

LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF January 5, 2022, AT THE MOOSE HILL COUNCIL CHAMBERS

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Al Sypek, Vice Chair; Giovanni Verani, Ex-Officio – Town Manager; Jason Knights, alternate member; Roger Fillio, alternate member; and Ted Combes, alternate member

Also Present: Town Planner Colleen Mailloux; Associate Planner Laura Gandia; José Lovell, Assistant Director of Engineering and Environmental Services; 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. He appointed J. Knights to vote for A. Chiampa, R. Fillio to vote for J. Butler and T. Combes to vote for J. Penta.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member A. Sypek made a motion to approve the minutes of December 1, 2021, as presented.

R. Fillio seconded the motion.

The motion was granted, 4-0-2, with A. Sypek and T. Combes abstaining. The Chair voted in the affirmative.

B. REGIONAL IMPACT DETERMINATIONS: Town Planner Mailloux informed the Board that she had no projects for their consideration this evening.

C. Discussion with Town Staff:

1. Conveyance of town-owned properties located at Map 10 Lot 34 and Map 13 Lot 4, Trolley Car Lane, to the New Hampshire Department of Transportation

Michael Malaguti, Assistant Town Solicitor, addressed the Board. M. Malaguti informed the Board that he is here this evening to discuss the conveyance of two town-owned properties located on Trolley Car Lane to New Hampshire Department of Transportation (NHDOT). He said that NHDOT notified the town that they are looking at taking these parcels by eminent domain. He started with the first parcel, 51 Trolley Car Lane, Map 13 Lot 4, noting NHDOT is requesting to take 0.55 acres

along with a 725 SF drainage easement. He said that the parcel itself has 9.9 acres, so this is a small portion of the parcel. He pointed out that NHDOT is offering \$718.74 for the 0.55 acres and \$16.31 for the drainage easement. He noted that this parcel is mostly wet, a sub-standard lot on a Class VI road. He explained that this will be used for the sound wall. He went on to the second parcel, Four Trolley Car Lane, Map 10 Lot 34. He said that NHDOT is requesting to take .04 acres plus an offer to take the economic remnant that will be left following the take. He commented that the parcel is a total of 0.2 acres and NHDOT is offering \$500 for the take and \$400 for the remnant. He said that this parcel is landlocked and is not buildable. He mentioned that the Town Council's consensus was to move forward and cooperate with NHDOT on these two takings. He said that the sooner these parcels can be put to use in the Exit 4A process, the sooner the residents will be able to get their sound wall. He noted that he presented this to the Conservation Commission a couple weeks ago and their consensus was to move forward and cooperate as well. He asked if the Board had any questions for him this evening.

A. Sypek asked if the Board needed to take any action on this. M. Malaguti replied that the Board does not. Chairman Rugg asked if these parcels were part of the I-93 widening. M. Malaguti replied that he believes this goes much farther back than the widening of I-93. G. Verani asked if there is an RSA, where if there is no economic value they have to pay \$25,000. M. Malaguti replied that he is not aware of such an RSA. He added that they offer a minimum amount, which is \$400. G. Verani mentioned that he had experience with a property and it did not affect the overall expansion of the lot, noting they had to pay at least \$25,000. M. Malaguti stated that he would follow up to make sure that is not the case. R. Fillio asked for the total acreage and amount. M. Malaguti reviewed the numbers with the Board.

John Trottier, Director of Engineering and Environmental Services, gave an update regarding the drainage at the Braeburn subdivision. J. Trottier informed the Board that following the last meeting, he met with M. Malaguti and Mr. Taralli on December 16, 2021, where they reviewed the preliminary concept plan and walk the site. He explained that staff has concerns regarding the proposal at this time and have provided comments to the designing engineer and are awaiting a response. He commented that since the last meeting they have staked out the limits of the reconstruction of the detention pond, which just about doubles the cumulative storage of the pond itself. He added that they have hired a third-party consultant, Steve Keach, P.E., from Keach-Nordstrom, 10 Commerce Park North, Suite 3, Bedford, NH, to oversee what Eric Mitchell proposes. He said that once Steve Keach has reviewed the materials they will walk the property and review the proposed changes. Chairman Rugg asked for J. Trottier to update them next month as well.

