

**LONDONDERRY, NH PLANNING BOARD
MINUTES OF THE MEETING OF JUNE 6, 2018 AT THE MOOSE HILL
COUNCIL CHAMBERS**

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Mary Wing Soares, Vice Chair; Chris Davies, Secretary; Rick Brideau, Ex-Officio – Town Employee; Leitha Reilly, member; Giovanni Verani, Ex-Officio – Town Manager Appt; Al Sypek, member; Scott Benson, Assistant Secretary; Jim Butler, Town Council Ex-Officio; Ann Chiampa (alternate member) and Peter Commerford (alternate member)

Also Present: Colleen Mailloux, Town Planner; Laura Gandia, Associate Planner and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance.

II. ADMINISTRATIVE BOARD WORK

Chairman Rugg informed the Board that two cases, specifically Cases:

D. Application for formal review of subdivision plan for a lot line adjustment and road right of way (ROW) relocation, Two Roundstone Drive, Map 14 Lot 49-4, and 10 Roundstone Drive, Map 14 Lot 49-5, Zoned GB, Access Road, LLC (Owner & Applicant)

E. Application for formal review of a subdivision plan to create 28 residential lots, Woodmont Commons, sub-areas WC-4 and WC-5, 15 Pillsbury Road & Gilcreast Road, Map 10 Lot 41, Zoned PUD-1, Pillsbury Realty Development, LLC (Owner) and DHB Homes, LLC (Applicant)

have been requested to be continued until July 11, 2018.

Member M. Soares made a motion to continue the application for a formal review of subdivision plan for a lot line adjustment and road right of way (ROW) relocation, Two Roundstone Drive, Map 14 Lot 49-4, and 10 Roundstone Drive, Map 14 Lot 49-5, Zoned GB, Access Road, LLC (Owner & Applicant) and

the application for formal review of a subdivision plan to create 28 residential lots, Woodmont Commons, sub-areas WC-4 and WC-5, 15 Pillsbury Road & Gilcreast Road, Map 10 Lot 41, Zoned PUD-1, Pillsbury Realty Development, LLC (Owner) and DHB Homes, LLC (Applicant) to be continued until July 11, 2018

A. Sypek seconded the motion

The motion was granted, 7-0-0. The Chair voted in the affirmative and made the public aware this was the only notice they would receive.

J. Butler arrived at 07:05 p.m.

A. APPROVAL OF MINUTES:

Member M. Soares made a motion to approve the minutes of May 2, 2018, as presented.

C. Davies seconded the motion.

The motion was granted 5-0-3, with members A. Sypek, S. Benson and J. Butler abstaining.

The Chair voted in the affirmative.

Member M. Soares made a motion to approve the minutes of May 9, 2018, as presented.

C. Davies seconded the motion.

The motion was granted 6-0-2, with members C. Davies and J. Butler abstaining.

The Chair voted in the affirmative.

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

Application for a lot line adjustment between 268 Mammoth Road, Map 9 Lot 45, Zoned AR-1 (Town of Londonderry) (Owner) and Four Sargent Road, Map 9 Lot 41 1-1, Zoned AR-1 (Greeley-Parmenter Harrington (Post 27 American Legion) (Owner) and Greeley-Parmenter Harrington (Applicant)

Application for design review of a site plan for 43 elderly housing units and associated site improvements, 48 Old Nashua Road, Map 3 Lot 155, Zoned AR-1, DFC Development, LLC (Owner & Applicant)

Application for design review of site plan for a car wash and associated site improvements, Two Roundstone Drive, Map 14 Lot 49-4, and 10 Roundstone Drive, Map 14 Lot 49-5, Zoned GB, Access Road, LLC (Owner & Applicant)

Application for design review of a site plan to construct a warehouse/office facility and associated site improvements, 49

Wentworth Avenue, Map 14 Lot 44-35, Zoned IND-II, BDRC Properties, II, LLC (Owner & Applicant)

Application for design review of a condominium conversion of Three Weymouth Road, Map 15 Lot 187, Zoned AR-1, Pathway Homes, Inc. (Owner & Applicant)

Town Planner Mailloux recommended that the Board find that all five of the projects are not developments of regional impacts as they do not meet the criteria set forth by the Southern New Hampshire Regional Planning Commission.

Member M. Soares made a motion to find that all five projects are not of regional impact.

