

LONDONDERRY, NH PLANNING BOARD **MINUTES OF THE MEETING OF AUGUST 9, 2017 AT THE MOOSE HILL** **COUNCIL CHAMBERS**

I. Call to Order

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

Also Present: Colleen Mailloux, Town Planner; Laura Gandia, Associate Planner; 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 alternate member A. Chiampa to vote for L. Reilly.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES: N/A

B. REGIONAL IMPACT DETERMINATIONS: Town Planner Mailloux informed the Board that she had one project for their consideration. She described the project as follows and noted that the project does not meet the criteria set forth by the SNHPC for developments of regional impact:

Application for design review of a conditional use permit and a minor site plan for a change of use to allow a child care facility, Two Young Road, Map 9, Lot 64, Zoned C-I, Two Young Road, LLC (Owner) & Promised Land Survey, LLC (Applicant)

M. Soares made a motion to find that the project is not of regional impact.

R. Brideau 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 a time request extension had been received for the residences at MacGregor cut noting that a 120-day time frame had been granted and would expire at the end of this month. She noted the applicant has requested a 1-year extension, which is reasonable in light of the fact that they are working to meet the NHDOT requirements to finalize their engineering on the road way intersections. She suggested that the Board

grant a 1-year extension to approvals, which would then expire August 9, 2018.

M. Soares made a motion that the Planning Board approved the 1-year extension to expire August 9, 2018.

R. Brideau seconded the motion.

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

Town Planner Mailloux informed the Board that the Assistant Town Manager is working on getting the Board town email addresses at Londonderry.nh.org, and should be in place by the end of the week. She noted there would be an informational handout to explain how to access those email addresses. She stated that the new GIS manager is going to be starting on August 14, 2017, will most likely come in September to introduce herself to the Board. A. Rugg stated the capital improvement committee (CIP) is meeting on August 21, 2017 at 6 p.m. He explained that this is where they address the infrastructural needs related to the growth of Londonderry. He informed the Board that the SNHPC is having their annual dinner on September 8, 2017 at 6:30 p.m. at Fratello's and if the Board could let L Gandia know if you will be attending by August 20, 2017.

III. Old Business- N/A

IV. New Plans/Conceptual/Non-binding Discussions

A. Application for formal review of a condominium conversion of Four Sunset Drive, Map 2 Lot 38, Zoned AR-1 (James O'Neil, Applicant) and Ronald Crecco (Owner)

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

M. Soares made a motion to accept the application as complete per Staff's Recommendation Memorandum date August 9, 2017.

R. Brideau seconded the motion.

The motion was granted, 8-0-0. Chairman Rugg noted that this starts the 65-day time frame in which the Board has to render a decision.

Jim O'Neil, chief of Survey at TF Moran, 48 Constitution Drive, Bedford, NH, 03110 introduced himself to the Board. He stated it is a condominium conversion of an existing duplex that Mr. Crecco owns. He noted that he has gone in length with the state to get the state's approval, which was received about one month ago, noting his project started one year ago. He stated in his opinion he felt it was a

fairly straight forward application, as everything exists and the only changes to the site they are looking to do is put two decks on the back.

Town Planner Mailloux stated there are no waivers and outlined the design review comments as outlined in the Staff Recommendation Memorandum dated August 9, 2017.

Chairman Rugg asked the Board for questions. A. Chiampa asked about the right side driveway with exiting or entering. Town Planner Mailloux stated that there is another application later on the agenda where there is an existing driveway that Staff is recommending a sight distance be looked at. She stated that for this driveway sight distance was already reviewed and approved at the time that the duplex was constructed.

Chairman Rugg asked for public input and there was none.

M. Soares made a motion to grant conditional approval of the Condominium Conversion Plan for 4 Sunset Drive, Map 2, Lot 38, Ronald Crecco (Owner and Applicant), in accordance with plans prepared by TF Moran, Inc., dated August 11, 2016, last revised June 7, 2017, 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 August 9, 2017.

R. Brideau seconded the motion.

The motion was granted, 8-0-0. 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 any outstanding DRC comments.
2. The Owner's signature shall be provided on the plans.
3. The property setbacks shall be dimensioned on the plans.
4. Note 1 shall be updated to include the area, in square feet, of common area.
5. The plan shall be updated to identify decks, steps, stairs, walkways and driveways as common area, not limited common area as currently noted.

6. The Planning Board signature block shall be moved to the lower right corner of the plan sheet.

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7. The applicant shall provide a draft condominium declaration for review by the Town.