III. Old Business -n/a

IV. New Plans/Public Hearings/Conceptual Discussions

A. Public hearing on an application for formal review of a subdivision plan to subdivide 61 Rockingham Road – Map 13 Lot 60 Zoned C-II into two lots,

R.C. Enterprise, LLC (Owner) and Freestone Holdings, LLC (Applicant)

Chairman Rugg read the case into the record. Town Planner Mailloux informed the Board that there are two outstanding checklist items for which the applicant has requested the following waivers:

1. Subdivision Regulations Section 3.08 and 4.18.J and Checklist Items II.8 and X.3 to provide a stormwater management report. Staff ***supports*** granting the waiver as this is a commercial subdivision and prior to any development of the undeveloped parcel, a site plan will be required which will included an appropriate stormwater management report.

2. Subdivision Regulations Section 3.10 and 4.17.A.32 and Checklist Item VI.33 to provide HISS Mapping. Staff ***supports*** granting the waiver as HISS soils are not required for lot sizing in the C-II district, and because appropriate soil descriptions will be provided as part of any future site plan review.

A. Sypek made a motion to grant Checklist Waivers 1 & 2 per Staff's recommendation memorandum dated January 5, 2022.

T. Combes seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

A. Sypek made a motion to accept the application as complete per Staff Recommendation Memorandum dated January 5, 2022.

J. Knights seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the 65-day time clock has started. Bob Kilmer, P.E. from Sanford Surveying and Engineering, Inc., 597 New Boston Road, Bedford, NH, addressed the Board. B. Kilmer told the Board that they are proposing to subdivide parcel, Map 13 Lot 60, which has 10.05 acres into two lots. He said that parcel, Map 13 Lot 60, will become 3.02 acres and the remaining parcel, Map 16 Lot 60-3, will have no improvements or structure and contain 7.03 acres. He explained that both parcels will use the existing curb cut onto Rockingham Road and have a shared drive easement. He noted that the parcel had been logged and now consists of shrubs and small trees. He commented that the existing structure is serviced by an individual well and septic system and the new lot, Map 13 60-3, will also have an individual well and septic system. He mentioned that they are waiting state subdivision approval, since it has dropped in acreage, this is required. He stated that they are also waiting on a revised state driveway permit with a dual use driveway. He concluded his presentation and asked the Board for any questions they might have.

Chairman Rugg opened up the discussion to the Board. J. Lovell reviewed the remaining design review items with the Board. Town Planner Mailloux informed the Board that the applicant is requesting one waiver as follows:

1. Section 4.01.c to allow a plan scale of 1" = 50' where 1" = 40' is required. Staff **supports** granting the waiver as the plans are legible as presented.

G. Verani asked if they are utilizing a shared driveway because they thought they might not get a curb cut from the state. B. Kilmer replied since this is on Rockingham Road they are trying to reduce the number of driveways.

Chairman Rugg asked for public input and there was none.

A. Sypek made a motion to approve the requested waiver in accordance with Staff's recommendation memorandum dated January 5, 2022.

R. Fillio seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

A. Sypek made a motion to grant conditional approval of the subdivision plan to subdivide 61 Rockingham Road, Map 13 Lot 60 Zoned C-II, into two lots, R.C. Enterprise, LLC (Owner) and Freestone Holdings, LLC (Applicant) in accordance with plans prepared by Sanford Surveying & Engineering, dated September 15, 2021 last revised December 10, 2021 with the precedent conditions to be fulfilled within two years and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated January 5, 2022.

J. Knights seconded the motion.

The motion was granted, 6-0-0. 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 Engineering and Environmental Services /Stantec review memo dated January 5, 2022.
2. The waivers, if granted, shall be noted on the plan.
3. All required permit numbers shall be noted on the plan.
4. The Owner's signatures shall be provided on the plans.
5. Shared driveway easement shall be revised acceptable to the Town and executed documents be provided for recording concurrently with the final plan.
6. 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.
7. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
8. The Applicant shall note all general and subsequent conditions on the plans (must be on a sheet to be recorded, or a separate document to be recorded with the subdivision plans).
9. Financial guarantee be provided to the satisfaction of the Department of Engineering and Environmental Services.
10. 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 Engineering & Environmental Services Department 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 Engineering and Environmental Services, 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.

