

1 **Official**
2
3 **MINUTES**
4 **HOOKSETT PLANNING BOARD MEETING**
5 **HOOKSETT TOWN HALL CHAMBERS (Room 105)**
6 **35 Main Street**
7 **Monday, January 22, 2024**
8 **6:00 PM**
9

10 **MEETING CALLED TO ORDER AT 6:00 PM**

11
12 **PROOF OF POSTING**

13
14 **PLEDGE OF ALLEGIANCE**

15
16 **INTRODUCE MEMBERS OF THE BOARD**

17
18 **PRESENT:** Chris Stelmach (Chairman), Mike Somers (Vice-Chairman), Robert Duhaime
19 (arrived at 6:08 pm), Sheena Gilbert, and James Sullivan (Town Council Representative)

20
21 **ALTERNATES:** Denise Pichette Volk (arrived at 6:10pm)

22
23 **EXCUSED:** Paul Scarpetti and David Russel

24
25 **NOT PRESENT:**

26
27 **STAFF:** Elizabeth Robidoux (Town Planner)

28
29 **APPROVAL OF MINUTES**

30
31 *M. Somers motioned to approve the minutes of the January 8, 2024 Planning Board meeting.*
32 *Seconded by J. Sullivan. S. Gilbert abstained due to not having reviewed the January 8, 2024*
33 *Planning Board meeting. Motion carried with a vote of 3-0.*

34
35 **D. Pichette Volk will be a voting member moving forward with this meeting.**

36
37 **APPOINTMENTS**

- 38 **1. Map 31, Lot 2, 1271 Hooksett Road**
39 **GF Funding Bourne Hooksett, LLC represented by Attorney John Cronin**
40 **Performance Zone Occupancy**

41
42 Attorney John Bisson (Cronin, Bisson & Zalinsky, P.C.): This is the former Kmart. The
43 proposed use is a change from a permitted use to another permitted use. Nothing physically is
44 changing with the exterior. We requested a permit in July of 2023 and provided additional
45 information to the town about the proposed use which is a temperature controlled storage
46 facility. This will generate less traffic and less parking. A site plan review is not required because

47 we are going from one permitted use to another. Your ordinance suggests that the only time you
48 would need to come back for full site plan review is if the change from one permitted use to
49 another would increase the intensity of the use, require additional parking, or impact traffic and
50 none of that is happening here. We are here to get confirmation that full site plan review is not
51 required. Staff had asked for renderings but I was not made aware of that. I have old fashioned
52 renderings with me that show the before photos and photos of the proposed use.

53

54 Attorney Bisson passed around 8x10 sheets of renderings.

55

56 Attorney Bisson: Traffic would decrease by approximately 7,000 trips per week and I have that
57 data.

58

59 C. Stelmach: Are the cubicles inside the same or different sizes?

60

61 Attorney Bisson: They are approximately the same size. It is less impactful in terms of parking
62 and traffic and has plenty of access. On the bypass there are two ways in as well as on the other
63 side.

64

65 C. Stelmach: Would merchandise be brought in through the front or using the docks out back?

66

67 Attorney Bisson: The same access points that are already there.

68

69 R. Duhaime: Are you with Brady Sullivan?

70

71 Attorney Bisson: The owner of the property.

72

73 R. Duhaime: This property had flooding. There was a site plan that was approved years back for
74 adding islands and dealing with the water problems and the parking lot.

75

76 Attorney Bisson: That was for a different use.

77

78 R. Duhaime: That was for improvements of the existing building.

79

80 Attorney Bisson: That has nothing to do with what we are doing now. We are changing from a
81 prior permitted use to another permitted use. I am not privy to the prior site plan but it seems like
82 whoever had the site plan abandoned it and chose not to move forward.

83

84 R. Duhaime: You are changing the existing use but the idea is to bring it more up to code. You
85 are asking for two entrances in the back. There were islands, trees, and more landscaping to
86 bring it closer to code.

87

88 Attorney Bisson: We are not changing anything with the structure.

89

90 R. Duhaime: I thought you were asking for two back door entrances.

91

92 Attorney Bisson: No. We are not changing the structure at all. It is changing color and will be
93 cleaned up.

94

95 R. Duhaime: The calculations are changing. You are never going to repave the parking lot? You
96 are just going to restripe it and leave it the way it is?

97

98 Attorney Bisson: We don't need to change the parking lot.

99

100 R. Duhaime: The previous owner did the engineering for the water issues that were on-site. You
101 are saying those water issues no longer exist?

102

103 Attorney Bisson: I don't represent the prior owner.

104

105 R. Duhaime: I am just telling you there is an approved site plan with the engineering that was
106 designed adding islands, etc. That is the way the town and developer wanted to go with that. You
107 just want to paint the building and leave it the way it is?

108

109 Attorney Bisson: We are changing from one permitted use to another. We are not changing the
110 structure.

111

112 R. Duhaime: Are you going to need a building permit?

113

114 Attorney Bisson: We have applied for a building permit and that is why we are here. I don't
115 represent the prior owner. Whatever approval you are talking about, presumably that owner
116 abandoned those plans because they never happened. They are not binding on the current owner.

117

118 R. Duhaime: I didn't say they were.

119

120 J. Sullivan: The vacant store front will no longer be a department store it will be temperature
121 controlled storage?

122

123 E. Robidoux: Yes. That is why it is before the board. If it was retail to retail it would not have
124 come to the board.

125

126 J. Sullivan: When there is a change in business, in a development, at what point does it prompt a
127 more in depth review of the plan? Is there a threshold and does this meet that threshold?

128

129 E. Robidoux: There is a threshold and this does not meet it. This is going from retail to storage,
130 both permitted uses, but the parking and traffic demand is less than retail. There is no increase in
131 intensity of use. If this was storage and going to retail that might necessitate a site plan review.

132

133 J. Sullivan: Will there be more entrances in the back? Is that problematic?

134

135 M. Somers: They are not entrances. It is the storage unit itself. It is a cut through the wall to put
136 them in.

137

138 Attorney Bisson referenced the section of the ordinance regarding intensity of use.

139

140 R. Duhaime: The work the state did in that area alleviated most of the flooding. With previous
141 owners, before anything could move forward, some of the wetland issues in the parking lot were
142 supposed to be alleviated. We were looking for those improvements. I see no reason why the
143 board would rush to move forward on this. Has the code enforcement officer gone out to look at
144 this? Is everything up to code on the existing site plan?

145
146 E. Robidoux: I can't answer for Dana.

147
148 R. Duhaime: Let's table this and talk to our code enforcement officer and move forward from
149 there.

150
151 ***R. Duhaime motioned to table Map 31, Lot 2, 1271 Hooksett Road GF Funding Bourne***
152 ***Hooksett, LLC, Performance Zone Occupancy until the February 5, 2024 Planning Board***
153 ***Meeting. Seconded by M. Somers for further discussion.***

154
155 D. Pichette Volk: What is being requested tonight?

156
157 Attorney Bisson: A determination that under Section 4.01 of your ordinance a site plan review is
158 not required because the proposed change in use will not increase the intensity of the use as
159 documented by reports we have previously provided to town staff which indicate that traffic will
160 be significantly reduced and there will be no negative impact on access to the property or parking
161 under the current configuration. There is nothing else to talk about.

162
163 D. Pichette Volk: Staff, is there additional investigation or action that you are recommending
164 prior to us taking an action?

165
166 E. Robidoux: I didn't feel that this required more than a look by the Board for the architectural
167 rendering because it is a prominent building on our corridor. This is a change that will have less
168 impact on our roadways and parking. It did not rise to the level where I was concerned.

169
170 D. Pichette Volk: Although I appreciate the desire to present more history, I personally would be
171 in favor of acting in favor of the request that is before us.

172
173 R. Duhaime: Are you familiar with the flooding?

174
175 D. Pichette Volk: One hundred percent.

176
177 R. Duhaime: Before the state did their work, Kmart came in with a plan to solve the flooding
178 problem on that site. There is a redesign in the files of the improvements fixing all of those
179 issues if they changed the use of the store. That doesn't apply to this applicant because he
180 purchased it new. At the state level that was for the state to fix the issues flooding Kmart. It had
181 nothing to do with the site itself. There have been no improvements to the site. We should look at
182 that. Is everything that is on the approved site plan there now? Is the pavement fixed? She is
183 telling me she is not sure if code enforcement has looked at the property. You don't have the
184 original K-mart site plan or updated site plan in front of you. He provide one copy and we are
185 going to move forward?

186

187 J. Sullivan: We don't have the original plan from 1974. With the state improvements (culvert
188 and widening) the concern with the flooding was addressed and the flooding seems to have
189 stopped. If the requirement under our rules, that the voters adopted, indicate that if there is no
190 increase in the plans for that building a site plan review is not necessary I don't see why we need
191 to go back. If this Planning Board is going to require certain things then we need to make sure
192 the Planning Board requests of the agents who are responsible for that make sure they fulfill that
193 promise. This usage is not going to meet the requirement of the waiver which doesn't require a
194 permit. This just changes the store front. If the rules don't say we need to have a full review we
195 shouldn't be requesting that. We don't have that authority regardless of my opinion.

