mentioned retail is on the decline. You also did not think this is a good location for
270 restaurants. There are very few sit down restaurants in this town. Have you considered a Tuscan Village
271 grouping of restaurants?
272

273 N. Viviers: It is not properly located for that. It would be financial suicide to do something like that. I
274 will develop this site. If I do an extended stay, I will end up keeping it. I already have one and I
275 don't want another. My second option is either a Farnam Center, The Way Home, or some type of so-
276 cial service agency that is well-funded by the government and has a lot of money it invests in the struc-

277 ture. My first choice is to put something residential. I came to have an open discussion and I am hear-
278 ing residential is not an option. I don't understand the value of having commercial there over residen-
279 tial. You will have another Benton Road issue here if this is not done residential.

280
281 M. Somers: Talking about extended stay, business travel is down and that would be a challenge. The
282 smell from the back of a restaurant would not be popular with the neighbors. Mr. Chairman, regarding
283 the impact of traffic, could we have them do a traffic study or require them to put in a light?

284
285 T. Walsh: We could have them do a traffic study.

286
287 S. Gilbert: Would you have to work with the state to add a light?

288
289 T. Walsh: They don't like putting in lights.

290
291 S. Gilbert: From a traffic standpoint, it seems like the 14 units would be a better option as far as traffic.
292 Travel and restaurants are all down.

293
294 R. Duhaime: We asked a previous applicant for less units and they did not want that. They had an
295 apartment building in the back with no commercial. I would be okay with this if you are willing to put
296 in less residential units, because that was offered to the last person. You purchased this property and
297 you knew the risks. You can put in a Farnam Center, or a building, but in the PZ you have to worry
298 about height elevations, how far this is from the street, it could be costly, it would be a small building
299 with limited use, and that is not the best development for this site but it is allowed. As long as the traf-
300 fic is not much of an issue then you would have the issue of off-site improvements, and you do not
301 have a state permit on this site. If you were developing the front lot on DW highway you would. You
302 are developing the back lot but not giving us anything for the front lot. In the front lot you would have
303 to do some improvements with the state. That was the idea of developing this lot all together. I am
304 waiting for someone to show me a good mixed-use for both lots. If you purchased the front lot it would
305 make more sense. To do one lot without the other does not make sense.

306
307 N. Viviers: I have a conscience and don't want to put something in that won't fit. I don't want the
308 neighbors to ask what we did to their neighborhood. My feeling is that if anything other than housing
309 goes here that is what they are going to do. My thinking is to take this area, that is characteristically a
310 neighborhood, and make it MDR. I am not in the business of buying land and holding it. Essentially the
311 extended stay are hotel apartments.

312
313 T. Walsh: Why did you buy this? We keep hearing this over and over. Developers come in to town,
314 they have a lot of money hanging around, and say; "Let's buy that piece of property. I know it's not de-
315 signed for what we want to do, but all we have to do is go to the ZBA or Planning Board and say; "We
316 like the property, we think your zoning sucks, you need to change it for us." I don't get this.

317
318 N. Viviers: Are you changing it for me or the neighborhood? I will ask the neighbors what they would
319 like to see there. Does it matter to the board what the neighbors want when they look out their front
320 door?

321
322 T. Walsh: The reason they looked at some of the back lots was to see if they were large enough to be
323 viable. The question I have across the street, because we have some things that are starting to creep up,

324 you mentioned Dominos. They can have four units behind them. We also have Platinum across the
325 street. How many acres is that?

326
327 N. Williams: Platinum was 12 acres.

328
329 T. Walsh: That is more than they need but they could not do it on Rt. 3. That is my fear. If we let the
330 residential in the back go, the commercial in the front becomes very limited. The PZ was put in a long
331 time ago. Before me.

332
333 N. Viviers: As long as the guy who owns it right now still owns it, it is not going anywhere. Is the
334 front site going to require the back site to be viable? You asked why I bought it. Something will go
335 there. Something will be built there. I am just trying to do something viable that the neighbors will like.
336

337 T. Walsh: There is something with a purchase and sale with a contingency. If I was looking at a piece
338 of property that was zoned differently than we wanted to do there, I would probably try to get a contin-
339 gency on my purchase and sale. Not buy it and then try to put pressure on the boards. I don't like being
340 put on the spot and feeling pressured. These conceptual discussions always bug me because I feel pres-
341 sured.
342