B. Public Hearing on an application for formal review of a minor site plan amendment for construction of two additional loading docks and other associated site improvements, 14 Liberty Drive, Map 16 Lot 60-5, Zoned IND-II, Trend Moving & Storage (Applicant) and 14 Liberty Drive, LLC (Owner)

Chairman Rugg read the case into the record. Town Planner Mailloux informed the Board that there are no outstanding checklist items and the application should be accepted as complete.

A. Sypek made a motion to accept the application as complete per Staff Recommendation Memorandum dated January 5, 2022.

T. Combes seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the 65-day time clock had started. Ross Tsantoulis, P.E., from Dubois & King Inc., 15 Constitution Drive, Suite 1L, Bedford, NH, addressed the Board. R. Tsantoulis reviewed some background information noting that Trend Moving & Storage started in 2018 in New Hampshire and moved their operation to this location in March of 2021. He explained that the site plan amendment represents necessary improvements to the existing facility to help them expand their site and improve operations to continue to serve customers in southern New Hampshire. He commented that they are proposing two additional loading docks, and associated stormwater drainage improvements to properly capture and attenuate the additional run off that is associated with the additional impervious area. He mentioned that the original site plan drawings did not have approval signatures on the as-built plans; therefore, they conducted a topographic survey and a wetland delineation. He noted that there are two major wetland complexes on site. He added that along the northwest corner from the main site driveway there is a new wetland that was formed in an area that was previously created to be a drainage swale. He reviewed the area on the screen with the Board. He

mentioned that the goal was to eliminate site disturbances as much as possible. He reviewed the drainage with the Board. He said that the work involves, pavement removal, clearing, etc. He pointed out that they are proposing to remove six parking spaces. He added that according to the parking calculations they are required to have 35 parking spaces, and they have 37 parking spaces, even with removing the six parking spaces. He said that they had an administrative review of the plan, before this proposed site plan amendment, where they are showing 17 truck parking spaces to park overnight. He concluded his presentation and asked the Board for any questions.

Chairman Rugg opened the discussion to the Board. J. Lovell informed the Board that the applicant is requesting waivers as follows:

1. Section 3.07.g.1 to not provide the minimum 15' stormwater pipe size. It is our understanding that this waiver is for the proposed 10" piping from TD1 to TD2 and TD2 to DMH-1 and from DMH-2 to DMH-3. Staff **supports** the granting of this waiver as the contributing sub-watershed does not generate enough flow to warrant a larger pipe diameter and because a larger pipe diameter would reduce the already low pipe cover.
2. Section 3.07.g.3 to allow for less than 3 feet of cover for certain stormwater pipes. It is our understanding that this waiver is for the proposed 10" piping from TD1 to TD2 and TD2 to DMH-1. Staff **supports** that granting of this waiver as the depth of cover is limited by the existing drainage system and these pipes are not within areas subject to vehicle loading.

J. Lovell reviewed the remaining design review items with the Board. Town Planner Mailloux explained that they will still have to go before the Heritage Commission and verify with the Fire Department that they are all set with the plan. G. Verani asked what the Heritage Commission would/could request. Town Planner Mailloux replied that it would be about landscaping or signage.

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

A. Sypek made a motion to grant the waivers to the Site Plan regulations as outlined in the Staff's recommendation memorandum dated January 5, 2022.

R. Fillio seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

A. Sypek made a motion to grant conditional approval of a minor site plan amendment for construction of two additional loading docks and associated site improvements, 14 Liberty Drive, Map 16 Lot 60-5, Zoned IND-II, Trend Moving & Storage (Applicant) and 14 Liberty Drive, LLC (Owner) in accordance with plans prepared by DuBois & King, dated July 2021, last revised December 14, 2021 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 January 5, 2022.

