Official

HOOKSETT ZONING BOARD OF ADJUSTMENT
Tuesday, October 13, 2020
HOOKSETT MUNICIPAL BUILDING
35 Main Street

CALL TO ORDER
Chairman Anne Stelmach called the regular meeting to order at 6:34 pm.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Anne Stelmach (Chairman), Richard Bairam (Vice-Chairman), Phil Denbow, Gerald Hyde, and Roger Duhaime (Town Council Representative).

ALTERNATES: Timothy Stewart

EXCUSED: Chris Pearson

STAFF: Matt Lavoie (Code Enforcement Officer)

APPROVAL OF MINUTES

September 8, 2020 – R. Bairam motioned to table the minutes of the September 8, 2020 meeting. Seconded by P. Denbow.

Add testimony of William Tebow. Table

Motion carries unanimously with a vote of 5-0.

September 22, 2020 – A. Stelmach motioned to approve the minutes of the August 11, 2020 meeting. Seconded by R. Bairam. Motion carries unanimously with a vote of 5-0.

CONTINUED PUBLIC HEARING:

CNC Investments, LLC #Z20-9
1 Goonan Road, Map 37 Lot 30

APPLICATION FOR VARIANCE:

From Article 4 Section C. 1, of the Zoning Ordinance to permit: a two-lot subdivision with the westerly lot approximately 45,328 sq. ft. of area where 87,120 sq. ft. is required, and the easterly
lot having approximately 45,721 sq. ft. of area where 87,120 sq. ft. is required and approximately 119 feet of frontage where 200 feet is required.

The applicant has asked to continue until the November 10, 2020 meeting.

Silver City NH LLC #Z20-11
39 Hackett Hill Road, Map 13 Lot 51

APPLICATION FOR VARIANCE:
From Article 10 Section A of the Zoning Ordinance to permit: Warehouse and Industrial, non-nuisance (as defined in Article 22) uses in the Commercial District to support the redevelopment of tax map 13 lot 51

The applicant has asked to continue until the November 10, 2020 meeting.

DISCUSSION / APPLICATION REVIEW:

Silver City NH LLC #Z20-12
39 Hackett Hill Road, Map 13 Lot 51

CONSIDERATION OF APPLICATION FOR EXCAVATION PERMIT:
Other Ordinances #OO14 Section 6 - The board may grant conditional approval subject to a public hearing. Section 8 - A public Hearing shall be held on such decision or any matter determined thereby. A notice of the hearing shall be sent to abutters. Conservation Commission, & per RSA, the local newspaper.

Nick Golon (TF Moran): We are asking for a continuance of the variance application. We are pursuing the traffic study so that we have that information so the Board can have a response from DOT relative to traffic because we do realize that was an important element to the use variance. We had a site walk where we looked at areas of clearing, elevation of the site, and we had confirmed with those in attendance that we would be bringing some additional graphics which you should have in your packets. The first graphic shows our contiguous buildable area plan. We have been asked questions about the elevation of 273 on the northerly side on Tax Map 13, Lot 51 and elevation 260 on the southerly side. There was a mis-communication as to why those elevations were being proposed and how we are generating this additional buildable area. The graphics help to provide that information. The areas in the peach color are representing the existing buildable areas. When you look at the first phase area there is a contiguous buildable area of approximately 21 acres. That is consistent with what Ritchie Brothers was using. Looking at the southerly side, which we call our Phase 2, that is a contiguous buildable area of approximately four and a half acres. The area in green, which surrounds these, would be the contiguous buildable area if we lower the site grades. We are proposing an elevation of 273 on the northerly side and 260 on the southerly side. The legend shows what those values create. It is an additional 13.4 acres of buildable land. Approximately 52 percent more. We achieve this in two ways. When we look at the easterly side we can see the existing steep grades. When we look towards the westerly
side there would be a proposed retaining wall in the neighborhood of 20’ to 25’ tall at its tallest. You are building a wall of that size you are looking at using a geotech style fabric as a tieback. That is the maximum wall that would be allowable, still be able to keep everything on our property, and maintain appropriate buffers as required for the excavation permit. The elevations create a tremendous more buildable area. We realize that is in relationship to the use variance and the application to construct a proposed distribution center. This would be for any type of developable area. You are generating that much more buildable area which provides the opportunity for that much more building and tax base. We have received comments regarding site lines and what the residential abutters adjacent to the river be looking at. When we had our site walk we had the balloon elevations for the top of the building to show what could be seen from the highway and 3A. We walked along the slope to see the limit of clearing and what vegetation was going to remain. We are providing section plans that show what an individual standing on the road would be seeing if they were looking at the house and from the first floor elevation if they were looking upslope. We are also provided pictures that were taken the day of the site walk. Lot 13-51 is an existing site line from the right-of-way looking toward the home on 3A. The reverse angle, photo 2, looking towards the area of excavation is the existing site line where there is a good mix of trees that provides a year round screening. We also are providing a profile view. From the first floor elevation looking up the slope the height of those trees are variable between 30’ and 60’. We can see the existing edge of pavement that is 3A. We can see the pavement that is the site access road coming up the slope which was the discontinued driveway and the amount of vegetation that remains. For the purposes of clarity we dropped in the proposed structure to understand whether or not it could be seen. That would also go towards the use variance. For the purposes of the excavation this serves the same purpose. It shows what would be seen, the remaining landscape area that would remain, and if this would create a hinderance to our neighbors. The next abutter is Lot 13-50. They have the benefit of a tremendous landscape screen that sits along the easterly side of 3A. Photo 1 shows the existing site line from the right-of-way into their site. There is a healthy stand of trees that provide a substantial buffer being provided. Photo 2 shows the upslope and the substantial buffer that is being provided. The profile view shows both a first and second story site line. They are looking through the trees. The next section page is for Lot 17-15. For this we provided two site lines, one looking towards the area that is excavation and the other which is the proposed building. Looking at the existing site line from the right-of-way, they have the benefit of a substantial existing evergreen tree screen on their property and, toward the site line from the right-of-way, the landscape is dominated with the existing mature vegetation. The profile views reinforce the commentary that we have had relative to that site line. They are obscured either by the trees or berm and the elevation of the existing grade itself. That is looking toward the first phase of excavation. Looking toward the second phase of excavation, the existing trees provide more than an adequate screening. Lot 17-14 has the benefit of a substantial landscape buffer. Evergreen trees. You can see the power lines. The top of the power pole is approximately 40’ which helps to understand how large those evergreens are. That is looking towards the site. Looking towards the area of proposed development there is a healthy tree screen. Looking at the profile views from the home, that area of excavation is in excess of 600 linear feet and they have three different rows of tree screenings relative to what those site lines would be that are provided.
R. Duhaime: The only site line on the slope is the old Palazzi driveway from 3A. Do you have that? I think that is the least slope we have. You could see through there.

N. Golon: We looked at this from a residential abutter standpoint. There was a concern for what those site lines were. We can use this graphic for that purpose as well. Relative to where we cross that site line to see the area of tree screen that remains. It is in excess of 100’. They are large mature growth trees that would be left behind.

R. Duhaime: I am looking at what the residents of the town will see as well, not just the residents on the river.

N. Golon: For a passenger driving on 3A, there are site lines between 3 1/2’ and 3’ 9”. That site line would be less than what we would looking at from the first floor. The first floor is an average height of 6’ for an individual as far as that site line. If we were to look at this from a standpoint of what someone sees as they are driving down 3A you would be looking at a height of approximately 3 1/2’. They would not be able to see through that first slope as far as looking up towards the site. That is consistent along 3A in totality. As you are driving along 3A you would see the mature tree screen on both sides.

