

## **LONDONDERRY, NH PLANNING BOARD** **MINUTES OF THE MEETING OF APRIL 13, 2016 AT THE MOOSE HILL** **COUNCIL CHAMBERS**

Members Present: Art Rugg, Planning Board Chair; Mary Soares; Chris Davies; Giovanni Verani, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; Scott Benson; Jim Butler; Leitha Reilly (J. Butler & L. Reilly arrived after administrative board work and during the beginning of the presentation of Jim Petropulos, Hayner/Swanson); Ann Chiampa (alternate member).

Also Present:

Colleen Mailloux, Town Planner; John Vogl, GIS Manager/Comprehensive Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering; Laura Gandia, Associate Planner (TEMP); Jonathan Edwards, Consultant, ADG

Chairman A. Rugg called the meeting to order at 7:00 PM and began with the Pledge of Allegiance.

He noted that Ted Combes and Al Sypek were unable to attend the meeting, and appointed Ann Chiampa as a full voting member in place of Al Sypek.

### **ADMINISTRATIVE BOARD WORK**

#### **A. DISCUSSIONS WITH TOWN STAFF**

J. Vogl informed the Board that there was one new subdivision plan signed for Map 16, Lot 9, Wilson Road, Evans Limited Partnership. He noted that the plan has not yet been recorded.

### **NEW PLANS**

#### **A. Application Acceptance and Public Hearing for a lot line adjustment and subdivision of 4 existing lots into 6 total lots, including Tax Map 14 Lot 45 at 44 Rear Pettengill Road (Ballinger Properties, LLC; Five-N-Associates, Owners) Zoned GB, Map 14 Lot 35 at 68 Rear Litchfield Road (Tana Properties Limited Partnership, Owner) Zoned GB and AR-I, Map 14 Lot 36 at 68 Rear Harvey Road (Tana Properties Limited Partnership, Owner) Zoned GB, and Map 14 Lot 38 at 68 Rear Harvey Road (Tana Properties Limited Partnership, Owner) Zoned GB, (Green Leaf Construction, Applicant).**

Chairman Rugg read the case into the record, and stated for presentation purposes only that the two cases, one for the lot line and the other for the site plan can be presented as one, but the votes will take place separately according to the applications.

James Petropulos, Hayner-Swanson, Three Congress Street, Nashua, NH,

the civil engineer for the project, and Andrew McBeth, Green Leaf Construction, 98 Adams Street, Suite 105, Leominster, MA, the design and construction supervisor of the project, presented for the applicants.

J. Trottier stated that there are no outstanding checklist items and that Staff recommended the application be accepted as complete.

**M. Soares made a motion that the Planning Board accept the application (for the Lot line adjustment and subdivision) as complete per Staff's Recommendation Memo dated April 13, 2016.**

**R. Brideau seconded the motion.**

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

Chairman Rugg stated that this started the 65 day time frame in which to render a decision on the application.

J. Petropulos reviewed the aerial photo of the parcel with the Board pointing out the location of the property in the north western part of Londonderry just south of the recently constructed Pettengill Road. He stated that the subdivision portion of the project encompasses four lots under Map 14, lots 35, 36, 38, and 45. He stated that what you see in yellow on the map totals 185 total acres located in the Gateway Business Zone (northern and majority portion of the property) and AR-1, Agricultural/Residential Zone (southern portion) with the following abutters: an undeveloped tract of land owned by the City of Manchester (north), the recently constructed Prologis Distribution facility (north), FedEx (northeast corner), FAA property (eastern portion of the main boundary), three streets of residential property in Londonderry (south), and the town/city line with single family homes in Manchester. As background, he stated that the northern part of the property was used as gravel sand pit operation with little to no cover in the central and northern portion of the property with trees along the southerly edge. He commented that the topography is relatively flat with a gentle slope towards the Londonderry/Manchester town line. He stated that a certified wetland scientist identified two main areas of wetlands on the property, the area behind Prologis, and Horsetrail Brook which bisects the property zigzagging along the west and flowing into the Merrimack River - both areas were blanketed by a NHDOT conservation easement reflected in the plan. He stated that the subdivision plan is to take four lots and make six lots (one for the proposed Webb project) repositioning some of the interior lot lines. He showed Webb Drive as a public way that will lead from Pettengill Road to the south providing infrastructure and the access to the northern portion of the property and utility services. He stated that of the six lots, lot 45 is 20 acre piece of land just north of Fed Ex designated for future development at some point, lot 45-7 is an 11 acre property behind Prologis containing wetlands and a conservation easement with some development potential, lot 36-1 is the subject of the FW Webb site plan, the remnant of lot 36, 1.34 acres, and lots 35 and 36 are further to the south of the property. He informed the Board that the Londonderry Zoning Board of Adjustment granted a variance for lots 35 and 36 as lots with no frontage because Webb Drive has not been extended down to that location.

He noted that the subdivision plan contained four waiver requests and the Staff did a great job summarizing the requests. J. Petropulos briefly reviewed the waiver requests: (1) section 4.05, (2) section 3.02.C and 4.12.C.14, (3) section 4.01.C, and (4) section 3.09.R (Webb Drive is intended to be 2700 feet in length with a 30 ft. wide paved road and code seeks 1200 feet in terms of cul-de-sac length). This concluded the subdivision presentation.

Chairman Rugg asked the applicants to proceed with their presentation for the site plan, and indicated that the votes and Staff input for each application will be taken up separately.