J. Knights seconded the motion.

The motion was granted, 6-0-0. 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. 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.
2. Any DRC comments from the Heritage Commission shall be addressed.
3. The Owner's signature shall be provided on the plans.
4. Utility clearance letters shall be provided.
5. The Applicant shall confirm with the Fire Department that sufficient access is provided to the Fire Department Connection.
6. 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.
7. Financial guarantees be provided to the satisfaction of the Department of Engineering and Environmental Services.
8. Final planning and 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 Engineering & Environmental Services 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 Engineering & Environmental Services 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.

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 Engineering & Environmental Services 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 & Department of Engineering & Environmental Services when a financial guaranty (see forms available from the Department of Engineering & Environmental Services) 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 Engineering & Environmental Services Department prior to the release of the applicant's financial guaranty.

V. Other

Chairman Rugg informed the Board that next week there is going to be some zoning updates. Town Planner Mailloux said that Nick Codner, Chief Building Inspector, will be here as well for the work session. Chairman Rugg said that an RFP has been posted for review and updating the sign ordinance. Town Planner Mailloux replied that was correct and she does not know of any proposals yet.

VI. Adjournment

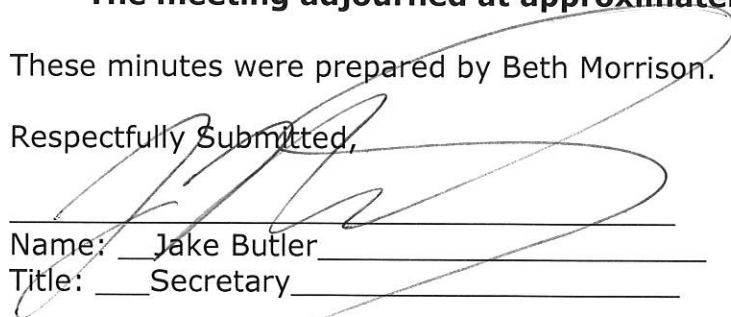
Member A. Sypek made a motion to adjourn the meeting at approximately p.m. Seconded by R. Fillio.

The motion was granted, 6-0-0.

The meeting adjourned at approximately 7:42 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,


Name: Jake Butler
Title: Secretary

These minutes were accepted and approved on February 9, 2022, by a motion made by A. Sypek and seconded by R. Fillio.

STAFF RECOMMENDATION

To: Planning Board
From: Colleen P. Mailloux, AICP, Town Planner
Jose Lovell, PE, Town Engineer

Date: January 5, 2022

Application: Application for formal review of a subdivision plan to subdivide 61 Rockingham Road, Map 13 Lot 60 Zoned C-II, into two lots, R.C. Enterprise, LLC (Owner) and Freestone Holdings, LLC (Applicant)

- Completeness: There are two outstanding checklist items from which the Applicant has requested the following waivers:
 1. Subdivision Regulations Section 3.08 and 4.18.J and Checklist Items II.8 and X.3 to provide a stormwater management report. Staff **supports** granting the waiver as this is a commercial subdivision and prior to any development of the undeveloped parcel, a site plan will be required which will include an appropriate stormwater management report.
 2. Subdivision Regulations Section 3.10 and 4.17.A.32 and Checklist Item VI.33 to provide HISS Mapping. Staff **supports** granting the waiver as HISS soils are not required for lot sizing in the C-II district, and because appropriate soil descriptions will be provided as part of any future site plan review.

Board Action Required: **Motion to grant Checklist Waivers 1 & 2 per Staff's recommendation memorandum dated January 5, 2022.**

Board Action Required: **Motion to Accept the Application as complete per Staff's recommendation memorandum January 5, 2022.**

- Waivers: The Applicant is requesting the following additional waiver to the Subdivision Regulations:
 1. Section 4.01.c to allow a plan scale of 1" =50' where 1" =40' is required. Staff **supports** granting the waiver as the plans are legible as presented.

Board Action Required: **Motion to approve the requested waiver in accordance with Staff's recommendation memorandum dated January 5, 2022.**

- 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 plan to subdivide 61 Rockingham Road, Map 13 Lot 60 Zoned C-II, into two lots, R.C. Enterprise, LLC (Owner) and Freestone Holdings, LLC (Applicant) in accordance with plans prepared by Sanford Surveying & Engineering, dated September 15, 2021 last revised December 10, 2021 with the precedent conditions to be fulfilled within two years and prior to plan signature and**

general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated January 5, 2022.