R. Duhaime: Not where the driveway is. There are not any mature trees in that area.

N. Golon: There is a mature tree screen on both sides.

R. Duhaime: You are not going to touch any of that screen?

N. Golon: The tree screen that I am showing you will be left in its existing condition. When we were in the field we had flagged areas that would be removed. That is consistent with what you are looking at today. Our neighbor that is the furthest away, coming from the soccer fields, they are looking across 3A to the old Palazzi site driveway and area of existing woods to remain before we reach the berm elevation of 278. The site line from the soccer field area is looking into the top of the berm that we are proposing as part of the excavation. The Phase 2 area is something similar. The soccer fields are set down from the road. Looking at that site line we are not only looking through the trees but looking into the slope. We updated the excavation plans to be consistent with RSA 155(e) as well as Ordinance 14 for sand and gravel operation for the town. It is our understanding that this includes everything that is required as part of the application process. This is now phased. Proposing to open up about 40 acres of excavation was a concern for the Board given the history of this area. What we have done with our excavation and reclamation plans is broken it into phases that we have establish for what the development project is intended to be. The first phase is the northerly portion which would accommodate the construction that is being proposed should that variance be successful. Then we have the southerly portion. That provides the opportunity for the ZBA to limit the amount of excavation that is taking place at a time. In the past, when we were looking at excavation permits, this Board has looked at other opportunities to limit work so that there was appropriate oversight. That has been done through bonding, limited approval windows, and the limited approval windows also incorporated site visits for evaluation to make sure the work is being conducted consistent with the permit to avoid having a future site that is not appropriately reclaimed. Our intent was to reclaim it through the
proposed development but we have updated our plans consistent with the ordinance to show how the area would be reclaimed which is exhibited on this plan. The areas of work are consistent with the buffers that are required by your ordinance as are the means of reclaiming the site.

R. Duhaime: What are you planning to do in Phase 1?

N. Golon: Do you want to look at the excavation or reclamation?

R. Duhaime: The reclamation if you do develop it. Do you think we need another sand pit in Hooksett?

N. Golon: I think the applicant has the right for excavation at this site.

R. Duhaime: My question was do you think we need another sand pit in Hooksett? We already have some that are not developed.

N. Golon: I do not know if I am the appropriate party to answer that question.

R. Duhaime: I am just asking a question. I think if development is going to go there excavation would be proper. I am just trying to understand what you are doing.

N. Golon: Having the opportunity to bring the site down to an appropriate grade to accommodate what is being proposed for future development is a key point. We know that this is going to take time. The original forecast was two to three years to remove this material if they go at a typical rate. It could be longer depending on whether or not individuals are looking for this material. I am not trying to skirt your question but I don’t know if it is a fair question.

R. Duhaime: What do you want to do for Phase 1 with no development?

N. Golon: We have maintained the existing structures that are located in the northwest portion of the site which are the existing office and garage. They provide appropriate infrastructure for the excavation work to be done and potentially provide a future benefit relative to how the site is used. In the interest of looking at this site from a future development standpoint, we have maintained the existing driveway on Hackett Hill Road. All of the appropriate turning radius’s that would need to be accommodated, either for vehicles for excavation or for future development, are readily accommodated. Ritchie Brothers had an auctioneer site and it was large industrial equipment which required substantial turn arounds to make those turn radius’s. We are maintaining that as part of the proposed excavation. As far as grading we are maintaining a nice flat level pad at the top of this. We made sure we maintained all of the appropriate site lines along Hackett Hill Road. As we work our way down the site we have an approximate 5% grade that brings us down and loops us into the site. Being that this is phased, we know we need to provide the means of a turn-around in both phases. We are proposing a cul-de-sac at the end of Phase 1. We have provided a plan and profile view of how that road would be constructed. Given that we have reclaimed stabilized base that was used by Ritchie Brothers for their pad elevation, we have the opportunity to reuse that material to build a substantial road. That will provide us the opportunity
to make sure we don't have wash outs. This will not be a dirt or gravel road. Using that re-
claimed stabilized base will provide a nice hard pack surface for the purpose of what the vehicles
would be using and appropriate turn around for police or fire should they have a need to visit the
site. Working across the site, we provided a 25’ buffer along the westerly portion where we have
an existing tree screen that has a depth of approximately 50’ that has been left in place by DOT,
and we are providing an additional 25’ screen on our property. That 25’ would be the area where
they would put in a retaining wall in order to accommodate a larger development on this site. We
are showing 2:1 slopes along this portion of the site which are appropriate given the existing site
soils. Those would receive either a blanket slope protection or a bonded fiber matrix which pro-
vides the appropriate covering so those areas can be restored. As we work our way southerly you
can see where the embankment would be placed and the transition between Phases 1 and 2. The
existing wash building would be removed. We are providing a mulch berm at not only the limits
of the excavation, but on the other side of the proposed berm.

R. Duhaime: Can you give me the area for the phases.

N. Golon: The total site area is 54 acres. The area of this phase is approximately 27 acres. We
are incorporating a raised berm. There is approximately a 5’ berm and you can see the contours
that loop around a perimeter. It helps make sure the stormwater stays on the excavation site and
doesn’t bleed off down the hillside. The infiltration basins that exist now would be removed as
we excavate to the appropriate depths. The top of the berm is at elevation 278 with bottom pit
elevation at 273. Along the easterly corridor we go to a 3:1 slope. Those would be the slopes that
would remain after construction. AOT likes to see 3:1 slopes. We realize we have steeper slopes
that exist now. By providing a 5’ berm in the 3:1 slopes we think we are providing the oppor-
tunity for a well stabilized area that will help support future development. That slope is cons-
stent as it works its way around the easterly perimeter. As we work our way along the north
side there are the 3:1 slopes with appropriate 6’ benches anywhere we have a vertical drop off in
excess of 30’. That is an AOT requirement. Although we are asking this Board for an excavation
permit this also has to be approved by NHDES AOT. They will be looking at our slopes, limits
of work, sediment and erosion controls, and to make sure our stormwater is appropriately main-
tained on site. Working our way along the northerly slope we have one 6’ bench as that is our
maximum drop of 32’ in that location. That brings us back to our entrance and the existing facili-
ties which would remain. There would be a stabilized construction entrance to make sure our tire
wheels are clean as they are exiting the site. As part of the AOT process there would be addi-
tional oversight to make sure that sand is not entering into Hackett Hill Road or otherwise. That
is the summary of Phase 1.

R. Duhaime: You are creating slope, but taking away slope by lowering this. What is the differ-
ence? How much slope are you gaining?

N. Golon: Going back to the buildable area plan, at the perimeter of the green line is what we
anticipate being the limits of where we can construct. We are gaining 581,945 sq. ft., which is
13.4 acres, which is approximately a 52% increase. That leaves us with a net developable area of
just under 38.9 acres.

R. Duhaime: How many total acres are on the site?
N. Golon: 54 acres.

R. Duhaime: How many acres do you have to develop now?

N. Golon: The existing developable area is approximately 25 1/2 acres for both Phase 1 and 2. Phase 1 is approximately 21 acres. That is the vast majority of the buildable area. As we progress toward Phase 2 we will extend the reclaimed stabilized base road. We would be providing another appropriate cul-de-sac for turn around for both our vehicles as well as emergency services. There is an appropriate section in detail for how that road would be constructed at the end of the plan set. As we work our way along the westerly border the future development plans would propose a retaining wall along that side. We are showing 2:1 slopes. Those 2:1 slopes would be removed as part of the development and you would see a retaining wall of approximately 25°. It would be located approximately 50’ from the property line. In this case where we work along the more southerly portion of the site, we do not have the benefit of a a substantial tree screen on the DOT property. It is only on our property. It is a big gentle slope coming down for the highway working further south. We will be maintaining an existing 50’ tree buffer in accordance with your ordinance along that westerly side of the Phase 2 work. We will be stock piling the loam that we have on site, with appropriate sediment erosion controls, to provide the opportunity to reclaim those slopes after construction. In this area we are providing a 6’ high berm. The bottom elevation for excavation is proposed at 260 with the top of the berm at elevation 266. There would be 2:1 slopes adjacent to the highway and as we traverse around the corner and head toward 3A we convert to 3:1 slopes. That is for the purpose of fulfilling future development options. Putting steep slopes in that area does not behoove the opportunity for future development as there aren’t any retaining walls being proposed in those locations. Continuing to work our way along the easterly border of 3A brings us back to where we would tie into Phase 1. The sediment and erosion controls which we have specified are consistent with the requirements of the town as well as the AOT bureau. Should this Board deem this proposal acceptable, we would be submitting an application to AOT. That is our overall excavation plan. I will move on to the reclamation area. Working north to south the reclaimed stabilized road would have the opportunity to remain to provide access to the site. There is a series of a grass swale along the westerly side of that road to capture what stormwater we have and direct it to an open part of the site where it can recharge into the bottom elevation. What would be planted is a warm season grass mix. We will be proposing 4” of loam and grass seed on all of our slopes which is consistent with the regulations. We would be reusing the existing loam that would be stockpiled on site. The existing benches and slopes would be maintained as they are loomed and seeded. Working around to the southerly tip and the easterly side, the 3:1 slopes will be appropriately stabilized with loam and seed. The berm elevations would be maintained during the excavation process such that the net result would be an excavated site but with an elevated berm of grass to help provide some separation from the bottom elevation. Continuing to work around the eastern side, we have a top berm elevation of 278 which would be maintained, with a floor elevation of 273, using the appropriate seed mixes for these areas to be appropriately restored and ideally accommodate future development.