J. Petropulos stated that a site plan was filed for a central distribution facility with accompanying parking and loading improvements upon the property for FW Webb, a 150 year old plumbing and building supply business with over 80 facilities. He noted that FW Webb's current facility in Amherst is too small to accommodate the growing business. He described the main body of the building as centered on lot 36-1 measuring 400 feet deep by almost 1800 feet long – floor plan measuring about 750,000 square feet. He stated that the building will contain a small office addition in the northeast corner with a two story office piece measuring about 46,000 square feet. In the west end, there is a small vehicle maintenance area for fleet vehicles. The total building square footage is approximately 785,000 square feet. Residences in Manchester by scale are about 550 feet away with a 250 foot naturally wooded conservation easement already in place. No trees will be touched in those existing conservation easements. In Londonderry to the south, the nearest residential abutter is 1350 feet. Access to the facility will be from Webb Drive with a divided entrance and an access road surrounding the entire building (parking in front near the office piece with 229 spaces with another small parking space area for truck drivers – in total there are 302 parking spaces on the facility). There are 40 loading docks (receiving) on the south side and 40 shipping docks at the north side. There is canopied cab parking, surplus trailer parking, and a fueling station on the north side with an above ground fuel source. He described a normal business day, the first shift (initially there will be 150 employees which will increase to 200 – majority of these employees are 1<sup>st</sup> shift employees) starting at 2 am to 8 am time frame with truck drivers leaving the facility to go out on route – 20-40 trucks, a second shift (70-30 balance), and a very small third shift. Drivers will return to the site between noon and 4:00 p.m. Trucks will be received during the day anywhere between 20-40 trucks from semi to Fed Ex type truck. He noted that this project's use is less intense than the FedEx project. Utilities including sewer (public sewer easement) will be serviced on the property in the northwest corner. Storm water produced from roof and pavement areas are captured and treated in two large storm water areas located south of the building measuring about 3 acres in size and about 8 or 9 feet deep providing a tremendous amount of storage and recharge. Basin B will discharge its reduce rate to Horsetrail Brook and Basin A discharges to the northwest corner to a large wetland complex located to the north. Both basins reduce the post development flow to less than what the current pre-development flow meeting both state and local standards. Snow storage areas are identified on the plan. There is a small wetland impact on the northeast corner of the property of about 5,500 square feet for employee parking. This is addressed in one of the conditional use permits with the impact being mitigated by restoration in the southwest corner (about 23,000 square feet will be

restored with trees and shrubs).

He spoke of the building perspective with the main body as a warehouse and distribution center about 45 feet in height to the edge and 49 feet in the center with tilted up concrete panels accented with color striping and texture, and the two story office portion consisting of brick metal panels and fixed glass windows measuring about 30 feet in height. There will be two signs – one at the entrance near Webb Drive, and the other off-premise sign at the intersection of Webb and Pettengill (both signs are in compliance the Town's regulations).

He described the landscape plan which is in accordance with regulations with the front entry having the heaviest concentration of trees (some 400 trees) and the back west and south side remaining naturally wooded.

He stated that the lighting meets Town's standards with recessed lighting and LED type lighting. He stated that he is requesting through a conditional use permit 28 feet height for the fixture height from the 25 feet requirement. He stated that there is no spill over to neighboring properties and no objectionable lighting.

He proceeded to discuss the traffic study which was completed and submitted indicating that there is no significant impact to any of the local roads with a majority of traffic heading towards the Everett Turnpike.

He informed the Board that a Fiscal Impact Study which demonstrated that the project did not call for a big demand on services, and the project would provide almost a million dollars a year benefit to the Town in the form of taxes.

He explained the 18 month construction schedule with the hope of breaking ground in May and moving in just before Christmas 2017.

He then reviewed the five conditional use permits.

1. A Conditional Use Permit was requested to allow a warehouse use of greater than 250,000 square feet in the GB District and the project is at 785,000 square feet. There is still 50% open space on the lot. The project is a good productive use of a former gravel pit property.
2. A Conditional Use Permit was requested to allow a permitted use in the Conservation Overlay District with 5,485 SF of wetland impact in the northeast corner of the property. It is a relatively small impact and there is a buffer associated with it as well as the mitigation buffer associated with Horsetrail Brook.
3. A Conditional Use Permit was requested to allow site lighting fixtures to exceed the maximum mounting height of 25-foot required and the project is in the 28 foot range. There will be lighting of all the paved areas and building mounted lighting as well. No impact to the abutters and lowering to the 25 feet would mean more poles.
4. A Conditional Use Permit was requested for Section 3.10.11.B.1 of the Zoning Ordinance for a reduction in the number of parking spaces. By the Town's code 795 parking spaces are required and we are providing 302 which are clearly ample for FW Webb. The 302 spaces will help accommodate any conference/tutorial that FW Webb may host.
5. A Conditional Use Permit was requested for Section 2.7.2.I.1 of the

Gateway Business District in the Zoning Ordinance to permit an off-premise sign located at the intersection of the proposed Webb Drive and Pettengill Road. The proposed sign will provide opportunities for other businesses that may be developed on Webb Drive and it meets Town standards.

J. Petropulos described the waiver requests as follows:

The first request is to the Gateway Business Ordinance to waive the Transportation Demand Management and Sustainable Site Building design requirements. FW Webb will incorporate many environmental and energy conscious features into the building. FW Webb is seeking to waive the Transportation Demand Management portion because despite the size of the building, traffic generation is relatively low for the proposed operation.

The second request is to waive the plan scale for master plan and erosion control scale that was scaled down to see the entire property for convenience of the plan reviewers.

The third request is to waive requirements for interior landscaping for the parking lot. FW Webb does not have a lot of opportunities for interior islands – 10% is required and 3% is provided. There is plenty of open space throughout the entire project.

The fourth request is to waive internal landscaping requirements in loading/truck areas. The code seeks to have landscaping but this did not work with Webb's design – 7 trees would be needed and the applicant proposed those 7 trees being placed elsewhere on the property. Over 400 trees will be planted on the property.

The fifth request is to waive shade trees around some of the perimeter areas – 180 trees are required and FW Webb is providing 100. The other 80 trees are distributed in other areas on the property.

