

## **LONDONDERRY, NH PLANNING BOARD**

### **MINUTES OF THE MEETING OF OCTOBER 4, 2017 AT THE MOOSE HILL COUNCIL CHAMBERS**

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

Members Present: Mary Wing Soares, Vice Chair; Leitha Reilly, member; Al Sypek, member; Rick Brideau, Ex-Officio – Town Employee; Chris Davies, Secretary; Scott Benson, Assistant Secretary; Ann Chiampa (alternate member); Peter Commerford (alternate member)

Also Present: Colleen Mailloux, Town Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering; Laura Gandia, Associate Planner; Amy Kizak, GIS Manager/Comprehensive Planner and Beth Morrison, Recording Secretary

Vice Chair Soares called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. M. Soares appointed A. Chiampa to vote for A. Rugg.

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

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

**Member L. Reilly made a motion to approve the minutes of September 6, 2017, as presented.**

**R. Brideau seconded the motion.**

**The motion was granted 6-0-1, with R. Brideau abstaining.**

**The Vice Chair voted in the affirmative.**

**Member L. Reilly made a motion to approve the minutes of September 13, 2017, as presented.**

**R. Brideau seconded the motion.**

**The motion was granted 5-0-2, with members R. Brideau and C. Davies abstaining.**

**The Vice Chair voted in the affirmative.**

##### **B. REGIONAL IMPACT DETERMINATIONS: N/A**

##### **C. DISCUSSIONS WITH TOWN STAFF: Town Planner Mailloux informed the Board that the Pinkerton Hills Subdivision developer is requesting a two year extension on the conditions of approval the Board granted on October 7,**

2015. She noted the last item is to post a form of financial guarantee for the reconstruction of a public road, but the applicant is not planning on construction until the spring. She stated that the application is in compliance with all other regulation and Staff has no issue or concerns with the extension request. M. Soares stated she thought it might be best to grant a one year extension versus a two year, as the applicant stated construction would begin in the spring.

**A. Sypek made a motion to grant a one year extension until October 4, 2018, to the conditions of approval to the subdivision plan Pinkerton Hills Development Corp.**

**C. Davies seconded the motion.**

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

Town Planer Mailloux informed the Board that tomorrow night, October 5, 2017, at 7 p.m. there will be a public information session on growth management with both herself and Kevin Smith, Town Manager. She explained it would be a two part series with the second meeting on October 21, 2017. A. Chiampa asked who someone can contact if they cannot attend the meetings and have concerns. Town Planner Mailloux stated they can come to the Planning Department to talk with her or send her an email. Town Planner Mailloux introduced, Amy Kizak as the new GIS Manager and Comprehensive Planner to the Board. A. Kizak stated she has been doing GIS for about 20 years and is excited to be in Londonderry.

**III. OLD BUSINESS - N/A**

**IV. NEW PLANS/CONCEPTUAL/NON-BINDING DISCUSSIONS**

A. Application for a formal review of a Site Plan for the construction of a 26,608 SF office/manufacturing facility and associated site improvements, 44 Wentworth Avenue, Map 014 Lot 44-34, Zoned IND-II, Lymo Construction Co., Inc. (Owner & Applicant)

Vice Chair Soares read the case into the record. J. Trottier stated there is one outstanding checklist item for which the applicant has submitted a waiver request. If the Planning Board grants the waiver, Staff recommends the waiver be granted for acceptance purposes only.

**A. Sypek made a motion to grant waiver 1 for acceptance purposes only as outlined in Staff's recommendation memorandum dated October 4, 2017.**

**R. Brideau seconded the motion.**

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

**C. Davies made a motion to accept the application as complete per Staff's recommendation memorandum dated October 4, 2017.**

**A. Sypek seconded the motion.**

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

Vice Chair Soares noted that the 65-day time clock had started.

Kevin Anderson, Chief of Engineering with Meridian Land Services, Inc., 31 Old Nashua Road, Amherst, NH 03031 addressed the Board. K. Anderson stated that in the audience was the owner of Lymo Construction, Dan Lynch, as well as architect, Dennis Meyers, and Drew Robertson from the construction management company. He stated that this parcel of land is abutted by 4 different parcels and only the abutting parcel of Bosch is developed. He stated the site is undeveloped and entirely forested. He noted that the site has two wetlands on it, the first being a small 1000 SF pocket and a larger wetland that connects to an abutting parcel. He stated that they have a conditional use permit (CUP) request for a storm water basin within the 50 foot wetland buffer. He informed the Board that there were three waiver requests and that the project does qualify for both Alteration of Terrain and wetland's dredge and fill permits from the state. He stated those applications have been submitted and they received comments and have addressed those comments, anticipating permits shortly. He noted that the applicant, Lymo Construction, is currently located in Merrimack and wants to relocate the business here in Londonderry. He stated that Lymo Construction engineers, fabricates and installs exterior building siding. He stated that this new facility would be both office and warehouse space. He stated that in accordance with site plan regulations, this facility would have 65 parking spaces with 2 different parking areas. He explained that they have integrated the building into the site, so when you enter the building you walk into the second story of the building. He noted that this site is best suited for a wet basin for storm water design that is basically a wetland that has a permanent pool of water. He stated that this wet basin will become a wetland itself eventually. He reviewed the conditional use permit (CUP) with the Board noting that storm water basins are an allowed use within the buffer. He reviewed the three waiver requests with the Board. He stated the first waiver is regarding driveway access points noting there is not enough frontage on the property to put a driveway further than 200 feet from either of the current driveways. He stated the second waiver is regarding a utility clearance letter from Manchester Water Works (MWW) as MWW wants an approved site plan before issuing a clearance letter. He stated the last waiver is regarding the requirement that all trees 15 inches in diameter or larger be located on the plan as the site is entirely forested with many trees of that caliber. He concluded his presentation and asked the Board for questions.