A. Stelmach: Do you have to get any federal permits such as EPA or just state?
N. Golon: That would be considered construction related stormwater and allows for construction related discharges. That would be through the EPA and is a permit that is filed no less than 14 days prior to the excavation taking place.

A. Stelmach: I am understanding that you want to do 10 acres at a time. The way this is submitted you are asking for the whole 1.6 million.

N. Golon: That is correct. Should the Board like to restrict that in a manner they think is more appropriate so that we can show you we are going to do this the correct way, with all of the appropriate procedures and permits, that is understood by the development team. If that is the feedback you would like to provide that is something we can consider. The ultimate goal is to bring the site to a grade that can be developed for its intended use. The amount of time it takes for each acre all plays into the total time of three years. If you want to limit it in some fashion that would be agreeable.

R. Duhaime: Have you done any research about the value diminishing?

N. Golon: Relative to the use of the site for excavation or another use?

R. Duhaime: Use of it for excavation.

N. Golon: I do not have any specific information but given this is an allowable use within this district my understanding would be that it is build into your Zoning Ordinance as well as your other ordinance for the gravel and excavation permit.

R. Duhaime: When you go for a variance application that is part it.

N. Golon: This is not a variance application. This is for an excavation permit.

R. Duhaime: I am just providing you with that information.

N. Golon: The excavation permit that is proposed looks solely at those regulations. Relative to a use variance we are looking at a different set of rules. We have tried to develop this excavation to best suit future development as part of what is currently proposed, should that development not be able to move forward, making sure we are providing the maximum footprint for any other such development.

R. Duhaime: You do not have any information on whether this excavation will make it better or worse?

N. Golon: Relative to land value?

R. Duhaime: Yes.

N. Golon: Relative to the complete excavation I would consider the site to be at higher value because it is creating 13.4 buildable acres.
R. Duhaime: Is that your opinion or do you have specifics?

N. Golon: Our development team has discussed this and that is why we are pursuing this excavation permit. I would have to put the appropriate real estate broker in front of you for him or her to say that to you but that is what has been conveyed to us.

R. Duhaime: I am asking if you have any information.

N. Golon: I only have word of mouth unless Billy can provide additional information.

William Tebow: From a common sense perspective if you create more acres of buildable land it will create more value in any aspect. We did not buy this site to excavate the gravel and make a living off the gravel. I spent over $7 million on this site. I bought it for redevelopment. To maximize the footprint of this land those are the grades that are established. We are not taking this site down like the site across the highway 60’, 70’, or 80’. We are bringing this site down 25’ or 30’. When we walked the site we established the ravines and the loss of use of land. By the excavation plan that has been laid out you can see that we have increased the footprint of the land by 52 percent. We have to prep the site. Hopefully we are successful in the variance. If we are not, even if we go back to commercial use by right, we still want to maximize our footprint of land to maximize the value, try to recoup our investment, make the best project we can for buildable square footage for taxes, and to get the best return we can on our investment. The goal is to get the grade down. We have done that by establishing more acreage by bringing it down to the maximum height that maximizes that footprint. We did not try to go back to 230 or 220 or take 70’ of gravel out of here. That is not what we are trying to do. We are trying to maximize the site to do the best development we can and maximize the footprint. Anyone will tell you that by increasing the land by an additional 13 acres you are going to create more value and the land will be more valuable. By taking this site down it is not a negative in any aspect.

R. Duhaime: My perspective is that viewing it from the highway it will be lower and have less view which I would think you would want. For a warehouse you don’t really need the view. In case the warehouse does not move forward it could devalue the property from the town perspective. I think the other side down 70’ will hurt that property. I am trying to understand what this property will look like.

W. Tebow: I don’t think anyone wants to see a big white elephant along the highway. If we leave it at this grade and put a 40’ building up, all of the site lines you are worried about you will see it from all of the roads. If you add 40’ to the existing elevation it will stick out like a sore thumb. We established that by showing the balloons and the height that you can see it from the highway, but it is not an obstruction of a big white elephant from these other areas. Plenty of trees and screening would be left to protect that view.

N. Golon: As a developer and engineer we are giving you the practical answers. If you would like we can provide a statement from real estate broker, or otherwise, should we have the opportunity to move forward with a public hearing.
R. Duhaime: A lot of businesses like to be on corner lots and this will not have the view.

N. Golon: If we were on Hooksett Road or an area that relies on traffic lights and people slowing down to stop you would not be able to see it. Why would you stop? This isn’t that type of site. This has access of off Hackett Hill and Hackett Hill only which is directly provided from I-93.

R. Duhaime: If you could provide some information that would be great.

N. Golon: We would be happy to.

W. Tebow: Farther up on I-93 is a Peterbilt site. That sits quite low off of the highway. I think that is lower than the grade we are proposing and you can still see it and this will be cleared along the highway. With the grades and sloping you will be able to see it from that far away.

N. Golon: Question acknowledged and we will provide you that information.

A. Stelmach: It was discussed with the Planning Board that if the 1.6 million comes out that would generate about 93,000 tri-axle truckloads out of that lot over a period of two to potentially three years.

N. Golon: I cannot substantiate that math but we can look at it practically. There are about 28 yards on a dump truck on the low end. There will be a fair amount of vehicles, but not approaching 93,000 and those are spread out over a three year time period. The excavation process is not a 24/7 operation. It would be done within the confines of your ordinances as far as when that can take place. It would not be any different than the other excavation operations that you have in town. I can say clearly it is not 93,000 but it would exceed 50,000.

A. Stelmach: If that is over three years and you could do 10 acres at a time, how much extra traffic is this creating? The concern of proposed development as it stands is traffic. The excavation can be a traffic issue and safety hazard depending on how many trucks. Pike is already bringing out trucks and more would be added. Have you had any discussions with DOT? The edge of that building looks to be about 300’ away from the highway. The way I am headed is that I would like to you get the AOT permit first and see something from DOT saying they are okay with that. If this goes and you take this side of it down 25’ to 30’ and the other side is at 70’, that section of I-93 is going to look like a suspension bridge. I want to make sure this is not incidentally going to create some kind of deterioration to the highway itself and make sure DOT is fully on board if it goes in looking like this.

N. Golon: From a procedural standpoint, my understanding of the excavation permit process is, should you determine to have a conditional approval that allows us to move to a public hearing, we would be able to submit an AOT permit and quite possibly have it in hand prior to your next meeting. We can also reach out to DOT relative to the appropriate parties for a limited access right-of-way relative to the proximity of the work we are doing, and also have some expert testimony relative to the value of the lot by developing more area that could be shared as part of a public hearing. We have the plan set ready. It is a matter of cutting a check and dropping it off at
AOT and reaching out to DOT to make sure that we are doing something that is consistent with their expectations.

