

1 **LONDONDERRY ADMINISTRATIVE REVIEW COMMITTEE**

2
3 **MINUTES OF THE PUBLIC HEARING ON JUNE 12, 2014 IN THE ELWOOD**
4 **CONFERENCE ROOM**

5
6 ARC Members Present: Town Planner Cynthia May, ASLA; Asst. Director of Public
7 Works John Trottier, P.E.; Senior Building Inspector/Zoning Officer/Health Officer
8 Richard Canuel

9
10 Also Present: Pastor Jonathan Roe, Londonderry Baptist Church; Ben Lafontaine;
11 Richard Maynard, P.E.; and Patricia Panciocco, Esquire

12
13 C. May called the meeting to order at approximately 9:30 AM.

14
15 **Public Hearings**

16
17 A. The Londonderry Baptist Church (Owner and Applicant), Map 12, Lot 52 –
18 Application Acceptance and Public Hearing for formal review of a minor site plan
19 application to construct a parsonage/residence and to connect the parsonage
20 and existing church to the municipal sewer system at 368 Mammoth Road,
21 Zoned AR-I.

22
23 C. May stated there were no outstanding checklist items, and that Staff
24 recommends the application be accepted as complete.

25
26 **J. R. Trottier made a motion to accept the application as complete. R.**
27 **Canuel seconded the motion. No discussion. Vote on the motion: 3-0-0.**
28 The application was accepted as complete.

29
30 C. May read the three requested waivers requested into the record:

- 31
32 1. The applicant has requested a waiver to Section 7, Exhibit 3 of the Site
33 Plan Regulations regarding the Site Plan Fee Schedule. The lot is 13.46
34 acres, however the area of disturbance on this existing institutional use
35 site amounts to approximately 38,000 sf. Basing the calculation on the
36 latter would result in a fee of \$160 which would seem more reasonable for
37 a minor site plan. Staff supports **granting** the waiver because the actual
38 area of disturbance on the existing site is relatively minor.
- 39
40 2. The applicant has requested a waiver to Section 4.14(e) requiring
41 submission of a landscape plan. No changes to the landscaping and
42 existing vegetation around and adjacent to the existing church and
43 parking lot are proposed. The areas cleared for the parsonage and sewer
44 line will be loamed and seeded. Staff supports **granting** the waiver
45 because no changes to existing landscaping are proposed, no new
46 landscaping is proposed, nor is landscaping deemed necessary based on
47 the proposed improvements.
- 48

- 1 3. The applicant has requested a waiver to Section 4.01 requiring a
2 maximum scale of 1"=40'. Using a 1"=40' scale would not allow the
3 entire property to be shown on a single sheet. Staff supports **granting**
4 the waiver because the proposed scale of 1"=50' allows the entire
5 property to be viewed on a single sheet.
6

7 **J. R. Trottier made a motion to approve the Applicant's request for**
8 **waivers numbered 1 through 3 as outlined in Staff's Recommendation**
9 **Memorandum Dated June 12, 2014. R. Canuel seconded the motion.** No
10 discussion. **Vote on the motion: 3-0-0.** The three waivers were granted.
11

12 R. Maynard stated that the proposal is to add a 50 x 28 parsonage with an
13 attached 24 x 26 garage to the property and connecting said residence to the
14 Town's sewer system. A minor expansion of the existing paved parking area will
15 also occur to gain the two spaces required under the Town's regulations.
16

17 J. R. Trottier read into the record the precedent conditions from the Staff's
18 Recommendation Memorandum dated June 12, 2014 (see Attachment #1). He
19 noted that item 9 requiring financial guaranty would refer in this case to setting
20 the boundary marker pins. He added that it would be acceptable for the
21 applicant to submit a letter stamped by a Licensed Land Surveyor attesting to
22 the placement of those pins. Once the plan revisions are made based on those
23 precedent conditions, he asked the applicant submit a single paper copy of the
24 revised plan set so Staff can verify the changes before the applicant submits the
25 requisite four paper copies and a mylar set of the plan for signature. R.
26 Maynard asked Staff if there was a 30 day appeal period once final approval of
27 the plan is granted before construction can begin. C. May replied that if the
28 applicant begins construction before that 30 day appeal period is complete, he
29 does so at his own risk. J. R. Trottier noted that a building permit would need to
30 be obtained first, which R. Canuel reminded the applicant can only be issued
31 once the site plan is granted final approval. He added, however, that site
32 preparation can take place before the building permit is issued. J. R. Trottier
33 also pointed out that before any work associated with connection to municipal
34 sewer can begin, a pre-construction meeting must take place with Staff (see
35 General and Subsequent condition #1 in Attachment #1, p. 3) and the
36 associated sewer discharge permit must be obtained.
37

38 No members of the public were present to comment.
39

40 **C. May made a motion to grant final approval of the minor site plan**
41 **application to construct a parsonage/residence and to connect the**
42 **parsonage and existing church to the municipal sewer system at 368**
43 **Mammoth Road, Zoned AR-I, subject to all of the Precedent Conditions**
44 **prior to plan signature and then to the General and Subsequent**
45 **Conditions as outlined in Staff's Recommendation Memorandum dated**
46 **June 12, 2014. J. R. Trottier seconded the motion.** No discussion. **Vote**
47 **on the motion: 3-0-0.**
48

1 The minor site plan was granted final approval.
2

3 **Other Business**

4
5 There was no other business.
6

7 **Adjournment:**

8
9 **C. May made a motion to adjourn the meeting. R. Canuel seconded the
10 motion. The motion was approved, 3-0-0.**

11
12 The meeting adjourned at approximately 9:42 AM.

