

**LONDONDERRY, NH MINOR SITE PLAN REVIEW  
COMMITTEE - PLANNING BOARD  
MINUTES OF THE MEETING OF SEPTEMBER 15, 2016 AT THE ELWOOD  
CONFERENCE ROOM**

Members Present: Colleen Mailloux, Town Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering; and Richard Canuel, Senior Building Inspector

Also Present:

Laura Gandia, Associate Planner; Jason Lopez, Keach-Nordstrom; Mark Cooper, Owner of Reliable Equipment; Kim Cooper, Owner of Reliable Equipment; Stew Gregory, Reliable Equipment; and Dick Detmer, Consultant Detmer Consulting

Colleen Mailloux called the meeting to order at 9:00 a.m. for the following application:

**Application Acceptance and Public Hearing for a formal review of a site plan for a change of use of a portion of the premises from warehouse to retail, 3 Symmes Drive, Map 15, Lot 61-1, Zoned C-II, Regan Trust (Owner) and Reliable Equipment, LLC (Applicant)**

C. Mailloux stated that there were no outstanding checklist items and recommended that the application be accepted as complete.

**J. Trottier made a motion that the MSRC accept the application as complete per Staff's Recommendation memo dated September 15, 2016.**

**R. Canuel seconded the motion.**

**The motion was granted, 3-0-0.**

Jason Lopez presented an overview of the project. He stated that Reliable Equipment currently has two stores, one in Dover and one in Manchester, and is looking to close the Manchester store and relocate to Londonderry. He stated that they are seeking to modify the use of the 36,000 square feet of warehouse into 5,000 square feet of retail, 3,300 square feet of office space and 27,700 square feet of warehouse. He stated that the retail portion will be located in the front unit on Symmes Drive with units 2,3,4,5,6 used as warehouse, and units 8,9,10 will be vacant with the potential of leasing them out at some point. He informed the Committee that (1) there is ample parking; (2) the property is on existing Town water and septic (no need to modify); (3) there is electric and gravity out to the pump system; and (4) there are two existing driveways. He met with the Conservation Commission who had questions regarding screening near the rail trail, and outdoor storage visibility and location. He stated that there is an access aisle between the building and the outdoor storage area.

Regarding landscaping, he stated that they are adding long term planting for screening to address the Conservation Commission's concerns, and there are

some overgrown areas that will be thinned out particularly near the driveway entrance closer to Route 28. He also informed the Committee that the sign will be relocated.

C. Mailloux stated that the DRC comments were sufficiently addressed. R. Canuel noted that if the existing septic failed, then by ordinance you would have to tie into the Town's system. Mark Cooper stated that he believed the existing system was brand new as of 2009.

M. Cooper described his business of selling and rental equipment for J. Trottier.

J. Trottier asked about the fencing, and M. Cooper said his intent was to have a locked gate. Stew Gregory stated that it will most likely be a swing gate, and J. Trottier stated that he would like to see that information on the plan along with construction details regarding the gate. J. Trottier expressed the importance of getting in contact with Brian Johnson at the Fire Department to discuss the gate and its lock.

M. Cooper asked the committee questions about the process moving forward and obtaining a certificate of occupancy. J. Trottier and R. Canuel briefly explained part of the process including what permits may be required, and the possibility of bonding for the landscaping requirements.

There was no public input.

**J. Trottier made a motion to grant approval of the Minor Site Plan for a change of use for a portion of the existing building from warehouse to retail, Tax Map 15 Lot 61-1 at 3 Symmes Drive, Zoned C-II, Regan Trust (Owner), Reliable Equipment, LLC (Applicant) in accordance with the plans prepared by Keach-Nordstrom, Inc., dated May 26, 2016, and last revised July 29, 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 September 15, 2016.**

**C. Mailloux made a motion to amend the motion to include an additional precedent condition item no. 4 in the Staff Recommendation Memo, dated September 15, 2016 as follows "The swing gate detail be added to the plans."**

**R. Canuel seconded the motion.**

**The motion was granted, 3-0-0.**

"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 provide the Owner's signature on the plans.
2. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to the Town at the time of signature by the Board in accordance with Section 2.05.n of the regulations.
3. Financial guaranty for proposed improvements to the satisfaction of the Department of Public Works.
4. The swing gate detail be added to the plans.

**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. **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.
2. 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.
3. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
4. All site improvements and off-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 six (6) months from the issuance of the certificate of occupancy, or the Town 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 without prior Planning Board approval.**

5. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
6. It is the responsibility of the Applicant to obtain all 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.

The meeting adjourned at 9:35 a.m.

These minutes were prepared by Associate Planner Laura Gandia.

Respectfully Submitted,

  
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Colleen Mailloux, Town Planner, AICP