R. Duhaime: We already have a substantial problem with trucks on Hackett Hill.

N. Golon: I have heard there is an issue with traffic.

R. Duhaime: There is an issue with traffic, a lack off funds from DOT, and your plans coming up. They are looking to spend $60 million and almost $90 million at Exit 4A. I just saw a recent study in Epping. They want to spend $11 million there. They have no intention to spend any money on Hackett Hill Road.

N. Golon: Let’s give them a reason to put some money into Hooksett. You guys deserve it. There is an acknowledged issue.

R. Duhaime: We pay a toll and those other area do not. I don’t think there is going to be a toll on the 4A ramp. Putting a lot more trucks on this road is an issue and does not seem like a good idea. We already have traffic backing up and as Bow and Dunbarton grow, along with Pike and other development it keeps adding to the problem.

N. Golon: As an engineer I like to be solution based. Us sitting here and wishing for our infrastructure to improve will not work. We have to be a little more creative about it.

R. Duhaime: Is the applicant ready to help with the improvements?

N. Golon: As part of a development project, yes. That is something we have discussed. There is an acknowledgement that whenever you are creating traffic you have to mitigate it. It is a requirement.

R. Duhaime: It is unfortunate that something has not already been done. That is not the applicants problem. This is just bringing it to light that we have all of these homes that the values are going up. If the approved projects start there is even more traffic in town at that exit ramp.

N. Golon: Developing projects like this lessen the tax base concerns for your residents. By creating these large projects that have a great tax base it allows the rates to stay at a lower value. In the instance of a project like this there are opportunities for off-site improvements such that they can mitigate those impacts which is a public betterment. Relative to the excavation permit, we are working within the confines of your regulations. I am not aware of a requirement to evaluate traffic as part of an excavation permit. We will, as a team, reach out to DOT as has been requested to make sure there is no concern with what we are doing.

W. Tebow: Can’t you place a restriction that the trucks have to use the highway? The majority of the material will, most likely, be heading south.

N. Golon: It sounds like we are proposing a potential condition that would limit impacts to your local bi-ways.
R. Duhaime: That is a good start.

W. Tebow: I roughly ran the numbers and came up with 53,000 truckloads, divided by 3 years, divided by 12 months, divided by four weeks in a month, divided by 5 days in a week, and came up with 70 loads a day over an 8 or 10 hour period depending on the allowable time frame.

A. Stelmach: I came up with the same math.

W. Tebow: If you wanted to increase that to a longer time we could. My goal is to get to the site to develop it and if I could do it in two years I would like to. If we are concerned about traffic I think we could make a condition that all trucks have to go on and off the highway.

A. Stelmach: It is about the safety. 70 trips a day is a lot more on that road. Some will try to skirt the tolls, some will use the tolls, some will try to go to Exit 10. A lot of us who live up there need to come down that road.

N. Golon: Expanding on that math it is five trucks an hour and .1 trucks per minute.

R. Duhaime: That is only your trucks.

N. Golon: As part of a public hearing we will provide some solutions and we will be looking for some solutions from the Board as well on how we can best manage this project to provide the most developable land possible to we can help ease the tax burden and help make the infrastructure improvements.

A. Stelmach: I have said repeatedly to the other side of the highway that there was a lot of debris out in the road. I understand it is part of the nature of a beast, but I think it could have been dealt with better and handled so that it wasn’t interfering with residential use. There is a heavy residential area and we all have to drive through that.

W. Tebow: We are going to leave the entry way paved. We could have a wash station for the trucks but in the winter that is a concern because of freezing. You could put in a condition that we have to maintain a sweeper that has to be used on site on a regular basis to sweep the roads. You have an unique and incredible site here next to the highway that has been starved for development for years. You don’t want to only use 20 acres on a 50+ acre site. You want to maximize the footprint and do the best development you can. What we proposed it maximizing the full potential from a tax and development perspective and what the future is. For now the goal is to maximize the footprint and make it something nice. The grade has to be brought down to make that happen. It is part of the site work and preparation.

P. Denbow: The intent is to develop it. Is there any way to ballpark the worth of the material that will come out of that site? You mentioned you spent $7 million on the property and that your primary focus was not to pull the material out to make money.
W. Tebow: It can range from $2 to $4 a yard depending on what is done with it, the demand, time of year, etc. One of the benefits of the site is to bring it down and try to generate some revenue. It is producing no revenue now. It would be nice to produce some revenue while we are bringing the site down to the right elevation. We have taxes and overhead. We didn’t buy this site to make it a gravel pit and bring it down 60’. We bought it for development purposes. If there are different things that help generate revenue to help offset the expenses that is part of the development plan. TF Moran has been working this site for years and that is why we retained them. They looked at the options and this is what we came up. It is a combination of two or three things together that make this a perfect puzzle.

N. Golon: At $2 per yard it is $3.2 million. It would be a portion of recoup but the development is what drives this.

T. Stewart: What would happen if you made a retaining wall on the side that you are going to tear down and bring it up to where it is now?

N. Golon: Along the westerly side is where a retaining wall would be proposed in the future. For the purposes of excavation it would be a slope. Along the easterly side we are not expecting to see walls in that area. The 3:1 slope would be maintained and continue to exist.

T. Stewart: Instead of bringing down 30’ to 40’ bring it up on that side with a retaining wall.

N. Golon: We would lose the building set-backs. Along the westerly side we have to deal with the building set-back requirement that creates less contiguous buildable area. We have existing steep slopes along the east side. If we were going to try and rebuild that and make it taller without a wall we would have to go to a farther slope. We would not try to rebuild it and keep more 3:1 slopes in that area. The math doesn’t equal out. It is better to cut and provide the wall versus bringing it up. You will still run into the existing steep slope. It would create less buildable area at a significant cost. You are talking about bringing the site up 25’. The cost would be astronomical to try to bring the site up to that elevation.

W. Tebow: We would like to move the site forward sooner than later. I think either way you have to prep the site for redevelopment. We are picking up a considerable amount of acres.

G. Hyde: Their plan would be to lower it anyway. They are not doing it to make money. We could set any conditions we want and manage it closely.

R. Duhaime: Without any development there will not be any improvements.

G. Hyde: Excavation is an allowable use.

R. Bairam: I am afraid of another gravel pit. If you get two or three years to excavate it and then the economy drops we are stuck with a pit.

R. Duhaime: And less tax revenue. Now we have a property that is less valuable and have taken from the taxpayers. What is the alternative?
P. Denbow: Leave it the way it is.

R. Duhaime: How do you encourage another person to come in to use the property once it is changed? You could allow some partial development with residential as long as you have some commercial tied in.

G. Hyde: That is Performance Zone.

R. Duhaime: The traffic is a big concern. It is a safety issue. The larger population of Hooksett lives on the other side of the river. Less than 1/3 lives on the west side. We that live there feel the weight of it and it is getting worse. Even widening I-93 has affected it and it is hurting our development. I was hoping the state would do something.

G. Hyde: There were a lot of proposed things to go in here that would have fixed a lot of what happened down there and we dropped the ball more than once.

R. Duhaime: Being the councilor in this district I am concerned about it. It is a big deal throwing more traffic in this area when there is already an issue. What is this worth if even one person gets killed? This is a safety issue.

A. Stelmach: I am not in favor. I would rather wait the month. Have them get something on letterhead from DOT and let them get their permits. Let’s see what the state says. The owner, or even a tenant, might pay some money. We know the voters shot it down and are not willing to put up a dime to fix that interchange. Even if they are willing to pay their fair share who is paying for the other half?

R. Duhaime: Three fourth’s of the population of Hooksett do not feel the affects. A lot of people from Pembroke and Allenstown drive through Hooksett and they do not get a vote.