13
14 Respectfully Submitted,

15
16
17 Jaye Trottier
18 Associate Planner

STAFF RECOMMENDATION

To: Administrative Review Committee

Date: June 12, 2014

From: Cynthia A. May, ASLA, Town Planner
John R. Trottier, PE, Assist. Dir. Of DPW

Application: The Londonderry Baptist Church (Owner and Applicant), Map 12, Lot 52 – Application Acceptance and Public Hearing for formal review of a minor site plan application to construct a parsonage/residence and to connect the parsonage and existing church to the municipal sewer system at 368 Mammoth Road, Zoned AR-I.

- Completeness: ***There are no checklist items. Staff recommends the application be accepted as complete.***
 - ARC Action Required: **Motion to Accept Application as Complete.**
- Waivers: The applicant has requested three (3) waivers to the site plan regulations:
 1. The applicant has requested a waiver to Section 7, Exhibit 3 of the Site Plan Regulations regarding the Site Plan Fee Schedule. The lot is 13.46 acres, however the area of disturbance on this existing institutional use site amounts to approximately 38,000 sf. Basing the calculation on the latter would result in a fee of \$160 which would seem more reasonable for a minor site plan. Staff supports **granting** the waiver because the actual area of disturbance on the existing site is relatively minor.
 2. The applicant has requested a waiver to Section 4.14(e) requiring submission of a landscape plan. No changes to the landscaping and existing vegetation around and adjacent to the existing church and parking lot are proposed. The areas cleared for the parsonage and sewer line will be loamed and seeded. Staff supports **granting** the waiver because no changes to existing landscaping are proposed, no new landscaping is proposed, nor is landscaping deemed necessary based on the proposed improvements.
 3. The applicant has requested a waiver to Section 4.01 requiring a maximum scale of 1"=40'. Using a 1"=40' scale would not allow the entire property to be shown on a single sheet. Staff supports **granting** the waiver because the proposed scale of 1"=50' allows the entire property to be viewed on a single sheet.
 - ARC Action Required: Motion to Approve Applicant's Request for Waivers Numbered 1 through 3 as outlined in Staff's Recommendation Memorandum Dated June 12, 2014.
- Recommendation: Based upon the information available to date the Staff recommends **CONDITIONAL APPROVAL** of this application with the NOTICE OF DECISION to read substantially as follows:

- o ***ARC Action Required:* Motion to Grant Final Approval of the minor site plan application to construct a parsonage/residence and to connect the parsonage and existing church to the municipal sewer system at 368 Mammoth Road, Zoned AR-I, subject to all of the Precedent Conditions prior to plan signature and then the General and Subsequent Conditions as outlined in Staff's Recommendation Memorandum dated June 12, 2014.**

"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 include all abutting land owners per Section 4.12.c.5. Map and lot 12-51 and 12-48 are not shown as abutting Map 12 Lot 52. Additionally, Lot 12-50 is misidentified. Please see the attached map.
2. The Applicant shall note on the plan that Mammoth Road is a Class II Public Street and shall label the pavement width as obtained during the actual survey per Section 4.12.c.6.ii and iv.
3. The Applicant shall per show the limits of the CO District boundary on the existing conditions plan just as it is shown on drawing number one per Section 4.12.c.14.
4. The Applicant shall clarify the discrepancy between the site plan and the grading plan showing different water service sizes and types.
5. The Applicant shall finish drawing the end of the driveway to connect it to the new paved area in the parking lot on drawing number one.
6. The Applicant shall list all required permits and permit approval numbers on the plan.
7. The Applicant shall note all waivers granted on the plan.
8. 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.
9. Financial guaranty if necessary.
10. 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 Administrative Review Committee grants conditional approval, that 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 amended 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 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.**

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 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.

From: [Cynthia May](#)
To: [Jaye Trottier](#); [Richard Canuel](#); [John Trottier](#)
Subject: RE: REVISED 06-12-14 ARC minutes (re Londonderry Baptist Church 12-52)- DRAFT
Date: Tuesday, June 17, 2014 1:23:30 PM

My vote is to approve with the changes

From: Jaye Trottier
Sent: Tuesday, June 17, 2014 1:22 PM
To: Cynthia May; Richard Canuel; John Trottier
Subject: REVISED 06-12-14 ARC minutes (re Londonderry Baptist Church 12-52)- DRAFT

John had me make a couple of changes that you will see in red on page 2.

If you find these acceptable, please reply to this message with your vote of approval so I will have it for the record.

Thank you!

Jaye

Jaye A. Trottier
Associate Planner
Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053
(603).432.1100 x134
(603).432.1128 (fax)

From: [John Trottier](#)
To: [Richard Canuel](#); [Cynthia May](#); [Jaye Trottier](#)
Subject: RE: REVISED 06-12-14 ARC minutes (re Londonderry Baptist Church 12-52)- DRAFT
Date: Tuesday, June 17, 2014 2:10:05 PM

Approved as amended.

John

From: Richard Canuel
Sent: Tuesday, June 17, 2014 2:04 PM
To: Cynthia May; Jaye Trottier; John Trottier
Subject: RE: REVISED 06-12-14 ARC minutes (re Londonderry Baptist Church 12-52)- DRAFT

Fine by me.

Richard

From: Cynthia May
Sent: Tuesday, June 17, 2014 1:23 PM
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Subject: RE: REVISED 06-12-14 ARC minutes (re Londonderry Baptist Church 12-52)- DRAFT
Date: Tuesday, June 17, 2014 2:04:27 PM

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