John Trottier went over the waiver requests. J. Trottier explained that Staff does not support granting waiver request #1, as the applicant has not demonstrated that water is available for this project, nor that plans for this project have been submitted

to the water utility for their review. He stated that Staff supports granting the other two waivers.

Vice Chair Soares asked the Board for questions. A. Chiampa asked why the applicant cannot get clearance letters. K. Anderson stated that MWW said an approved site plan is needed for clearance. A. Chiampa asked J. Trottier about this. J. Trottier stated that typically a clearance letter is obtained before an approved site plan. P. Commerford asked what kinds of material are on the site for the construction of the exterior siding. K. Anderson stated that David Lynch who was in the audience could better answer this. David Lynch, President and founder of Lymo Construction, addressed the Board noting that the products are made out of sheet metal and aluminum. P. Commerford asked if there were any chemicals on site. D. Lynch stated there were not. P. Commerford asked if all the run off from the parking lot would be going into the wetland. K. Anderson stated it would as it is designed for that and incorporates a portion of the Bosch facility that directs its storm water onto this property. P. Commerford asked if any diesel spills or leaks from the trucks would go into the wetland. K. Anderson stated that yes it would. P. Commerford asked what the specification number for this particular wetland is to look it up, as he has never heard of this before. K. Anderson stated the term the state uses is called pocket pond or a wet basin and he would have to look up the number and get it to P. Commerford. C. Davies stated his only concern is with the utility clearance letter and encouraged the applicant to work with Staff to help clarify this issue. L. Reilly stated she was pleased to see the building design and also echoed the concern over the utility clearance letter. A. Sypek asked if the applicant had a supply of booms and pads on site for a diesel leak. K. Anderson stated they did.

Vice Chair Soares asked for public input and there was none.

**C. Davies made a motion to approve the Applicant's request for the above waivers 2 and 3 per Staff's recommendation memorandum dated October 4, 2017.**

**R. Brideau seconded the motion.**

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

**C. Davies made motion to deny the Applicant's request for the above waiver 1 per Staff's recommendation memorandum dated October 4, 2017.**

**R. Brideau seconded the motion.**

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

Town Planner Mailloux reviewed the conditional use permit (CUP) with the Board. She noted that the Conservation Commission did not recommend approval of the

CUP, but if the CUP is approved by the Board they have the following recommendations:

1. CO district signs be posted along the southern side of the paved surface
2. A note be added to the plan prohibiting the storage of snow on the southerly portion of the paved surface abutting the detention pond.

She stated that Staff supports granting the CUP as the applicant has demonstrated they meet the criteria for a CUP.

Vice Chair Soares asked the Board for questions. L. Reilly asked if the applicant received a permit from the state for the dredge and fill why is the Conservation Commission expressing concern. Town Planner Mailloux stated that with the dredge and fill permit the applicant is changing what the wetland buffer is, but they are still impacting the buffer with improvements, and this is what the Conservation Commission expressed concern about. She stated that Staff supports this CUP as they have downsized the building, minimized pavement where they can and have done what they can to avoid wetlands, so she feels the applicant has met the criteria of the ordinance as there is no other alternative. C. Davies asked if snow storage was identified on the plan. Town Planner Mailloux stated they do identify a snow storage area on the plan, but to meet the intent of the Conservation Commission's recommendation, a note would be included to identify the area not to be used as snow storage. K. Anderson stated that the Conservation Commission requested the applicant add a tree-lined buffer along that portion of the basin to prevent snow storage. M. Soares echoed concerns regarding the snow storage.

Vice Chair Soares asked for public input and there was none.

**C. Davies motion to approve the applicant's request for a conditional use permit as outlined in the Staff Recommendation Memorandum dated October 4, 2017, with conditions 1 and 2 as recommended by the Conservation Commission.**

**R. Brideau seconded the motion.**

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

**A. Sypek made a motion to continue this application to the November 8, 2017 Planning Board meeting in order to allow the applicant time to provide the required utility clearance letter from Manchester Water Works, or to reasonably demonstrate that water service will be available for the project.**

**R. Brideau seconded the motion.**

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

**V. OTHER BUSINESS - N/A**

**VI. ADJOURNMENT**

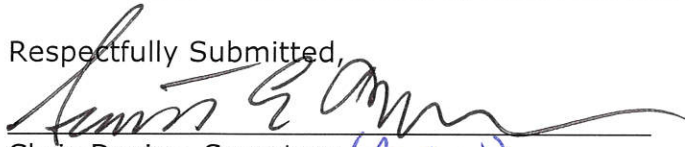
**Member R. Brideau made a motion to adjourn the meeting at approximately 7:45 p.m. Seconded by C. Davies.**

**Motion was granted, 7-0-0.**

**The meeting adjourned at approximately 7:45 PM.**

These minutes were prepared by Beth Morrison

Respectfully Submitted,



Chris Davies, Secretary (Assistant)

Scott Benson

These minutes were accepted and approved on November 8, 2017 by a motion made by L. Reilly and seconded by R. Brideau.