The next request is to waive requirements regarding pavement. Town code requires three inches of pavement on top of 6 inches of crushed gravel on top of 12 inches of gravel. The applicant proposed 4 inches of pavement on top of 12 inches of crushed stone with sufficient strength for the trucks.

The next request is to waive the drainage requirements of 18 feet. FW Webb has seven drainage structures about 18 or 19 feet in depth.

The last request deals with utility clearance letter. Plans were submitted to Manchester Water Works but the letter is not yet prepared and will be forthcoming.

He also added that in summary, favorable reviews were received from the Londonderry Conservation Commission and Heritage Commission, and the site is designed responsibly. He stated that FW Webb is a nationally recognized company with a fine reputation. He had no objections to the Staff conditions and welcomed any questions.

Chairman Rugg stated that the Board would proceed with the lot line/subdivision first which was already accepted as complete.

J. Trottier reviewed the request for the four waivers as follows:

1. Section 4.05, requiring benchmarks be provided for the entire subject parcel. Staff supported granting the waiver because the applicant shows a sufficient number of benchmarks, and no development is proposed as part of the LLA and Subdivision Plan approval.
2. Section 3.02.C. and 4.12.C.14. requiring that Conservation Overlay District signs be set on all subject parcels. Staff supported granting the waiver because there is no development proposed on 5 of the 6 lots, and the lot to be developed will address the COD signs as part of the site plan approval.
3. Section 4.01.C requiring that the boundary plan be prepared at a scale of 1" = 100' and all other plans be prepared at a scale of 1" = 40'. Staff supported granting the waiver because the plan reads with sufficient clarity.
4. Section 3.09.R and Table 1 in that section requiring that cul-de-sacs not exceed 1,200 feet in length. Staff supported granting the waiver because the excessive length is required to reach the rear lots that otherwise have no access and because the road has been designed to have a 36' pavement width, with fire hydrants, making it accessible to emergency services.

J. Trottier then reviewed the design review items as follows:

1. Staff recommended that the applicant provide a storm water management report indicating compliance with the regulations is achieved.
2. The plans appear to indicate a NHDES wetlands permit is necessary for the wetlands indicated in the roadway easement area, a NHDES Alteration of Terrain Permit is needed to construct the proposed roadway. An amendment of the NHDOT permit for Pettengill Road for the change in use may also be needed (pending results of the traffic study). Staff recommended the applicant submit for and obtain all project permits, indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The submitted topographic plans do not include metes and bounds and

- boundaries of monuments and abutter information, set back and soil information, and Staff recommended that the applicant update the plans accordingly to include the information and/or approve notes accordingly.
4. The applicant provided improvement plans for Webb Drive that are currently under review by Town Staff. Staff recommended that the applicant provide final and complete plans for the proposed roadway in accordance with regulations for approval.
  5. Regarding the four lots created along Webb Drive, Staff requests that the applicant demonstrate that a suitable driveway can be provided to serve each lot and recommended that the applicant update the project plans accordingly
  6. Lastly, Staff recommended that the applicant verify that it address the DRC comments with the Planning Department.

Chairman Rugg asked for questions from the Board. L. Reilly stated she had a conflict and recused herself from the Board.

Chairman Rugg asked for public input.

Domenic Spinale, an abutter, 233 Charlotte Street, Manchester, NH expressed concerns to the Board about water and removal of trees. He stated he lost half his yard already. J. Petropulos offered to answer the question and referred to the site plan. He stated that D. Spinale's house measures about 550 feet from the closest point of the building and in between there is a 250 foot conservation easement that currently exists and is owned and maintained by the NH Department of Transportation. D. Spinale's property sits down lower than the site -70 feet lower and the site currently drains in an easterly to westerly fashion. FW Webb proposed to catch its water with curbing and catch basins including the roof and bring it into the two large storm water areas, storm basins – the lower one discharges into Horsetrail Brook where it naturally happens right now (this runs south of D. Spinale's property into a culvert ultimately into the Merrimack River). Run-off flows into the large wetland to the north and into the river. FW Webb is following industry standards where post development flow is less than your pre-development flow.

Chairman Rugg stated that the applicant cannot put any more water on the property than what is there currently. M. Soares asked if the abutter's concern was that he was going to lose the water he has currently.

D. Spinale stated that he has concern over both.

J. Petropulos stated that there is no additional tree clearing except in one spot for wetland impact. M. Soares stated that as part of the proposal 180 trees are being added throughout the site. J. Petropoulos stated that they are planting 400 trees in total. Chairman Rugg asked if there were any more questions. There were none.

**M. Soares made a motion to approve the applicant's request for four (4) waivers as outlined in Staff's Recommendation Memo dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

**M. Soares made a motion to grant Final Approval to a lot line adjustment and subdivision of 4 existing lots into 6 total lots, including Tax Map 14 Lot 45 at 44 Rear Pettengill Road (Ballinger Properties, LLC; Five-N-Associates, Owners) Zoned GB, Map 14 Lot 35 at 68 Rear Litchfield Road (Tana Properties Limited Partnership, Owner) Zoned GB and AR-I, Map 14 Lot 36 at 68 Rear Harvey Road (Tana Properties Limited Partnership, Owner) Zoned GB, and Map 14 Lot 38 at 68 Rear Harvey Road (Tana Properties Limited Partnership, Owner) Zoned GB, (Green Leaf Construction, Applicant), in accordance with the plans prepared by Hayner-Swanson, Inc., dated February 16, 2016, last revised March 17, 2016, with the precedent conditions to be fulfilled within two (2) years of the approval and prior to plan signature, and the general and subsequent conditions of approval to be fulfilled as noted in the Staff memo, dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

"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/Public Works & Engineering/Stantec review memo dated April 13, 2016.
2. The Applicant shall provide the Owner's signature on the plans.
3. The Applicant shall provide a digital (electronic) copy of the complete final plan to the Town prior to plan signature by the Board in accordance with



Section 2.05.n of the regulations.

