LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF JULY 9, 2014 AT THE MOOSE HILL COUNCIL CHAMBERS

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Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem; Jim Butler, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; John Laferriere, Ex-Officio; and Leitha Reilly, alternate member

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9 Also Present: Cynthia May, ASLA, Town Planner and Planning and Economic 10 Development Department Manager; John R. Trottier, P.E., Assistant Director of 11 Public Works and Engineering; and Jaye Trottier, Associate Planner

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A. Rugg called the meeting to order at 7:01 PM. He appointed L. Reilly to vote for Chris Davies.

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Administrative Board Work

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A. Plans to Sign – Peter J King Irrevocable Trust; Peter J. King, James M. Winston and Martin F. Loughlin, Trustees (Owner) and Prologis (Applicant), Map 14 Lot 49 – Phase I site plan to allow clearing and grubbing for a Proposed Distribution Center at 4 Pettengill Road, Zoned GB [Approved July 2, 2014].

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J. R. Trottier stated that all precedent conditions for approval have been met and that Staff recommends signing the plans.

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M. Soares made a motion to authorize the Chair and Secretary to sign the plans. L. Wiles seconded the motion. No discussion. Vote on the motion: 7-0-0. The plans were signed at the conclusion of the meeting.

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B. Extension Request – Twin's Smoke Shop Minor Site Plan, Map 15 Lot 55, 80 Perkins Road, Zoned MUC [Conditionally Approved by the Administrative Review Committee March 20, 2014].

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C. May referred to a letter from Steven Keach of Keach-Nordstrom Associates, Inc., representative for the applicant, requesting a 60-day extension of the site plan that will expire on July 18, 2014 (see Attachment #1). Additional time is needed to complete the conditions of approval.

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M. Soares made a motion to grant a 60-day extension to September 16, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 7-0-0.

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C. Discussions with Town Staff

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Litchfield Road improvements

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A. Rugg confirmed with J. R. Trottier that scheduled improvements to Litchfield Road have begun and are on schedule for completion.

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Route 102 Corridor study update

C. May explained that Staff has been asked by the Town Manager to commission a minor update to the Route 102 corridor study in the area from the Derry town line to the intersection with Mammoth Road. The goal is to compare the State's plans for Rte. 102 with approved development plans in the aforementioned area that will have an impact on the corridor, e.g. the Woodmont Commons traffic impact assessment, in order to identify areas where mitigation may be required. A comparison will also be made with the 2013 Master Plan. The Southern New Hampshire Planning Commission (SNHPC) will perform the update which will begin in the near future and last approximately two months. C. May noted that the scope of work for the project will be posted on the Town website. There were no objections from Board members to pursue the study with SNHPC.

MapGeo GIS website

C. May announced on behalf of the Town's GIS Manager the launch of a new online GIS service available on the Town website called "Londonderry MapGeo". She described it as being more interactive and user-friendly, as well as providing more information than previous alternatives.

Regulations Audit

L. Wiles asked Staff for a status report of the Town regulations audit being performed by the Planning and Economic Development Department. C. May stated that the audit itself is on hold because a system has become available for purchase that will automate the zoning ordinance (and the other regulations at a later date due to budget constraints). It will also create an archive of changes and will interface with the Town's GIS system. A contract should be signed this week and a 60 to 90 day turnaround is expected. Once in place, the audit will continue and at a more efficient pace. Workshops with members of the development community will take place in the near future to continue the effort of gaining input, this time from those outside of the Town Offices who make use of the regulations on a regular basis.

Public Hearings/Workshops/Conceptual Discussions

A. Rugg explained the purpose of a conceptual discussion as a non-binding exchange of ideas between the applicant and the Board.

A. Ballinger Properties Five-N-Association General Partnership (Owner), Milton CAT (Applicant) Map 28 Lots 17-3, 17-4, and 20-5 - Follow-up conceptual discussion of a proposed warehouse with sales/rental and service of equipment at 30 Industrial Drive, Zoned GB.

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Brad Ferrin, Milton CAT Corporate Facilities Manager, and Gary Collette of Amec Engineering presented recent changes to the conceptual plan first brought before the Board on January 8, 2014.