S. Benson seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

C. DISCUSSIONS WITH TOWN STAFF:

Town Planner Mailloux informed the Board that she has two lot mergers for the Board to authorize the Chair to sign.

1. She noted that the first one is a proposed merger between Lot 268 and 280 Mammoth Road, which are owned by the Town. She explained that this was discussed at the last meeting and she has notified the school, police and fire department regarding this merger with no responses. She stated that Staff recommends the Board authorize the chair to sign the merger.

Member A. Sypek made a motion to authorize the Chair to sign the merger.

L. Reilly seconded the motion and opened it up for discussion.

L. Reilly thanked Town Planner Mailloux for notifying all abutting property owners and asked why something like this is not on the agenda. Town Planner Mailloux explained that this falls under administrative function and is not something that requires a public hearing or public notification. She noted that it has been the Board's practice to not post administrative items on the agenda. Chairman Rugg pointed out that there is not statutory requirement to post this. L. Reilly stated in her opinion, she thought when the Town is merging parcels it is worthy of being posted on the agenda for public awareness. She stated she wanted to be on record stating an item like this should be on the agenda.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

2. Town Planner Mailloux informed the Board the second lot merger, which would be presented in more detail later this evening on the agenda, was for Button Drive and Verizon Drive. She noted that this is a condition of the site plan the Board would be hearing later this evening. She stated that Staff recommends the Chair be authorized by the Board to sign the merger.

Member M. Soares made a motion to authorize the Chair to sign the merger.

A. Sypek seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

Chairman Rugg informed the Board and the public that he is taking something out of order on the agenda and would be hearing the Woodmont Common update at this point. R. Brideau arrived at 07:15 p.m.

Woodmont Commons Annual Update

Ari Pollack, Esq., from Gallagher, Callahan & Gartrell, PC, 214 North Main Street Concord, NH, introduced himself stating he was here representing Pillsbury Realty, LLC. He stated that he is here to offer some advisories on what may be expected at Woodmont over the next couple of years. He had some graphics which the Board and public could follow along on the computer screen during his presentation. He explained the first graphic is a representation of Phase 1, which is now actively under construction and includes over 30 buildings, road building and infrastructure. He stated that development of Phase 1 is going to take a number of years for which it has been broken down into sub-phases within Phase 1. He explained that Phase 1A includes buildings:

501: the home of the brewery that has applied for a foundation permit and is set to open in 2019

301: a mixed use building, with retail on the bottom and residential above in a 4-story building, also in final design, and is set to open in 2019

401, 402 and 602: These three buildings will follow and start in 2019 hoping to open in 2020.

He noted that along Gilcreast Road there is a partnership with a developer to construct single family homes as planned out in the Master Plan. He stated that the Gilcreast subdivision will be presented to the Board in July and start after approval. He stated that along the highway there is an assisted living facility and retirement community slated to be built. He stated that what had been pitched by the Governor to Amazon, will most likely be developed with an entertainment vendor of some type. He thanked the Board for letting him give the update and welcomed any questions from the Board.

Chairman Rugg opened it up to questions from the Board and there were none.

III. OLD BUSINESS - N/A

IV. New Plans -/Non-Binding Conceptual Discussions -

A. Application for formal review of a site plan to consolidate tax Map 7 Lots 132-3, 132-4, 132-5, 132-6 & 132-7 and to construct seven residential duplexes (14 dwelling units total) with associated parking and site improvements, Horizon Drive and Button Drive (Map 7 Lots 132-3 through 7), Zoned C-I and Route 102-POZ, DHB Homes, LLC (Applicant) and Team Business Development Corp. (Owner)

Chairman Rugg read the case into record. Town Planner Mailloux stated there are no outstanding checklist items and staff recommends the application be accepted as complete.

M. Soares made a motion to accept the application as complete per Staff's recommendation memorandum dated June 6, 2018.

C. Davies seconded the motion.

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

Chairman Rugg noted that the 65-day time clock had started.

