

## **LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF JUNE 1, 2022, AT THE MOOSE HILL COUNCIL CHAMBERS**

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

Members Present: Art Rugg, Chair; Al Sypek, Vice Chair; Jake Butler, Secretary (arrived at 7:01 p.m.); Lynn Wiles, Assistant Secretary; Deb Paul, Ex-Officio – Town Council (arrived at 7:03 p.m.); Ann Chiampa, member; Jason Knights, alternate member; and Ted Combes, alternate member

Also Present: Associate Planner Laura Gandia; John Trottier, 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. Chairman Rugg appointed J. Knights to vote for J. Penta and T. Combes to vote for J. Butler until he arrives.

### **II. ADMINISTRATIVE BOARD WORK**

#### **A. APPROVAL OF MINUTES:**

**Member A. Sypek made a motion to approve the minutes of May 4, 2022, as presented.**

**J. Butler seconded the motion.**

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

**Member A. Sypek made a motion to approve the minutes of May 11, 2022, as presented.**

**J. Butler seconded the motion.**

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

#### **B. REGIONAL IMPACT DETERMINATIONS: Associate Planner Gandia informed the Board that she had three projects for their consideration this evening.**

1. Application for design review of a lot line adjustment plan to adjust the lot line between Seven Chartwell Court, Map 3 Lot 45-61, Zoned AR-1 and 11 Greeley Road, Map 3 Lot 165-1, Zoned AR-1, Diana F. Wolters Rev. Trust (Owner & Applicant)

2. Application for design review of a site plan amendment for the construction of a 7,200 SF building and associated site improvements, Three Akira Way, Map 28 Lot 31-1, Zoned IND-II, Ranger Development Corp (Applicant) and Fairwind Properties (Owner)

3. Application for design review of a subdivision plan to subdivide one residential lot into two lots, 86 High Range Road, Map 6 Lot 106, Zoned AR-1, Belize Real Estate Holding, LLC (Owner & Applicant)

**Member A. Sypek made a motion that these projects are not developments of regional impact.**

**J. Knights seconded the motion.**

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

C. Discussion with Town Staff:

Associate Planner Gandia informed the Board that she has two extension requests this evening. She started with the first request from Kake Preserve Site Plan (Map 14 Lot 29-10), which was conditionally approved on September 2, 2020. She commented that they have been granted two previous extensions. She noted that the applicant is requesting a one-year extension due to tenants needs/market conditions, which would be until June 30, 2023.

Chairman Rugg asked if the Board had any questions. D. Paul asked if there was finite time period the Board could grant an extension or could this go on for years. Chairman Rugg replied that he believes that three years is one of the longest times he has seen for an extension. He added that if this is a request next year, the Board should scrutinize it heavily. J. Trottier stated that this is for paved parking area to the west of the building, so they are not changing the building architecture. D. Paul interjected that she was not asking about this project specifically, but more in general for extension requests. J. Trottier pointed out that Staff will take into consideration if any of the regulations changed and how this would impact the site when reviewing extension requests.

**A. Sypek made a motion to grant the extension request to meet the conditions of approval on a September 2, 2020 previously conditionally approved site plan for a paved access drive around the existing building, Three Aviation Park Drive, Map 14 Lot 29-10, Zoned IND-II, Kake Preserve (Owner & Applicant) until June 30, 2023.**

**J. Butler seconded the motion.**

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

Associate Planner Gandia went on to the second request from 213 Rockingham Road Site Plan (Map 15 Lot 23-1), which was conditionally approved on October 6, 2021. She commented that they were granted one extension request until June 30, 2022. She explained that they have requested a 30-day extension to work on final engineering comments, which would be until July 5, 2022. L. Wiles pointed out that their letter asked for a 90-day extension versus a 30-day extension and asked if the 90-day extension would be better. Associate Planner Gandia replied that they would rather the 30-day extension as it keeps everyone moving forward.

**A. Sypek made a motion to grant the extension request to meet the conditions of approval on an October 6, 2021 conditionally approved site plan amendment for a change of use from an existing spa to a professional office, and for a 672 SF building addition and associated site improvements, 213 Rockingham Road, Map 15 Lot 23-1, Zoned C-I & RTE 28 POD, Gagne Family Trust (Owner & Applicant) until July 5, 2022**

**J. Butler seconded the motion.**

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

Chairman Rugg asked for a brief synopsis on the EV (electric vehicle) charging station presentation at the Energy Task Force meeting. D. Paul commented that they are encouraging businesses off Exit 4 and 5 to have EV charging stations. She said they are encouraging towns to try and incorporate them into the regulations. Chairman Rugg mentioned that he believes Dover has these in their site plan regulations. D. Paul remarked that Peterborough and Dover have updated regulations/ordinances about EV charging stations. A. Sypek asked if all electric vehicles take the same plug. D. Paul replied that there are different kinds of plugs. She added that the meeting was recorded so people can watch as there was a lot of information. J. Knights asked about having EV charging stations at the Park and Ride. D. Paul replied that she asked this and it would be handled by the state, not the town. J. Butler asked for the closest charging station. D. Paul replied that she is unsure, but thought that Derry might be. D. Paul stated that they are still discussing how someone would be charged monetarily for using an EV charging station. J. Butler asked if anyone had approached the town about this. Associate Planner Gandia replied that they have not. D. Paul noted that the state has money for this and does not think that businesses are even aware of it.