4. The Applicant shall provide a check for all recording fees made payable to the Rockingham County Registry of Deeds.
5. 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 plan***).
6. Outside consultant's fees shall be paid within 30 days of conditional site plan approval.
7. Financial guarantee if necessary.
8. Final engineering review.

**PLEASE NOTE -** If these conditions are not met within two (2) years to the day 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 was not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.

**B. Application Acceptance and Public Hearing for a site plan to construct a distribution facility and associated site improvements at 10 Webb Drive, Tax Map 14 Lot 36-1 (Ballinger Properties, LLC; Five-N-Associates; Tana Properties Limited Partnership, Owners) Zoned GB, (Green Leaf Construction, Applicant).**

Chairman Rugg read the application into the record. J. Trottier stated that there is one outstanding checklist item associated with a waiver, and if the Board grants the waiver, then Staff would recommend that the application be accepted as complete. The applicant requested a waiver to Section 3.05.a of the Site Plan Regulations requiring that the applicant submit water utility clearance letters. The applicant is requesting this waiver for acceptance only. Staff supported granting the waiver for acceptance purposes only because the submission is noted as a condition of approval and letters will be submitted once road design and easements are finalized.

**M. Soares made a motion to approve the applicant's request for a waiver as outlined in Staff's Recommendation Memo dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

**M. Soares made a motion to accept the application as complete.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

Chairman Rugg stated that this starts the formal public hearing and the 65 day timeframe to render a decision.

J. Petropulos stated that he made a mistake when speaking of the lighting. His testimony was incorrect. He incorrectly stated that the requested height for the light fixtures was going to be 28 feet. The correct height of what is being requested is 35 feet. He apologized for his miscommunication and stated that the height is still below the roof line. He asked to amend his testimony in the conditional use application to 35 feet height not 25 feet.

J. Trottier reviewed the waiver requests as follows:

The applicant requested a waiver to Section 2.7.2.5 of the Londonderry Zoning Ordinance requiring the incorporation of Transportation Demand Management techniques in the operation of the proposed facility and that the proposed development should meet the "Certified" level of LEED (Leadership in Energy and Environmental Design). The ordinance allows

the Planning Board to waive both requirements of this section where it is shown that the standards impose an unreasonable burden on development of the property within the GB district. Staff supported granting the waiver to Transportation Demand Management techniques because despite the size of the building, traffic generation is relatively low for the proposed operation. Staff also supports the waiver to LEED certification because the cost to attain the credentials far outweighs the benefits to the community. The developer is incorporating a number of the elements of LEED certification into the building and the site construction.

J. Trottier addressed the remaining waivers as follows:

1. The applicant requested a waiver to Section 4.01.c of the Site Plan Regulations requiring a maximum plan scale of 1"=40'. The Master Site Plan utilizes a plan scale of 1"=100' and the erosion control plan uses a scale of 1"= 60'. Staff supported granting the waiver because the respective scales allow the entire project parcels and abutting properties to be viewed on a single sheet. All other sheets use the maximum 1"=40' scale.
2. The applicant requested a waiver to Section 3.11.g.1(i) of the Site Plan Regulations requiring a minimum of 10% of the overall interior area of the parking lot in front of the principal building to be landscaped. The applicant proposed that 3% of the interior of the front parking lot be landscaped. The parking lot as proposed allows for adequate turning movements and snow plowing maintenance for an industrial site. Staff supported granting the waiver, because the site is designed as a distribution center requiring large trucks to maneuver through the lot, and in accordance with the regulations, additional screening is provided along the property edge facing the street.
3. The applicant requested a waiver to Section 3.11.g.3 of the Site Plan Regulations requiring 1 shade tree per 15 parking spaces for the Truck parking area. A total of 7 shade trees are required for the truck parking area and 0 are proposed. Staff supported granting the waiver as planting trees within the parking fields will impede truck movement patterns on the site.
4. The applicant requested a waiver to Section 3.11.g.5 of the Site Plan Regulations requiring one shade tree per 20 feet of parking lot perimeter. A total of 180 shade trees are required for this plan and 100 are proposed. Staff supported granting the waiver, because site grading makes reasonable tree planting difficult, and the remainder of the trees will be planted in other locations on site closer to the road. The Planning Board has the discretion to approve alternative landscaping for industrial sites.
5. The applicant requested a waiver to Section 3.07.h of the Site Plan Regulations requiring that drainage structures not exceed 18 feet in depth. Staff supported granting the waiver to allow drainage

structures to exceed the maximum depth requirement due to the significant difference in elevation occurring across the large proposed site development area.

6. The applicant requested a waiver to Section 3.08.b.4 of the Site Plan Regulations requiring that the driveway structural section have a minimum of 3 inches of pavement, 6 inches of crushed gravel, and a 12 inch gravel base depth. The applicant proposes to install 4 inches of pavement and 12 inches of NHDOT Item #304.4 crushed stone – fine. Staff supported granting the waiver because the applicant’s proposed design is based on extensive soil analysis, takes into consideration subgrade, strength, traffic, design-life, drainage and frost susceptibility, *and* is certified by a geotechnical engineer.
7. The applicant requested a waiver to Section 3.11.b of the Site Plan Regulations requiring that the parking lot structural section have a minimum of 3 inches of pavement, 6 inches of crushed gravel, and a 12 inch gravel base depth. The applicant proposes to install 4 inches of pavement and 12 inches of NHDOT Item #304.4 crushed stone – fine. Staff supported granting the waiver because the applicant’s proposed design is based on extensive soil analysis, takes into consideration subgrade, strength, traffic, design-life, drainage and frost susceptibility, *and* is certified by a geotechnical engineer.