“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 Engineering and Environmental Services /Stantec review memo dated January 5, 2022.
2. The waivers, if granted, shall be noted on the plan.
3. All required permit numbers shall be noted on the plan.
4. The Owner’s signatures shall be provided on the plans.
5. Shared driveway easement shall be revised acceptable to the Town and executed documents be provided for recording concurrently with the final plan.
6. 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.
7. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
8. The Applicant shall note all general and subsequent conditions on the plans (must be on a sheet to be recorded, or a separate document to be recorded with the subdivision plans).
9. Financial guarantee be provided to the satisfaction of the Department of Engineering and Environmental Services.
10. 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 Engineering & Environmental Services Department 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 Engineering and Environmental Services, 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.

MEMORANDUM

To: Planning Board

Date: January 5, 2022

From: Planning and Economic Development
Engineering & Environmental Services Dept.
Stantec Consulting Services, Inc.

Re: Tax Map 16 Lot 60-5
Proposed Loading Dock Site Plan
Trend Moving and Storage
14 Liberty Drive

Owners: 14 Liberty Drive LLC
Applicant: 14 Liberty Drive LLC

DuBois & King, Inc. submitted plans and supporting information for the above-referenced project. DRC and the Town's engineering consultant, Stantec Consulting Services Inc. reviewed the submitted plans and information and review comments were forwarded to the Applicant's engineer. The Applicant submitted revised plans and information and we offer the following comments:

Checklist Items:

1. There are no checklist items.

Design Review Items:

1. The Applicant's proposed 10" stormwater pipe design does not provide the minimum required 15" stormwater pipe size per section 3.07.g.1 of the regulations. The Applicant has submitted a written **waiver request** for this requirement for Planning Board consideration.
2. The Applicant's proposed stormwater pipe design does not provide the minimum 3 feet of cover over a portion of the proposed pipes per section 3.07.g.3 of the regulations. The Applicant has submitted a written **waiver request** for this requirement for Planning Board consideration.
3. We recommend the Applicant clarify/address the following on the **Existing Conditions Plan**:
 - a. Please label Liberty Drive as Class V and clarify the pavement width with a dimension per section 4.12.c.6 of the regulations.
 - b. Please clarify the structure shown (transformer?) along the uge line shown near the southerly lot line from the pole east of the building per section 4.12.c.22 of the regulations.
 - c. The graphical bar scales on this sheet and Sheet C1.1 do not to appear to properly scale. Please review and correct.
4. We recommend the Applicant clarify/address the following on the **Site Plan**:
 - a. We recommend the Applicant review and correct the Fire Access Width noted on the site plan that scale to less than 32 feet (22'?).
 - b. We recommend the Applicant clarify if curbing will be provided/restored along the new pavement edge consistent with the previous design and provide appropriate details, if applicable.
 - c. Please correct the Conservation Sign note to properly reference sheet C.2.4 (vs. C.2.3) and please correct the reference on the sheet to the retaining wall details as sheet C.2.3 (vs. C2.2).
 - d. The Applicant should provide construction details in the plan set for the indicated erosion control measures or reference the Town's standard details as applicable.
 - e. The proposed 3 foot high retaining wall requires a building permit and should be coordinated with the Building Department. In addition, the Applicant shall add the following note to the

plans: "FINAL STAMPED RETAINING WALL PLANS SHALL BE SUBMITTED TO THE LONDONDERRY BUILDING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION."