George Chadwick, senior project manager at Bedford Design Consultants, addressed the Board. He stated that earlier this evening a merger was approved for 5 parcels of land, which total 5.16 acres, and on this 5.16 acres the applicant is looking to construct seven three bedroom duplexes for a total of 14 units. G. Chadwick stated that the parcel is zoned C-1 and with the Route 102 Overlay zone as well. He informed the Board that on December 8, 2017, he was in front of the Board seeking a Conditional Use Permit (CUP), to allow this use in the Route 102 Overlay zone, which was granted. He noted that the project will be completed in two phases, with the first being a driveway off Horizon Drive with three duplex units and the second phase will be the driveway off Button Drive with four units. He stated that each unit will have three parking spaces. He stated that the applicant identified trees in the front of the building to incorporate into the landscaping. He informed the Board that an abutter to the south has submitted a letter of agreement with the project for the record. He explained that the applicant is requesting two waiver requests, with the first from Section 2.6.1.7.D.4.d.i of the Zoning Ordinance to reduce the buffer abutting the AR-1 zone from 75' to 50', and the second from Section 3.08.b.4.1.c of the Site Plan Regulations to allow a driveway with a maximum grade of 8% where only 6% is allowed.

Chairman Rugg opened it up to questions from the Board. Town Planner Mailloux informed the Board that staff supports granting of the two waivers tonight and reviewed some design review items with the applicant and Board. P. Commerford

voiced his concern with there being no walls at the edge of the detention pond as he felt a car could slip on an icy driveway and be submerged. G. Chadwick stated that there is a 3:1 slope, which meets town requirements, but would check with the applicant to see about putting a guardrail in. C. Davies asked about the line of sight off Button Drive. Town Planner Mailloux stated that the applicant meets town standards. J. Butler asked what would be done for garbage removal. G. Chadwick stated that the applicant wants each individual renter to be responsible for their own trash with no dumpster. A. Rugg stated that the town requires the barrels to be curbside and wondered where the residents would put the barrels. G. Chadwick stated he could ask the applicant about installing a dumpster, as the individual trash barrels might not work out. Town Planner Mailloux stated that the Board could put in a condition of approval that the applicant install a dumpster. M. Soares stated she would want two dumpsters.

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

Chairman Rugg brought it back to the Board.

M. Soares made a motion to motion to grant the applicant's request for two waivers as outlined in the Staff Recommendation Memorandum dated June 6, 2018.

L. Reilly seconded the motion.

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

M. Soares made a motion to grant conditional approval of the site plan for the construction of seven residential duplexes with associated parking and site improvements, Horizon Drive and Button Drive, Map 7 Lots 132-3 through 7, Zoned C-I and Route 102 POD, DHB Homes, LLC (Applicant) and Team Business Development Corp. (Owner) in accordance with plans prepared by Bedford Design Consultants, Inc., dated January 12, 2018, last revised April 24, 2018 with the following precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018 with a condition of approval that a dumpster be added to the property.

L. Reilly seconded the motion.

The motion was granted, 9-0-0. 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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2018.
2. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. If approved, waivers shall be noted as such on the plans.
4. The notice of voluntary lot merger shall be approved by the Planning Board and recorded in the Rockingham County Registry of Deeds.
5. Prior to plan signature, the existing carport and plastic shed encroachment, which do not comply with required property line setbacks and buffers, shall be removed.
6. Draft drainage easement language shall be provided and both drainage and road widening easements shall be reviewed and approved by the Town and executed easements be provided for recording.
7. The Applicant shall provide the Owner's signature(s) on the plans.
8. 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 Site Plan Regulations.
9. Third-party review fees shall be paid within 30 days of site plan approval.
10. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
11. Final engineering 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NHDES – EPA Permit (if required), and posting of the site-restoration financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
3. 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.
4. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.
6. Site improvements must be completed in accordance with the approved plan prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.**
7. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

B. Application for formal review of a site plan for the construction of a 1-story office and warehouse building and associated site improvements, Two Kitty Hawk Landing, Map 17 Lot 5, Zoned IND-I, SWCE Holdings, LLC (Owner & Applicant)

Chairman Rugg read the case into record. Town Planner Mailloux stated there are no outstanding checklist items and staff recommends the application be accepted as complete.

M. Soares made a motion to accept the application as complete per Staff's recommendation memorandum dated June 6, 2018.

L. Reilly seconded the motion.

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

Chairman Rugg noted that the 65-day time clock had started.

Amy Sanders, from CLD/Fuss & O'Neill, introduced herself to the Board and Dan Hall, an architect who is with her tonight. A. Sanders stated this project is 2.6 acres that is located adjacent to the north fire station. She stated that the site is mostly gravel with an existing curb cut off Kitty Hawk Landing, as well as utilities. She noted the site has slope and drainage easements. She stated that there are no wetlands on the property. She stated the proposal is for a one-story office building that is 8,300 SF, which has associated lab and storage space. She stated it is for a geotechnical engineering firm with typical office space and lab space for testing soils. She noted the main driveway will be off Kitty Hawk Landing and the site will have 13 parking spaces. She pointed out where the snow storage would be on the plan for the Board. She went over the landscaping, drainage, erosion control and signage for the Board.