J. Vogl reviewed the five conditional use permits as follows:

1. The applicant requested a Conditional Use Permit to allow a warehouse use of greater than 250,000 square feet in the GB District. The application appears to meet the criteria as outlined in Section 2.7.3.5.1 of the Ordinance. The proposed use is consistent with the Objectives and Characteristics of the GB zone and the facility will better serve the needs of the region, although exceeding the allowed square footage by 535,250 SF. The design poses minimal impact to the natural environment, surrounding property values will not be adversely impacted, the proposed drainage system will adequately treat stormwater runoff, and the facility is a relatively low traffic generator given its size. Staff agrees that the applicant has demonstrated that they meet the spirit and intent of the CUP criteria and supported granting the Conditional Use Permit.
2. The applicant requested a Conditional Use Permit to allow site lighting fixtures to exceed the maximum mounting height of 25-foot required under Section 3.10.13.5.3. The application meets the criteria as outlined in Section 2.7.3.5.1 of the Ordinance. Full cut-off fixtures will be used to ensure downcast lighting, there will be no spillover of lighting to abutting properties while still providing sufficient lighting needed for a facility of this size, the height increase precludes the need to add a significant number of fixtures to accommodate the site, there will be no impacts to the environment or health, safety or welfare of the Town, and none of the fixtures will exceed the height of

the proposed building roofline. Staff agrees that the applicant has demonstrated that they meet the spirit and intent of the CUP criteria and supported granting the Conditional Use Permit.

3. The applicant requested a Conditional Use Permit to allow a permitted use in the Conservation Overlay District. The entrance driveway to the site will have 5,485 SF of wetland impact and 17,155 SF of buffer impact. The site has been designed to avoid impacting the buffers to Horsetrail Brook to the south. To compensate for the loss of buffer, the Applicant proposes to restore approximately a 23,000 SF area previously disturbed by the gravel operation on the site. Staff supported granting the Conditional Use Permit because the application meets the criteria as outlined in Section 2.6.3.4.1.
4. The applicant requested a Conditional Use Permit for Section 3.10.11.B.1 of the Zoning Ordinance for a reduction in the number of parking spaces. 931 spaces are required and 302 automobile spaces are provided. The Applicant states that when the site reaches full operational capacity there will be 200 employees on site over a 24 hour day, including truck drivers. The 302 parking spaces proposed are more than enough to cover the needs of the facility. Staff supported granting the Conditional Use Permit for parking because the Applicant has demonstrated they meet at least two of the criteria of the Ordinance.
5. The applicant requested a Conditional Use Permit for Section 2.7.2.I.1 of the Gateway Business District in the Zoning Ordinance to permit an off- premises sign. The off-premises directional sign design is part of a sign program being developed under the direction of the Town Manager as recommended for the Gateway Business District to provide uniform signage on Pettengill Road. The Applicant has agreed to participate in this program, and the final location of the sign will be determined by the Town. Staff supported granting the Conditional Use Permit because the Applicant has agreed to participate in the Town's signage program for Pettengill Road, and will be constructing the sign as part of their site plan, and the proposed sign would meet the criteria of Section 2.7.2.I.1 for the permit as outlined in the ordinance.

J. Trottier briefly reviewed the design review items as follows:

The applicant's site lighting near the driveways at Webb Drive exceeds the 0.2 foot-candles and does not comply with section sections 3.13.c.3 and 3.13.c.12 of the Site Plan Regulations. Staff recommended the applicant revise the site lighting to comply with the regulations

The applicant indicated the NHDES Alteration of Terrain, NHDES Wetlands Permit, NHDES Sewer Discharge Permit and Londonderry Sewer Discharge Permit have been submitted on the checklist. In addition, it appears a NHDES Underground Storage Tank (UST) permit is required for the proposed fuel

tank. The applicant should submit for and obtain all project permits, indicate the permit approval numbers on the Master Site Plan Permits Index and provide copies of all permits for the Planning Department files per section 4.13 of the Site Plan Regulations and Item XII of the Site Plan Application & Checklist.

Staff recommended the applicant coordinate with the Londonderry Department of Public Works as necessary to update the Town's NHDOT permit for this project.

J. Trottier continued with comments regarding the site grading as follows:

The applicant provides a Note on Sheet 7 relative to the construction of the building subgrade and Geotechnical Report. Staff recommended that a copy of the report be provided to the Town.

The existing outlet structure on the northwest side of Stormwater Management Area A is to be removed and the existing pipe is to be abandoned, as shown on the Erosion Control Plans. Staff recommended that the outlet pipe be removed also to prevent any groundwater issues for future construction within the sewer easement.

The applicant is proposing drainage runoff at the edge of the uncurbed parking lot on the north side of the property. Staff recommended the applicant provide a crushed gravel shoulder in this area to establish erosion control and as typically requested by the Department of Public Works.

J. Trottier then reviewed stated that the traffic review comments prepared by Stantec Consulting Services, Inc. dated April 13, 2016 and DRC comments as well as conditional use permits as they relate to the Gateway Business District as stated in the April 13, 2016 memo to the Planning Board.

Chairman Rugg asked for questions from the Board. C. Davies questioned the elevation of the property to other areas. J. Trottier replied that the south is lower, west is lower, and east rises much higher (FAA property). C. Davies asked a question about the intersection of Webb and Pettengill and was informed that the intersection will be signalized. A. Chiampa asked about the effect of lighting on the abutters. J. Trottier said that the lighting levels will be less than .2 foot candles by the time it reaches the property line, and he did not foresee any problems. She asked about the type of trees. J. Petropulos stated that there is decent tree cover with a blend of trees but there may be a general glow that is sensed. J. Butler asked about the trucks coming out between 2 am and 8 am, and expressed concerns over truck movement on side roads (High Range, Litchfield roads). J. Petropulos stated that from 2 am to 5 am there will be about 20-40 trucks with 83% heading towards the Everett Turnpike. Chairman Rugg stated that there could be a note on the site plan directing traffic certain ways. Further discussion ensued about what roads trucks can travel and what signage is available to indicate highways and directions as well as issues with GPS services.