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In addition to moving Milton CAT's Hopkinton, NH facility to this site, the project will now include the relocation of the Warner, NH facility. This will result in full buildout of the site in a single phase with a +/-81,000 square foot main building and a 16,000 sf utility building (see Attachment #2). A redesign of the building was an additional consequence, where the warehouse portion will now be on the northern side of the lot, switching places with the service bay that will now be on the southernmost portion of the building. What was once proposed as a Town road off of Industrial Drive will now be a private driveway, therefore what was originally a cul de sac south of the building has become an additional acre of developable land. This created not only more display area, but allowed a repositioning of the building towards the southeast, which provided more equipment storage area behind the building. Finally, lots 20-5 and 17-3 have been added to the project, a portion of the former to be used for equipment storage and the latter to be used for an equipment display area along Industrial Drive.

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The applicant has been before the Conservation Commission, will be before the Heritage Commission on July 24, and has requested a variance from the Zoning Board since lot 20-5 has no frontage on a Class V road. Officials from the Fire Department will be touring the North Reading, MA facility with the applicant since the similarities will enable the Fire Department to more efficiently provide input. B. Ferrin said the design team is on schedule to submit for formal review on July 17 in order to have a public hearing before the Planning Board at their August 6 meeting.

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A. Rugg asked for comments from Staff.

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J. R. Trottier noted the advantage to the Town of no longer having to maintain a road off of Industrial Drive. C. May explained that in addition to waivers from the site plan regulations, the applicant will be seeking several Conditional Use Permits and waivers from the Zoning Ordinance since the Planning Board has the ability to grant flexibility within the performance items and dimensional requirements in the GB district. One potential issue, that of requesting overhead utilities, has been avoided because of an agreement reached between the applicant and Public Service of New Hampshire. Input was sought from the Board on another matter; that being whether the Board would be amenable to a waiver from the landscaping requirements along Industrial Drive since the applicant hopes to use the front of that lot specifically for equipment display. Gary Collette said the proposal is to use intermittent plantings instead of full visual screening from the road. C. May noted that the visual impacts are already mitigated along that stretch of Industrial Drive since the curve there tends to keep the driver's attention from focusing on the front of the property. B. Ferrin added that the abutter to the south, Kluber Lubrication, will be

consulted to discuss potential impacts to their lot.

1 A. Rugg asked for Board input.

M. Soares inquired about the average number of pieces of equipment the applicant would expect to typically display. B. Ferrin said it would be difficult to give an average but that it would most likely not exceed a dozen pieces of equipment at a time. L. Wiles confirmed that a chain link fence will enclose the equipment. G. Collette noted that it will be black vinyl, six feet in height, and will be shielded in part by the modified landscape buffer. There were no objections from Board members to the idea of a partial wavier from the landscape requirement as described.

A. Rugg entertained public input. There was none.

A. Rugg asked the applicant if they had any questions of the Board. They had none and thanked the Board for their time and input.

B. Team Business Development Corporation (Owner), and KDG (Applicant), Tax Map 7 Lots 132- 1, 2, 10, 11, and 12 – Conceptual discussion of a proposed Assisted Living Facility at 40 and 42 Meadow Road and 1, 3 and 5 Golen Drive, Zoned C-I Within the Route 102 Performance Overlay District.

George Chadwick of Bedford Design Engineers and Surveyors was joined by applicant Glen Kaplan of KDG to present a 58 unit (112 bed), two story assisted living facility on five lots at the corner of Rte. 102 and Meadow Drive. G. Chadwick stated that all zoning and site plan regulations can be met with the exception of density since only 27 units would be permitted under this proposal (see Attachment #3). A variance from the Zoning Board will be required to permit the density sought. G. Kaplan described the units as being the equivalent of two bedroom apartments (with the exception of two of the units having only one bedroom), and described the facility as having the degree of amenities where residents would not have to leave the facility if they chose not to. An architectural rendering was offered (see Attachment #4), as well as a third illustration showing the pairing of this project with a proposed elderly housing project on abutting lots to the east (see Attachment #5). The elderly development, known as Calamar Senior Housing, is still in the conceptual stage, but intended to go before the Board for approval in the near future. G. Chadwick said that if the variance for density is granted to KDG, the applicant would then meet with the Conservation and Heritage Commissions while submitting for the design review process with the Planning Board.