N. Golon: Relative to the excavation permit we have no variance before you this evening. We will have an opportunity to speak to the use variance when the traffic study has been reviewed and an opportunity to figure out what off-site improvements will be required. That information is fast approaching. We are just trying to move this project forward. A conditional approval tonight allows you to open a public hearing next month so we can hear the testimony of our abutters and their concerns and you would be allowed to have that next step in the process. Right now we cannot even hear what our abutters have to say. Conditional approval doesn’t take away any of your rights. Conditional approval allows you to move to the next step and having the opportunity to open the public hearing.

_**G. Hyde motioned to move the public hearing for an excavation permit application Silver City NH LLC #Z20-12, 39 Hackett Hill Road, Map 13 Lot 51, COM forward with the following conditions: 1) Testimony will be provided relative to the land value of the site potentially being lowered; 2) Confirmation from DOT that the excavation and proximity to the limited access right-of-way is not an issue for them and they have no concerns; and 3) AOT permit. Seconded by P. Denbow. Motion carried unanimously with a vote of 5-0._*
NEW PUBLIC HEARING:

Nicholas & Amy Mercier #Z20-13
35 Goffstown Road, Map 22 Lot 29
LDR

APPLICATION FOR A VARIANCE:
Requested from Article 3 Section M to permit the construction of a helicopter landing pad within a residential district.

Attorney Jeffrey Christensen: This is to construct a heliport as an accessory use on a residential property.

Nicholas Mercier: I have a passion for flying. I have three little boys. I grew up flying off of the Merrimack River in Manchester with my Dad. We are looking to utilize our property which we feel is unique in its layout. I have gone the State of NH Aviation Division and the FAA who have both granted us an approved site that would allow us to have a helipad. A helicopter pad can be anything from a grass field, which is what we currently have, to a concrete surface. We are looking to keep a grass field. This is not for commercial use. It is specific in our State of NH and FAA certifications. This is specified Visual Flight Rules (VFR) site. It is not set up for night flight. The idea of having the site is to be able to fly with my boys and have fun.

Attorney Christensen: State and federal agencies have already approved this. The variance is required because the Hooksett Zoning Ordinance prohibits any air landing site in a LDR area. There are several good reasons for having this requirement in the Zoning Ordinance but for this property none of those reasons apply. This property is uniquely suited for this purpose. This property is 3.4 acres. The LDR district requires two acres as a minimum. This is well in access of that. Other areas in Hooksett will allow residential use on less than one acre. On small properties in dense neighborhoods it is reasonable to prohibit a helipad. This property is large enough and the neighborhood is suitable for this. There are two abutting properties and nothing across the street. The abutting neighbors are on lots that are as large if not larger that this one. This is a sparsely populated neighborhood. The location of this property is on a hill which provides for take offs and landings of this sort. The use for a heliport is a reasonable use on this property. This is for hobby flights and a limited use. The abutting property will be over 350’ away from the proposed site. There will be no impact to the neighbors. There is no overcrowding or any other harms. The noise will be reasonable and is no louder than a riding lawnmower. None of the abutters have raised any concerns or objections. This has unanimous support.

N. Mercier: I want to make sure I am a good neighbor. For the people that answered the door I got support. I am not impeding on anyone.

R. Bairam: Do you have an area to put a helicopter?
N. Mercier: The helicopter would be based out of Nashua or Manchester. If I purchase one, there is opportunity for me to do so if we so chose on the lower side of our property.

A. Stelmach: Is this more of a convenience?

N. Mercier: Yes. This is a hobby of mine. I am not a commercial pilot. It is more for the use for my family.

A. Stelmach: I envision the back must be pretty steep. Do you have to cut into the back?

N. Mercier: That area of my property has a semi-flat section. We would not have to alter the land. Bob Schroder, my neighbor, wanted to be here and voice his support but he is not able to be.

T. Stewart: What size helicopter?

N. Mercier: When we filed for our certifications we put down a Robinson R-44 which is a 4 seat piston helicopter, and a Bell 206 which is a 5 seat turbine helicopter.

M. Stewart: Which direction would you be flying?

N. Mercier: We are within a 10 mile radius. The easterly direction of my property would be your typical approach. There is a water tower on Hackett Hill Road. It gives you the best view. If there is a southerly breeze that means we would be coming from the north. Where my property is situated there is a 110 acre parcel that is the crest of a hill so we would be coming over those woods. When state and federal look at these they take safety into account. They look at what is called the glide slope which is the angle at which we approach. In this circumstance we do not have any restrictions on that. Typically we would be coming from the east or west, depending on the wind, over low density areas.

P. Denbow: Do you have to go straight up to a certain amount of feet to reduce noise?

N. Mercier: If you are in controlled air space, from a five mile radius from the Manchester airport, from the surface up to 4,400’ you must be in communication with them to enter that air space. In the area I am looking at we can be below that 2,500’ ceiling and not speak with them. Typically we will contact Manchester and let them know we are a helicopter 7 miles north of the airport and will be departing from the north. The start up procedure for a helicopter is 2 to 3 minutes and it wants to be moving. In terms of making noise we are looking to minimize any of that. When we depart and approach the site it is a minute and thirty seconds.

Attorney Christensen read the application into the record.

Open public hearing.

Open to public comments.

No public comments.
Close to public comments.

Close public hearing.

P. Denbow motioned to approve the variance from Article 3 Section M to permit the construction of a helicopter landing pad within a residential district for Nicholas & Amy Mercier #Z20-13, 35 Goffstown Road, Map 22 Lot 29, LDR. Seconded by R. Bairam. Motion carried unanimously with a vote of 5-0.

Maurice Beauchesne #Z20-14
46 Bert Street, Map 6 Lot 109
URD

APPLICATION FOR A VARIANCE:
Requested from Article 5A Section E5 to permit the construction of an accessory building (storage shed) of less than 200 sq. ft., six (6) feet from the property line where ten (10) is required.

Maurice Beauchesne: This will be a shed from Reeds Ferry and will replace an old metal shed that is on the back side of my property.

A. Stelmach: Could you please go through the photos.

M. Beauchesne explained the photos he provided.

M. Beauchesne: In the area we want to put the shed, we leveled that off and put in a playground for our kids. Then it became a garden and then a dumping site for brush and wood. I cleared the location for photos.

P. Denbow: Is the shed closer to Rt. 3 or your neighbor?

M. Beauchesne: The long side would be along Rt. 3. The double doors would be on the short end facing the gate so I can have access versus putting it out back where I would have to snow blow to it. If someone wanted to turn that into a workshop there would be much less noise on the Rt. 3 side.

M. Beauchesne read the application into the record.

Open public hearing.

Open to public comments.

No public comments.

Close to public comments.

Close public hearing.
G. Hyde motioned to approve the variance from Article 5A Section E5 to permit the construction of an accessory building (storage shed) of less than 200 sq. ft., six (6) feet from the property line where ten (10) is required for Maurice Beauchesne #Z20-14, 46 Bert Street, Map 6 Lot 109, URD. Seconded by P. Denbow. Motion carried unanimously with a vote of 5-0.

Granite Woods LLC / Supreme Industries #Z20-15
Hackett Hill Road, Map 17 Lot 7
COM

APPLICATION FOR VARIANCE:
Requested from Article 10 Section A of the Zoning Ordinance to permit: Warehousing / Distribution and Industrial, non-nuisance (as defined in Article 22) uses in the Commercial District COM to support the redevelopment of Tax Map 17 Lot 7

It was a Board consensus to move this application to the end of the agenda.

James & Lena Thayer #Z20-16
17 Almeda Lane, Map 16 Lot 84-28
LDR

APPLICATION FOR VARIANCE:
Requested from Article 4 Section E. 2 of the Zoning Ordinance to permit: A 2 stall garage in which one corner of proposed garage will have a 15foot setback where 20 feet is required

A. Stelmach stepped down.

Zachary Dumas: We performed a survey of the property. There is no other location on the property that would work for this structure. Ideally an attached garage would be built but there were too many issues to make it possible. The convenience of a garage would reduce the burden of the Thayers’ having to shovel off the cars and allow them to remain in their home. When looking at the proposed garage there are no residents in site. The space between the house and garage will allow for plowing and maintenance on the electrical meter and to fill the oil tanks. Adding this garage will add value to the home and neighborhood and add more taxes for the community. Jim has added that he has talked to their septic tank cleaner and putting on an attached garage would mean that their hoses would not reach the tank. Access between the garage and the house is necessary

P. Denbow: You are going into the set back 5’. How far is the neighbor from their property line?

James Thayer: 330’. On the side that we want this there is just a catch basin.

