

**LONDONDERRY, NH PLANNING BOARD  
MINUTES OF THE MEETING OF MARCH 6, 2024  
AT THE MOOSE HILL COUNCIL CHAMBERS**

**Meeting Link:** <http://173.166.17.35/CablecastPublicSite/show/12480?channel=4>

**Members Present:** Art Rugg, Chair; Jake Butler, Secretary; Lynn Wiles, Assistant Secretary; Ann Chiampa, member; Jeff Penta, member; Jason Knights, member; Giovanni Verani, ex-officio; Ted Combes, Town Council ex-officio; Jonathan Cruz, ex-officio; Tony DeFrancesco, alternate member; Roger Fillio, alternate member

**Also Present:** Kellie Caron, Assistant Town Manager/Director of Economic Development; John Trottier, Director of Engineering & Environmental Services

**I. CALL TO ORDER**

Chair Rugg called the meeting to order at 7:00 p.m. He congratulated Jason Knights on becoming a full member of the Board, replacing Al Sypek. He welcomed Jonathan Cruz, who is replacing Bruce Hallowell, who has stepped down. He reviewed the emergency exit process and locations.

Chair Rugg led the Pledge of Allegiance.

**II. ADMINISTRATIVE BOARD WORK**

**A. APPROVAL OF MINUTES**

**Member J. Butler made a motion to approve the minutes of February 14, 2024, as presented.**

**L. Wiles seconded the motion.**

**The motion was granted, 7-0-2, with Member Cruz and Member Combes abstaining. The Chair voted in the affirmative.**

**B. REGIONAL IMPACT DETERMINATIONS**

There were no developments of regional impact.

**C. DISCUSSION WITH TOWN STAFF**

**III. OLD BUSINESS**

**A. Lot Line Merger**

**Member J. Butler made a motion for a lot line merger from Londonderry Holdings, LLC, of seven parcels into one, Tax Map and Lot Numbers 28-31-6, 28-31-36, 17-002-0, 28-29-2, 17-005-3, 17-005-4, and 17-005-5.**

**L. Wiles seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

**B. Extension Request**

**Member J. Butler made a motion to grant a 90-day extension to July 10, 2024, for the 13 Page Road site plan.**

**L. Wiles seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

**C. Tree removal on Rockingham Road**

L. Wiles noted that trees have been removed along Rockingham Road for the sewer line that is extending from Page Road to Sanborn Road. The Board did approve this.

**D. Town Meeting**

Chair Rugg noted the Town Meeting is Tuesday, March 12, 2024. He clarified this is when voting occurs for officers, the School, and the articles on the Town Warrant.

**IV. NEW PLANS/CONCEPTUAL PLANS**

- A. Public hearing on an application for formal review of a site plan for a 96-unit multi-family residential development and associated site improvements in the Multi-family Residential (R-III) District. 35 Gilcreast Road, Tax Map 7, Lot 118, Gilcreast Realty Holdings LLC (Owner/Applicant). This item has requested a continuance to April 3, 2024.

**Member L. Wiles moved to grant a continuance to April 3, 2024.**

**T. Combes seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

Chair Rugg noted this is the only public notice of this meeting.

B. Public hearing on an application for formal review of a site plan and conditional use permit to construct a 175,000 square foot high cube warehouse with 34,725 square feet of wetland impact and 139,776 square feet of wetland buffer impact. 60 Pettengill Road (Map 14 Lot 49-2), Zoned Gateway Business District, One Pettengill Road Realty, (owner) and Lansing Melbourne Group (LMG), (applicant).

Chair Rugg read the application into the record.

J. Trottier noted there is one outstanding checklist item, which could be waived for acceptance purposes only. The applicant has not provided utility clearance letters for gas and water services per the regulations.