A. Rugg asked for comments from Staff.

J. R. Trottier stated that a traffic scoping meeting would be required with the State Department of Transportation (DOT) because of the less than ideal intersection at Meadow Drive and state road Rte. 102. He verified with G. Chadwick that municipal sewer would be extended from the Calamar site once Calamar extends it from Woodland Village to the northeast. C. May stated that both facilities would provide a preferable transition between the commercial

uses along Rte. 102 and the residential uses to the east. Having those related uses together in such close proximity would be a benefit to the community as well. While the density of the KDG project would be higher than what is permitted under the ordinance, she noted this would be offset by a significantly lower traffic volume compared to commercial uses allowed there since most residents would not use personal vehicles. She added it would be preferable to other commercial projects proposed for this area over the years because of fewer negative aesthetic impacts. As with the Calamar project, having retail uses (Crossroads Mall, various pharmacies, etc.) and medical facilities (Elliot Medical Center) so close by would make this location well suited for an assisted living facility.

A. Rugg asked for Board input.

L. Reilly inquired about the number of work shifts and employees. G. Kaplan explained that three shifts would run the facility 24 hours a day and that at the most, 22 employees would be on site during any one of those shifts. L. El-Azem requested that additional vegetative screening be considered to shield the facility from Rte. 102 since the illustration submitted indicates more vegetation than what currently exists on those lots. Board members were in agreement that the transition was very appropriate and were in favor of the concept. The main concern was over the aforementioned intersection, because although this use would produce far less traffic than a typical commercial use, the intersection of Meadow Drive and Rte. 102 still poses the possibility of accidents due to its angle, slope and the lack of a turn lane. J. Laferriere pointed out the higher risks involved with elderly drivers and those visiting the site that may not be familiar with the area.

A. Rugg entertained public input. There was none.

A. Rugg asked the applicant if they had any questions of the Board. They had none and thanked the Board for their time and input.

C. M + M A Smith Properties LP (Owner), and Town Fair Tire (Applicant), Tax Map 7 Lot 73-2 – Conceptual discussion of a proposed Tire Sales and Service Facility at 31 Nashua Road, Zoned C-I.

Attorney Morgan Hollis of Gottesman & Hollis was joined by John Wypychoski, Director of Store Development for Town Fair Tire, and engineer Mike Laham of Engineering Alliance to present this conceptual redevelopment of the gas/service station located between Hampton and Palmer Drives on Rte. 102. The gas station, repair shop, pumps and tanks would be replaced with a 7,000+ sf Town Fair Tire facility that would feature a sales area at the front of the building, tire storage and employee space in the middle, and a 5-bay service area in the rear (see Attachment #6). The retail sales and installation use is permitted in the C-I zone and J. Wypychoski emphasized that servicing would be limited to tire installation, balancing and alignment. The two existing entrances, one onto Hampton Drive and the other onto Palmer, would be retained, however the curb cut widths will be reduced. Parking would be

available on all four sides of the building. Thirty one spaces would be required for this use and 35 are currently proposed to meet the applicant's needs.

Being surrounded by three rights of way, the site is tightly constrained by 60-foot building setbacks on those three sides. The current development on the site is non-conforming due to pavement encroaching into the front green space and M. Hollis said the proposed plan would do the same, just not to the degree the current use does. For this reason and because of a proposed eight foot retaining wall which would be within the rear and side setbacks, the applicant will be seeking variances from the Zoning Board before continuing with the Planning Board. The retaining wall option was chosen after considering various ways to work with the topography of the site and the steep drop off at the back. M. Laham noted the two examples of retaining walls on the conceptual plan (Attachment #5) and asked for the Board's input on the use of an eight foot wall. He described the proposed drainage for the site, which he said could include a form of infiltration through the use of porous pavement, which would require a waiver from the site plan regulations.

A. Rugg asked for comments from Staff.

J. R. Trottier asked if the retaining wall was planned to be on the property line itself. M. Laham said it would be at least a couple feet off the lot line. J. R. Trottier explained the concern that if the wall failed, it could impact the Town right of way on Palmer Drive. He recommended that it be constructed with this in mind, so that if it does fail, it does not fall into the right of way or the road itself. J. R. Trottier said the applicant should determine 1) if a slope easement currently exists on the site and 2) exactly what has created the wetlands found on the east corner of the lot, i.e. whether they are natural or manmade via an existing drainage system off site. He recommended against the use of alternatives to the Town's drainage regulations, stating the tendency for maintenance to be overlooked if the system is not above ground and fully visible. C. May conveyed the applicant's efforts to design the site to their needs, given the significant area limitations on the site. She considered the proposed use to be the highest and best for that commercial property and noted not only an increase in green space, but an anticipated decrease in traffic volume when switching from a gas station to a retail tire store.