Z. Dumas read the application into the record.

Open public hearing.

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

**P. Denbow motioned to grant the variance from Article 4 Section E. 2 of the Zoning Ordinance to permit: A 2 stall garage in which one corner of proposed garage will have a 15 foot setback where 20 feet is required for James & Lena Thayer #Z20-16, 17 Almeda Lane, Map 16 Lot 84-28, LDR. Seconded by G. Hyde. Motion carried unanimously with a vote of 4-0.**

**Ian & Candice Cote #Z20-17**
78 Auburn Road, Map 36 Lot 27
MDR

**APPLICATION FOR VARIANCE:**
Requested from Article 5 Section C. 1. c of the Zoning Ordinance to permit: the construction of a single-family home on a buildable lot that has 50 feet (row) frontage in the Medium Density Residential district where 200 Feet of frontage is required.

Ian Cote: We own a parcel behind where we live and would like to build a home on it. Access is a 50’ right of way so we do not have the 200’ of frontage.

R. Bairam: How big is that lot?
I. Cote: 17 acres.

I. Cote read the application into the record.

R. Duhaime: Auburn does not have a problem with you building on their road?
I. Cote: They do not. It is deeded as per the agreement between the selectmen of the Towns of Hooksett and Auburn. Regarding the property located on Squirrel Lane in Auburn, NH and partly in Hooksett, NH, the towns’ selectmen agreed that the Town of Auburn would agree not to charge a portion of the taxes if the Town of Auburn would continue to bear the responsibility of education, road maintenance and plowing. This has been known since 1975.

R. Duhaime: Is there another lot with Lot 27? I thought you said it was 30+ acres.
Candice Cote: It is the two together.

I. Cote: We have a 12, 25, 17, and another 10 acre parcel that doesn’t have clear title. We had this surveyed and it is 17.43 acres.

P. Denbow: Lot 26 goes into the Town of Auburn. You can’t get in there through Hooksett?
I. Cote: That is correct.
Open public hearing.

Open to public comments.

No public comments.

Close to public comments.

Close public hearing.

G. Hyde: I am confused as to how that is 33.7 acres. The map says it is 17 acres. I do not want to have any title issues.

I. Cote: That is the mix up at the end of Squirrel Drive. When they put that sub-division in most of that property was pushed onto this parcel. That is why we have the Town of Hooksett not collecting any taxes on those last two houses because it was not realized until after they were up. The current one that is registered with the state is the one we are trying to build on.

M. Lavoie: If there is an assessing issue with the property area we should take that up with assessing, I can email them the survey.

R. Duhaime: The Town of Hooksett owns that piece of land?

M. Lavoie: That abuts them to the land, yes. It was deeded to the town as part of Helen Drive.

I. Cote: It used to be part of this property as a separate parcel and they sold it. What is described on the deed is what is described on the title and what is registered with the State of NH. It took us almost a year to get a clean title on this property.

P. Denbow motioned to grant the variance from from Article 5 Section C. 1. c of the Zoning Ordinance to permit: the construction of a single-family home on a buildable lot that has 50 feet (row) frontage in the Medium Density Residential district where 200 Feet of frontage is required for Ian & Candice Cote #Z20-17, 78 Auburn Road, Map 36 Lot 27, MDR. Seconded by G. Hyde. Motion carried unanimously with a vote of 4-0.

A. Stelmach returned.

Granite Woods LLC / Supreme Industries #Z20-15

Hackett Hill Road, Map 17 Lot 7

COM

APPLICATION FOR VARIANCE:

Requested from Article 10 Section A of the Zoning Ordinance to permit: Warehousing / Distribution and Industrial, non-nuisance (as defined in Article 22) uses in the Commercial District COM to support the redevelopment of Tax Map 17 Lot 7
Tom Burns (TF Moran): This is the location of the Supreme Industries sand and gravel excavation operation. The Board had granted them an excavation permit which expired in July, 2020. After that time the removal of materials was stopped from that site. There are two frontage lots that are in a separate ownership, Lots 13-57 and 13-58. There has been on-going sand and gravel coming out of those lots by Severino Construction. There have been reclamation materials being brought into the site as part of their AOT permit. There has been no other site activity on that property. We are proposing a 500,000 sq. ft. distribution facility running adjacent to I-93 in the lower area. That is the area of the site that has been significantly excavated over the years. By virtue of the excavation it has created a pad ready site for a building of this geometry to fit in this area without having to do additional excavation on the site. Because of the elevation being down, we are 60’ below the highway elevation which allows the building to be hidden from the highway in this location. There are a number of site constraints and site issues but we are here tonight specifically for a use variance.

Peter Bartash (Managing Partner of Port One Companies, LLC/Representing Granite Woods LLC): We did an extensive amount of research on the history of this site to determine the highest and best use of this property. We are aware of the extensive history this site had before the land use Boards in Hooksett with many starts and stops in the process. There are quite a few reasons we believe this site has failed to be successfully developed throughout its history and as a potential commercial/mixed use district not the least of which is the lack of direct frontage on Hackett Hill Road for this parcel in particular, the significant elevation change down from Hackett Hill, and the visibility from Hackett Hill Road to the parcel. Some of the infrastructure challenges and concerns bringing infrastructure to this site to support a large scale development include market timing. In looking at this property for a mixed-use development, in the early part of 2020, COVID set in and the market appetite for mixed-use like hotel, office space, and retail wained significantly and has yet to recover from the changes in the dynamics of how people live, work, and shop. With that being the case we also are aware of an extremely strong pre-existing demand for warehouse and industrial space proximate to the highway with clear pathways to delivery. Often sites of this scale and magnitude are hard to find. It is even harder to find sites that are in the condition this site is in today. We have heard from Boards and members of the community it is not appealing the way it looks and the condition it is in today. At the same time what is represents to potential tenants and users is a certainty of execution that they are looking for knowing the significant pressure that e-commerce and distribution users are facing today both in light of heightened demand due to the onset of COVID, but also the projected growth of that sector over the next 10 to 15 years within the USA. There is an immediate demand and need for this space and many of the preferred locations for this type of property are combed over. There is no new property available and no new land being created. Many of these companies are looking at markets south of Boston, along the south shore and west of Boston in order to serve both the greater Boston area and southern NH and Maine. Within the last ten years there has been expansion of the industrial market as it has moved into Londonderry, NH and southern NH. We are slowly seeing it establishing itself within Hooksett with some of the other developments that have occurred with adaptive reuses on Rt. 3A at Exit 10. We have vetted this parcel pretty heavily for this type of use. We looked at location to residential users in the surrounding area. The closest residential abutter to the main facility that we are proposing is more than 550’ away from the quiet side of what this proposed facility would be and it would be through a heavily vegetated existing landscape between this property and the abutter. That is not to say that we would
not be doing our own buffering on our property as well. We take it seriously that the facility
needs to be esthetically pleasing and visually appealing for it’s site lines from Hackett Hill Road
and the highway. We also know there are buffering requirements that we will meet through the
process of developing this project and returning this site to a state where it provides benefit to the
Town of Hooksett, both by creating significant long term jobs during a period of great economic
dislocation, but also adding substantial increases to tax revenue over a long term period. Regarding
the way the site has been laid out, the noisy and active side of the proposed facility is facing
the highway. It would be between the dock area which is currently oriented between the eastern
edge of the building, the highway, and the slope that rises from the existing grade of the site and
up to the highway. Roughly 50 percent of the site, as it exists today, is at the elevation that we
would use as the final grade for this site. It is a higher elevation of the two predominate eleva-
tions on the existing site and is mostly in the southern portion. The existing elevation is between
50’ and 60’ below I-93. We are planning to upsize the structure of the roof of this facility. Typi-
cally these facilities do not have a lot of roof top equipment other than a series of smaller rooftop
mechanical units and a series of skylights to let light into the facility floor below. This presents a
significant opportunity to provide solar panels on the roof of a facility like this and to allow the
facility to generate a lot of its own electricity and excess electricity that it could sell back to the
grid itself. It is pretty rare a facility like this could be proposed on a site where there are opportu-
nities to off-set potential environmental impacts with the creation of this type of building and a
building of this scale. We are not asking to go in and clear cut an existing forested piece of prop-
erty or do substantial excavation. We are aware this site and proposed use will have traffic im-
ports along Hackett Hill Road. We are aware of how tenants will use this facility and their pre-
ferred routes to and from the facility knowing that every single mile counts in terms of the driv-
ers time, the wear and tear on their vehicles, the fuel costs, and the turn around times to and from
the facility. The fact that this facility is so closely located to Exit 11 is a substantial benefit to fu-
ture tenants of the facility, but also to this property, and it offers the opportunity to work with the
town to address those concerns along Hackett Hill Road and make a meaningful difference in
looking at the traffic impact in a substantial way. We are aware that we will need to take into
consideration the potential redevelopment of the other parcel across the highway and the traffic
impacts and concerns from that project. If anyone were to develop this property in a commer-
cial/mixed use fashion within the bounds of the existing zoning guidelines for the site, the traffic
and trip generation would have been substantial from that project. Tom and myself are still in the
process of doing an analysis to demonstrate to the Board and town the difference and lack of dif-
fERENCE in overall impacts to the town from a traffic perspective from this use versus what could
be built here as of right. Though we don’t have the two front parcels incorporated into this pro-
ject we do imagine that there is an opportunity to either consolidate those parcels and reconfigure
access to our site as a result and to still develop some form of commercial use along Hackett Hill
Road in keeping with the existing zoning. It is such a location where it may be viable and pro-
vide a public interface to the residents of Hooksett along Hackett Hill Road and the potential ten-
ants. We are trying to think thoughtfully about what this development means to Hooksett, Hacket-
tt Hill Road, the residents, and potential tenants. We had a meeting with the TRC and heard
many of their concerns. We have heard concerns from the Planning Board through an informal
consultation meeting with them last month. We met with the Economic Development Committee
and had conversations with people at the state level regarding some of the existing resource areas
on the site. This is the last stop in our information gathering phase so that we can take both the
Board’s input and input from our neighbors to be responsive and thoughtful about how we advance this proposal. We appreciate your time and input and look forward to hearing your comments.

