

LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF AUGUST 05, 2020, VIA A ZOOM REMOTE MEETING

I. CALL TO ORDER

Members Present via a ZOOM remote meeting: Art Rugg, Chair; Chris Davies, Vice Chair; Rick Brideau, Ex-Officio – Town Employee; Giovanni Verani, Ex-Officio –Town Manager; Al Sypek, Secretary; Ann Chiampa, alternate member; and Deb Paul, Town Council Ex-Officio

Also Present: Town Planner Mailloux; John Trottier, P.E., Assistant Director of Public Works & Engineering; Associate Planner Laura Gandia and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:00, and noted as Chair of the Londonderry Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. He started the meeting by taking roll call attendance. He said that when a member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under Right to Know Law. He appointed A. Chiampa to vote for M. Soares vacant.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member C. Davies made a motion to approve the minutes of July 1, 2020, as presented.

R. Brideau seconded the motion.

The motion was granted, 6-0-1, with A. Chiampa abstaining. The Chair voted in the affirmative.

Member C. Davies made a motion to approve the minutes of July 8, 2020, as presented.

R. Brideau seconded the motion.

The motion was granted, 5-0-2, with C. Davies, A. Sypek abstaining. The Chair voted in the affirmative.

B. REGIONAL IMPACT DETERMINATIONS: Town Planner Mailloux informed the Board that she had four projects for their consideration this evening:

1. Application for design review for a subdivision of one lot into two, Five Aviation Park Drive, Map 14 Lot 29-11, Zoned IND-II, R.J. Kelly Company, Inc. (Applicant) and BURNDY, LLC (Owner)
2. Application for design for review of a site plan amendment for a paved access drive around the existing building, Three Aviation Park Drive, Map 14 Lot 29-10, Zoned IND-II, Kake Preserve (Owner & Applicant)
3. Application for design review for a site plan for the construction of a proposed one story 40,521 SF trucking terminal and a proposed one story 50,000 SF warehouse building and associated site improvements, Five Aviation Park Drive, Map 14 Lots 29-11 and 29-20, Zoned IND-II, R.J. Kelly Company, Inc. (Applicant) and BURNDY, LLC (Owner)
4. Application for design review of a subdivision plan to subdivide Lot 41-1 into eight new lots, Pillsbury Road & Michels Way, Map 10 Lots 41, 41-1 and 41-2, Zoned C-I & PUD, Woodmont Commons Planned Unit Development, Pillsbury Realty Development, LLC (Owner & Applicant)

Member C. Davies made a motion to find that these projects are not of developmental impact.

R. Brideau seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

C. Discussion with Town Staff:

Town Planner Mailloux informed the Board that she had two extension requests this evening. She noted that the first request is from 9 Akira Way, a subdivision that was originally approved by the Planning Board in 2012. She explained that in accordance with RSA 674:39 the applicant has two years from the date of approval to commence active and substantial development to vest the approval. She mentioned that the applicant has requested an extension in 2014, 2016, 2018 and now again for another 24-months. John Desantis introduced himself to the Board. He stated that they hoped sometime in 2019 there would be development and they would not have to go before the Board to ask for an extension, but the applicant has purchased other property in the area and intends to develop those plans, so they are asking for another extension this evening. D. Paul asked what the scope of the project was and if anything changed in the ordinances since they started this project. Town Planner Mailloux shared her screen with the Board informing them the project was to create an additional lot and proposed right-of-way for additional access to the development. She added that there are no changes in the regulations for which the project would not comply

with. She said that Staff has no concerns granting the extension as they are still fully in compliance with the regulations.

Member C. Davies made a motion to grant the extension request for Nine Akira Way, Map 28 Lot 31, Zoned IND-II, Telescope Investments, LLC (Applicant) and L-3 Insight Technology, Inc. (Owner) until August 5, 2022, to meet the conditions of approval.

R. Brideau seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

Town Planner Mailloux informed the Board that the second extension request is from the subdivision on 7 Litchfield Road, noting the conditions of approval are set to expire on August 10, 2020. She said that the applicant is requesting an additional 90 days until November 8, 2020, to allow more time to meet the final conditions of approval. She pointed out that the outstanding items are an easement over an abutting property for a utility extension. She mentioned that Staff supports granting the extension request.