Chairman Rugg opened it up to questions from the Board. Town Planner Mailloux informed the Board that there are no waiver requests tonight and reviewed some design review items with the applicant and Board. P. Commerford asked if there would be any hazardous chemicals on the site. A. Sanders stated that the drill would have hydraulic fluid stored inside and would be disposed of properly.

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

Chairman Rugg brought it back to the Board.

M. Soares made a motion to grant conditional approval of the site plan for the construction of 9,260 square foot office and warehouse building and associated site improvements, 2 Kitty Hawk Landing, Map 17, Lot 5, SWCE Holdings, LLC (Owner & Applicant) in accordance with plans prepared by CLD | Fuss & O'Neill, dated February 19, 2018, last revised May 16, 2018 with the following

precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018:

R. Brideau seconded the motion.

The motion was granted, 9-0-0. 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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2018.
2. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Owner's signature shall be provided on the plans.
4. Slope and drainage easements shall be reviewed by the Town, and executed easements shall be provided for recording.
5. 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 Site Plan Regulations.
6. Third-party review fees shall be paid within 30 days of site plan approval.
7. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
8. Final engineering 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the site-restoration financial guaranty with the Town. Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
3. 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.
4. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.
6. Site improvements must be completed in accordance with the approved plan prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.
7. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

C. Application for formal review of a subdivision plan of one lot into six, 34 Auburn Road, Map 16, Lot 58-1, Zoned AR-1, Richard G. & Virginia St. Cyr (Owners & Applicants)

Chairman Rugg read the case into record. Town Planner Mailloux stated there are no outstanding checklist items and staff recommends the application be accepted as complete.

M. Soares made a motion to accept the application as complete per Staff's recommendation memorandum dated June 6, 2018.

C. Davies seconded the motion.

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

Chairman Rugg noted that the 65-day time clock had started.

Eric Mitchell, wetland scientist who prepared the plans introduced himself to the Board. He stated that this is a proposal of an 8-10 lot parcel to be subdivided into six family house lots with individual water and septic systems. He stated that this site was approved for seven lots in 2008, but never was started and then in 2014, a house was dropped to make it six. He stated that the plan is very similar to what was presented to the Board originally and thinks it is a straight forwarded subdivision. Chairman Rugg opened it up to questions from the Board. Town Planner Mailloux informed the Board that there are no waiver requests tonight and reviewed some design review items with the applicant and Board.

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

Chairman Rugg brought it back to the Board.

M. Soares made a motion to grant conditional approval of the subdivision of Map 16 Lot 58-1 from one lot into six, 34 Auburn Road, Richard G. & Virginia St. Cyr (Owners & Applicants), in accordance with plans prepared by Eric C. Mitchell & Associates, Inc. dated January 10, 2018, last revised May 14, 2018 with the following precedent conditions to be fulfilled within two years and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018:

R. Brideau seconded the motion.

The motion was granted, 9-0-0. 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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2017.
2. Owners signatures shall be provided on the plans.
3. The Wetland Scientist and Soil Scientist stamps and signatures shall be provided on the plans.
4. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicated the permit approval numbers on eth cover sheet and provide copies of all permits for the Planning Division files.
5. The proposed roadway widening and drainage easements shall be provided for review and approval by the Town and shall be recorded concurrently with the final plan.
6. A utility clearance letter from Manchester Water Works shall be provided.
7. 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.
8. The Applicant shall provide a check for \$25 (made payable to the Rockingham County Registry of Deeds) for LCHIP.
9. The Applicant shall note all general and subsequent conditions on the plans.
10. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional site plan approval.
11. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
12. Final engineering review.

PLEASE NOTE – If these conditions are not met within two (2) years 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. No construction or site work for the subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town. Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
3. 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.
4. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.
5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.