M. Soares expressed an understanding of the needs for this project but asked if there was an ability to accommodate additional parking needs should the

building use change in the future. J. Petropolus stated that there is plenty of area north of the property that could support additional parking as well as green areas south of the building that could potentially be reused for parking. She asked about picnic areas for employees and A. McBeth stated that there are areas – some near the employee entrance, and one at the east end of the building with a green space by the employee entrance as well as a gymnasium inside the building.

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

**M. Soares made a motion to grant the Applicant's request for a waiver to the Gateway Business District as outlined in Staff's Recommendation Memo dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

**M. Soares made a motion to approve applicant's request for seven (7) waivers as outlined in Staff's Recommendation Memo dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in the vote as she recused herself.**

**M. Soares made a motion to grant Applicant's Request for Conditional Use Permits numbered 1 through 5 as outlined in Staff's Recommendation Memo Dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative. L. Reilly did not participate in this vote as she recused herself.**

**M. Soares made a motion to grant Final Approval for a site plan to construct a distribution facility and associated site improvements at 10 Webb Drive, Tax Map 14 Lot 36-1 (Ballinger Properties, LLC; Five-N-Associates; Tana Properties Limited Partnership, Owners) Zoned GB, (Green Leaf Construction, Applicant) in accordance with the plans prepared by Hayner-Swanson, Inc., dated February 16, 2016, and last revised March 17, 2016, with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature, and the general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memo, dated April 13, 2016.**

**R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative.  
L. Reilly did not participate in the vote as she recused herself.**

"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/Public Works & Engineering/Stantec review memos dated April 13, 2016.
2. Final approval of the Site Plan is conditions on at least conditional approval of the associated Webb Drive Lot Line Adjustment and Subdivision Plan. Add a note to the plan stating that "The associated Webb Drive Lot Line Adjustment and Subdivision Plan, including the off-site improvement plans, shall be approved and signed prior to the issuance of the building permit; however, the Applicant may commence site work prior to final signature of the Subdivision Plan, with all permits in place and the submission of performance sureties."
3. Add a note to the site plan stating: "The associated Webb Drive Lot Line Adjustment and Subdivision Plan shall be recorded at the Rockingham County Registry of Deeds prior to the issuance of a Certificate of Occupancy. All off-site improvements are required to be completed prior to issuance of a Certificate of Occupancy, including Webb Drive."
4. The Applicant shall provide the Owner's signature on the plans.
5. The Applicant shall note all waivers granted on the plan.
6. The Applicant shall note approved Conditional Use Permits granted on the plan.
7. The Applicant shall work with the Town to finalize a Development Agreement to be reviewed by the Town Attorney prior to plan signature. All conditions of approval shall be incorporated into the Development Agreement.
8. The Applicant shall provide a digital (electronic) copy of the complete final plan set to the Town at the time of signature by the Board in



accordance with Section 2.06.n of the regulations.

9. Outside consultant's fees shall be paid within 30 days of conditional site plan approval.
10. Financial guaranty if necessary.
11. Final engineering review

**PLEASE NOTE -** Once these precedent conditions are met and the plans are certified the approval is considered final. If these conditions are not met within **120 days** to the day of the meeting at which the Planning Board grants conditional 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. The associated Webb Drive Lot Line Adjustment and Subdivision Plan, including the off-site improvement plans, shall be approved and signed prior to the issuance of the building permit; however, the Applicant may commence site work prior to final signature of the Subdivision Plan, with all permits in place and the submission of performance sureties.
2. The associated Webb Drive Lot Line Adjustment and Subdivision Plan shall be recorded at the Rockingham County Registry of Deeds prior to the issuance of a Certificate of Occupancy. All off-site improvements are required to be completed prior to the issuance of a Certificate of Occupancy, including Webb Drive.
3. **No construction or site work for the site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting.
4. All off-site improvements and required utility systems providing access and service to the site, including final construction of Webb Drive and the sewer pump station, shall be completed prior to the issuance of a Certificate of Occupancy, with the exception that the building can undergo a complete fit-up to be operational upon completion of these improvements.
5. The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the Planning Division & Department of Public Works, or if Staff deems applicable, the Planning Board.

6. 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.
7. All site improvements must be completed 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 & 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.**
8. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
9. 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 was not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.

### **PUBLIC HEARINGS/CONTINUED PLANS/WORKSHOPS/CONCEPTUAL DISCUSSIONS**

#### A. Review of Proposed Parking Regulations and Related Amendments to the Zoning Ordinance

John Vogl and Jonathan Edwards presented to the Board. J. Vogl expressed his appreciation to Cynthia May who is working diligently with Town Staff. He stated he would proceed with a brief presentation of where the Town stands today, and the goals and objectives. He stated that the parking and loading changes were identified in the 2014 zoning audit as one of the major recommendations. In 2014, the zoning audit recommended relocation of the parking and loading standards from the zoning ordinance to the site plan regulations to reduce regulatory impediments to economic development, and to provide the Planning Board with greater flexibility. The review and approval