R. Duhaime: I don’t see what the building would look like. This would be a 40’ warehouse?

T. Burns showed a rendering of what the potential building would look like.

T. Burns: The building height would be 40’ from ground to roof. Bringing the roofline up to 40’ would be at elevation 280 or so. The berm along the highway is at approximately elevation 300. One of the constraints with this site is the public utility easement that runs directly along the highway. That land and grading precludes any development in that area and cannot be touched which means that berm stays as it is. The nature of the site, having been excavated, has left a pad elevation of around 240 which allows us to place this building down along the south side of the layout which will shield it from view. The existing slopes are anywhere from 3:1 to 2:1 slopes. There would be a retaining wall around the back side of the truck bay so that we are not cutting into that slope anymore and not taking material out of there. It is working within the limits of the site constraints. It is pad ready for a use like this. Because the elevation is so low it doesn’t serve itself well for a commercial use. It is down so low it doesn’t have visibility from the highway or Hackett Hill Road and there is no frontage on Hackett Hill Road. It is a back lot that is harder to market for a commercial use whereas a distribution use does not need to have that visibility from the roads because you are not trying to draw customers to the site.

P. Bartash: The primary entrance would face Hackett Hill Road.

T. Burns: That would be the public face of it. The truck loading and parking area bays would be on the east side up against the highway down in that depression. The building would create the buffer against any noise to abutting properties. The parking lot along the front would be for employee and visitor parking.

R. Duhaime: What does it cost to put up these buildings?

P. Bartash: Typically a 500,000 sq. ft. building would cost roughly $30 million for the building itself. The site work number will take some time to establish. The UPS building in Londonderry near the airport was around $26 million.

R. Duhaime: It shows that you are going to fill the wetlands in.

T. Burns: There are two existing wetland areas. The northerly most wetland is that siltation pond that was a man made wash pond that was part of the excavation operation. That has a lower value with DES. We have had an initial pre-application meeting with the DES EPA Army Corp of Engineers regarding the impacts to these two wetland areas. We are working with them as far as the best option for mitigation and minimization of impacts. It is a question of whether we redevelop another area on the site for wetlands mitigation or take another avenue to satisfy DES.
P. Bartash: In the rear portion of the site is a prime wetland. Our intent is not to impact the buffer of that wetland. At the TRC meeting we had a brief conversation about the relationship of the proposed second phase of the project to that wetland. We have been contemplating changes to that rear building that would either eliminate it entirely or reduce its size substantially. We were considering replicating the existing wetland area in the rear portion and expanding the existing wetland given that is such a high value and highly functioning system. We will also have conversations with the town and state about other areas or other projects that they are looking to accomplish that may need funding that would be better served than a dry wetland in the middle of a sandpit.

A. Stelmach: It doesn’t look like you will try to use that little right-of-way that goes out to the other side of Hackett Hill Road.

P. Bartash: That is correct.

A. Stelmach: That is a dead issue?

T. Burns: Yes. We recognize that in proposing the potential for a second phase there are a lot of obstacles with that one. There are potential benefits for finding another use for that land as opposed to putting in a second building. That is why we are exploring that. We are in the development stage of this design. We have heard and seen reasons for using that area of land for another purpose so you will likely see the design evolve significantly relative to that area.

A. Stelmach: With my own eyes I have seen multiple times, since the permit stopped, trucks coming out of the back and I disagree that it is Severino. There is no reason a truck should be coming out of there with an axel down and a tarp over it. Something is going on in that back corner, that may not be directed at you and may be directed at Jim, that is fishy.

T. Burns: We can follow up with him. From what we were told and it is our understanding that the trucks that have been going in have been bringing in reclaimed material and they are not excavating or bringing any material out of the site.

A. Stelmach: I would believe that if I didn’t get stuck behind the loaded trucks.

P. Bartash: In the past two weeks that I have visited the site I have noticed the topography of the front parcel changing. I would not be surprised if that is where the material is coming from. I do appreciate the concern and it is something that we will look into.

R. Duhaime: We had some requirements from Supreme Industries that were looking for. We are looking for some monitoring wells and we have not received results from that.

P. Bartash: We addressed that with Jim Clark. Jim confirmed to us that those two monitoring wells were installed and the test results would have been submitted if they had asked to extend their excavation permit. They are in the process of being completed and will be available shortly. We are happy to provide those. The results came back clean. Jim met with representatives of the state and followed all of the required procedures and protocols to confirm that the operations
were fully compliant with the regulations. To echo the concern, from our perspective, is the last thing we want to see are any contamination issues that would jeopardize our efforts with the project.

R. Duhaime: I have concerns of what material is coming in there and why would you want to bring more material in. If it is not good material things could go south.

R. Bairam: Do you any idea of traffic?

T. Burns: We have done some initial evaluation but we need to nail it down better. For these types of uses it can vary greatly. It all depends on the nature of it and who the end users are. We are trying to find something comparable to this that we can evaluate such as similar users that we can try to do a study of and monitor their vehicle trips so we can get something comparative. At this point we don’t have it but we recognize that we will have to be doing a traffic study. The Planning Board has expressed their desire to have a independent traffic study done and have TF Moran review those numbers. We will have to do one as well to evaluate with the off-site impacts are. We are at the point of development where that will probably be one of the next steps.