343 N. Viviers: There is a master plan in process. If you read through the items, many of my arguments
344 support the master plan. The master plan draft supports everything I am saying, but when I come to the
345 board I hear something different.
346

347 T. Walsh: It is a draft and has not been approved.
348

349 N. Viviers: Would this board consider supporting a zoning change to this area to give these residences
350 on the north, east, and south a use that is dominant in this neighborhood.
351

352 R. Duhaime: Let's take a site walk.
353

354 T. Walsh: I would like a couple of weeks to think about this.
355

356 N. Viviers: In the interest of time, I am going to engage Attorney Cronin to engage the process for a
357 zoning change. That gives you a chance to think about it. Talk to some of the people who live there. If
358 this became MDR we could get four to six lots in there. It would take care of a lot of issues with
359 crowding and traffic.
360

361 **BOARD DISCUSSION**

362 363 **1. GRANITE HEIGHTS PHASE II RESIDENTIAL CONDOMINIUM** 364 **Tax Map 14 Lot 14** 365 **Project Vesting/NHDES AoT Permit Renewal** 366

367 N. Williams: This project has a long history and has changed hands several times. Accordance to the
368 original plans and correspondence issued by multiple code enforcement officers dating back to 2002
369 and 2012, the town has been prepared to issue 105 building permits on Phase II of this development.
370 They had an AOT permit issued by DES that has expired and they would like to have that renewed. I

371 have no indication from Mr. DiBitetto if he is looking to pull those permits or looking to renew the
372 DES permit. They are asking for something from this board indicating that the project is vested and we
373 are prepared to issue the building permits on the units stated in the correspondence from Mr. Labonte
374 dated 2012.

375
376 T. Walsh: What do we have on record?

377
378 N. Williams: According to this it is vested. According to our regulations the roadway has to be in
379 crushed gravel grade, erosion control measures have to be in, and the utility conduits are in. If this is an
380 extension I am not sure the roadways are crushed gravel grade. It has been the long running consensus
381 that we are prepared to issue the building permits on the 105 units that are part of this phase of the pro-
382 ject.

383
384 R. Duhaime: Is Granite Heights phase 1 completed? When they came on the phase 2 that was going to
385 loop to Thames Road. I don't remember any of Granite Heights phase 2 being vested. How can we vest
386 phase 2 if phase 1 was not completed. I would have legal counsel look at this.

387
388 N. Williams: I will have legal counsel look into this. This property has changed hands so many times it
389 is in tax arrears.

390
391 D. Boutin: I live in Granite Hill. Granite Hill and Granite Heights are entwined so I must recuse my-
392 self.

393
394 N. Williams: The Amazon permanent structure that was approved as part of their site has not been
395 built. We have received a permit application for a temporary tent structure; 60' x 230'. We have some
396 concerns. I talked with fire due to the way it is abutting adjacent to the building in the fire lane. They
397 have decided to pull that. There is no solid indication as to when they would be able to get the materials
398 to complete their site work based on the plans. The CO was issued because they could not get the mate-
399 rials to complete that job at the time.

400
401 **BUSINESS OCCUPANCY/TOWN DEVELOPMENT UPDATE**

402
403 N. Williams: Gilbert Block is moving back to their old property on Pine Hill. It looks like they came to
404 the board with a site plan about 22 years ago. They will come in to apply for an amendment because
405 they want customer traffic in and out of the show room.

406
407 As a 2021 wrap up, we issued 78 new residential building permits (up six from the previous year), 20
408 commercial permits (two were new construction), looked at 17 occupancy reviews, and processed 33
409 formal applications in front of the board.

410
411 There is a Town Council meeting on Wednesday, January 5, 2022. There will be a public hearing on
412 the proposed charter amendment for zoning, and a public hearing for the MOU for the off-site improve-
413 ments with Port One on Hackett Hill.

414
415 Board discussion ensued regarding the proposed Town Council amendment for zoning. It was decided
416 by a majority of the board to have a letter sent to the Town Council stating the Planning Board is in op-
417 position to allowing the Town Council to make zoning ordinance changes.

418

419

ADJOURNMENT

420

421

*D. Boutin motioned to adjourn at 7:36 pm. Seconded by C. Stelmach. **Motion carried unanimously***

422

with a vote of 7-0.

423

424

The next regularly scheduled meeting of the Planning Board will be held February 7, 2022 at

425

6:00 pm.

426

427

Respectfully submitted by,

428

429

/s/ AnnMarie Scott

430

431

AnnMarie Scott

432

Recording Clerk