D. Non-binding review and discussion in accordance with RSA 674:54 for a governmental land use for renovations to the central fire station, 280 Mammoth Road, Map 9 Lot 41-1, Zoned AR-1, Town of Londonderry (Owner & Applicant)

Darren O'Brien, Fire Chief introduced himself to the Board, as well as Jason Lopez from Keach-Nordstrom Associates. D. O'Brien stated he was here to have a discussion of how the project is currently going. He presented a picture of what the new station will look like to the Board. He stated that they have flip-flopped the administrative portion with the bays of the new building to make a more campus like feel to the town offices. He stated that they are in the process of a Dredge and Fill wetland permit and will need to do wetland mitigation. He stated they are hoping for a shovel to be in the ground in late July or early August.

Chairman Rugg opened it up to questions from the Board. Town Planner Mailloux stated that they are working closely with engineering and the Planning Department. A. Chiampa stated that she liked the entry way as it looked more substantial. D. O'Brien stated that if they do have a walk-in patient, they can now treat them there and have more room. L. Reilly asked how many walk-in patients the Fire Department gets every year. D. O'Brien stated they might get a dozen every year.

L. Reilly asked if there were enough locker rooms. D. O'Brien stated that there is. A. Sypek stated he liked the design and was happy to see that the Fire Department can operate while construction is taking place. D. O'Brien wanted to let the Board know that he is looking within Londonderry for bids for companies to build the new fire house and thanked the Board for their support.

V. Other Business - N/A

VI. ADJOURNMENT

Member M. Soares made a motion to adjourn the meeting at approximately 08:37 p.m. Seconded by J. Butler.

The motion was granted, 9-0-0.

The meeting adjourned at approximately 08:37 PM.

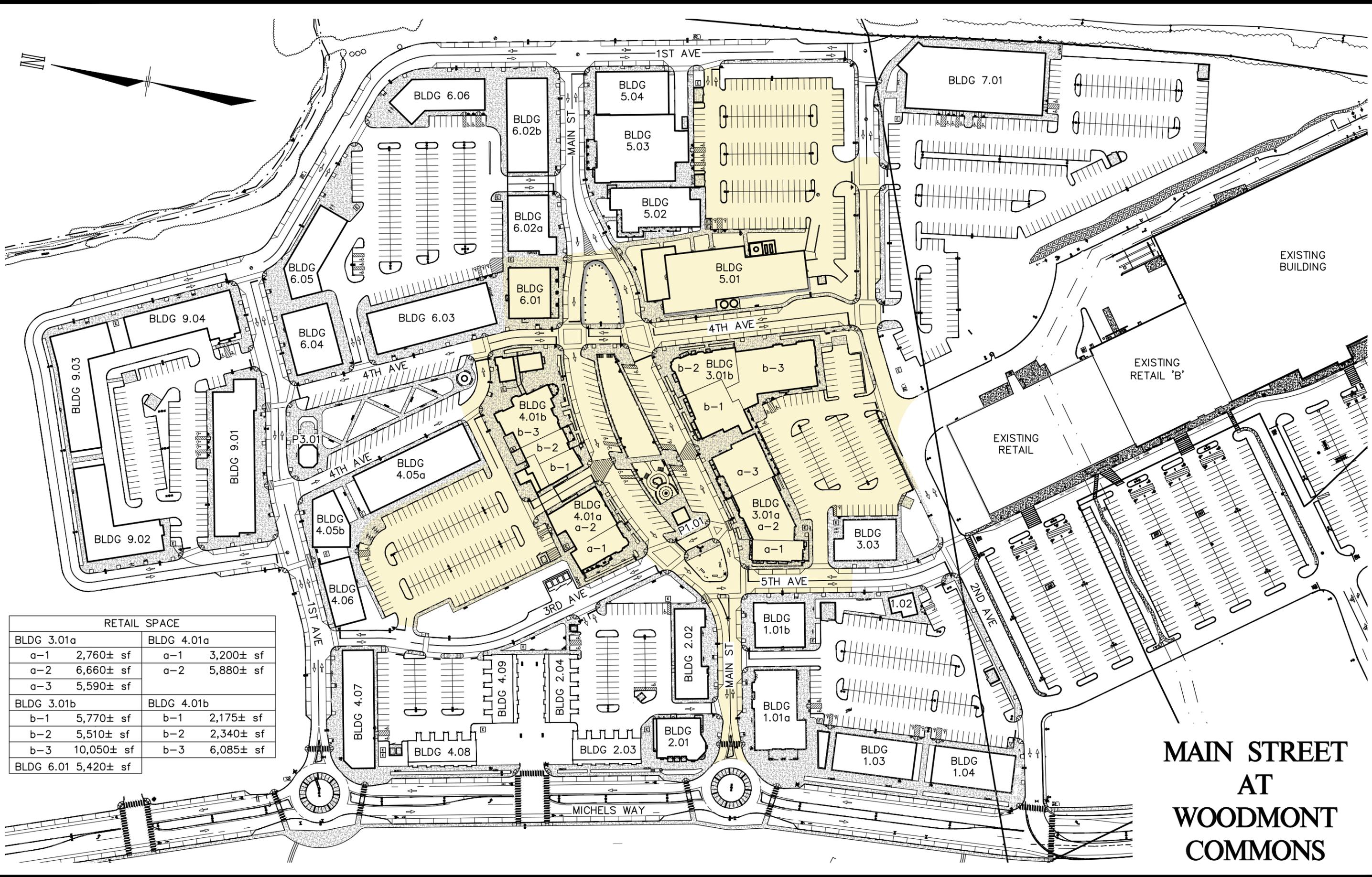
These minutes were prepared by Beth Morrison.