196
197 S. Gilbert: Liz, in terms of our development guidelines, if this is a change of use what is the
198 requirement for them to adhere to our guidelines for architectural standards?
199

200 E. Robidoux: Anything coming into the PZ needs to adhere to our architectural standards.
201 Anytime that an applicant is proposing a change to the façade of a building it needs to adhere to
202 our architectural design guidelines.
203

204 S. Gilbert: The applicant did not have the proper documentation for us to review. I would want
205 to continue to the next meeting to give the applicant the opportunity to prepare.
206

207 Attorney Bisson: That isn't before you.
208

209 S. Gilbert: I want to see what this will look like in terms of your site plan. To me those things fit
210 together and feed each other. To me they are important.
211

212 R. Duhaime: This is now in the PZ. When will it look like it is in the PZ? What is the catalyst to
213 get it there? The idea of the engineering that was done by the previous owner was supposed to
214 solve a problem and bring it up to the PZ. If that had been done it would have trees and islands
215 and the wetlands issues would be taken care of. Are you going to ask for two percent, five
216 percent, or just give it to him the way it looks? Now that he is changing the outside of the
217 building that has to meet PZ standards.
218

219 S. Gilbert: How many cubicles will be in this?
220

221 Attorney Bisson: The use is less intense than what is there now.
222

223 S. Gilbert: I am not concerned about traffic I am concerned about sewerage.
224

225 E. Robidoux: This is storage units.
226

227 S. Gilbert: I misunderstood. I thought this was for employees.
228

229 D. Pichette Volk: If we say yes tonight to the request that is on the table, what steps, if any,
230 would the applicant have to take subsequently to move forward with their project? Are they off
231 and running without having to come back here?
232

233 E. Robidoux: Yes. That would give Dana the opportunity to issue the building permit. That is
234 being held up pending Planning Board review. The use is permitted in this zone. The PZ says
235 that any large change in use has to come for Planning Board review to look at the architectural
236 because they are changing the outside facade.

237
238 R. Duhaime: Do you know how long has the owner has owned this property?
239

240 Attorney Bisson: I do not.

241
242 R. Duhaime: How long have you been represented the client?
243

244 Attorney Bisson: That is not relevant.
245

246 J. Sullivan: I believe HK came into the EDC because we were concerned with the issue of
247 getting Kmart reused as something else. HK was the owner three years ago. It is within the last
248 two and a half years that this new company purchased it.
249

250 Attorney Bisson: Whether I represent them or not is irrelevant. The building has sat idle for a
251 long time. Retail is not going back to that space, that is why it still the way that it looks.
252 Apparently there was a prior history where there was a proposed change in use that required a lot
253 of site plan things that Mr. Duhaime would love to see happen there now. It is not on the table
254 because under your ordinance we only have to do site plan review under the requirements of
255 Section 4.01. That is the standard. If you decide tonight we do not satisfy that standard we need
256 you to tell us by way of some logical fact based finding of fact that we are increasing the
257 intensity of the use, requiring additional parking, or revisions to street access. Please tell us
258 which condition of Section 4.01 we don't satisfy that requires us to be here so that Mr. Duhaime
259 can make us put in islands, and trees, and planters, and whatever else he wants which is what
260 would happen if we come back. He is chopping at the bit to put those in front of me again. You
261 have an ordinance and it is clear. If your ordinance requires us to come back we'll come back,
262 but please make appropriate findings consistent with your ordinance to give us the guidance that
263 we need. Do not do it because historically someone did something that Mr. Duhaime would
264 prefer that we do today.
265

266 M. Somers: Liz, can you clarify the statement you made about if it is in PZ it has to come before
267 us for review. What does review entail?
268

269 E. Robidoux: It is about the level of review. Change of use from retail to storage has no increase
270 in intensity so a site plan is not required. You are here to confirm whether or not a site plan
271 review is needed. You also are able to look at the facade because that is changing . If your Town
272 Planner determined there was an increase in intensity of use you would be looking at a full site
273 plan review.
274

275 M. Somers: If we are to conform with the zoning regulations and that requires a review of the
276 architectural standards for the PZ shouldn't we have been given plans or renderings that showed
277 us what those changes would be two weeks in advance?
278

279 E. Robidoux: We did request that and it wasn't provided.

280
281 C. Stelmach: I think everyone would feel better if we saw the architectural rendering at a larger
282 scale and we had time to review it.

283
284 J. Sullivan: If we are going to table this what information are we looking for that we are able to
285 require that doesn't go beyond the ordinance?

286
287 M. Somers: We haven't been given any information. I think it would be nice to have the
288 information to review and make an informed decision.

289
290 J. Sullivan: We would want to refer to our Rules of Procedure that requires having the
291 information and prior knowledge from an applicant prior to the meeting. This would be tabled
292 not because of the ordinance, but because we just received information and did not have it prior
293 to the meeting which goes against our guidelines.

294
295 E. Robidoux: If the Board would like to table this until February 5 that would give the applicant
296 time to submit a digital copy of the architectural rendering and would give me time to obtain the
297 parking and traffic information that was submitted to the building department. We can give that
298 to you within seven days prior to the meeting.

299
300 Attorney Bisson: I will resubmit and make sure you have all of that.

301
302 **Motion carried unanimously with a vote of 5-0.**

303
304 **PUBLIC HEARINGS**

305 **2. Proposed amendment to the Town of Hooksett Development Regulations, Part I,**
306 **General Development Regulations, Section 17, Demolition Regulations**

307
308 E. Robidoux: The Heritage Commission is charged with reviewing demolition permits for
309 properties in Hooksett that may have historical significance. The Heritage Commission is made
310 up of volunteers, and has over the last year, had a change in the membership of the Board, with
311 some of the newer members having less ready knowledge of the history of properties in Hooksett.
312 The current wording of the Demolition Ordinance requires the Demolition Review Committee to
313 make a decision within 5 days of receipt of an application as to whether the property has the
314 potential to be historically significant. The Demolition Review Committee is made up entirely of
315 members of the Heritage Commission. If the proposed demolition is over 500 square feet, or the
316 property was constructed fifty or more years ago, the regulations requires review by this
317 Committee. The proposed change allows the Chair of the Review Committee or his/her designee
318 the authority to conduct an initial review of the application using the Criteria for Finding
319 Significance to determine if there is potential historical significance. This allows for a more
320 streamlined demolition application review process. The proposed change also increases the review
321 period from five to ten days. Staff recommends the Planning Board approve the proposed
322 amendment to the Demolition Regulations which will allow the Heritage Commission more
323 flexibility in the review of Demolition Permit requests to ensure they have time for adequate
324 review of the request.

325

326 J. Sullivan: I am on the Heritage Commission. We felt that five days is too short of time. Ten
327 days provides additional time to review the seven criteria that we have adopted. If the initial
328 review says there is no historical significance then we don't need that full meeting to review and
329 discuss it. It doesn't hold off the demolition for too long. We have not received a lot of
330 demolition that may have reached the criteria of the possible requirement to save. I think this
331 makes sense and the Heritage Commission voted to support this as it fits their needs under their
332 charge.

333
334 C. Stelmach: Is the designee the only one that makes the vote on this or is there discussion
335 between the whole board? Is it the consensus of the board that votes or just the designee?
336

337 J. Sullivan: If the Town Planner received a notification today it would be emailed to the full
338 Board. The Board, under this requirement, could say they do or don't see any need for a review.
339 We would be allowed to submit input to the Chairman and the Chairman would notify, without a
340 posting, if there is no review needed. If someone said they wanted a review, that would prompt
341 the official meeting and hearing. There are some back channel discussions with rule.
342

343 S. Gilbert: I would be in favor of making this a 14 day period.
344

345 M. Somers: It is 10 business days.
346

347 S. Gilbert: That's better. To me this sounds like one person conducts the initial review and if
348 they determine it is not significant then they move forward and issue the demolition permit.
349

350 J. Sullivan: Could we cut: "The Chair of the committee or designee shall conduct an initial
351 review per the guidelines after consulting various members of the community"?

352
353 E. Robidoux: That is a substantial change.
354

355 S. Gilbert: After they conduct their initial review, does that one person provide feedback to the
356 rest of the Heritage Commission?
357

358 E. Robidoux: Yes. This allows them to do a gut check.
359

360 S. Gilbert: In that case I would feel comfortable moving forward
361

362 Open public hearing.
363

364 Open public comments.

365 No public comments.

366 Close public comments.
367

368 Close public hearing.
369

370 ***M. Somers motioned to approve the proposed amendments to the Town of Hooksett***
371 ***Development Regulations, Part I, General Development Regulations, Section 17, Demolition***
372 ***Regulations as proposed this evening. Seconded by S. Gilbert. Motion carried unanimously***

373 **with a vote of 6-0.**

374

375 **3. ULTIMATE WHEEL PROS represented by JESSE TRINGALE**

376 **(Owner: 1461 Hooksett LLC)**

377 **47 Thames Road AKA 1461 Hooksett Road**

378 **Tax Map 18 Lot 49-D**

379 **Performance Zone Waiver Request**

380

381 E. Robidoux: The proposal is to allow an industrial use in the Performance Zone where
382 industrial uses are not permitted by right. The applicant would like to lease space at the
383 newly constructed contractor bay owned by Ridgeback Self Storage. The applicant repairs
384 automotive wheels to include straightening bent wheels, welding cracked wheels, wheel
385 customization and cosmetic repair of scaped wheels. The business also sells wheels and
386 tires as part of their service. Currently the business subcontracts the powder coating and
387 welding of wheels but they would like to offer that onsite and that would become part of
388 the daily operation on site. Equipment used to repair the wheels includes an air
389 compressor, tire machine, wheel balancer, CNC, media blast cabinet, paint booth, wheel
390 straightener, and a powder coating booth and oven. The applicant does not need to meet
391 checklist requirements for this application. Regional Impact does not apply for this type
392 of request. Staff recommends the Board review the proposed use, equipment utilized,
393 proximity to residential and other business uses against the purpose of the Zone which are
394 outlined in the Finding of Fact section of the proposed motion. If the Board determines
395 that the majority of the 7 items outlined in the purpose are met by this application, staff
396 recommends the Board grants the waiver request. If it is not granted explain why. An
397 abutter who lives in the mobile home park came in to look at the application and did not
398 feel this would create any issues or have noise generated from this. I also received a 74
399 page document from Jared Williams which has been forwarded to you. He asked for that
400 to become part of the record and is in the Planning Board file for this application. We also
401 received an email from Kevin Briand dated January 22, 2024 who had comments with
402 regard to business practices. That was also forwarded to you and has become part of the
403 file. Both of those were also forwarded to Mr. Tringale.