Member R. Brideau made a motion to grant the extension request for Seven Litchfield Road, Map 12 Lot 20, Zoned AR-1, Seven Litchfield Road Realty Trust, LLC until November 8, 2020, to meet the conditions of approval.

C. Davies seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

Town Planner Mailloux informed the Board that the Southern New Hampshire Planning Commission (SNHPC) sent a letter requesting projects for inclusion in the New Hampshire Department of Transportation (NHDOT) ten-year highway plan. She said that Staff would be reviewing if there would be any projects for the ten-year highway plan.

III. Old Business

A. Application for formal review of a site plan for a gas station and convenience store with drive through, and a bank with a drive through, 174 Rockingham Road (Map 15 Lot 61, Zoned C-II & RTE 28 POD) and 178 Rockingham Road (Map 15 Lot 61-7, Zoned C-II & RTE 28 POD), 2V Londonderry, LLC (Owners and Applicant) - continued from July 1, 2020

Chairman Rugg read the case into the record noting that the application was continued from July 1, 2020. J. Trottier informed the Board that there are no outstanding checklist items and recommends the application be accepted as complete.

C. Davies made a motion to accept the application as complete per Staff's Recommendation Memorandum dated August 5, 2020.

G. Verani seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

Chairman Rugg noted that the 65-day time clock has started. Town Planner Mailloux told the Board that they just received a submittal from the applicant regarding the NHDOT driveway permit that was issued, but noted that Staff is still in the process of reviewing the engineering comments. She added that she thinks it was worth starting the public hearing to start the process and have the applicant update the status of where they are. Ari Pollack, Esq. from Gallagher, Callahan & Gartrell, 214 North Main Street, Concord, NH addressed the Board. He added that Alex Vailas, owner of 2V LLC Londonderry, NH with him, as well as two of the project engineers Jeff Kevan and Bob Duval, from T.F. Moran, Inc. 48 Constitution Drive, Bedford, NH.

A. Pollack reviewed the parcel with the Board. He stated that in July of 2019 the Board granted a Conditional Use Permit (CUP) to the applicant for a proposed gasoline service station, and in May of 2020 there was a lot line adjustment that was granted for parcel, Map 15 Lot 61, 61-7 & 61-8, that was conditionally approved. He mentioned that on parcel, Map 15 Lot 61-7, they are proposing a one-story bank with a drive-thru facility and on parcel, Map 15 Lot 61, a one-story gas station with a convenience store. He added that they would be served by cross easements for traffic, vehicle maneuverability, parking, drainage and utilities. He said that the sites would be served by two driveways, one driveway per lot, noting one is a full service in and right out only driveway along Route 28/Rockingham Road and the other is a full service in and out driveway on Symmes Drive. He told the Board that the applicant has received a NHDOT driveway permit #0526952 from District 5 for the Rockingham Road driveway. He commented that the Town has received NHDOT confirmation relative to its existing driveway permit #26988-8 at the Symmes Drive connection to Rockingham Road that can be renewed with the consideration of the proposed uses. He reviewed the recommendations of the Conservation Commission, noting they were in favor of the CUP permit to impact the wetlands and wetland buffer. He pointed out that the applicant has a wetlands impact permit from New Hampshire Department of Environmental Services (NHDES) to impact 690 SF of jurisdictional wetlands, as well as an Alteration of Terrain (AOT) permit and a sewer permit from NHDES for sewage connections. He stated that the Heritage Commission was in favor of the site plan. He concluded that they have filed an underground storage tank application with NHDES for the gasoline storage facility, which is pending at the current time, but they are not aware of any concerns.