Respectfully Submitted,



Chris Davies, Secretary

These minutes were accepted and approved on July 11, 2018 by a motion made by C. Davies and seconded by A. Sypek.



RETAIL SPACE			
BLDG 3.01a		BLDG 4.01a	
a-1	2,760± sf	a-1	3,200± sf
a-2	6,660± sf	a-2	5,880± sf
a-3	5,590± sf		
BLDG 3.01b		BLDG 4.01b	
b-1	5,770± sf	b-1	2,175± sf
b-2	5,510± sf	b-2	2,340± sf
b-3	10,050± sf	b-3	6,085± sf
BLDG 6.01	5,420± sf		

**MAIN STREET
AT
WOODMONT
COMMONS**

STAFF RECOMMENDATION

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

Date: June 6, 2018

Application: Application for formal review of a site plan to construct seven residential duplexes with associated parking and site improvements, Horizon Drive and Button Drive, Map 7 Lots 132-3 through 7, Zoned C-I and Route 102 POD, DHB Homes, LLC (Applicant) and Team Business Development Corp. (Owner)

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

Board Action Required: **Motion to accept the application as complete per Staff's Recommendation Memorandum dated June 6, 2018.**

- Waivers: The Applicant has requested two (2) waivers for this project.
 1. The Applicant is seeking a waiver from Section 2.6.1.7.D.4.d.i of the Zoning Ordinance to reduce the buffer abutting the AR-1 zone from 75' to 50'. Staff supports granting the waiver as the buffer reduction is being requested along the southerly property line which is abutting a similar (residential duplex) use, the project maintains the required C-I buffer of 50', and has proposed additional screening and fencing to reduce the visual impact of the development on the abutting property.
 2. The Applicant is requesting a waiver from Section 3.08.b.4.1.c of the Site Plan Regulations to allow a driveway with a maximum grade of 8% where only 6% is allowed. Staff supports granting the waiver as the plans provide a platform at a maximum slope of 2% adjacent to Horizon and Button Drives to provide a level area for safe maneuverability onto the adjacent streets, and because adherence to the 6% maximum would require significant fill and additional disturbance of the site.

Board Action Required: **Motion to grant the Applicant's request for two waivers as outlined in the Staff Recommendation Memorandum dated June 6, 2018.**

- Conditional Use Permit: A conditional use permit was granted on December 13, 2017 by the Londonderry Planning Board to allow a multi-family residential use in the Route 102 Performance Overlay District.
- 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 site plan for the construction of seven residential duplexes with associated parking and site improvements, Horizon Drive and Button Drive, Map 7 Lots 132-3 through**

7, Zoned C-I and Route 102 POD, DHB Homes, LLC (Applicant) and Team Business Development Corp. (Owner) in accordance with plans prepared by Bedford Design Consultants, Inc., dated January 12, 2018, last revised April 24, 2018 with the following precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018:

“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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2018.
2. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. If approved, waivers shall be noted as such on the plans.
4. The notice of voluntary lot merger shall be approved by the Planning Board and recorded in the Rockingham County Registry of Deeds.
5. Prior to plan signature, the existing carport and plastic shed encroachment, which do not comply with required property line setbacks and buffers, shall be removed.
6. Draft drainage easement language shall be provided and both drainage and road widening easements shall be reviewed and approved by the Town and executed easements be provided for recording.
7. The Applicant shall provide the Owner’s signature(s) on the plans.
8. 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 Site Plan Regulations.
9. Third-party review fees shall be paid within 30 days of site plan approval.

10. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
11. Final engineering 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the site-restoration financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
3. 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.
4. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.
6. Site improvements must be completed in accordance with the approved plan prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete

improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.**

7. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

STAFF RECOMMENDATION

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

Date: June 6, 2018

Application: Application for formal review of a phased site plan for the construction of a 9,260 square foot building with office, storage and testing space and associated site improvements, 2 Kitty Hawk Landing, Map 17 Lot 5, Zoned IND-I, SWCE Holdings, LLC (Owner & Applicant)

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

Board Action Required: **Motion to Accept the Application as Complete per Staff's Recommendation Memorandum dated June 6, 2018.**

- Waivers: There are no waivers 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 site plan for the construction of 9,260 square foot office and warehouse building and associated site improvements, 2 Kitty Hawk Landing, Map 17, Lot 5, SWCE Holdings, LLC (Owner & Applicant) in accordance with plans prepared by CLD | Fuss & O'Neill, dated February 19, 2018, last revised May 16, 2018 with the following precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018:**

"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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2018.

2. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Owner's signature shall be provided on the plans.
4. Slope and drainage easements shall be reviewed by the Town, and executed easements shall be provided for recording.
5. 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 Site Plan Regulations.
6. Third-party review fees shall be paid within 30 days of site plan approval.
7. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
8. Final engineering 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the site-restoration financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
3. 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.
4. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed

and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.
6. Site improvements must be completed in accordance with the approved plan prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.**
7. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

STAFF RECOMMENDATION

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

Date: June 6, 2018

Application: Application for formal review of a subdivision of one lot into six, 34 Auburn Road, Map 16, Lot 58-1, Zoned AR-1, Richard G. & Virginia St. Cyr (Owners & Applicants)

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

Board Action Required: Motion to Accept the Application as Complete per Staff's Recommendation Memorandum dated June 6, 2018.

- Waivers: There are no waivers 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 subdivision of Map 16 Lot 58-1 from one lot into six, 34 Auburn Road, Richard G. & Virginia St. Cyr (Owners & Applicants), in accordance with plans prepared by Eric C. Mitchell & Associates, Inc. dated January 10, 2018, last revised May 14, 2018 with the following precedent conditions to be fulfilled within two years and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated June 6, 2018.

“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 all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated June 6, 2017.
2. Owners signatures shall be provided on the plans.

3. The Wetland Scientist and Soil Scientist stamps and signatures shall be provided on the plans.
4. All required permits and approvals shall be obtained and noted on the plan. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
5. The proposed roadway widening and drainage easements shall be provided for review and approval by the Town and shall be recorded concurrently with the final plan.
6. A utility clearance letter from Manchester Water Works shall be provided.
7. 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.
8. The Applicant shall provide a check for \$25 (made payable to the Rockingham County Registry of Deeds) for LCHIP.
9. The Applicant shall note all general and subsequent conditions on the plans.
10. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional site plan approval.
11. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
12. Final engineering review.

PLEASE NOTE – If these conditions are not met within two (2) years 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. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work for the subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.

3. 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.
4. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.
5. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.

STAFF RECOMMENDATION

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

Date: June 6, 2018

Application: Non-binding review and discussion in accordance with RSA 674:54 for a governmental land use for renovations to the central fire station, 280 Mammoth Road, Map 9 Lot 41-1, Zoned AR-1, Town of Londonderry (Owner & Applicant)

- New Hampshire RSA 675:54, I defines "governmental use" as a use, construction or development of land owned or occupied, or proposed to be owned and occupied, by a governmental unit for any public purpose which is statutorily or traditionally governmental in nature. When a governmental unit is using land for governmental functions, it is not subject to local land use regulations. The Planning Board may issue nonbinding written comments relative to conformity or nonconformity of the proposal with the Town of Londonderry's applicable land use regulations.
- Staff's comments and recommendations: The Fire Department has coordinated this project with the Department of Public Works and Engineering to follow the Town's regulations and recommended best management practices to the extent practicable and will continue to work with the Town Engineer throughout the design of this project.

Site access to the site is subject to NHDOT review and approval, and work within the existing fire pond is subject to NHDES review and approval. The project has also been reviewed by the Conservation Commission and modifications have been made in the design to address NHDES and Conservation Commission comments.

It is recommended that the Planning Board provide input on the overall project design and site layout.