404

405 Jesse Tringale: I wanted to use the space that is off of Hooksett Road to open up a shop to fix
406 wheels. A lot of the equipment we would be using would be powder coating equipment, ovens,
407 and other painting equipment. Our business is fixing wheels. We are automotive repair. We
408 would be bringing a service to Hooksett that is very unique. It is a niche business and provides a
409 valuable service to people that saves people money. Everything would be done inside. There
410 would be minimal noise impact. The only thing we would occasionally be doing outside is taking
411 wheels off with an electric gun that makes the same amount of noise as a toothbrush.

412

413 R. Duhaime: Is powder coating heating the paint and baking it on the part?

414

415 J. Tringale: It is electro-statically bonded to a part, goes into an oven, and melts onto the surface.

416

417 R. Duhaime: You are painting on different colors of paint?

418

419 J Tringale: It is a powder coat rather than paint. It looks like paint.

420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466

R. Duhaime: Aren't there state rules you have abide by to put that equipment in?

J. Tringale: There are guidelines in terms of installing it and making sure it is are vented properly.

D. Pichette Volk: Are you buying or leasing the space?

J. Tringale: Leasing.

S. Gilbert: You are not going to be dealing with automotive oil or any other gases?

J. Tringale: Correct. We are just working with wheels. Most of the wheels that we will be repairing will be brought from off site. There will not be a lot of customer activity.

S. Gilbert: In most cases you are just bringing the wheels not the entire vehicle that would be parked somewhere else or in your bay?

J. Tringale: In occasional circumstances when we can do a quicker repair a customer might bring the vehicle, but the vast majority of our work is brought from off site.

R. Duhaime: There is no retail store where you can walk in and choose wheels?

J. Tringale: There will be a contractor bay. We will have a waiting room and a computer.

C. Stelmach: Liz, what constitutes this as an industrial use versus a commercial use?

E. Robidoux: The Code Enforcement Officer determined this to be an industrial use because of the way he repairs the tires.

C. Stelmach: The welding and powder coating?

E. Robidoux: Yes.

Open public hearing.

Open public comments.

Attorney Bob Best (Sulloway and Hollis): I represent the Villages at Granite Hills Condominium Association. As of this morning we hadn't received notice of this through the abutter notification process. In the staff analysis you laid out the seven criteria the applicant needs to meet. There seems to be a suggestion that if you should find a majority of those things exist that would be an opportunity to grant the waiver request. Your ordinance says that the applicant must demonstrate that the use will meet each of the performance standards and/or land use controls. It also states the use shall not produce negative impacts on the surrounding properties. This is an industrial use. It has welding, machining, and metal work. It is also an automotive use. In your zoning ordinance there is specific criteria for the PZ that says

467 automotive service bay doors may not be positioned on the facade of any building facing a public
468 street or residential district boundary located within 200'. The point of that is so the automotive
469 service bay doors don't make noise, emanate odors, or have the activity affect the neighbors. In
470 this case they face directly at the condos. The spirit and intent of the regulation cannot be
471 achieved if these things will be facing the residential area. There are chemicals, odors, noise, and
472 light. The applicant described the electric lug nut wrench as having the same sound as a
473 toothbrush but it is probably louder than that. I think this will have real impacts on the
474 community and that is why you will hear from many of the neighbors that oppose this and we
475 hope that you don't approve it.

476
477 Greg Martakos (1465 Hooksett Road, No. 69): There is history with those bays and garage. We
478 were promised by Mr. MacGuire and several others there would not be automotive repairs going
479 on in that space or those buildings and here we are with this application.

480
481 Philip Fitanides (1407 Hooksett Road): The agenda says Ultimate Wheel Pros represented by
482 Jessie Tringale. Then it says Owner: 1461 Hooksett LLC. 1461 LLC is a complicated matter.
483 There are five LLCs connected with this; 47 Thames Road aka 1461 Hooksett Road. There is no
484 such thing as a/k/a 1461 Hooksett Road, Tax Map 18, Lot 49-D PZ waiver request. All the
485 advertising for 1461 which does not have a valid driveway permit (has been expired since 2017)
486 is directing traffic into my yard. The original approval for this project was for a passive storage
487 facility, not an active business on a private driveway on a residential one mile an hour speed
488 bump. That is a driveway because the road has been cut off at the end by the tennis courts and is
489 now a logging road. Thames Road is only 1,700' long and is considered a driveway. The only
490 operation allowed by DOT has a special permit to access that road. If traffic increases the lights
491 will have to be retimed. If that turns into an automotive set up at all, the DOT will not renew the
492 permit on that road. The permit is held by Cedar Management. The applicant does not own this
493 property and there is plenty of suitable space. In his statement he says he has an economic
494 hardship. An economic hardship won't work in Hooksett for getting what you need done. He
495 said he has been looking for two years. We did the research last night and found places all over
496 Hooksett that were a lot cheaper than what his rent would be. His rent is \$15 and change per
497 square foot. We found them for \$10 and they are all over the place for less. This area is not
498 conducive to the business based on the master plan. It was and should remain residential except
499 for usage similar to passive storage. It needs a noise study and the overhead doors need to be
500 kept shut if this business is going to take place. The previous traffic study was a joke. This does
501 not meet the criteria of the 2004 Hooksett master plan nor the intentions of the easement in the
502 area as it was always intended to be residential.

503
504 Paula Cronin (daughter lives at 1465 Hooksett Rd., Unit 375): I would never have bought at
505 Granite Hills if I knew this would be happening. My condo is on the corner of Maidstone and
506 Thames. That building is a total eyesore. I feel like this town is losing people and there are
507 reasons for that. It is the way this town is run, the boards, the council itself. How would you feel
508 to have some hideous building with potentially dangerous things in it where when you bought it
509 was trees? I can't believe it and I can't believe we are here again. These people are relentless.
510 How would you feel if they built a garage in your view where there may be chemicals?

511
512 Tim Sheehan (1465 Hooksett Road, No. 341): I live near this proposed garage. When we bought
513 our property in July we were told that building was going to be storage. If we knew this was

514 going to be a garage we would not have bought it. A big concern is noise. My recommendation is
515 that the board does not grant this waiver.

516
517 Stephen Joubert (1465 Hooksett Road, No. 71): Granite Hill is a residential focus. Just recently
518 the town of Hooksett has raised everyone's taxes by approximately thirty percent. By the
519 property values going up that high, I can't believe the Board would approve allowing an auto
520 workshop in that development. You are basically in our development. I would hope the Board
521 would deny this request.

522
523 Joe Claridge (45 Gary Avenue): You want to claim this is an industrial shop. He said there
524 might be something worked on outside. What happens if he works on it outside and it doesn't get
525 finished? What is he going to do with these automobiles? Leave them out there for everybody to
526 look at? You are doing something underhanded and I don't like it. This whole thing with that
527 whole lot has been underhanded.

528
529 CJ Hebert (1461 Hooksett Road, No. 401): Thank you for volunteering for our town and for
530 starting the meeting with the Pledge of Allegiance.

531
532 C. Stelmach: Thank you for your service.

533
534 CJ Hebert: If you open this up to something like this business there is no way you can say no to
535 the person who wants to be tearing apart engines and transmissions. If you allow automotive use
536 in this property it will give you no reason to say no to much louder businesses that are
537 automotive and industrial. Those bays, even the furthest bay away, are well within 200' of
538 residences of not just the property boundary, but somebody's house. As someone who has a very
539 difficult time sleeping at night, so I often have to sleep during the day, that would be a game
540 changer for my residence.

541
542 Bob Better (1465 Hooksett Road, No. 143): I have concerns about noise and chemicals. I don't
543 think any wheels can be worked on or have paint added or removed without chemicals. Opening
544 the doors and allowing those chemicals to run free throughout the area could create health
545 problems for people who live in the area.

546
547 Jolene Archambeault (46 Gary Ave.): I live in the Granite Brook mobile home park which abuts
548 this property. Regarding the air quality impact to surrounding neighbors and abutters, this is all
549 residential even though some of it says it is PZ. There are 45 houses on the other side of that
550 river. We are concerned about hazardous chemicals and materials emanating into the air and
551 odors. We don't want tires, wheels, and cars stored outside. There are state restrictions on tire
552 disposal. How would those be followed and regulated from this location? If you go to the
553 website "americanpvdprocesspvchromewheels" it shows the actual process that this business
554 would be like. It is much larger than you think it is. It is not just one bay. It doesn't say how
555 many bays he is going to be taking up, does it? That is a wood building and is not structurally
556 sound or fire rated for automotive. He would have to redo the inside to be fire rated. I do not
557 think this is the best use for his business. If he is saying this is the least costly place for him, I
558 beg to differ. It will be more costly. I can provide him with a list for alternatives in this area if he
559 loves Hooksett. I believe he can make this business work, but not in this space. I am not opposed
560 to his business. I am just opposed to it being next to residential. I would like the board to think

561 about asking for an emissions test, traffic test, and noise impact test. If this goes in it would
562 devalue our property. They wouldn't buy it and you wouldn't either. I am asking you to research
563 the information provided and continue this discussion.

564
565 Joseph Tringale (Auburn, NH/father of applicant): If I were the members of the public I would
566 express the same concerns if you didn't know my son's business the way I know it. He ran it out
567 of my driveway in Derry for several years when he started it. While I respect all of the concerns
568 that have been expressed, if you knew the business and this operation as I do, those are not
569 concerns. This was in my driveway that was in a residential neighborhood and my neighbors
570 were fine with it. My son is a highly respected individual. Everything he said to you tonight is
571 spot on. He started this business with integrity and is running it with integrity. He resides in
572 Hooksett and is trying to make a living to keep his Hooksett residence. There are some
573 alternative properties, but for a business to be successful you have to give thought as to where to
574 plant it and he has done that. I hope all of the facts are taken into account.