process involves both the Planning Board and Town Council. J. Edwards spoke of the hearings tonight and how they played into this project with parking being regulated through the site plan regulations rather than through the ordinance. Process for zoning amendment starts with Planning Board workshops proceeds to public hearings with recommendations to Town Council, and starts over again at the Council. The goal is to tie adoption of zoning changes at the Council level to adoption of regulation at the Planning Board level. Discussion ensued about the process and knowing where the changes were made, what was deleted, and what was replaced. J. Vogl stated that some of the changes to the site plan regulations involve reconfiguring sections that are presently in place. Hard copies of materials were provided to the Board. The Board concluded that they needed more time to read it. J. Vogl commented that the next steps would be to internally review the documents, and work on consolidating parking categories. J. Edwards stated that the Town may want to reduce the number of parking categories, and Londonderry's zoning ordinance has been amended often, 429 amendments since 1963. J. Edwards stated that he is looking for national figures for comparison. Board members expressed consensus that the parking standards were generally too high in Town for commercial facilities. J. Vogl stated that they are in the process of reviewing and updating definitions. J. Vogl and J. Edwards described the document formatting and noted that the documents contain descriptions on what was moved, where it ended up, and a brief explanation. J. Edwards stated that the parking standards belonged in the regulations and that they were likely put in the zoning ordinance before site plan regulations were ever adopted. J, Vogl added that there were very little actual changes to the content; same rules still applied but now the Board would be empowered to review alternatives. L. Reilly asked if there should be concern over generalizing too much and the risks associated with flexibility. Chairman Rugg stated that the Board will take up this matter at its May 11<sup>th</sup> meeting.

### **OTHER BUSINESS:**

- A. Sylvia Von Aulock, Deputy Executive Director, Southern New Hampshire Planning Commission – Introduction of Complete Streets Pilot Program

S. Von Aulock introduced herself to the Board and her Complete Streets Pilot Program. She spoke of the benefits of the program, project elements (stake holders, research, policy, pilot program and tool kit), research, policy guidelines, engineering design standards and the pilot program. After the presentation, she engaged in a discussion with the Board about the program, Londonderry's needs, the trailways, MUTCD guide, and the application deadline of June.

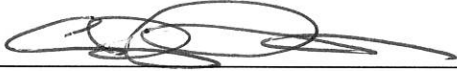
### **ADJOURNMENT:**

**M. Soares made a motion to adjourn the meeting at 9:25 p.m.  
Seconded by R. Brideau. Motion was granted: 9-0-0.**

The meeting adjourned at 9:25 PM.

These minutes were prepared by Associate Planner (TEMP) Laura Gandia.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "Chris Davies", written over a horizontal line.

Chris Davies, Secretary

Minutes were approved on 5/4/16 by a motion made by M. Soares and seconded by R. Brideau.

## MEMORANDUM

To: Planning Board

Date: April 13, 2016

From: Planning and Economic Development  
Department of Public Works & Engineering  
Stantec Consulting Services, Inc.

Re: Tax Map 14 Lot 36-1  
Site Plan for Distribution Center  
10 Webb Drive

Owners: Ballinger Properties LLC  
Five N Assoc. & TANA Properties  
Applicant: Green Leaf Construction

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Hayner-Swanson, 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. The Applicant has not provided a water system service clearance letter for the project in accordance with section 3.05 of the Site Plan Regulation and item XI.5.e of the checklist. We recommend the Applicant obtain utility letters for the proposed utilities to serve the site in accordance with the regulations and provide copies to the Town. The Applicant has submitted a **waiver request** for this requirement.

### **Design Review Items:**

1. The Applicant's Master Site Plan is at a scale of 1"=100 feet, the erosion control plans are at a scale of 1"=60 feet, and do not comply the maximum 1"=40 per section 4.01c of the regulations. The Applicant has submitted a **waiver request** for this requirement.
2. The Applicant's proposed landscaping does not provide the minimum 10% interior landscape area within the parking lots per section 3.11.3.g.1.i of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
3. The Applicant's proposed landscaping does not provide one (1) tree per 15 spaces parking spaces in the internal parking lot landscaping per section 3.11.3.g.3 of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
4. The Applicant's proposed landscaping does not provide one (1) tree per 20 feet around the parking lot perimeter per section 3.11.3.g.5 of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
5. The Applicant's proposed parking lot structural section does not comply with section 3.11.b.4 of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
6. The Applicant's proposed driveway structural section does not provide the minimum gravel base depth in accordance with section 3.08.b.4 of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.

7. The Applicant's revised drainage system design indicates seven proposed drain manholes exceed 18 feet in depth and does not comply with section 3.07.h of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
8. The Applicant's site lighting near the driveways at Webb Drive exceed the 0.2 foot-candles and does not comply with section sections 3.13.c.3 and 3.13.c.12 of the Site Plan Regulations. We recommend the Applicant revise the site lighting to comply with the regulations.
9. The Applicant indicates the NHDES Alteration of Terrain, NHDES Wetlands Permit, NHDES Sewer Discharge Permit and Londonderry Sewer Discharge Permit have been submitted on the checklist. In addition, it appears a NHDES Underground Storage Tank (UST) permit is required for the proposed fuel tank. The Applicant should submit for and obtain all project permits, indicate the permit approval numbers on the Master Site Plan Permits Index and provide copies of all permits for the Planning Department files per section 4.13 of the Site Plan Regulations and Item XII of the Site Plan Application & Checklist.
10. We note that the project is located off Pettengill Road and in proximity to the Town's NHDOT Permit for Pettengill Road at the Raymond Wieczorek Drive. We recommend the Applicant coordinate with the Londonderry Department of Public Works as necessary to update the Town's NHDOT permit for this project.
11. We recommend the Applicant clarify/address the following on the **Site Grading and Layout Plans**:
  - a. The Applicant provides a Note on Sheet 7 relative to the construction of the building subgrade and Geotechnical Report. We recommend that a copy of the report be provided to the Town.
  - b. The existing outlet structure on the northwest side of Stormwater Management Area A is to be removed and the existing pipe is to be abandoned, as shown on the Erosion Control Plans. We recommend that the outlet pipe be removed also to prevent any groundwater issues for future construction within the sewer easement.
  - c. The Applicant is proposing drainage runoff at the edge of the uncurbed parking lot on the north side of the property. We recommend the Applicant provide a crushed gravel shoulder in this area to establish erosion control and as typically requested by the Department of Public Works.
12. The 50-year analysis provided with the submitted project drainage report indicates that both of the proposed stormwater basin designs do not provide the minimum 12 inches of freeboard between the 50-year pond elevation and the pond embankment low points in accordance with section 3.07.b.10 of the regulation. We note the low points are indicated as broad-crested weirs. Please review and revise the analysis and design, as necessary, in compliance with the regulations.
13. We recommend the Applicant address the traffic review comments dated April 13, 2016 prepared by Stantec Consulting Services, Inc. for the project.
14. We recommend the Applicant verify the DRC comments for the project are adequately addressed as applicable:

- a. Please verify the comments of Fire Department have been adequately addressed with the Fire Department.
- b. Please verify the comments of Planning Department have been adequately addressed with the Planning Department.
- c. Please verify the comments of Sewer Division have been adequately addressed with the Sewer Division.