J. Kevan told the Board that parcel, Map 15 Lot 61, is 1.7 acres, where the proposed gas station/convenience store would be with a full access driveway on

Symmes Drive. He noted that this use requires 37 parking spaces and 10 stacking spaces for the drive-thru, which has been provided. He explained that the site complies with setbacks, impervious coverage and green area requirements of the town. He pointed out that parcel, Map 15 Lot 61-7, has a one-story bank building, which requires eight parking spaces and four stacking spaces for the drive-thru. He said that they have proposed 20 parking spaces and seven spaces for stacking. He mentioned that this site also complies with the town requirements. He commented that the sites are serviced by underground storm tech systems for the drainage. He reviewed the off-site improvements they will have per NHDOT. He described the proposed landscaping and lighting to the Board. He reviewed the four waivers they are requesting. He stated the first waiver is to allow 30-foot landscape buffer where 40-foot is required, as they are at about 30-feet in front of the gas station/convenience store. He commented the second waiver is to allow a side landscape buffer between the two lots to be reduced from 20-feet to 16-feet on each lot. He noted the last two waivers are regarding sewer and drainage where they are asking not to provide pipe and size invert information on the sewer and drainage within Route 28 as they are not using it at all.

B. Duval told the Board that he did the traffic study for this location where he treated both the gas/convenience store and bank as separate entities for the study. He mentioned that Rockingham Road has an average daily traffic of about 20,000 cars, which is about 2,000 an hour during peak hours. He said that Symmes Drive is a dead-end local road that services an industrial park and park and ride bus station, which has less than 5,000 average daily traffic. He pointed out that the counts were taken in December of 2018, which were seasonally adjusted, and subsequent counts at the park and ride in May of 2019 at the request of the Town. He stated that they have included a background growth rate of 1% on both Rockingham Road and Symmes Drive, which is conservative as the growth has been relatively flat over the past recent years. He remarked that a traffic study was included for PPNE, now Primary Source Foods, that was prepared by Steven Pernaw in March of 2017, as the development was not complete at the time of the counts. He said the site trips for the gas/convenience store and bank amount to 339 trips in the a.m. and 271 trips in the p.m. He described that these trips are reduced by a number of factors, such as there is some internal capture between the gas and coffee uses. He said there are also a substantial number of pass by trips associated with this type of development, noting they included 25% primary trips for all uses based on discussion they had with NHDOT. He said that new trips to the roadway are 123 trips in the a.m., which is about two trips per minute, and 76 trips in the p.m., which is just over one per minute. He reported that based on the calculations, the level of service is affected very little at the Symmes Drive intersection with Rockingham Road because of these trips. He read from the NHDOT detail review that was issued to them in May of 2020, "the proposed development flow has only a minimal effect on the signalized NH 28/Symmes Drive intersection and no mitigation is necessary." He pointed out that they are providing mitigation with a widened shoulder that acts as a right turn lane along NH 28, restriping to allow a left turn lane into the site, as well as adding signalization components to the intersection. He informed the Board that their neighbor Coca Cola hired an

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independent consultant, VHB, to look at the traffic and they are working with them to address all their comments.

Chairman Rugg opened it up from questions from the Board. J. Trottier told the Board that Staff is recommending the Board defer action on the requested waivers and CUP requests at this time. He mentioned that the applicant is proposing an underground drainage detention system, which would be the first of its kind in Londonderry, and they are working with the applicant on the details. Chairman Rugg asked J. Trottier if he thought the application would be ready next month. J. Trottier replied that he believed they would be. Town Planner Mailloux reminded the Board that there have been letters submitted for public comment. A. Chiampa asked who would be performing the inspection on the underground drainage system and if the Board would be given these reports. J. Trottier responded that the property owner themselves would be responsible for performing the yearly inspection and the reports would be submitted to the Department of Public Works on a yearly basis. Chairman Rugg asked what percentage of traffic would be using Symmes Drive. B. Duval reviewed the trip generation with the Board again. C. Davies said that it seems dangerous to allow left turns into the facility from Route 28 with a lane drop next to a signalized intersection. B. Duval remarked that this was discussed extensively with NHDOT and they came to an early agreement that this would be acceptable based on the volumes. He noted that part of the mitigation includes marking this a two-way left turn lane.

Chairman Rugg opened it up to questions from the public. He read a letter (Exhibit A) from Bob Rimol into the record.