### **III. Old Business**

A. Public hearing on an application for formal review of a site plan for the construction of a 7,200 SF warehouse and wholesale building and associated site improvements, Three Enterprise Drive, Map 15 Lot 62-3, Zoned C-II, 3 Enterprise Drive, LLC (Owner & Applicant) – continued from the May 4, 2022 meeting

Chairman Rugg read the case into the record noting it was continued from the May

2, 2022, meeting. He noted that the applicant has requested a continuance until the July 6, 2022, meeting to continue working with staff.

**A. Sypek made a motion to continue the public hearing on an application for formal review of a site plan for the construction of a 7,200 SF warehouse and wholesale building and associated site improvements, Three Enterprise Drive, Map 15 Lot 62-3, Zoned C-II, 3 Enterprise Drive, LLC (Owner & Applicant) until July 6, 2022.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the application is continued until July 6, 2022, at 7 p.m., and this would be the only formal public notice.

B. Public hearing on an application for formal review of a site plan for a trucking terminal and associated site improvements, 15 Rockingham Road, Map 13 Lot 99, Zoned C-II, Alfred, Jr. & Nicole Pittore (Owners) and Pittore Bros. Paving (Applicant) – continued from the May 4, 2022 meeting

Chairman Rugg read the case into the record noting it was continued from the May 2, 2022, meeting. He noted that the applicant has requested a continuance until the August 10, 2022.

**A. Sypek made a motion to continue the public hearing on an application for formal review of a site plan for a trucking terminal and associated site improvements, 15 Rockingham Road, Map 13 Lot 99, Zoned C-II, Alfred, Jr. & Nicole Pittore (Owners) and Pittore Bros. Paving (Applicant) until August 10, 2022.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the application is continued until August 10, 2022, at 7 p.m., and this would be the only formal public notice.

#### **IV. New Business**

A. Public hearing on an application for formal review of a site plan amendment for the construction of a 7,500 SF two story building addition and associated site improvements, 136 Pillsbury Road, Map 6 Lot 18-2, Zoned AR-1, Orchard Christian Fellowship (Owner & Applicant)

Chairman Rugg read the case into the record. J. Trottier reviewed the background noting the Planning Board approved a site plan on October 25, 2012, which included a new church consisting of a 5,780 SF main building, 300 seat sanctuary

along with additional building space to accommodate 3,360 SF of classroom space and 2,025 SF of office space. He said that the project was proposed to be constructed in two phases. He explained that the first phase was completed and the applicant now seeks to modify the second phase by constructing a 7,500 SF two story building addition (3,750 SF classroom and 3,750 SF office) on the northeast portion of the existing building eliminating the proposed building on the southeast portion of the existing building. A. Chiampa recused herself for this case. Chairman Rugg appointed T. Combes to vote for A. Chiampa.

**A. Sypek made a motion to accept the application as complete per Staff Recommendation Memorandum dated June 1, 2022.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the 65-day time clock has started. Ian McGregor, P.E., from Northpoint Engineering, LLC, 119 Storrs Street, Suite 201, Concord, NH, and Keri Owen from Northpoint Construction, 22 Hampshire Drive, Hudson, NH addressed the Board. I. McGregor noted that Ken Glasier, pastor at Orchard Christian Fellowship is in the audience this evening as well. I. McGregor explained that they are proposing an amendment to the second phase to eliminate two buildings and replace it with a two-story building. He asked for the previously approved site plan for the Board to compare to. Associate Planner Gandia placed the plan on the screen for the Board. I. McGregor reviewed the previously approved plan with the Board pointing out the differences. He pointed out that this does increase the total square footage by roughly 2,000 SF, but it condenses the impervious area of the site by eliminating the second roof area. He mentioned that the original stormwater management system was designed to accommodate both of the buildings and his analysis of this system showed no problems. He added that they will be relocating the storage shed to the corner of the parking lot and some minor grading will have to be done for this. He commented that they submitted a revised traffic report and it does not increase the traffic there. K. Owen told the Board that she has the plan she presented to Heritage Commission this evening for the them to review. She said that you will not see anything different from driving by on Pillsbury Road until you enter the parking lot. She remarked that they want to match the existing features on the sanctuary with the same vinyl siding, etc. She reviewed the proposal with the Board. She said that the intent was to make it look like it was always part of the sanctuary when it was originally built. I. McGregor pointed out that there was an outstanding item from the original construction for a sidewalk easement, which has been brought to Ken Glasier's attention and they will comply.