8. An executed copy of the condominium declaration shall be provided to be recorded at the Rockingham County Registry of Deeds, concurrent with the recording of the plans.

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9. 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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10. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.

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11. 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).

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12. 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.

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GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. 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.

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2. 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.

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B. Application For Formal Review of a Lot Line Adjustment Between 14 Josephine Drive, Map 15 Lot 40, Zoned AR-1 (City Of Manchester Water Works, Owner & Applicant), 56B Noyes Road, Map 15 Lot 35C-B, Zoned AR-1 (Maria C. Ferrera & Michael J. Frank, Owners), and 56A Noyes Road, Map 15 Lot 35C-A, Zoned AR-1 (Jeffrey A. Hupfer & Gary Lepage, Owners)

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relation to exiting or entering a driveway when looking left or right, there is a minimum sight distance that one can see based on the speed limit. Town Planner Mailloux stated that staff's recommendation for denial would be that the sight distance plan and profile be provided to be reviewed and approved by the Town Engineer. She stated she understood it might not necessarily be a certified sight distance but work towards safety working with the Town Engineer rather than coming back to the Planning Board. C. Davies asked what the denial would mean for the applicant. Town Planner Mailloux stated that she felt something could be worked out with the Town Engineer and the applicant and if not then the applicant would be back in front of the Planning Board.

M. Soares made a motion to approve waiver request one as outlined in the staff recommendation memorandum dated August 9, 2017.

R. Brideau seconded the motion.

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

M. Soares made a motion to deny waiver request two as outlined in the staff recommendation memorandum dated August 9, 2017.

R. Brideau seconded the motion.

The motion was granted, 7-0-0. Waiver request 2 from section 3.09.F.2 was denied.

M. Soares made a motion to grant conditional approval of the Lot Line Adjustment Plan for Map 15, Lots 40-3, 35C-A and 35C-B, Josephine Drive and 56A & B Noyes Road, Manchester Water Works (Owner/Applicant), Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners) in accordance with plans prepared by TF Moran, Inc., dated June 2, 2017, last revised July 13, 2017, 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 August 9, 2017.

R. Brideau 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 Applicant shall address any outstanding DRC comments.

2. The approved waiver shall be noted on the plan.
3. The Owner's signatures shall be provided on the plans.
4. Sufficient soil mapping be provided to confirm that the proposed Map 15, Lot 35C will meet zoning ordinance requirements for lot sizing by soil type.
5. Driveway sight distance plan and profile for Map 15, Lot 35C be provided, to be reviewed and approved by the Town Engineer.
6. Please add a note indicating the number of bedrooms on the property for residential use.
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 checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
9. 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).
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. 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.
2. 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.

C. Application for formal review of an amended condominium conversion of 56B Noyes Road, Map 15 Lot 35C-B, Zoned AR-1 (Maria C. Ferrera & Michael J. Frank, Owners), and 56A Noyes Road, Map 15 Lot 35C-A, Zoned

AR-1 (Jeffrey A. Hupfer & Gary Lepage, Owners) - City of Manchester Water Works (Applicant)

Chairman Rugg read the case into record. G. Verani recused himself from this case. A. Rugg stated there are now 7 voting members. Town Planner Mailloux stated there are no outstanding checklist items or waivers and recommended that the application be accepted as complete.

M. Soares made a motion to accept the application as complete per Staff's recommendation memorandum dated August 9, 2017.

R. Brideau seconded the motion.

The motion was granted, 7-0-0. Chairman Rugg noted that this starts the 65-day time frame in which the Board has to render a decision.

Jim O'Neil, chief of Survey at TF Moran, 48 Constitution Drive, Bedford, NH, 03110 introduced himself to the Board. He stated this was an amended condo site plan were reducing the lot and need to get pre-approval. He stated that no site changes are intended.

Chairman Rugg asked the Board for questions and there were none.

Chairman Rugg asked the public for input and there was none.

M. Soares made a motion to grant conditional approval of the Condominium Conversion Plan for 56A & 56B Noyes Road, Map 15, Lots 35-CA and 35-CB, Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners), and Manchester Water Works (Applicant) in accordance with plans prepared by TF Moran, Inc., dated June 2, 2017, last revised July 13, 2017, 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 August 9, 2017.

R. Brideau seconded the motion.

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

V. Other Business

A. Zoning update - Town Planner Mailloux stated that the Board was going to review four areas this evening. She stated the Board would review floodplain management; airport approach height; airport noise; and home occupations.