**Member J. Butler moved to accept the application as complete for acceptance purposes only.**

**L. Wiles seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

**Member J. Butler moved to accept the application as complete.**

**L. Wiles seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

Tom Burns of TFMoran appeared before the Board on behalf of the applicant. He reviewed the details of the project, which is the construction of a high cube warehouse located on 16.9 acres previously disturbed by gravel mining operations. This is a highly automated warehouse that provides short-term storage of goods prior to distribution to retail/industrial facilities, with fewer employees per square foot and lower traffic generation than is typical.

Access to the site is a shared driveway with UPS. He reviewed the parking areas, stormwater drainage system, and landscaping. Sewer, water, gas, and electric services will be provided via extensions from existing stubs along Pettengill Road. They have sought a waiver from DES for infiltration and recharge requirements, due to the shallow groundwater table.

There is a Conditional Use Permit (CUP) application before the Board for wetland buffer impacts. He noted the wetlands are manmade, created

during past mining operations. No endangered species were identified as having habitats on the site.

He reviewed the permits applied for and issued, including in lieu payments being submitted for mitigation of impact to wetlands and threatened or endangered species on the Pettengill Road area.

There is a waiver request for parking, as they are proposing less parking than is required. They have planned for a proposed parking area that can be developed at a later date.

Chair Rugg asked for input from Staff.

J. Trottier noted the applicant will be able to add the additional 41 required parking spaces; they will be designed but not constructed until needed. So, this waiver request will go away.

J. Trottier listed the design review items:

1. Item 1, parking waiver request, which goes away.
2. Item 2, comments related to the title blocks.
3. Item 3, provide documentation that the project meets the performance standards of the Town site plan regulations.
4. Items 4 & 5, provide required permits.
5. Item 6, provide appropriate liner details within the plan set for proper construction.
6. Item 7, label existing easement to the SW corner of the site.
7. Item 8, provide details to ensure the constructability of the retaining wall, guardrails, proposed lighting, and dumpster enclosures. Revise the design to address the embankment slope, which is greater than 30 feet. Review stormwater connection into the Town drainage facilities. Indicate and label the inspection ports for stormwater number 2. Provide appropriate signatures and signature blocks.
8. Items 9 & 10, review sewer profile and provide the appropriate construction-related features.
9. Item 11, update construction details to be consistent with the Town details and stormwater calculations.
10. Item 12, update fire truck turning template to demonstrate the fire truck can access the easterly main building entrance.
11. Item 13, address the existing conditions on the drainage area plans, including addressing the increase in the rate of runoff and return this to zero.
11. Item C, revise the calculations to eliminate the available storage capacity below the outlet weir invert and check structures for constructability.
12. Item D, update the existing and proposed pipe inverts.
13. Item E, revise the design to accommodate the flows.
14. Item F, review and clarify the drainage features associated with the future parking area for proper construction.

15. Item G, review the post-development areas to ensure all impervious features are included.

16. Item 14, review Stantec memo relative to the driveway operations.

17. Item 15, address the DRC comments from the Planning Board and Fire Department.

J. Trottier said they should be able to accomplish the timing of the lights at the intersection of Pettengill Road and Raymond Wieczorek Drive, which is part of the imminent phase of the development of Pettengill Road. He noted improvements to Pettengill Road are being done to improve the intersections, not private driveways.

K. Caron reported DES requires a dredge and fill permit. The intention is to fill the wetlands in their entirety. Once this permit is issued, the conservation overlay district goes away, so a CUP is not required.

She noted the Heritage Commission recommended approval of the application as submitted. The Fire Department needs to review the turning radius, which is part of the conditions of approval.

Chair Rugg asked for Board input.

A. Chiampa asked about the fees being paid to mitigate the impact on the wetlands and T. Burns provided clarification. She asked if the issue with the Conservation Commission was cleared up. Marge Badois, Chairman of the Conservation Commission, said obtaining a wetland permit to fill in the wetland negates the requirement for a CUP. The Conservation Commission's recommendation was not to approve the CUP, so this is a moot point.

Chair Rugg asked about overnight truck parking and operating hours. T. Burns clarified they plan to run three shifts and any truck parking would occur at the loading docks.