Mark Bodin, Esq. representing Coca-Cola, addressed the Board. M. Bodin told the Board that Coca-Cola has been reviewing this application very closely for the last 13 months. He noted that they have voiced concern regarding access off Symmes Drive and he does not believe that anything has changed. He explained that in their opinion, the access off Symmes Drive, if you live it on a daily basis, is simply incompatible. He mentioned that he submitted pictures to the Town illustrating what Coca-Cola is living with on a daily basis, such as queues extending way beyond where the current driveway is proposed back to where Reliable Equipment is. He said that Coca-Cola has 350 employees, which between 3 p.m. and 5 p.m. with shift changes, in addition to all the truck traffic creates a hazardous condition at this intersection. He remarked that his client is not supportive of this unless the Board requires the applicant to mitigate this traffic. He pointed out that according to the Master Plan this area of town is supposed to be a primary growth area and they do not believe this can happen given the current conditions.

Mark Smith, Director of Facilities for Coca-Cola, addressed the Board. M. Smith told the Board that Coca-Cola produces and distributes about 36 million cases annually from this facility on Symmes Drive. He noted that they have closed other business in the state and brought that business to Symmes Drive. He pointed out that they do 37,000 tractor trailer loads annually, which is 670 loads per week entering and exiting onto Route 28 off Symmes Drive. He mentioned that their business increases between 25% to 30% during the months of May through September. He

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said that the peak time for local delivery is 6 a.m. to 6 p.m. Monday through Friday. He asked the Board to consider the risk and safety factors for everyone that uses Symmes Drive now and in the future. He said the proposed bank entrance is close to a traffic light and when Harvey Industries lets out their traffic, the traffic backs up to their entrance, which is well off the road about 1,000 feet. He commented that when Harvey Industries was developed they had concerns about traffic and worked closely with Harvey to make sure that both businesses would have safe traffic patterns. He concluded that Coca-Cola feels strongly that there are other options to explore to limit access onto Symmes Drive with this project. He added if the bank entrance is allowed onto Symmes Drive, Coca-Cola may have concerns for future growth in Londonderry.

Jason Plourde, traffic engineer from VHB, addressed the Board. J. Plourde told the Board that he has three main concerns along Symmes Drive. He noted that the first concern is the software program they used for the traffic study is inefficient as it displays an error message, which notes that approach is over capacity and the queue would be longer than what they stated. He said that the results generated during the 3 p.m. to 4 p.m. time period are actually longer than their results and told the Board that they could double check this with Stantec. He commented that the second concern is that the 2004 Master Plan identified Jack's Bridge Road area to be a primary growth area, and to not account for the additional potential truck traffic would be a disservice to the customers. He said that he strongly encourages the Board to have all the information before they decide. He mentioned that the Board should ask for a long-term study to be conducted that the developer paid for the Town to conduct after the development is open to find out if there are any safety or operational issues. He explained that if there are issues, the developer should be on the hook to come up some kind of improvements.

Marc Cooper, owner of Reliable Equipment, addressed the Board. M. Cooper told the Board that he is concerned about the safety issues and has been since the project started. He commented that he has multiple videos of tandem semi-tractor trailers turning around just prior to the entrance of the park and ride with stacks of cars backed up past Coca-Cola's entrance between the 3 p.m. to 4 p.m.

B. Duval said that they have actual counts that they are basing their study on, noting that 500 cars are more than the total volume of traffic in the 3 p.m. to 4 p.m. and 4 p.m. to 5 p.m. peak. He said that it was mentioned that there are 670 trucks per week, noting if this was averaged per day over a 10-hour day it would amount to 10 trucks per hour, which is less than the numbers that they included in their traffic study. He noted that the definition of a queue is the last stopped vehicle, not slowly moving vehicles. He said that they noted the error message with their software, noting the message is more of a warning than as an actual fact. He pointed out that just to be extra sure, they did some manual calculations to double check the program, and found the results to be validated. He clarified that it is not a single left, but a double left at the Symmes Drive intersection.