575
576 Christina Katsikas (owner of Hooksett Fireworks at 1407 Hooksett Road): This building is
577 directly behind me. There is a rock wall that they built which still has rocks falling into my
578 driveway and nobody cares but there isn't much I can do about that. 1461 doesn't exist. The
579 GPSs are looking for 1461 and vehicles are pulling into my driveway, circling around my
580 business, and stopping and asking me where 1461 is. You can't get to it unless you go further
581 down the road and try to figure it out just like the fire or police department might have to figure
582 it out someday. There isn't a real driveway. 1461 is off of Hooksett Road, not on it. It would be
583 behind my building and technically there is no access to it. That is a problem if they don't figure
584 out a way to get this gentleman to his business on a real plowable and taxable road. For them to
585 go into a residential neighborhood to find a business is not right. It doesn't make sense for a
586 business to be off the beaten path like that with no real address. I am 1407 and it jumps to 1461.
587 That has to be straightened out. I would like to get those rocks off my property that fell.

588
589 Allen Villeneuve: I represent 1461 Hooksett Road which is the name of the LLC that owns it.
590 This goes back to the original tax map number. That is the old address, has a new address, and is
591 in catch up mode. This being industrial was a determination by Dana due to some of the practices
592 that occur within this business, but his entire business is not industrial. He does some welding
593 and painting but that is an ancillary part of the process of doing wheels. This is not an
594 automotive repair shop. He doesn't repair automobiles; he repairs parts specializing in wheels
595 only. Many of you went on the site walk last year and walked the property that we were
596 discussing for the bus depot. We did not walk the upper part that was under construction. There
597 is a dramatic difference between that lot and location versus the location of the trailer park and
598 other properties at Granite Hill. There are significant buffer zones. There are far less buffer zones
599 between the building property and anything behind us which is the asphalt facility. Our building
600 helps to knock back those noises plus the garage and shops that are on the other side of that. On
601 our site plan there is no outside storage allowed. We have a difference of opinion about what
602 looks good and what doesn't but we don't want outside storage on the property.

603
604 C. Stelmach: Would there be a lift in the garage or just jacks?

605

606 J. Tringale: We would be using floor jacks. Regarding the doors being opened and having it
607 being more like an automotive garage, we would be installing HVAC in this building so that we
608 have air conditioning. By and large the building will be closed on purpose.

609
610 Susan Marquis (Granite Hill, Unit 286): We are going through the same thing we went through
611 with the previous LLC. I know you are leasing from this LLC which is a new LLC but the same
612 owner. Mr. Grappone and his other representative are here proposing a different business but
613 using vague terms such as comparing the five minute bus idle to removing the tire has the same
614 sound as a toothbrush. I feel like the owners he is leasing from are up to the same intent to
615 mislead all of us using terms such as possibly and likely. Do we need to do another site visit? Is
616 there monitoring? I am not hearing actual facts. We need to be careful of that site and who the
617 owners of the different LLCs are that we spent so many months investigating. That proposal was
618 pulled out with prejudice meaning they can come back and bring that to you again. At what point
619 are the residents, the town, and you individuals tired of dealing with this situation?

620
621 G. Martakos: I think this is a great business. With the owner there was shrubbery that was
622 supposed to be put back into place. If you take this into consideration and approve it, how will
623 those measures be followed up on? People were talking about using Thames Road as the
624 entrance. There is a driveway there that is not well marked and there is a telephone pole there. Is
625 that driveway the one that would be used or would it be the one from Hooksett Road? Is that
626 something we can get clarified?

627
628 C. Stelmach: It is on the site plan.

629
630 G. Martakos: There are two different businesses. The past one was the storage unit which
631 wanted to use Thames Road fully. There would have been 30 busses coming and going and cars.
632 Is the business going to come in from Thames Road on this one?

633
634 E. Robidoux: Yes.

635
636 G. Martar: Is the driveway that is there for no reason?

637
638 C. Stelmach: It is not able to be used.

639
640 G. Martar: That is the only consideration I would ask to be made.

641
642 Close public comments.

643
644 D. Pichette Volk: How many bays are in that building?

645
646 C. Stelmach: Six or seven.

647
648 D. Pichette Volk: How many bays are intended to be used by this business?

649
650 J. Tringale: Two.

651
652 S. Gilbert: What do you suspect your operating hours to be?

653
654 J. Tringale: Our official hours are 9-5. With the economy they are typically 10-4 or less.
655
656 S. Gilbert: As part of the review process, Dana would ensure the building is safe for your usage.
657 Has he already conducted that?
658
659 J. Tringale: No.
660
661 A. Villeneuve: The building is sprinklered and alarmed.
662
663 S. Gilbert: I suspected so. Do you wear PPE and is there is some sort of filtration system for any
664 chemicals that you would be inhaling or would be omitted.
665
666 J. Tringale: Yes. PPE is worn for vapor if painting something and a respirator is worn when
667 working around dust. In the building there are filters that would capture that.
668
669 R. Duhaime: It is nice to see you all here. Being a resident of Hooksett for 50 years now, when
670 Granite Hill moved in I wasn't happy. Things have changed and continue to change. Nobody
671 knows my story; I don't know yours, but I sit on this Board to represent the citizens of Hooksett
672 and the quality of life in this town and I like to think I make a difference. When citizens speak up
673 I try to listen. I don't think it's funny. I take it seriously. I try to do the best I can with the
674 information I am handed. I don't agree with all the members of the Board all the time, or the
675 attorneys, or some of the people. The point being lost is the fact that commercial property can be
676 developed. If you are going to take the right of development away from the owner you need to
677 compensate him for it. You can't just say they can't develop it. My point of view was this was
678 not the best location for the bus depot and I am glad to see it go away. Same with this one. It will
679 be hard for me to support this. There are industrial sites. Right across the street is Brox pavement
680 plant. Outdoor World is industrial. There is a sewage treatment plant with houses across the
681 river. You buy next to that plant you can't complain. We said on approval there would be no
682 automotive uses between the mobile park and Granite Hill. It is unfortunate this falls into that.
683 Then there is the industrial part the Code Enforcement Officer threw on the applicant. His
684 determination might be right with the painting and welding. We are trying to baby step into this
685 residence so there may be services that move in there the residents like and will use. This one
686 seems to be too sensitive. Thames Road will continue all the way up to Granite Heights. It was a
687 paper road at one time. Phil said it is a dead end street. It is not. At one time the developers had
688 1,000 approved units. Thank goodness the economy went down in 2008 and all those have
689 lapsed. Picture there were going to be 1,000 residences off of Thames Road. At any moment we
690 have 400 homes that could be built. That is a vested 400 home sub-division from Manchester
691 Sand. Those residences are coming. It is not up to you; it is not up to me. They can pull a
692 building permit tomorrow. Things will change in this town and is not our fault. We just sit here
693 as volunteers and try to do the best we can with what we are given. In time Thames Road will
694 develop. Look at the prices of real estate. Look at your taxes. I sat on the Town Council for
695 several years and tried to keep your tax rate down as best as I could. I am not there now; I am
696 back here. We are doing the best we can and at times we have to keep our patience and wit about
697 ourselves and that isn't always easy. Thank you for your patience tonight.
698

699 E. Robidoux: Regarding the address, when it was originally approved the address was 1461
700 Hooksett Road, same as the Granite Hill shops in front. The Fire Department has given this
701 contractor bay building an address of 47 Thames Road which will be the official address. We
702 noticed it as “a/k/a 1461 Hooksett Road” because that is how it has been known and they were
703 still officially in the process of re-addressing it. With regard to notice, we have the certified
704 receipt for Granite Hill Associates that your notice went out on January 11, 2024. I am aware
705 there have been issues with the postal delivery in Hooksett recently so I am not sure where your
706 certified letter is but it did go out. Given your presence here you were aware of this. We do our
707 best to make sure you are aware of the meetings.

708
709 S. Gilbert: There is no way for them to have access from 28?

710
711 E. Robidoux: There is no access from Hooksett Road. Only from Thames.

712
713 M. Somers: There is a piece of land that goes to this but it is only maybe 20’ wide. Technically
714 you can’t access this property from that land.

715
716 S. Gilbert: I thought it was long enough for a driveway and in one of the original concepts there
717 was access both ways, and the access from 28 was going to be for the seven units in the front and
718 the back was going to be for the other property which has yet to be developed.

719
720 E. Robidoux: The width and grade difference would have made it difficult to use that.

721
722 C. Stelmach: I don’t think the state wanted to put a driveway next to the light.

