

## **LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF MAY 11, 2022, AT THE MOOSE HILL COUNCIL CHAMBERS**

### **I. CALL TO ORDER**

Members Present: Art Rugg, Chair; Al Sypek, Vice Chair; Jake Butler, Secretary; Lynn Wiles, Assistant Secretary; Jeff Penta, member; Giovanni Verani, Ex-Officio - Town Manager; Ann Chiampa, member; Deb Paul, Town Council Ex-officio; Bruce Hallowell; Administrative Official - Ex-Officio; Jason Knights, alternate member; and Ted Combes, alternate member

Also Present: Town Planner Mailloux; Associate Planner Laura Gandia; 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**

A. APPROVAL OF MINUTES: N/A

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:

Chairman Rugg informed the Board

### **III. Old Business -n/a**

### **IV. New Business**

A. Public hearing on a phasing amendment for a previously approved site plan, 5A Aviation Park Drive, Map 14 Lot 29-11, Zoned IND-II, 5 Aviation Way, LLC (Owner) & 5B Aviation Park Drive, Map 14 Lot 29-20, Zoned IND-II, Aviation Way Owner, LLC (Owner) and R.J. Kelly (Applicant)

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

**A. Sypek made a motion to accept the application as complete per Staff Recommendation Memorandum dated May 11, 2022.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the 65-day time clock has started. Town Planner Mailloux reviewed some background with the Board, noting that the Aviation Park Drive site plan received final approval on March 23, 2021 and is currently under construction. She explained that at the time the plan was approved, there was no proposed phasing plan and in accordance with the Town of Londonderry Site Plan Regulations, prior to a certificate of occupancy being issued for a project, all site improvements shown on the plan must be completed. She noted that the regulations allow for a bond to be posted for the completion of landscaping only. She commented that the proposed phasing plan, if approved by the Planning Board, would allow for the applicant to obtain a certificate of occupancy for the Loomis facility prior to the completion of all of the improvements on the approved site plan, in particular those improvements associated with the proposed 42,000 SF warehouse building on Lot 29-20.

Chairman Rugg opened the discussion up to the Board.

Chairman Rugg asked for public input and there was none.

**A. Sypek made a motion approve the amendment to the Aviation Drive site plan to modify the construction phasing, 5A Aviation Park Drive, Map 14 Lot 29-11, Zoned IND-II, 5 Aviation Way, LLC (Owner) & 5B Aviation Park Drive, Map 14 Lot 29-20, Zoned IND-II, Aviation Way Owner, LLC (Owner) and R.J. Kelly (Applicant) with the following conditions:**

- 1. All conditions of approval from the November 4, 2020 Notice of Decision shall be met.**
- 2. Prior to plan signature, any outstanding comments of the Planning Department and Department of Engineering and Environmental Services shall be addressed.**
- 3. Prior to issuance of a Certificate of Occupancy, an as-built drawing should be submitted to Engineering for review and approval.**

**J. Butler seconded the motion.**

**The motion was granted, 7-0-0. The Chair voted in the affirmative.**

**V. Other**

**VI. Adjournment**

**Member A. Sypek made a motion to adjourn the meeting at approximately p.m. Seconded by J. Penta.**

**The motion was granted, 8-0-0.**

**The meeting adjourned at approximately PM.**

These minutes were prepared by Beth Morrison.

Respectfully Submitted,

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Name: Jake Butler  
Title: Secretary

These minutes were accepted and approved on June 1, 2022, by a motion made by A. Sypek and seconded by J. Butler.

## STAFF RECOMMENDATION

**To:** Planning Board  
**From:** Colleen P. Mailloux, AICP, Town Planner  
John R. Trottier, PE, Director of Engineering & Environmental Services

**Date:** May 11, 2022

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**Application:** Application for formal review of a site plan amendment to modify the construction phasing for a previously approved site plan, 5A Aviation Park Drive, Map 14 Lot 29-11, Zoned IND-II, 5 Aviation Way, LLC (Owner) & 5B Aviation Park Drive, Map 14 Lot 29-20, Zoned IND-II, Aviation Way Owner, LLC (Owner) and R.J. Kelly (Applicant)

- Completeness: Staff recommends that the Application be accepted as complete.

Board Action Required: **Motion to accept the application as complete in accordance with Staff's recommendation memorandum dated 5-11-2022.**

- Background: The Aviation Park Drive site plan received final approval on March 23, 2021 and is currently under construction. At the time that the plan was approved, there was no proposed phasing plan. In accordance with the Town of Londonderry Site Plan Regulations, prior to a certificate of occupancy being issued for a project, all site improvements shown on the plan must be completed. The regulations allow for a bond to be posted for the completion of landscaping only.
- Project Summary: The proposed phasing plan, if approved by the Planning Board, would allow for the Applicant to obtain a certificate of occupancy for the Loomis facility prior to the completion of all of the improvements on the approved site plan, in particular those improvements associated with the proposed 42,000 SF warehouse building on Lot 29-20.

Board Action Required: **Motion approve the amendment to the Aviation Drive site plan to modify the construction phasing, 5A Aviation Park Drive, Map 14 Lot 29-11, Zoned IND-II, 5 Aviation Way, LLC (Owner) & 5B Aviation Park Drive, Map 14 Lot 29-20, Zoned IND-II, Aviation Way Owner, LLC (Owner) and R.J. Kelly (Applicant) with the following conditions:**

1. All conditions of approval from the November 4, 2020 Notice of Decision shall be met.
2. Prior to plan signature, any outstanding comments of the Planning Department and Department of Engineering and Environmental Services shall be addressed.
3. Prior to issuance of a Certificate of Occupancy, an as-built drawing should be submitted to Engineering for review and approval.