She started with floodplain management and reviewed the documents with

the Board noting what sections were removed or added. She noted that the 100-year flood is now called a base flood. She asked if the Board if they had any questions or concerns and there were none.

She then went over airport approach height with the Board and noted what was changed. She asked the Board if they had any questions or concerns and there were none.

She went over airport noise with the Board and noted what was changed. She asked the Board if they had any questions. G. Verani asked if it was going to be shown on the zoning map. Town Planner Mailloux noted that as of right now there is a reference to an official FAA map but would like to get this map be more widely available on map Geo.

She went over home occupations with the Board. She noted that there is new language in the ordinance recommending allowing by right home occupations that meet certain requirements and let the zoning officer use judgement about the occupation in question. She noted that a special exception would be made on a home occupations that meet certain thresholds such as having a sign out or have noticeable increase in vehicular traffic. She asked the Board if they had any questions or concerns. C. Davies stated that item #C, home occupations shall be permitted in single family or two family units and are not permitted in multifamily dwellings, might be too restrictive. Town Planner checked with L. Gandia and that language is already in the existing ordinance. Town Planner Mailloux stated that if the Board is in consensus, they could strike that part out stating multifamily as there were other requirements that would have to be met. The Board was in consensus and Town Planner stated that they would strike item C.

Town Planner Mailloux informed the Board that she had given them new information to discuss at next month's meeting regarding portable storage structures, noting that right now they are permitted in every zone except for R-III zone, and would like the Boards input. M. Soares stated she had a problem with people being able to have portable storage units on their property for 6 months, move it out for one day, and then put the storage unit back for 6 more months. Town Planner Mailloux stated she would look into that for her. M. Soares asked if this covers trash. Town Planner Mailloux stated that there is no current zoning regarding trash on residential sites dealing with dumpsters. She stated that she thought she would look and see what ordinances the Town Council has adopted through. She stated she would also talk with R. Canuel about the health ordinances. M. Soares asked what the difference was with a changeable electric message board and the sign that is at the Global gas station. Town Planner Mailloux stated she would defer to R. Canuel's interpretation as the zoning administrator. Town Planner Mailloux stated that signage was not being reviewed now, but she understood that it was something that would be addressed in the future.

VI. Adjournment

M. Soares made a motion to adjourn the meeting at approximately 8:10 p.m. Seconded by R. Brideau.

The motion was granted, 8-0-0.

The meeting adjourned at approximately 7:31 PM.

These minutes were prepared by Beth Morrison

Respectfully Submitted,



Chris Davies, Secretary

These minutes were accepted and approved on September 6, 2017 by a motion made by M. Soares and seconded by A. Syrek.

STAFF RECOMMENDATION

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

Date: August 9, 2017

Application: Application Acceptance and Public Hearing for formal review of a subdivision plan to convert an existing duplex building to a condominium, 4 Sunset Drive, Map 2 Lot 38; Ronald Crecco (Owner and Applicant).

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

Board Action Required: **Motion to Accept the Application as Complete per Staff's recommendation memorandum dated August 9, 2017.**

- Waivers: There are no waivers being requested.
- 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 Condominium Conversion Plan for 4 Sunset Drive, Map 2, Lot 38, Ronald Crecco (Owner and Applicant), in accordance with plans prepared by TF Moran, Inc., dated August 11, 2016, last revised June 7, 2017, 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 August 9, 2017.**

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

PRECEDENT CONDITIONS

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

1. The Applicant shall address any outstanding DRC comments.
2. The Owner's signature shall be provided on the plans.
3. The property setbacks shall be dimensioned on the plans.
4. Note 1 shall be updated to include the area, in square feet, of common area.

5. The plan shall be updated to identify decks, steps, stairs, walkways and driveways as common area, not limited common area as currently noted.
6. The Planning Board signature block shall be moved to the lower right corner of the plan sheet.
7. The applicant shall provide a draft condominium declaration for review by the Town.
8. An executed copy of the condominium declaration shall be provided to be recorded at the Rockingham County Registry of Deeds, concurrent with the recording of the plans.
9. 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.
10. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
11. 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).
12. 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. 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.
2. 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: August 9, 2017

Application: Application Acceptance and Public Hearing for formal review of a lot line adjustment plan between Map 15, Lots 40-3, 35C-A and 35C-B, Josephine Drive & Noyes Road, Manchester Water Works (Owner/Applicant), Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners).