723
724 J. Tringale: I live in Hooksett in a neighborhood that prohibits businesses, but I can have a
725 workshop in my garage and I have some of this equipment in my garage. I have tenants that live
726 right above me in the same building and pay over \$3,000 per month in rent and they don’t
727 complain. Most of the time the doors will be closed. We are not fixing cars. We are fixing parts.
728 There is a difference. What we do does not put oil, gas, or any other contaminants like that into
729 the environment. The things we would be doing will be filtered. The state has regulations to deal
730 with that and we will follow those regulations. The equipment we would be installing will be
731 installed by professionals and Dana will be there to make sure that takes place. One person
732 brought up PVD which is something we advertise on my website. It is not something that we will
733 be doing in Hooksett. There are only two companies nationwide that offer this service. It requires
734 specialized equipment and would not fit into two contractor bays in Hooksett. I can’t speak to the
735 property values but I live in Hooksett and my assessment went up 80% as well. I am here to
736 make a living and pay for it just like anyone else. When it comes to the noise I have my impact
737 gun in my truck and if anyone doubts what I am telling you and questions my authenticity I am
738 happy to let you hear it. I guarantee it is not very loud. Regarding tire disposal, we are not in the
739 business of selling tires. We are in the business of fixing wheels. In the course of fixing a wheel
740 we do take the tire off. In some cases, we will put a new tire on for a customer. We are not going
741 to be having stacks of tires sitting outside. We either give them back to the customer or dispose
742 them properly at the dump. In terms of noise, the only thing we would be doing outside is taking
743 wheels off of a car and most of the time that work takes place off site. Some days that won’t
744 happen at all and if it does it only takes a couple of minutes. I understand people live nearby. I
745 have been looking for property for a significant amount of time. Dana is aware of that and has

746 helped me try to find a spot in Hooksett. I grew up in this area and feel that Hooksett is a great
747 town because it is centrally located. We want to be able to service customers throughout the
748 state. We also felt like it brought a good niche business to this town. A lot of the properties on
749 this list are owned by people that don't want any automotive use whatsoever. There were some
750 on West River Road in the Giovani's plaza that were much closer to where I live that I would
751 much rather be in. The owner of that property did not want me there. She owns the same
752 property that is on the turnpike and didn't want me there either. You can say what you want
753 about David Grappone but I think, in this case, he is a landlord that seems to be okay with my
754 use. The address was addressed by Liz. I can't speak to landscaping, shrubbery, or rocks, but I
755 am sure the landlords will take care of that.

756

757 D. Pichette Volk: What would be the duration of the initial lease?

758

759 J. Tringale: Three years.

760

761 Close public hearing.

762

763 R. Duhaime: I would feel better about this if it was any other location, such as further down the
764 by-pass closer to Auburn where you are well insulated and inside where no one can hear or see
765 anything. What we initially planned to go in the contractor bays was plumbers and electricians.
766 This is PZ. It is a building we put in between two residential areas. It is not a typical place where
767 that should have been developed but we have to live with it because that is our zoning. To add an
768 industrial use is going further out of the use in the opposite direction. Had zoning caught this in
769 the first place it would have stayed residential and we wouldn't be dealing with this but that is
770 not what happened.

771

772 S. Gilbert: It is so close to Rt. 28 I don't know if that ever would have stayed residential.

773

774 R. Duhaime: That is the master plan when Granite Hill was built. There was supposed to be a
775 bank with a drive thru. This is the redevelopment of a site over and over again. I have already
776 seen four or five different applications for this.

777

778 S. Gilbert: Irrelevant of what we want the town will change. Property that is by Auburn Road
779 and Londonderry Turnpike will have contractor bays in front and residential in back. We are
780 going to see a lot of this develop because housing is needed and commercial is still very much a
781 thing. There is going to be a point where houses are up against commercial property and we have
782 to do what we can with the situations at hand. We have a responsibility to the people who live
783 here and the businesses that are coming in.

784

785 ***J. Sullivan is abstaining due to living in Granite Hill which is a conflict of interest.***

786

787 ***R. Duhaime motioned to accept jurisdiction of the waiver request before the Board for***
788 ***Ultimate Wheel Pros (Jesse Tringale), MAP 18, Lot 49-D, 47 Thames aka 1461 Hooksett***
789 ***Road. Seconded by M. Somers. Motion carried unanimously with a vote of 6-0.***

790

791 M. Somers: I can appreciate a small business moving into Hooksett and appreciate and
792 commend him for it but I have a tough time allowing industrial uses this close to residential.

793

794 S. Gilbert: I am torn.

795

796 D. Pichette Volk: I am reading the staff recommendations and it appears to me they are coming
797 down on the side of unnecessary hardship. Having expert opinion, I would be inclined to move to
798 grant the waiver to get feedback.

799

800 E. Robidoux: I would recommend the Board go through the findings of fact and get a consensus
801 on all seven of the criteria. That may help with the Board's decision making process.

802

803 The Board discussed the seven Findings of Fact.

804

805 S. Gilbert: Some of it seems more related to the facility itself and less on the applicant.

806

807 E. Robidoux: I don't disagree.

808

809 M. Somers: Do they have a CO for the building?

810

811 A. Villeneuve: No. The outside is complete and has been signed off on.

812

813 E. Robidoux: The intent is to do individual COs for each of the uses that go in.

814

815 R. Duhaime: Remember the spirit of the ordinance. Why was the ordinance created? What were
816 they thinking when they started it? At one time there were four pages. Now there are forty.
817 People found a way to defeat the spirit of the ordinance. The voters made this the PZ whether
818 they realized it or not.

819

820 S. Gilbert: There is an actual automotive shop within a stone's throw of this facility and they are
821 wonderful. They took care of my car with the bay doors open. This is on the other side of those
822 abutters. This is where we get stuck as a Board. How do we say no when he won't be as loud?

823

824 R. Duhaime: That lot should have been cut out and rezoned. That is where this Board comes in.

825

826 S. Gilbert: We can't go backwards.

827

828 R. Duhaime: There are misplaced commercial entities that abut the residential directly. This is a
829 buffering business between those business and I don't think this one fits.

830

831 D. Pichette Volk: If this gets defeated is there any recourse for this applicant?

832

833 E. Robidoux: He could appeal to superior court.

834

835 ***R. Duhaime motioned to grant a waiver from the Town of Hooksett Zoning Regulations,***
836 ***Article 10-A, Route 3A Performance Zoning District, Section E, Permitted Uses, to allow an***
837 ***industrial use where industrial uses are not permitted by right in the zone for Ultimate Wheel***
838 ***Pros (Jesse Tringale), MAP 18, Lot 49-D, 47 Thames aka 1461 Hooksett Road. Seconded by S.***
839 ***Gilbert.***

840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886

- R. Duhaime – No – Off a residential road and is between two residential locations.*
- M. Somers – No - does not want to set a precedent for industrial uses in the PZ.*
- S. Gilbert - Yes*
- D. Pichette Volk - Yes*
- C. Stelmach – No – does not want to set a precedent for industrial uses in the PZ.*

Motion fails with a vote of 3-2.

Recess at 8:06 pm.
Reconvene at 8:20 pm.

COMPLETENESS REVIEW & PUBLIC HEARING

**4. TIM T. & KESTON BEAUREGARD represented by THE DUBAY GROUP, INC.
1385 Hooksett Road
Map 18 Lots 30, 31 & 31A
Amended Site Plan**

E. Robidoux: The proposed plan amends a mixed use site plan approved by the Planning Board in June of 2023. The plan approved in June proposed 30 townhouse units with a 10,000 SF commercial building on the lower portion of the lot, to include the associated drainage, utilities, and landscaping. The Board allowed the project to be phased with the following phasing conditions: Phase I – to consist of cleanup of the property; perimeter landscaping; drainage mitigation; pad-ready development of the commercial building; and build out of 18 residential units. Phase II – to consist of build out of the commercial building; build out of the remaining residential units (CO for the remaining units contingent upon complete build out of the commercial building). The applicant was to return to the Board for architectural review of the commercial building and the determination of Impact Fees. In June, the Board granted waivers to allow a mixed used development of the lot, and a reduction in the required number of street trees. Since the June approval, the previous applicant, Wayne Kenney, bonded the site work and commenced construction of the first 18 units. Mr. Kenney entered into an agreement with the Beauregard’s to purchase and construct the commercial portion of the project. To that end, the Planning Board approved a lot line adjustment on December 18, 2023, which realigned the lot lines from three lots to two lots, separating the residential from the commercial component. The Beauregard’s have also proposed a change in the commercial building, increasing the total square footage to 15,000, and changing the building from one to two stories. One of the originally proposed retention ponds is being removed and replaced with a different system that will be located on/adjacent to the residential portion of the site. Parking has been increased from 50 spaces to a total of 67 spaces for the commercial portion of the project. There are no changes to the entrances to the project, which will be off town approved roads. There are no proposed changes to the residential portion of the project. The sewer connection permit does not need to be amended; DPW, Fire and Central Water have no issues with the plan as proposed. Renderings have been provided for the commercial building (see the last page of the plan set). No commercial tenants have yet been secured. The uses on the renderings are placeholders. As a two story building is now being proposed, additional waivers are being requested:

887

888 1. Town of Hooksett Zoning Ordinance, Article 10A, Section F (1), Table of
889 Performance Dimensional Standards to allow a front setback of 31 feet where 42 feet is
890 required.

891 2. Town of Hooksett Zoning Ordinance, Article 10A, Section F (1), Table of
892 Performance Dimensional Standards to allow a side setback of 23 feet where 28 feet is
893 required.

894 3. Town of Hooksett Zoning Ordinance, Article 10A, Section H.3.a (3) to allow
895 pavement within the side landscape buffer

896 4. Part III, Section 3.01, Site Plan Requirements to not include all of the required
897 information on the site plan sheet as the information is accessible elsewhere in the plan
898 set.

899

900 The application does not appear to be missing any of the checklist items required for the Board
901 to consider the application complete. For those items that are not provided, a waiver has been
902 requested. I don't feel this project is a project of regional impact. I would recommend approval
903 of the project but would suggest the Board review the proposed rendering provided for the new
904 commercial building to determine it meets the Town's requirements. I also suggest the Board
905 approve a new phasing plan as the project will now be under two different owners.