R. Bairam: Do you have a tenant or would you be putting this up on spec?

P. Bartash: Currently the project is on spec. The process is a parallel process. It is very much a circle on the dance floor and no one knows who will step in first, but someone needs to step in. Tenants need to know what the song is going to be and the town wants to know who will be the first person to get out and dance. The reason that we are approaching this the way we are, as a use variance request, is specifically related to that issue. Time to market is critical. You can imagine someone who had been hired seasonally by UPS or FedEx during the holiday rush to help fulfill a need. A close friend is a manager at UPS and he has told me that for the last six months it has been busier than any holiday season he has ever experienced in his 30 year history working for UPS. The demand is extraordinary and realistically a lot of the tenants who are in the market right now are looking to be in their spaces and operational by the Fall season of 2022. From our standpoint and relative to our process that would require that we conclude the regulatory approval process with the local land use Boards and the state in Q1 of 2021 which would give us time to document the facility, construct it, and deliver a core and shell by the end of 2021 so that a tenant could then perform their fit out to their specifications and be functional by the Fall of 2022.

T. Burns: This is the way things are going with commercial business with retail. The retail industry where the businesses were strong has a strong e-commerce presence and it has been magnified. More and more people are ordering on-line and getting shipments to their homes. I think this is the natural progression of it. There is more need for distribution centers and warehousing spaces.

R. Bairam: What about water and sewer?

P. Bartash: We have plans that would extend the water network up Hackett Hill Road and down into the site along the access easement from Hackett Hill Road. As far as sewer, 500,000 sq. ft.
of industrial space doesn’t generate a significant amount of sewer usage on a daily basis. We have designs that would handle the generated outflow from the facility with on-site septic. We are aware of the Town Engineers preference and desire to see sewer extended to this site and along this portion of Hackett Hill Road. There are several different plans that have been discussed about extending that network, not the least of which have included easements, directional bores, and extensions along Hackett Hill Road. Another plan is coming up through the DOT property into the south of this parcel and into this site. We are still in the process of evaluating those options. We anticipate that it is likely a national tenant will require septic and it will be a pre-requisite to executing a lease. This is something that we will be advancing as we move through the process.

R. Duhaime: A building in Londonderry went up fairly quickly. Can this go up quickly?

T. Burns: Yes. That was a tenant that had a fast turn around requirement. We went through all design permitting in less than eight weeks to help push that to the local level which was very accommodating. They built that in about eight months and were ready to do internal racking.

P. Bartash: That site was not cleared. Erecting the building was as short as eight weeks.

T. Burns reads the application into the record.

R. Duhaime: I believe your biggest stumbling block is traffic. You need to get the traffic study and see what can be done here. In trucking they want two turns to be on the facility. There is already an abundance of traffic, tractor trailers, and tri-axles in this area fighting to get onto the highway. I would love to see the state step in here. A lot of federal money was spent on that overpass at the Manchester Airport. Minimal has been spent at Exit 11 in the last 30 years. It would be nice to see a joint project done to improve that. Maybe there could be a left lane there or something else.

T. Burns: That will be part of this development. We recognize this would be a traffic generator and would have an impact on the surrounding roads and the toll booth. When we get into the traffic study one of the things we have to do is propose mitigation on how to address that. We will have to mitigate what we are contributing to it. Part of our traffic study will have to take into account what is being proposed on the other side of the highway. When we do those numbers we will have to look at the numbers that Pike generates. The whole area has to be included as part of the traffic study and then we look at how our development directly impacts those numbers and figure out what we need to provide for mitigation to safely manage those numbers on the surrounding roads. We recognize that will be part of the project as well.

P. Bartash: I can comfortably say, knowing the town has their formula for calculating impact fees, what we are talking about for traffic and mitigation is in addition to those monies. We recognize that there are additional expenses that we are going to have to understand and take into account. There are existing and long standing issues that pre-date our involvement that need to be addressed. Traffic is a very real concern and the number one concern that faces these types of projects in any location. The proximity of this site to the highway, and the fact that the traffic would not be traveling through sensitive uses to get to and from the highway to this site is at
least a step in the right direction to narrowing the focus on what that mitigation needs to be so
that we can come up with a measurable and demonstratively improved situation along Hackett
Hill Road to access this site for the project.

A. Stelmach: I think a site walk will be good because we have not been there since before the
permit expired. There were questions in addition to the monitoring wells with regard to slopes
and some other things. We should invite Planning and Conservation. We would like you to mark
the boundaries of the buildings with balloons so we could see the elevation. If you could mark
out the boundaries of where this starts in relation to the front parcels, where the easement coming
in is, and where the front parcel ends that would help visually.

P. Denbow: The balloons will allow what can be seen from the highway.

T. Burns: We can set that up.

P. Bartash: The existing weigh station sits on the boundary line. The existing gravel access road
is in the same location as the easement today.

Open public hearing.

Open to public comments.

Kevin Clark (87 Hackett Hill Road): I am the abutter to the other access. I have heard several
times that this will never been for trucking and saw Nick go through five years and 47 drawings
of walls that were 50’ tall dividing my property. The Planning Board told Nick to never bring
that to them again. I am hoping that when you say it is dead it is truly dead.

T. Burns: We have no intention of running access through there.

K. Clark: Regarding the wetlands you said you are planning on filling it in. Is that just the soggy
bottom corner

T. Burns: There is a wash pond that is a man made silt pond and there is a wetland area behind
that is a dry area. They are isolated wetland pockets. The prime wetland will stay.

K. Clark: If you are doing this why is there a for sale sign still on this property next to my
house?

P. Bartash: It is not for sale. We were not aware of that sign we will get it taken care of.

Carey McLeod (CJM Industries): I own Lots 57 and 58 that on on the frontage of Hackett Hill
Road. Currently the access is between the two properties. We just purchased these properties and
that is not where we would be providing access to the back. It limits what we can do with the
property in front into two small parcels instead of one large parcel. The proposed access would
either be to the west abutting the mini-golf or to the right by the highway, which may be too
much of a sharp turn, to access the highway. It would need to be on the very east or very west of
the property so we could fully utilize the lots and use them as one.

A. Stelmach: Could you work with her for the site walk to stake that out.

C. McLoud: The current easement would not work for what we plan to do with the front.

A. Stelmach: What do you think of the proposed use as industrial?

C. McLoud: Everything has been dependent on what is going to happen behind us. As times are
changing office space is probably not something people are looking for. No one wants to see
self-storage on Hackett Hill Road. We are exploring opportunities.

Close to public comments.

A. Stelmach: It is my understanding that DOT wanted to talk with Nick about the Ritchie
Brothers side of the highway which is why they requested the continuance. I would wonder if
they would also want to talk with you as this would now be times two.

T. Burns: There are some differences between the two sites. On the other side of the highway
there is an excavation component and the proximity. They trigger a DOT permit. This site is not
subject to a state permit from them. We are going to have to coordinate with them and we will
have to go with some of their recommendations of what they propose, but it is not strictly tied to
a DOT permit. When we do traffic scoping it will be with the town. We will have to bring Dis-
trict 5 into this as well.

A site walk was scheduled for October 27, 2020 at 4:45 pm.

P. Denbow motioned to continue the application for variance Requested from Article 10 Sec-
tion A of the Zoning Ordinance to permit: Warehousing/Distribution and Industrial, non-nui-
sance (as defined in Article 22) uses in the Commercial District COM to support the redevelop-
ment of Tax Map 17 Lot 7 for Granite Woods LLC / Supreme Industries, #Z20-15, Hackett
Hill Road, Map 17 Lot 7, COM until the November 10, 2020 meeting. Seconded by R. Bairam.
Motion carried unanimously with a vote 5-0.

ADJOURNMENT

G. Hyde motioned to adjourn. Seconded by R. Duhaime. Motion carries unanimously with a
vote of 5-0.

The meeting adjourned at 9:58 pm.

The next Zoning Board of Adjustment meeting will be held November 10, 2020 at 6:30 pm.

Respectfully submitted by:
/s/ AnnMarie Scott
AnnMarie Scott
Recording Clerk