Chairman Rugg brought the discussion back to the Board as there was no further public discussion. He stated that he would like to make Stantec aware of what

Jason Plourde said this evening, if they are not already. A. Sypek asked for the videos and pictures to be made available to the Board. Town Planner Mailloux replied that she would take care of this. A. Chiampa asked if the Town could ask NHDOT to extend the light times to exit Symmes Drive to help reduce the queue. Town Planner Mailloux responded the NHDOT is typically concerned with the green time on a state road, rather than Symmes Drive. B. Duval concurred with this, but said that maybe the green time for their road might be changed to help. A. Chiampa asked if something could be striped on the pavement to help prevent anyone from blocking the Symmes Drive entrance. J. Trottier replied that is becoming more common now and could help. Chairman Rugg asked for the engineer from Stantec to attend the next meeting. J. Trottier reminded the Board that when a development comes into a new roadway, they never look at the overall possibility of what could happen with all the industrial land at an intersection to meet the future demand, because some of the improvements might never come to fruition. He noted that is why it has been piecemeal over time. G. Verani agreed with J. Trottier, but feels that there could be avenues such as an increment finance district where a developer pays for the portion of the improvement as they continue to grow. He added that his office overlooks the Rail Trail and is very busy, so it would be well worth the effort to connect sidewalks to accommodate the pedestrian traffic. D. Paul agreed with both J. Trottier and G. Verani, but felt this discussion has been going on for many years with no real effort to change and be proactive rather than reactive with traffic concerns. She asked if a committee would be helpful to look at all the areas in town that are concerning, both residential and commercial. A. Pollack stated there has been a lot of discussion regarding the existing conditions, but not about this proposal and how it may add or contribute to the existing conditions. He said that NHDOT concluded that the proposed development has a minimal impact on the signalized intersection and no mitigation is necessary. He commented that he believes it is not up to the last person/developer at an industrial site to try and fix the traffic problems, as it is not fair. He mentioned that they have no objection with abutting properties helping to improve the current traffic situation there.

C. Davies made a motion to continue the application for formal review of a site plan for a gas station and convenience store with drive through, and a bank with a drive through, 174 Rockingham Road (Map 15 Lot 61, Zoned C-II & RTE 28 POD) and 178 Rockingham Road (Map 15 Lot 61-7, Zoned C-II & RTE 28 POD), 2V Londonderry, LLC (Owners and Applicant) until September 9, 2020

R. Brideau seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

Chairman Rugg noted that the application is continued until September 9, 2020, at 7 p.m., noting the meeting will be remote and this would be the only formal public notice.

IV. New Plans/Public Hearing

A. Application for a formal review for a site plan amendment to add additional outdoor display and storage areas, 41 Nashua Road, Map 7 Lot 119, Zoned C-I, Greenberg Farrow (Applicant) and Home Depot USA, Inc. (Owner)

Chairman Rugg read the case into the record. J. Trottier informed the Board that there are no outstanding checklist items and recommends the application be accepted as complete.

C. Davies made a motion to accept the application as complete per Staff Recommendation memorandum dated August 5, 2020.

R. Brideau seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

Earle Blatchford, P.E., from Hayner/Swanson Inc., 3 Congress St., Nashua, NH, introduced himself to the Board. E. Blatchford told the Board that the original site plan included some outside product display areas along the front canopy, garden center and seasonal display area. He pointed out that in 2011, they came before the Board with an amendment for outdoor display storage areas and modifications, which is similar to the application before the Board this evening. He explained that the current project started because of a conversation between Richard Canuel, Chief Building Inspector, Health Officer, Zoning Administrator & Code Enforcement Officer, and the local manager relative to the current state of outdoor storage and display areas not conforming to the 2011 amended site plan. He commented that they have been through the design review process and have addressed those comments. He reviewed the proposed plan with the Board, noting they are looking for an expansion of the garden center/seasonal display area, as well three storage areas on the side, as well as eliminating 15 parking spaces. He mentioned that the original site plan stated that no pressure treated lumber shall be stored within the Conservation Overlay (CO) District or the 50-foot buffer to the jurisdictional wetlands. He stated that the process has changed in how pressure treated lumber is made/handled now. He said that they went before the Conservation Commission on June 23, 2020, and they gave a favorable approval with the addition of some language to the plan. He said the additional language has been added to note number 17 on sheet one of the plans.