906

907 Doug MacGuire (The Dubai Group, Inc.): I am representing the applicant and owner of the
908 project. Wayne Kenney and Tim Beaugard are in the audience. This is a fairly recent
909 development that we got conditionally approved. We are back because we did not have a secured
910 tenant or builder and did not have the architectural piece. It was understood we would return for
911 that purpose. Tim is under agreement to purchase the commercial section and build it. There
912 were minor changes to the commercial area and no changes to the residential component. Tim
913 was looking to get more parking. We accomplished that by eliminating a previously proposed
914 open drainage pond adjacent to Hunt Street as you came in. We made up that drainage
915 differential in an underground infiltration system that is located in the parking lot of the
916 residential area. It was already taking water from the residential area and going to that so it made
917 sense to place it there. It was in a section of fill within the parking area so it is a great location
918 for infiltration. We didn't propose this initially because at the time we did not believe we needed
919 the parking and it is an additional cost to put the infrastructure under the pavement as opposed to
920 an open pond format. In this case it makes sense in order to maximize parking.

921

922 J. Sullivan: You are adding filtration up above?

923

924 D. MacGuire: Yes.

925

926 J. Sullivan: It won't be a problem because it is up higher?

927

928 D. MacGuire: We have excellent soils (sandy good material) on this site with deep water tables
929 so that isn't an issue. It was with the placement. We had a closed drainage system within the
930 parking lot in the residential area that was collecting all of the drainage. We could have piped it
931 to a pond in the upper area, however, if you put in a pond you can't have the circulation for the
932 parking. We put the pond where we thought we didn't need the parking because, at the time, the
933 commercial was smaller.

934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979

J. Sullivan: So, having the filtration at a higher elevation won't be a problem?

D. MacGuire: Not at all. That was the main design change. The rest is the same. It was just squaring off that parking lot, putting in the drainage, and subdividing the lot. That allows for us to move forward. Our original intention was Wayne was going to own both. It gets complicated when you bring in another owner that is also getting bank financing. That is why we went with the sub-division option. The intent is to get these things done in a similar time frame. If the Board approves this Tim with move forward and is likely to work with the existing contractor that is on site. We eliminated the phasing plan from the plan set. Our proposal is to still provide those protections and modify it slightly. Wayne is under construction and under way. If he had control of the commercial piece he would be getting that pad ready and doing the perimeter landscaping. When he sells the property to Tim it makes it difficult for him to do that. Our solution, as a condition to any COs of the current units under construction, would be to bond those improvements of Phase 1 as originally contemplated. It doesn't make sense to put in the landscaping while the pad is getting ready so Tim has agreed to post a bond as deemed appropriate by Bruce Thomas to cover the costs of that pad, clean up, and perimeter landscaping that would have been required for those first 18 units to get their COs. That way Phase 1 is protected. The next phase is the remaining 12 which is going to have a significant amount more of the commercial piece done. Tim is behind as far as development of the site. He wants to get approval before he hires his architect. Our proposal is to allow for the owner to start his potential construction, after the original 18. He could get building permits for those but his CO would be restricted to a detailed development of a pad ready site of the commercial. Also, the foundation of the building would be installed. What was initially contemplated is the shell being built. We don't feel that is reasonable due to the timing. Tim is purchasing the commercial property and will be putting in additional resources to the site, infrastructure, and a foundation. He is also responsible for the cost of the underground system because Wayne does not need that on his development. We are trying to allow them to be decoupled, allow for the residential to continue its development, and allow for the commercial piece to move along. In a worst case scenario, you would have a fully gravel graded project with a pad for the building, the drainage infrastructure, and a bond in place to put in the perimeter landscaping. At a certain point when you are sub-dividing a property the rights of both owners have to be separated but still protect the intent of what the approval is. Our thought is this will do that but allow Wayne to become decoupled from Tim because he is selling him the property. Tim will be responsible for his own bonding and construction costs, etc. That would all be tied to the approval of the plans. The waiver needs are because of the implementation of the second story of the building that increases the setbacks. We are meeting the front setback but not the side setback on Dartmouth Street and the set-back to the artificial line that we are creating in our own development. That is not an issue because everyone involved in this project are direct abutters to each other and everyone is aware of what would be going in.

M. Somers: In order for the residential piece to get the COs for the first phase the front piece would have to be brought up to pad ready?

D. MacGuire: For the first 18 units that are under construction. The initial approval was that would get cleaned up and the perimeter landscaping done. Because they are going to start

980 actively constructing, we are asking for that to be completely bonded so if Tim walked away
981 there would be a bond in place.

982
983 M. Somers: What triggers the CO for those 18 units?

984
985 D. MacGuire: The placement of the bond is what we are now proposing.

986
987 M. Somers: At that point, with the decoupling, he could begin to build the other 12 units?

988
989 D. MacGuire: The remaining 12 units, as part of your original permit, were getting tied by CO
990 to completion of the shell of the building. We are suggesting it still be tied to CO but because
991 Tim will be behind in the construction, everything we discussed would happen except the
992 building would not be built. It would actively be being built. The amount of cost this user would
993 have into this property, at that point, is significantly more than if the the owner owned both. It
994 won't be paved until everything is in because you would not want to destroy the pavement. It
995 would be a true turnkey pad ready site. We are asking for this because of timing. By the time
996 Tim gets to the building phase, Wayne would be done building his entire piece. We are trying to
997 have continuity so Wayne isn't waiting to be able to get his COs.

998
999 D. Pichette Volk: As of this moment is it correct to say there is only one owner of both
1000 residential and commercial? The deal has not been done?

1001
1002 D. MacGuire: Correct.

1003
1004 S. Gilbert: The assurance this commercial property would be built is the bond?

1005
1006 D. MacGuire: The bond is assurance for phase 1 which is under construction. Instead of putting
1007 in the perimeter landscaping while this is under construction and have to rip things out, we are
1008 bonding the front. It will be a restoration bond that ensures this is done whether by Tim or the
1009 town with the bond. The front will be bonded to give Wayne the opportunity for COs. Where it
1010 goes for more than a bond is when the landowner can't get his COs for the remaining 12
1011 residential units until this is gravel grade, has drainage, and the foundation is in. It didn't seem
1012 reasonable to get the entire building built because that could be lagged for six or eight months
1013 depending on delays.

1014
1015 S. Gilbert: What if they get those 18 units and they are happy or something happens. What is the
1016 assurance the commercial building gets built?

1017
1018 D. MacGuire: It is being bought by someone that wants to do it. If Tim was not involved the
1019 current owner could build the 18, put in the perimeter landscaping, get it to pad ready and be
1020 done for 20 years. Wayne had to get the value out of the land by doing the residential piece to
1021 offset the rest of it. It is more likely to be built by bringing in a new user who is buying the land.

1022
1023 R. Duhaime: Is this the actual building?

1024
1025 D. MacGuire: Yes.

1026

1027 R. Duhaime: This type of building is what we are looking for in town. I would recommend
1028 irrigation because you are narrowing the buffers. How come there are no stairs or a corridor that
1029 goes between the two locations so you don't have a trail through the landscaping? I want the
1030 commercial to offset the residential. The idea of allowing the other 12 before I get any
1031 commercial taxes doesn't sit well with me. Mr. Kenney can put up the other 12 units but I am not
1032 going to give him the COs until the building permit for the commercial building is pulled and the
1033 foundation is in. The foundation is taxable and that is motivation to finish the building.

1034
1035 D. MacGuire: Isn't that what we are saying? He won't get any of the 12 until that foundation is
1036 in and it is taxable. That is the intent and what I am trying to convey.

1037
1038 R. Duhaime: He won't get any COs for the 12?

1039
1040 D. MacGuire: No.

1041
1042 J. Sullivan: The 18 buildings would get their COs?

1043
1044 E. Robidoux: Yes.

1045
1046 J. Sullivan: The commercial will get to a certain point that would be deemed taxable and until it
1047 reaches that the additional 12 units will not be built?

1048
1049 E. Robidoux: They would be built but can't be occupied. There will be 18 COs for the
1050 residential, the site work and a pad will be done for the commercial to tax, then we can issue the
1051 COs for the 12.

1052
1053 J. Sullivan: This gives us more commercial base in the PZ and housing that is in short demand.

1054
1055 ***J. Sullivan motioned to accept jurisdiction of the amended site plan before the Board for Tim***
1056 ***T & Keson Beauregard, Map 18, Lots 30, 31, 31A, 1385 Hooksett Road. Seconded by S.***
1057 ***Gilbert. Motion carried unanimously with a vote of 6-0.***

1058
1059 ***J. Sullivan motioned, pursuant to RSA 36:56, to find the proposal as presented at this***
1060 ***time meets the definition of a development of regional impact. Seconded R. Duhaime.***
1061 ***The Board determined this application does not meet the criteria for regional impact.***
1062 ***Motion fails with a vote of 6-0.***

1063
1064 S. Gilbert: For the landscape buffer, is that because the building is all the way to the left?

1065
1066 D. MacGuire: It is building height related and is at the back of the parking lot.

1067
1068 S. Gilbert: I thought it was the side. I am good now.

1069
1070 Open public hearing.

1071
1072 Open public comments.

1073 No public comments.

1074 Close public comments.

1075

1076 Close public hearing.

1077

1078 ***J. Sullivan motioned to grant a waiver from the Town of Hooksett Zoning Ordinance, Article***
1079 ***10A, Section F (1), Table of Performance Dimensional Standards to allow a front setback of***
1080 ***31 feet where 42 feet is required. After review of the waiver request, the Board find that strict***
1081 ***conformity to the regulations would pose an unnecessary hardship to the applicant and the***
1082 ***waiver would not be contrary to the spirit and intent of the regulations. Seconded by M.***
1083 ***Somers.***

1084

1085 D. MacGuire: There are two front setbacks because we have frontage on two roads. The front
1086 setback is a 1:3 ratio if you have parking in front and a 1:1.5 if there is no parking. The front
1087 coming of off Hooksett Road has parking, which requires the more substantial setback, and
1088 coming off of Dartmouth is less because there is no parking on that side. That is the side we are
1089 not meeting.