5. We recommend the Applicant clarify/address the following on the **Construction Details**:
 - a. The Drain Manhole Invert Summary Table on Sheet C2.2 shows no sump for DMH-2, however there is a sump shown for DMH-2 in the Stormtech Chamber Part Description on Sheet C2.1. In addition, the underdrain invert at the manhole is not listed in the summary table on sheet C2.2 and it unclear if the underdrain will properly drain. We note that the design slope of the underdrain is missing. Please review and update the invert and design information for proper construction and consistency and clarify and confirm that drainage design and the drainage report reflects correct information.
 - b. The dimensions of the concrete notch in the Outlet Control Weir Connection Plate Detail on sheet C2.3 appears to be missing. In addition, the proposed attachment method for the steel plate does not conform to the Town Standard Detail - Exhibit D108 with the steel plate bolted to the concrete having a minimum overlap of 3 inches. Also, the thickness of the steel plate is not labeled. We recommend the Applicant work with the Town Staff to provide a weir detail conforming to the Town standard.
6. We recommend the Applicant address the following relative to the **Project Drainage Analysis**:
 - a. The report does not address the impacts to all abutting lots as required per section 3.07.b.3 of the regulations and item Xi.2.c of the checklist as requested previously. Please provide a summary table in the report narrative that indicates the pre- and post-development impacts to each abutting lot and indicates no increase in runoff in accordance with the regulations is achieved as typically required by the Town.
 - b. The analysis for post development pond 11P does not properly address the outlet weir dimensions shown in the detail on sheet 6. The analysis should show a vertical slotted weir. Please review and revise the analysis accordingly and verify compliance is achieved (no increase in runoff).
 - c. Please update the pre and post development drainage area plans to include the area of each subcatchment used in the analysis in accordance with section 3.08.b.7 and 8 of the Site Plan Regulations.
 - d. The Applicant has provided an Operation and Maintenance Procedures for the Stormwater Management Systems with the latest submission. We recommend the Applicant update the Documentation Section B to state that copies of the Stormwater Inspection Report form shall be provided to the Londonderry Department of Public Works on an annual basis. In addition, a copy of the Stormwater Inspection Report form, Operation and Maintenance Procedures pages from the O & M Plan shall be added as a detail to the plan set as typically requested by the Engineering & Environmental Services Department.
7. We recommend the Applicant verify the DRC comments for the project are adequately addressed as applicable:
 - a. Please verify the comments of Planning Department have been adequately addressed with the Planning Department.
 - b. Please verify the comments of Conservation Commission have been adequately addressed with the Conservation Commission.
 - c. Please verify the comments of Fire Department have been adequately addressed with the Fire Department.

Board Action Items:

1. The Applicant has submitted two (2) a written waiver requests to the Site Plan Regulations as noted in the letter dated December 15, 2021. The Board will need to consider each waiver request as part of the project review

Board Information Items:

1. The Applicant has obtained previous approval for the truck parking spaces, swale reconstruction and detention basin maintenance work shown at the easterly side of the building under an Administrative Review meeting on August 31, 2021.

MEMORANDUM

To: Planning Board

Date: January 5, 2022

From: Planning and Economic Development
Engineering & Environmental Services Dept.
Stantec Consulting Services, Inc.

Re: Tax Map 13 Lot 60
Proposed Subdivision
61 Rockingham Road

Owners: R.C. Enterprises, LLC
Applicant: Freestone Holdings, LLC

Sandford Surveying and Engineering submitted plans and supporting information for the above-referenced project. DRC and the Town's engineering consultant, Stantec Consulting Services Inc. reviewed the submitted plans and information and review comments were forwarded to the Applicant's engineer. The Applicant submitted revised plans and information and we offer the following comments:

Checklist Items:

1. The Applicant has not provided a stormwater report per sections 3.08 and 4.18.J of the Subdivision Regulations and Items II.8 and X.3 of the checklist. The Applicant has submitted a written **waiver request** for this requirement for Planning Board consideration.
2. The Applicant has not provided HISS Mapping with a certification per Sections 3.10 and 4.17.A.32 of the Subdivision Regulations and Item VI.33 of the checklist. The Applicant has submitted a written **waiver request** for this requirement for Planning Board consideration

Design Review Items:

1. The Applicant's topographic plan is at a scale of 1"=50' and does not comply with section 4.01.c of the regulations that requires a 1"=40' maximum. The Applicant has submitted a written **waiver request** for this requirement for Planning Board consideration.
2. The Applicant has not indicated that the NHDES Subdivision Approval or the NHDOT Driveway permit have been obtained for the project. The updated note 14 on sheet 1 does not list the NHDOT permit information as required by the regulations. The Applicant should obtain all project permits, indicate the permit approval numbers in note 14 and provide copies of all permits for the Planning Department files per sections 4.14 and 4.18.E of the Subdivision Regulations and Item XI.1 and 7 of the Subdivision Plan Application & Checklist.
3. We recommend the Applicant provide a note on sheet 1 that states the sanitary sewer source and water supply source for new lot 60-3 per section 4.11.G and H of the regulations and Items IV.1.g and 1.h of the checklist. In addition, we recommend the Applicant update the legend to indicate and include the proposed stone bound to be set, as indicated on the revised plans.
4. We recommend the Applicant dimension the location from the edge of pavement for the indicated driveway sight line on sheet 3 to confirm the proper driveway sight line location is provided.
5. We recommend the Applicant address the following relative to the submitted traffic memorandum:
 - a. Please update section 2. Trip Generation to note a commercial (versus residential) subdivision consistent with section 1. – Introduction.
 - b. Please provide a professional engineer (PE) stamp on the memorandum as required.

6. We recommend the Applicant verify the DRC comments for the project are adequately addressed as applicable:
 - a. Please verify the comments of Planning Department have been adequately addressed with the Planning Department.
 - b. Please verify the comments of Heritage Commission have been adequately addressed with the Heritage Commission

Board Action Items:

1. The Applicant has submitted three (3) written waiver requests to the Subdivision Regulations as noted in the letter dated December 14, 2021. The Board will need to consider each waiver request as part of the project review.

Board Information Items:

1. The Applicant has submitted draft easement deeds that are currently under review by the Town.

STAFF RECOMMENDATION

To: Planning Board
From: Colleen P. Mailloux, AICP, Town Planner
José Lovell, PE, Town Engineer

Date: January 5, 2022

Application: Application for formal review of a of a minor site plan amendment for construction of two additional loading docks and associated site improvements, 14 Liberty Drive, Map 16 Lot 60-5, Zoned IND-II, Trend Moving & Storage (Applicant) and 14 Liberty Drive, LLC (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 January 5, 2022.**

- Waivers: The Applicant has requested the following waivers of the Site Plan Regulations:

1. Section 3.07.g.1 to not provide the minimum 15' stormwater pipe size. It is our understanding that this waiver is for the proposed 10" piping from TD1 to TD2 and TD2 to DMH-1 and from DMH-2 to DMH-3. Staff **supports** the granting of this waiver as the contributing sub-watershed does not generate enough flow to warrant a larger pipe diameter and because a larger pipe diameter would reduce the already low pipe cover.

2. Section 3.07.g.3 to allow for less than 3 feet of cover for certain stormwater pipes. It is our understanding that this waiver is for the proposed 10" piping from TD1 to TD2 and TD2 to DMH-1. Staff **supports** that granting of this waiver as the depth of cover is limited by the existing drainage system and these pipes are not within areas subject to vehicle loading.

Board Action Required: **Motion to grant the waivers to the Site Plan regulations as outlined in the Staff Recommendation Memorandum dated January 5, 2022.**

- 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 a minor site plan amendment for construction of two additional loading docks and associated site improvements, 14 Liberty Drive, Map 16 Lot 60-5, Zoned IND-II, Trend Moving & Storage (Applicant) and 14 Liberty Drive, LLC (Owner) in accordance with plans prepared by DuBois & King, dated July 2021, last revised December 14, 2021 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 January 5, 2022.**

“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. 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.
2. Any DRC comments from the Heritage Commission shall be addressed.
3. The Owner’s signature shall be provided on the plans.
4. Utility clearance letters shall be provided.
5. The Applicant shall confirm with the Fire Department that sufficient access is provided to the Fire Department Connection.
6. 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.
7. Financial guarantees be provided to the satisfaction of the Department of Engineering and Environmental Services.
8. Final planning and 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 Engineering & Environmental Services 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 Engineering & Environmental Services 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 & Department of Engineering & Environmental Services when a financial guaranty (see forms available from the Department of Engineering & Environmental Services) 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 Engineering & Environmental Services Department prior to the release of the applicant's financial guaranty.