**Board Action Items:**

1. The Applicant is requesting eight (8) waivers to the Site Plan Regulations as noted in his letters dated March 24, 2016. The Board will need to consider each waiver under this application.
2. The Applicant is proposing improvements within the Conservation Overlay District (COD) that will require a Conditional Use Permit (CUP) approval by the Planning Board. The Board will need to consider the Conditional Use Permit as part of the review.
3. The Applicant's building size exceeds the maximum allowed for the Gateway Business District and the Applicant is requesting a Conditional Use Permit for the proposed building and site. The Board will need to consider the Conditional Use Permit as part of the review.
4. The Applicant's lighting fixture height exceeds the maximum allowed for the Gateway Business District and the Applicant is requesting a Conditional Use Permit for the proposed site lighting fixture height. The Board will need to consider the Conditional Use Permit as part of the review.
5. The Applicant is proposing an off-premises directory sign to serve the proposed site and requesting a Conditional Use Permit per section 2.7.2.1.1 of the Zoning Ordinance. The Board will need to consider the Conditional Use Permit as part of the review.
6. The Applicant has not provided the required parking in accordance with section 3.10.10 of the Zoning Ordinance and is requesting a Conditional Use Permit (CUP) for Parking Reduction from 795 spaces to 302 spaces per section 3.10.11.B of the Zoning Ordinance. The Board will need to consider the Conditional Use Permit as part of the review.

**Board Informational Items:**

1. This project is contingent upon approval of a separate lot line adjustment and subdivision of existing Lots 35, 36, 38 and 45 to create the new lot configuration and to create frontage on a proposed Class V or better roadway (Webb Drive) to serve the site as indicated on the site plan with this submission. The separate subdivision application to create the subject lot 36-1 shown in the project plans is currently under review by the Town.
2. The proposed design indicates sewer service connections along the northerly property line to the Town's sewer interceptor, which is proposed to be constructed by the Town to serve the project location.

## MEMORANDUM

To: Planning Board

Date: April 13, 2016

From: Planning and Economic Development  
Department of Public Works & Engineering  
Stantec Consulting Services, Inc.

Re: Map 14 Lots 35, 36, 38, 45  
Lot Line Adjustment/Subd. Plan

Owners: Ballinger Properties LLC  
Five N Assoc., TANA Properties  
Applicant: Green Leaf Construction

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Hayner-Swanson, 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:**

There are no checklist items.

### **Design Review Items:**

1. The Applicant has provided topographic plans with this submission. The Applicant has submitted a **waiver request** for benchmarks per section 4.05 of the regulations and a **waiver request** for the plan scale per section 4.01.C of the regulations.
2. The Applicant has not indicated the location of the CO District signage on the plans per section 3.02.C and 4.12.C.4 of the regulations. The Applicant has submitted a **waiver request** for this requirement.
3. The Applicant is proposing to construct a roadway in excess of 1200 feet and exceeds the maximum length per section 3.09.R- Table 1 of the Subdivision Regulations. The Applicant has submitted a **waiver request** for this requirement.
4. We recommend the Applicant indicate utilities to serve the proposed lots and provide utility clearance letters in accordance with the regulations.
5. We understand that the Applicant has provided a traffic report with the separate site plan application for new lot 36-1 and recommend the report be revised to include the subdivision information typically required by the Town or provide a separate traffic report for the project.
6. We recommend the Applicant provide a stormwater management report indicating compliance with the regulations is achieved.
7. The plans appear to indicate a NHDES wetlands permit is necessary for the wetlands indicated in the roadway easement area, a NHDES Alteration of Terrain Permit is needed to construct the proposed roadway. An amendment of the NHDOT permit for Pettengill Road for the change in use may also be needed (pending results of the traffic study). We recommend the Applicant submit for and obtain all project permits, indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.



8. The submitted topographic plans do not include metes and bounds, boundary monuments, abutter information, setbacks, and soils information per section 4.17 of regulations. We recommend the Applicant update the plans accordingly to include the information or provide appropriate notes accordingly as acceptable to the Town. In addition, please update the subdivision plans to indicate the setback lines.
9. The Applicant has provided improvement plans for Webb Drive, (prepared by T.F. Moran, dated March 25, 2016) that are currently under review by the Town staff. The Applicant should provide final and complete plans for the proposed roadway in accordance with the regulations for approval.
10. The proposed subdivision appears to create four lots that would be located along Webb Drive as labeled on the submitted plans. We understand that the Department of Public Works typically requires the Applicant demonstrate that a suitable driveway can be provided to serve the lots in accordance with section 3.09.F of the regulations that typically includes a driveway sight distance plan. We recommend the Applicant update the project plans accordingly.
11. 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.

**Board Action Items:**

1. The Applicant is requesting four (4) waivers to the Subdivision Regulations as noted in their letter dated March 24, 2016. The Board will need to consider each waiver under this application.

**Board Informational Items:**

1. A separate Site Plan Application has been submitted for a Proposed Distribution Facility on Lot 36-1.