- Completeness: There is one outstanding checklist item for which the Applicant has submitted a waiver request for acceptance purposes only. If the Planning Board grants the waiver, Staff recommends the application be accepted as complete.
 1. The Applicant has submitted a waiver request from Checklist Item III.34 to not provide a sight distance plan and profile. Staff **supports** this waiver request for acceptance purposes only.

Board Action Required: **Motion to approved the waiver for acceptance purposes only per Staff's recommendation memorandum dated August 9, 2017.**

Board Action Required: **Motion to Accept the Application as Complete per Staff's recommendation memorandum dated August 9, 2017.**

- Waivers: The Applicant is requesting two waivers of the subdivision regulations:
 1. The Applicant has submitted a waiver request from Sections 3.10 and 4.17.A.32 of the Subdivision Regulations to not provide a High Intensity Soil Study (HISS). Staff **supports** this waiver request in part, as new Lot 15-40-3 is to be used for utility purposes, and the Applicant has provided SCS soil mapping for that lot. Staff has included a recommended condition of approval that sufficient soil mapping be provided to confirm that the adjusted lot 15-35C will meet the minimum lot sizing by soil types requirements of the Zoning Ordinance.
 2. The Applicant has submitted a waiver request from Section 3.09.F.2 of the Subdivision Regulations and Checklist Item III.34 to not certify proper sight distance in meeting the requirements of Exhibit D2. Staff **does not support** this waiver request and has included a recommended condition of approval that sight distance plans for Lot 15-35C be provided and certified prior to plan signature.

Board Action Required: **Motion to approve waiver request 1 as outlined in the staff recommendation memorandum dated August 9, 2017.**

Motion to deny waiver request 2 as outlined in the staff recommendation memorandum dated August 9, 2017.

- **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 Lot Line Adjustment Plan for Map 15, Lots 40-3, 35C-A and 35C-B, Josephine Drive and 56A & B Noyes Road, Manchester Water Works (Owner/Applicant), Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners) in accordance with plans prepared by TF Moran, Inc., dated June 2, 2017, last revised July 13, 2017, 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 August 9, 2017.

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

PRECEDENT CONDITIONS

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

1. The Applicant shall address any outstanding DRC comments.
2. The approved waiver shall be noted on the plan.
3. The Owner’s signatures shall be provided on the plans.
4. Sufficient soil mapping be provided to confirm that the proposed Map 15, Lot 35C will meet zoning ordinance requirements for lot sizing by soil type.
5. Driveway sight distance plan and profile for Map 15, Lot 35C be provided, to be reviewed and approved by the Town Engineer.
6. Please add a note indicating the number of bedrooms on the property for residential use.
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 checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.

9. 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).
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. 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.
2. 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: August 9, 2017

Application: Application Acceptance and Public Hearing for formal review of a subdivision plan to amend an condominium plan, 56A & 56B Noyes Road, Map 15, Lots 35-CA and 35-CB, Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners), and Manchester Water Works (Applicant)

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

Board Action Required: Motion to Accept the Application as Complete per Staff's recommendation memorandum dated August 9, 2017.

- Waivers: There are no waivers being requested.
- 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 Condominium Conversion Plan for 56A & 56B Noyes Road, Map 15, Lots 35-CA and 35-CB, Jeffrey Hupfer & Gary LePage (Owners), Maria Ferrera & Michael Frank (Owners), and Manchester Water Works (Applicant) in accordance with plans prepared by TF Moran, Inc., dated June 2, 2017, last revised July 13, 2017, 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 August 9, 2017.

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

PRECEDENT CONDITIONS

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

1. The Applicant shall address any outstanding DRC comments.
2. The Owner’s signatures shall be provided on the plans.
3. The applicant shall provide an amendment to the existing condominium documents referencing the updated plan. An executed copy of the amendment shall be provided to

the Town to be recorded at the Rockingham County Registry of Deeds, concurrent with the recording of the plans.

4. A note shall be added to the plan indicating the number of bedrooms in each unit.
5. Note 3 shall be clarified to indicate that the purpose of this plan is to amend an existing condominium plan which was recorded at the RCRD as Plan Number 27000.
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. 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. This plan is subject to approval of the associated lot line adjustment between the subject parcel and parcel 15-40-3. Prior to recording of this Condominium Conversion, the associated lot line adjustment must receive final approval and be recorded in the Rockingham County Registry of Deeds.
2. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
3. 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.