Chairman Rugg asked the Board for questions. J. Trottier reviewed the remaining design review items with the Board. Associate Planner Gandia reviewed the proposed sidewalk easement with the Board. D. Paul asked what type of school they are proposing. I. McGregor replied that he thought it was going to be a Sunday school. K. Glasier commented that this is for the children's ministry for

Sunday's morning and throughout the week. He added that they are looking at this to be child care for their community. D. Paul asked if there was any thought to an outside area if this is going to be a school. I. McGregor replied that this would be for one to two hours during service and if they did want to do a daycare they would be back before the Board for a change of use. A. Sypek asked if the building is required to have sprinklers and an elevator for handicap access. K. Owen replied that the building is fully sprinkled and it is required to have accessible access to the second floor which would be accomplished with a vertical platform lift. J. Butler expressed his opinion that this is the most in-depth set of architectural plans that he has seen and complimented their design.

Chairman Rugg asked for public input. Associate Planner Gandia read a letter of support into the record, Exhibit 1, which is attached hereto.

Ann Chiampa, 28 Wedgewood Drive, addressed the Board. A. Chiampa said that they have been a great neighbor to the Historical Society. She complimented the building design.

**A. Sypek made a motion to grant conditional approval of the site plan amendment for the construction of a 7,500 SF two story building addition and associated site improvements, 136 Pillsbury Road, Map 6 Lot 18-2, Zoned AR-1, Orchard Christian Fellowship (Owner & Applicant), in accordance with plans prepared by Northpoint Engineering, LLC, dated February 2022, last revised May 5, 2022, with the precedent conditions to be fulfilled within 120 days of approval and prior to plan signature, and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated June 1, 2022.**

**T. Combes seconded the motion.**

**The motion was granted, 7-0-0. 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 Owner's signature shall be provided on the plans.

2. The Planning Board signature block shall be updated in accordance with section 4.03 of the regulations.

3. The architectural renderings shall be included in the appropriate size as part of the plan set and numbered accordingly.
4. On sheet three, note one shall be updated to include the word “of” as follows “comprised of the existing...”
5. On sheet three, note 12 shall be updated to include the 5/19/2021-4 variance request.
6. The traffic impact assessment update shall be revised to:
  - a. include the nature of the proposed changes as part of this application;
  - b. include the current NH DOT traffic volume reports; and
  - c. The assessment references data in the Institute of Transportation Engineers (ITE) publication for Trip Generation, 8th edition but it appears that the edition has been superseded by the 11th edition released in September 2021. Please confirm and update the assessment to include the data from the 11th edition.
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 note all general and subsequent conditions on the plan.
9. The signed sidewalk easement shall be recorded at the Rockingham County Registry of Deeds. Note 12 on sheet 1 shall be updated and revised to include the recording information.
10. Final planning 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 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. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements shall be completed in accordance with the plan approved by the Planning Board in accordance with Section 6.01.d of the Site Plan Regulations. This is to include the re-erection of the stop sign in accordance with the October 25, 2012 Planning Board approved site plan (see sheet 4). Maintenance of the storm water management basin #1 & stormwater controls shall be done and maintained in accordance with the October 25, 2012 Planning Board approved site plan. 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. Public hearing on an application for formal review of a subdivision plan to subdivide one lot into three, 106 Wiley Hill Road, Map 5 Lot 12-1, Zoned AR-1, 106 Wiley Hill Road, LLC (Owner & Applicant)

Chairman Rugg read the case into the record. He noted that they have requested a continuance until July 6, 2022.

**A. Sypek made a motion to continue the public hearing on an application for formal review of a subdivision plan to subdivide one**

**lot into three, 106 Wiley Hill Road, Map 5 Lot 12-1, Zoned AR-1, 106 Wiley Hill Road, LLC (Owner & Applicant) until July 6, 2022.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the application is continued until July 6, 2022, at 7 p.m., and this would be the only formal public notice.

**V. Other**

Chairman Rugg informed the Board that they received a letter from the new County Commissioner, Thomas Tombarello, and he would like to meet with the Board. He informed the Board that there is nothing on the agenda for next week, therefore, the meeting is cancelled for June 8, 2022.