Chairman Rugg opened up the discussion for questions from the Board. Town Planner Mailloux added that to make enforcement of this easier in the future, they are demarcating areas for storage, so future store managers know where it is allowed. A. Chiampa asked if the Fire Department reviewed the change in the lumbar storage area. Town Planner Mailloux replied that they did.

Chairman Rugg opened it up to the public and there was none.

C. Davies made a motion to grant conditional approval of the Home Depot site plan amendment in accordance with plans prepared by Hayner/Swanson, Inc., dated March 3, 2020, last revised July 15, 2020, with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated August 5, 2020.

R. Brideau seconded the motion.

The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.

"Applicant", herein, refers to the property owner, business owner, or organization submitting this application and to his/its agents, successors, and assigns.

PRECEDENT CONDITIONS

All of the precedent conditions below must be met by the Applicant, at the expense of the Applicant, prior to certification of the plans by the Planning Board. Certification of the plans is required prior to commencement of any site work, any construction on the site or issuance of a building permit.

1. The Applicant shall address any outstanding DRC comments.
2. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
3. Final planning review.

PLEASE NOTE – If these conditions are not met within 120 days of the meeting at which the Planning Board grants approval, the Board's approval will be considered to have lapsed and re-submission of the application will be required.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. The project must be built and executed as specified in the approved application package unless modifications are approved by the Planning Department & Department of Public Works, or, if Staff deems applicable, the Planning Board.
2. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in

part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

V. Other

VI. Adjournment

Member R. Brideau made a motion to adjourn the meeting at approximately 9:36 p.m. Seconded by C. Davies.

The motion was granted by a unanimous roll call vote, 7-0-0.

The meeting adjourned at approximately 9:36 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,



Name: Alan J. Sypek
Title: Secretary

These minutes were accepted and approved on September 2, 2020, by a motion made by A. Sypek and seconded by J. Butler

STAFF RECOMMENDATION

To: Planning Board
From: Colleen P. Mailloux, AICP, Town Planner
John R. Trottier, PE, Assist. Dir. Of DPW

Date: August 5, 2020

Application: **Application for a formal review for a site plan amendment to add additional outdoor display and storage areas, 41 Nashua Road, Map 7 Lot 119, Zoned C-I, Greenberg Farrow (Applicant) and Home Depot USA, Inc. (Owner)**

- **Completeness:** There are no outstanding checklist items and Staff recommends that the application be accepted as complete.

Board Action Required: Motion to accept the application as complete per Staff Recommendation memorandum dated August 5, 2020.

- **Waivers:** No waivers are requested for this project.
- **Recommendation:** Based on the information available to date, Staff recommends that the Planning Board **CONDITIONALLY APPROVE** this application with the Notice of Decision to read substantially as follows:

Board Action Required: **Motion to grant conditional approval of the Home Depot site plan amendment in accordance with plans prepared by Hayner/Swanson, Inc., dated March 3, 2020, last revised July 15, 2020, with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated August 5, 2020.**

“Applicant”, herein, refers to the property owner, business owner, or organization submitting this application and to his/its agents, successors, and assigns.

PRECEDENT CONDITIONS

All of the precedent conditions below must be met by the Applicant, at the expense of the Applicant, prior to certification of the plans by the Planning Board. Certification of the plans is required prior to commencement of any site work, any construction on the site or issuance of a building permit.

1. The Applicant shall address any outstanding DRC comments.
2. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
3. Final planning review.

PLEASE NOTE – If these conditions are not met within 120 days of the meeting at which the Planning Board grants approval, the Board’s approval will be considered to have lapsed and re-submission of the application will be required.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. The project must be built and executed as specified in the approved application package unless modifications are approved by the Planning Department & Department of Public Works, or, if Staff deems applicable, the Planning Board.
2. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.