1090

1091 ***J. Sullivan amended his motion to read: to grant a waiver from the Town of Hooksett Zoning***
1092 ***Ordinance, Article 10A, Section F (1), Table of Performance Dimensional Standards to allow***
1093 ***a front setback of 31 feet from Dartmouth where 42 feet is required. After review of the waiver***
1094 ***request, the Board find that strict conformity to the regulations would pose an unnecessary***
1095 ***hardship to the applicant and the waiver would not be contrary to the spirit and intent of the***
1096 ***regulations. Seconded by M. Somers. Motion carried with a vote of 6-0.***

1097

1098 ***J. Sullivan motioned to grant a waiver from the Town of Hooksett Zoning Ordinance, Article***
1099 ***10A, Section F (1), Table of Performance Dimensional Standards to allow a side setback of 23***
1100 ***feet where 28 feet is required. After review of the waiver request, the Board finds that strict***
1101 ***conformity to the regulations would pose an unnecessary hardship to the applicant and the***
1102 ***waiver would not be contrary to the spirit and intent of the regulations. Seconded by M.***
1103 ***Somers. Motion carried unanimously with a vote of 6-0.***

1104

1105 ***M. Somers motioned to grant a waiver from the Town of Hooksett Zoning Ordinance, Article***
1106 ***10A, Section H.3.a (3) to allow pavement within the side landscape buffer. After review of the***
1107 ***waiver request the Board finds that specific circumstances relative to the plan, or conditions of***
1108 ***the land in such plan will properly carry out the spirit and intent of the regulations. Seconded***
1109 ***by S. Gilbert. Motion carried unanimously with a vote of 6-0.***

1110

1111 ***J. Sullivan motioned to grant a waiver from the Development Regulations, Part III, Section***
1112 ***3.01, Checklist to allow checklist items to be located throughout the plan set rather than on***
1113 ***specific plan sheets. After review of the waiver request, the Board find that strict conformity to***
1114 ***the regulations would pose an unnecessary hardship to the applicant and the waiver would not***
1115 ***be contrary to the spirit and intent of the regulations. Seconded by S. Gilbert.***

1116

1117 J. Sullivan: It looks like we are getting that requirement all the time. Could we amend that
1118 regulation?

1119

1120 E. Robidoux: We are going to amend that regulation.

1121
1122
1123
1124
1125
1126
1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138
1139
1140
1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167

Motion carried unanimously with a vote of 6-0.

M. Somers motioned to approve the findings of fact as listed.

R. Duhaime: The architectural design has been met and I love the look of the building.

*Seconded by S. Gilbert. **Motion carried unanimously with a vote of 6-0.***

M. Somers motioned to assess the following impact fees for the two sections of the project:

- *Residential portion (Map 18, Lot 30) \$104,040.00 in total for the 30 townhomes; and*
- *Commercial portion (Map 18, Lot 31) \$65,250.00 for the 15,000 sf development.*

*Seconded by S. Gilbert. **Motion carried unanimously with a vote of 6-0.***

J. Sullivan: Are there six available spaces for lease? Most likely two above and four below.

T. Beauregard: With flexibility. I would say six to eight. Some could be smaller. There will be an elevator with a set of stairs.

M. Somers motioned to approve the application before the Board for Tim T. & Keston Beauregard (Owner: Park Place Community, LLC), Map 18, Lots 30, 31, &31A, located at 1385 Hooksett Road, the Board finds the application has satisfied the general requirements of the Town of Hooksett Development Regulations, or a waiver has been granted where the requirements could not be met, pursuant to RSA 676:4, Completed Application with the following conditions:

1. *All review fees are paid in full.*
2. *A single (22" x 34") mylar, 6 paper copies (22" x 34"), 1 paper copy (11' x 17"), and 1 digital PDF copy (CD, email, or flash drive), of the final plan are submitted to the Office of the Town Planner within the Community Development Department. If the applicant wishes to retain a signed copy, include additional copies. The above-mentioned copies shall be retained for Town records.*
3. *All outstanding comments from the Town Engineer as noted in the memo dated January 11, 2024, shall be addressed to the Town Engineer's satisfaction.*
4. *All updated State and local permits (as applicable) shall be received and noted on the plan – add the AOT permit approval to the plan.*
5. *Written confirmation from the Central Water Precinct and the Hooksett Wastewater Department shall be provided indicating that final utility print submissions have been reviewed and approved by their respective commissions and/or consulting engineers, and all applicable fees paid in full.*
6. *The Town of Hooksett's standard conditions subsequent related to items required by the applicant prior to construction and the issuance of a certificate of occupancy are inherent in this motion.*
7. *The Lot Line Adjustment plan approved by the Planning Board on December 18, 2023, shall be recorded and noted on the plan.*
8. *Approved waivers shall be noted on the plan.*
9. *Add a note to the site plan sheet outlining the approved phasing plan.*
10. *Phasing approval shall be as follows:*

- 1168 a. *Phase I (related to the residential portion of the site) – Site bond to remain in*
1169 *place; drainage is to be completed for both portions of the site; the lower*
1170 *utilities are stubbed out; site grading is completed to gravel for the lower*
1171 *portion; areas requiring loam and seed (as determined by the Town*
1172 *Engineer) are completed; perimeter landscaping in areas not encumbered by*
1173 *future construction is installed; and the commercial pad has been installed.*
1174 *Once all of the above noted items are complete, COs may be issued for the*
1175 *remaining 12 units.*
1176 b. *Phase II (related to the commercial portion of the site) – site bond shall*
1177 *remain in place until the construction of the commercial building (shell) is*
1178 *complete.*
1179

1180 D. MacGuire: For clarification there should be a point that states the initial 18 can obtain a CO
1181 with the bonding of restoration of the commercial site. This doesn't touch on the original 18.
1182

1183 M. Somers: Should this be three phases?
1184

1185 E. Robidoux: Phase 1 – COs for the initial 18 units with the site bond in place; Phase 2 – related
1186 to the commercial portion of the site; and Phase 3 site bond shall remain in place until the
1187 construction of the commercial building is complete.
1188

1189 ***Seconded by J. Sullivan.***
1190

1191 R. Duhaime: A year from the date of the pad site, whether the building is done or not, I want the
1192 impact fees. He could sell it to anyone if the impact fees are already paid.
1193

1194 J. Sullivan: Is there something in our regulations regarding impact fees that addresses this?
1195

1196 E. Robidoux: We can't change the current impact fee rules.
1197

1198 J. Sullivan: Would that require a change in impact fee rules or could we do it individually and
1199 make an exception to the impact fees?
1200

1201 E. Robidoux: Not without amending the ordinance through the public hearing process.
1202

1203 J. Sullivan: That might be worth looking into.
1204

1205 **Motion carried unanimously with a vote of 6-0.**
1206

1207 **5. BW LAND COMPANY LLC represented by ERIC C. MITCHELL & ASSOCIATES**
1208 **53 South Bow Road**
1209 **Tax Map 12 Lot 14-2**
1210 **Amended Subdivision**
1211

1212 E. Robidoux: On June 6, 2016, the Planning Board approved a 4 lot subdivision on South
1213 Bow Road. One of the conditions subsequent stated, "The property owner of Lot 14-2,
1214 current and subsequent, is required to clear and remove all trees and shrubs including

1215 stumps and maintain short grass within the sight distance easement areas including the
1216 area within the South Bow Road right of way on an ongoing, perpetual basis. In the event
1217 the deeded easement area is not maintained the town has the right to perform the clearing
1218 and establishment of grass and invoice the property owner or place a tax lien on the
1219 property for reimbursement of expenses.” The sight distance easement is recorded at
1220 MCRD as Book 3535, Page 2703. The Court has determined the imposition of this
1221 condition is unlawful and it needs to be removed from the plan. The request this evening
1222 is to amend the approved subdivision by removing Subsequent Condition #2 as noted on
1223 Plan #2016000118491. A request to formally waive the checklist requirements is also
1224 submitted as the only change to the approved plan is to remove the condition and update
1225 the purpose of the plan. The sight distance easement will need to be released and a new
1226 sight distance easement recorded that does not include the above noted condition. The
1227 Town Council at its meeting on January 10, 2024 has authorized the release of the
1228 easement and has authorized the Town Administrator to execute the new easement on
1229 behalf of the town. (TC Agenda Item 16.3). Staff would recommend approval of the
1230 waiver request and the proposed plan amendment.

1231
1232 Attorney Jim Soucy (Gordon & Rees Scully Mansukhani, LLP): It was determined that
1233 the straight-forward way to get this in front of this Board was for Eric Mitchell to
1234 complete a major and minor sub-division application even though this is just revoking a
1235 portion of it. On the first page, top edge of center of the original signed sub-division plan
1236 you will see “subsequent condition no. 2”. The superior court indicated in an Order from
1237 late April of 2023, that it may be unlawful or invalid to incorporate into the sub-division
1238 approval that if the landowner doesn’t or wouldn’t maintain, by cutting and/or removing,
1239 the vegetation within the easement, the town has the right to perform the duties to
1240 maintain the sight distance easement for that corner, tabulate the cost, and put a tax lien
1241 on the property owner for the costs incurred by the town. Working with town counsel we
1242 came up with this procedure to get this one condition revoked and removed from the
1243 official signed plan. Because there is a site distance easement that BW Land conveyed to
1244 the town, the town would sign a release and that would get recorded and, immediately on
1245 its heels, would be the new sight distance easement which is identical in dimensions,
1246 rights, and everything else with the exception that paragraph that is on the original sight
1247 distance easement from 2016 has been removed. This has been reviewed. I have a copy of
1248 the new sight distance easement that has been signed by the managing member of BW
1249 Land Company LLC. It is being held in escrow, signed sealed and ready for recording,
1250 but this new one can’t be recorded until the town releases the current one.

1251
1252 J. Sullivan: We have to say yes to this because the court said it was incorrect the first time
1253 around?

1254
1255 E. Robidoux: Correct.