J. Knights commended the applicant on the design of the warehouse.

Chair Rugg asked for public comment.

Ray Breslin, 3 Gary Drive, asked if this site was contaminated previously and was told it was not. He noted stormwater runoff from the building and parking lot will enter lined retention basins and asked what happens when they are full. T. Burns described the drainage system and that it is designed for 50-year storms. R. Breslin noted his concern regarding runoff from large roofs and paved surfaces.

J. Knights asked if there was a concern regarding runoff affecting the adjoining residential properties. J. Trottier said the rate of runoff cannot be increased.

T. DeFrancesco noted issues in Manchester and other towns cannot be compared to projects like this, as new projects meet or exceed updated, stringent requirements. He said this project utilizes less asphalt than is required, which is also an advantage.

Chair Rugg closed public comment seeing no further public input.

**Member J. Butler moved to grant conditional approval of the site plan to construct a 175,000 square foot high cube warehouse at 60 Pettengill Road (Map 14 Lot 49-2), Zoned Gateway Business District, One Pettengill Road Realty, (owner) and Lansing Melbourne Group (LMG), (applicant) in accordance with the plans prepared by TFMoran dated September 1, 2023, last revised January 18, 2024.**

**T. Combes seconded the motion.**

**The motion was granted, 9-0-0. The Chair voted in the affirmative.**

C. Public hearing on waiver requests to sections 3.14 Traffic Impact Analysis and 4.13 Permits of the Londonderry Site Plan regulations for a conditionally approved 12,000 square foot medical building and a 3,000 square foot bank and associated site improvements in the Mixed-Use Commercial (MUC) zoning district and Conservation Overlay District. 175 Rockingham Road, Map 15, Lot 60-2, 71 Perkins Road, Map 15 Lot 51, 171 Rockingham Road, Map 15 Lot 59. Jean Gagnon (owner), Bill Greiner (applicant).

Chair Rugg read the request into the record and noted it has been withdrawn.

## **V. OTHER BUSINESS**

### **Rules of Procedure**

J. Butler reviewed proposed changes to the public comment and public hearing comment sections in the rules of procedure. He noted counsel advised the Board not have anything regarding public comment in the rules of procedure. However, he and J. Penta discovered material indicating the existence of public comment at other Planning Board meetings.

The Board discussed having a sign-in sheet for anyone wishing to comment, which would be approved as long as a public hearing was not scheduled for that topic. A discussion followed regarding the need for the public to know what is going to be discussed at a Board meeting and being able to



comment on it.

K. Caron cited an example of public comment being presented at the Town Council, after which an amendment to the zoning ordinance was developed to address these concerns, in cooperation with the Planning Board and Planning Department. She said public comment during active or conceptual projects being presented to the Planning Board is a different conversation. Legal advice noted it can be challenging to monitor this and that the Planning Board needs to be cautious of it. She said a meeting can be scheduled with counsel for the Board to ask questions regarding this topic.

J. Butler asked why other Planning Boards allow public comment. K. Caron said some towns allow public comment by way of their public hearing process. The Board discussed the unintended consequences of proposing to allow public comment in general. The Board agreed to meet with counsel for further discussion of this topic.

The Board reviewed suggested editing changes and clarifications to the rules of procedure.

#### **VI. COMMENTS FROM THE BOARD**

#### **VII. MISCELLANEOUS**

Chair Rugg announced election of officers will occur at the March 13, 2024, meeting.

#### **VIII. ADJOURNMENT**

**Member J. Butler made a motion to adjourn the meeting.**

**L. Wiles seconded the motion.**

**The motion was granted, 9-0-0.**

**The meeting adjourned at approximately 8:32 p.m.**

These minutes were prepared by Beth Hanggell.

Respectfully submitted,

Name: Jake Butler

Title: Secretary

These minutes were accepted and approved on 3/10/2024 by a motion made by Lynn Wiles and seconded by Art Rugg