**VI. Adjournment**

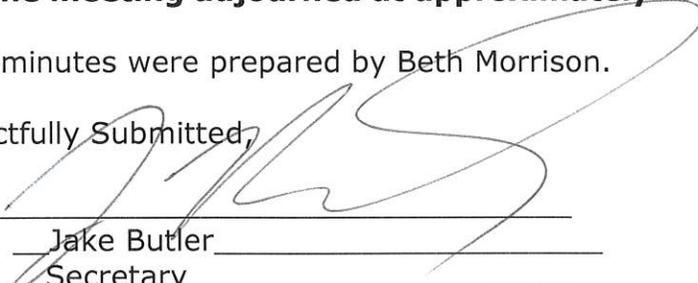
**Member A. Sypek made a motion to adjourn the meeting at approximately 7:47 p.m. Seconded by J. Butler.**

**The motion was granted, 7-0-0.**

**The meeting adjourned at approximately 7:47 PM.**

These minutes were prepared by Beth Morrison.

Respectfully Submitted,

  
\_\_\_\_\_  
Name: Jake Butler  
Title: Secretary

These minutes were accepted and approved on July 6, 2022, by a motion made by A. Sypek and seconded by J. Butler.

**Archived:** Friday, July 15, 2022 9:02:27 AM  
**From:** [David Colglazier](#)  
**Mail received time:** Wed, 1 Jun 2022 11:53:36  
**Sent:** Wed, 1 Jun 2022 11:53:35  
**To:** [Laura Gandia](#)  
**Subject:** Planning Board Meeting June 1, 2022  
**Sensitivity:** Normal

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Hello,

I may not make it to the Planning Board Meeting scheduled for June 1, 2022.

As the Treasurer for the Historical Society, I can say that I and the other officers are in support of the Orchard Christian Fellowship's application for an addition to their present structure.

As the longest serving officer in the Society, I can remember when the Fellowship told us of their plans that were stretched across a vehicle hood in our parking area. From that time forward they have been very good neighbors. We continue to share parking areas for our different events. This summer part of their bible school will use our barn for its program.

We wish them the best for their expansion plan to add a nice looking addition to their attractive building.

David Lee Colglazier  
Treasurer  
Londonderry Historical Society

David Lee Colglazier  
6 Moulton Drive  
425-1929

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Private: [dlc@meganet.net](mailto:dlc@meganet.net)

## STAFF RECOMMENDATION

**To:** Planning Board **Date:** June 1, 2022  
**From:** Laura J. Gandia, Associate Town Planner  
John R. Trottier, PE, Director of Engineering & Environmental Services

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**Application:** **Application for formal review of a site plan amendment for the construction of a 7,500 SF two story building addition and associated site improvements, 136 Pillsbury Road, Map 6 Lot 18-2, Zoned AR-1, Orchard Christian Fellowship (Owner & Applicant)**

- **Background:** The Planning Board approved a site plan on October 25, 2012 which included a new church consisting of a 5,780 SF main building, 300 seat sanctuary along with additional building space to accommodate 3,360 SF of classroom space and 2,025 SF of office space. The project was proposed to be constructed in two phases. The main sanctuary building and the entire parking lot would be constructed in phase one along with the full drainage system, landscaping and lighting. The second phase consisted of the construction of the proposed classroom and office building additions on both sides of the sanctuary. The first phase was completed and the applicant now seeks to modify the second phase by constructing a 7,500 SF two story building addition (3,750 SF classroom and 3,750 SF office\_ on the northeast portion of the existing building eliminating the proposed building on the southeast portion of the existing building.
  
- **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 1, 2022.**

- **Waivers:** No waivers are being 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 amendment for the construction of a 7,500 SF two story building addition and associated site improvements, 136 Pillsbury Road, Map 6 Lot 18-2, Zoned AR-1, Orchard Christian Fellowship (Owner & Applicant), in accordance with plans prepared by Northpoint Engineering, LLC, dated February 2022, last revised May 5, 2022, with the precedent conditions to be fulfilled within 120 days of approval and prior to plan signature, and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated June 1, 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**

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6. The traffic impact assessment update shall be revised to:
  - a. include the nature of the proposed changes as part of this application;
  - b. include the current NH DOT traffic volume reports; and
  - c. The assessment references data in the Institute of Transportation Engineers (ITE) publication for Trip Generation, 8<sup>th</sup> edition but it appears that the edition has been superseded by the 11<sup>th</sup> edition released in September 2021. Please confirm and update the assessment to include the data from the 11<sup>th</sup> edition.
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.
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9. The signed sidewalk easement shall be recorded at the Rockingham County Registry of Deeds. Note 12 on sheet 1 shall be updated and revised to include the recording information.
10. Final planning review.

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**GENERAL AND SUBSEQUENT CONDITIONS**

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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. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements shall be completed in accordance with the plan approved by the Planning Board in accordance with Section 6.01.d of the Site Plan Regulations. This is to include the re-erection of the stop sign in accordance with the October 25, 2012 Planning Board approved site plan (see sheet 4). Maintenance of the storm water management basin #1 & stormwater controls shall be done and maintained in accordance with the October 25, 2012 Planning Board approved site plan. 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.