1256
1257 ***J. Sullivan motioned to accept jurisdiction of the amended subdivision plan before the Board***
1258 ***for BW Land Company, LLC, Map 12, Lot 14-2, 53 South Bow Road. Seconded by M. Somers.***
1259 **Motion carried unanimously with a vote of 6-0.**

1260
1261 R. Duhaime: We don’t have to accept what the court says. There are case studies where that has

1262 happened. This lot was left larger than the others because it was going to be a sub-divided lot and
1263 this was going to be a flag entrance. That is the reason that condition was put on. Is there a sub-
1264 division being planned for this lot?

1265
1266 Attorney Soucy: I am not privy to that.

1267
1268 **Open Public Hearing**

1269
1270 Jeremy Morel (7 Mountain View Road): Is there a prior development plan in place for this that I
1271 would be able to reference? We have several residences on Mountain View Road with failed
1272 wells. I have three wells on my property which have failed. One has been replaced but it is a low
1273 yield well. I am concerned that any additional development nearby would draw from the reserves
1274 we are pulling from. We are also concerned with the development impact to our property line.

1275
1276 C. Stelmach: This is set up as a single lot. They would have to come back to sub-divide.

1277
1278 J. Morel: I am really concerned with the properties adjacent to my property.

1279
1280 C. Stelmach: As of right now it is one single house.

1281
1282 J. Morel: Is there a plan submitted for a single house as of today?

1283
1284 E. Robidoux: Nothing that I am aware of.

1285
1286 Bill Burke (Abutter): I feel we are getting blindsided. This has all been battled out in court.
1287 There were plans for more than one house and the easement does not exist. Why he wants to
1288 change the language to get the easement that doesn't exist is a mystery to me. I understand they
1289 want that language removed but the easement part is not going to change. I don't understand
1290 what his approach is tonight. There is going to be a phase 2 development out back.

1291
1292 C. Stelmach: How would they access it?

1293
1294 Eileen Bens: They were trying to get approval for five to seven houses. At one time there was a
1295 name to the road.

1296
1297 B. Burke: We had the Town Council do a site walk and the spot where they wanted to put this
1298 road is horrible. It is on the apex of a corner. Without the sight lines they couldn't do it. Now
1299 they are trying to change the rules of the game. That seems unfair. We have already battled this
1300 and would have had an attorney here with us if we knew we had to go down the same road again.

1301
1302 J. Sullivan: The court determined this was unlawful. This was because of that court case?

1303
1304 E. Robidoux: I understand there has been ongoing litigation with regard to development of the
1305 land in this area. The sub-division for the four lots was approved in 2016 and it had that
1306 condition on it. That is not a condition that should ever be put in place. The town should not be
1307 charging people for work the town does in that manner. The court said that condition has to come
1308 off of this four lot sub-division plan. That is the only thing we are here for tonight. If someone

1309 purchases this lot and comes back with a sub-division and tries to connect somewhere else that is
1310 a whole other matter before the Board and we could look at access, etc. For now, this is the plan
1311 that is on record and the matter before the Board.

1312
1313 C. Stelmach: The sight distance is on the owner of whoever buys the lot?

1314
1315 E. Robidoux: The sight distance easement is there. This change to the plan says if the owner of
1316 that property puts a driveway in, builds a house, and doesn't maintain the sight distance the town
1317 can't go clear that and charge them. Whoever buys this will be responsible for their own site
1318 distance and safety exiting their driveway. That easement is still there. There is also a road
1319 widening easement that covers a couple of the properties here as well. In case that portion of the
1320 road ever gets widened the town would maintain that. For right now all we have before us is to
1321 take those words out and that is all we can comment on tonight.

1322
1323 E. Bens: That is for 53 South Bow Road?

1324
1325 E. Robidoux: Yes.

1326
1327 B. Burke: Matt Serge, the town attorney knows about all of this. I wouldn't have minded him
1328 being here if they are going to try to do things. I am not sure why he is here.

1329
1330 E. Robidoux: He is representing the landowner to make sure we take that wording away. This
1331 application does not bring back a change to the plan other than to take those words out.

1332
1333 Attorney Soucy: These abutters are directly abutting the northerly property line to this lot that
1334 has issue in this application. The sub-divided lots to the south have houses on them. The sight
1335 distance easement at issue is Lot 14-2. The resident abutters are talking about something that
1336 doesn't apply. They have a misunderstanding of what has been submitted. The easement is not
1337 on their property, it is on the applicant's property. The condition being changed doesn't apply to
1338 their property, it only applies to the applicant's property. The easement itself doesn't change but
1339 for the language. The statement that my client is trying to change the rules or pull a fast one is a
1340 fallacy and incorrect and arises from their lack of understanding of what has been submitted.

1341
1342 C. Stelmach: All we are doing tonight is taking out the verbiage of who takes care of this sight
1343 distance.

1344
1345 Attorney Soucy: We are taking out the verbiage that the town can't go out there with its road
1346 crew, do the work, and automatically charge the homeowner as a tax lien without any legal
1347 process.

1348
1349 R. Duhaime: You are still changing a sub-division plan. This was a four lot sub-division. This is
1350 a sight line issue on this curve and you are adding a driveway. The driveway has never been
1351 installed because they thought they were going to move forward with the further sub-division.
1352 Even if the further sub-division didn't go in, the Planning Board added this caveat to make sure
1353 the corner was safe even if the sub-division didn't proceed. Now we are taking it off. The idea is
1354 we are going to keep 25' of your property for a slope easement or whatever use the town wanted.
1355 You could add this onto that sub-division. You are changing the sub-division plan even if the

1356 court orders you to take something off. That doesn't mean you can't add something else on.

1357

1358 **Close public comments.**

1359

1360 **Close public hearing.**

1361

1362 S. Gilbert: Town Council has opened the easement and made the correction. I am not clear as to
1363 what the change is. Is that something that needs to be included with this?

1364

1365 E. Robidoux: Town Council looked at the language for the release of the existing easement that
1366 is recorded that says this language will be taken out and this easement will be released and
1367 replaced with a new one that doesn't have that language. Town Council also authorized the
1368 Town Administrator to sign.

1369

1370 ***M. Somers motioned to grant a waiver from the Development Regulations, Part I, Section***
1371 ***1.02, Checklist Items; Checklist Requirements to not include all of the required information***
1372 ***on the plan sheet as this application is for the removal of a prior condition subsequent and no***
1373 ***changes to the lots are proposed. After review of the waiver request, the Board found that***
1374 ***strict conformity to the regulations would pose an unnecessary hardship to the applicant and***
1375 ***the waiver would not be contrary to the spirit and intent of the regulations. Seconded by S.***
1376 ***Gilbert. Motion carried unanimously with a vote of 6-0.***

1377

1378 ***M. Somers motioned to find the plan as presented meets provisions and standards***
1379 ***provided in the Development Regulations, by means of details on the plan, or the***
1380 ***granting of a waiver(s). Seconded by S. Gilbert. Motion carried unanimously with a***
1381 ***vote of 6-0.***

1382

1383 ***M. Somers motioned to approve the amended sub-division for BW Land Company, LLC, Map***
1384 ***12, Lot 14-2, 53 South Bow Road, pursuant to RSA 676:4, Completed Application with the***
1385 ***following conditions: 1) All review fees are paid in full; 2) A single (22" x 34") mylar, 6 paper***
1386 ***copies (22" x 34"), 1 paper copy (11' x 17"), and 1 digital PDF copy (CD, email, or flash***
1387 ***drive), of the final plan are submitted to the Office of the Town Planner within the Community***
1388 ***Development Department. If the applicant wishes to retain a signed copy, include additional***
1389 ***copies. The above-mentioned copies shall be retained for Town records; 3) The existing***
1390 ***easement is released and the new easement is conveyed by BW Land Company, LLC to the***
1391 ***Town of Hooksett. Copies of the recorded easement shall be provided to Community***
1392 ***Development. Seconded by R. Duhaime. Motion carried unanimously with a vote of 6-0.***

1393

1394 J. Sullivan: The information presented tonight was the same information presented to the
1395 Council.

1396

1397 **OTHER BUSINESS**

1398 **6. TOWN PLANNER UPDATES**

1399

1400 E. Robidoux: Staff met with Hip Peas representatives as per the condition of the continuance.
1401 They are in the middle of working on their amended site plan. They will request a continuance to
1402 March 18 as they will not have everything ready for February 5. They are moving forward.

1403
1404 The owners of properties on either side of College Park Drive have asked that the Planning
1405 Board convene a steering committee to work towards some kind of rezoning in that area. They
1406 would like to work with the town on a master plan of development in that area.

1407
1408 S. Gilbert: Isn't that part of the matrix?

1409
1410 E. Robidoux: It is. They are going to be moving forward with an application to the zoning board
1411 for the existing building. Aside from that they would like to work with the town on a master plan
1412 of that area.

1413
1414 J. Sullivan: Mr. Cronin is scheduled to come into the Council about consideration if the town is
1415 interested in acquiring the 62 acre northern section.

1416
1417 M. Somers: The Board is down two alternates and soon to be three.

1418
1419 **7. NHDOT NOTICE – DRIVEWAY PERMIT**
1420 **Map 13 Lot 40; Re-paving existing swale/apron**

1421
1422 Brett Russell, 1580 Hooksett Road – Granted by NH DOT.

1423
1424 E. Robidoux stated this is to provide correspondence to the Board.

1425
1426 **ADJOURNMENT**

1427
1428 ***M. Somers motioned to adjourn at 9:48 pm. Seconded by S. Gilbert. Motion carried***
1429 **unanimously with a vote of 6-0.**

1430
1431 **Respectfully submitted by,**

1432
1433 **/s/ AnnMarie Scott**

1434
1435 **AnnMarie Scott**
1436 **Recording Clerk**