A. Rugg asked for Board input.

Most of the discussion focused on the retaining wall and drainage; concerns were expressed over a possible increase in the rate and volume of stormwater runoff from the site, something not permitted by the Town's regulations, and whether the use of infiltration could put pressure on the retaining wall and cause it to fail. This could not only impact Palmer Drive, but Applewood Learning Center to the immediate east of the site which is at a significantly lower topography. Board members agreed the concept would bring desirable improvements to the lot and many were open to the idea of alternatives to current drainage techniques. A. Rugg reminded the applicant they would need to present to the Heritage Commission, who will provide input on the

1 2 3 4 5 6 7 8	architectural, signage and landscape designs. He also recommended the proactive step of contacting abutters to obtain their input, particularly Applewood Learning Center, since they would be most impacted by the aesthetics of the retaining wall structure. Snow storage would be another issue to consider, he said, since the limited space, further constrained by wetlands, above ground drainage, parking, and landscaping would most likely make complete removal of snow a necessity.
9 10	A. Rugg entertained public input. There was none.
11 12 13	A. Rugg asked the applicant if they had any questions of the Board. They had none and thanked the Board for their time and input.
14 15	Other Business
16 17	There was no other business.
18 19	Adjournment:
20 21 22	M. Soares made a motion to adjourn the meeting. L. El-Azem seconded the motion. Vote on the motion: 8-0-0.
23 24	The meeting adjourned at 8:26 PM.
25 26	These minutes prepared by Associate Planner Jaye Trottier
27 28 29 30 31 32	Respectfully Submitted,
33	Lynn Wiles, Secretary



July 02, 2014

Ms. Jaye Trottier, Associate Planner Londonderry Planning Department 268B Mammoth Road Londonderry, New Hampshire 03053

Subject:

KAK Real Estate Holdings – Non-Residential Site Plan Approval 80 Perkins Road (Map 15 – Lot 55); Londonderry, New Hampshire

KNA Project No. 13-1104-5

Dear Jaye:

As you may recall, on March 20, 2014 the Londonderry Administrative Review Committee granted conditional final approval to a minor site plan application involving the subject premises. In accordance with the terms of that approval, all conditions of approval must be fulfilled within 120 days, which in this instance translates to July 18, 2014. Based upon input received from your office, we understand the only available public meeting at which the final project plans are eligible to be signed by the Planning Board is scheduled for July 9th.

Subsequent to the date of receipt of conditional approval, our client encountered a previously unforeseen impediment, unrelated to the terms and conditions of his March 20th approval, which caused a delay in their ability to successfully demonstrate fulfillment of applicable conditions of their approval. That impediment was recently resolved such that this office, on behalf of KAK Real Estate Holdings, is now able to advance a submittal to your Department for the purposes of demonstrating compliance with each applicable condition of approval. Correspondingly, we anticipate a submittal to your Department will be forthcoming during the week of July 7th. Obviously, with July 9th being the final date, prior to July 18th, at which final plans are eligible to be signed by the Planning Board, this convergence of dates effectively serves to truncate KAK's available time frame for perfecting their approval to less than the 120 days initially allocated under their approval. On that basis, we request the Planning Board, as part of its July 9th agenda, grant KAK Real Estate Holdings a time extension, not to exceed 60 days, to perfect their site plan approval granted on March 20th. While we do not anticipate needing the full 60 day window requested to bring this approval to fruition, we feel this is a reasonable request in that it serves to create a "safety net" for all parties concerned. As always, please contact me directly if you should have specific questions or concerns related to this request. Once again, I thank you for your timely and thoughtful assistance in regard to this matter.

Sincerely:

Steven B. Keach, P.E.; President Keach-Nordstrom Associates, Inc.

Civil Engineering

Land Surveying

Landscape Architecture







All American Assisted Living at Londonderry

Front Entry Rendering











Tax Map 7 Lots 132-1, 2 & 8-20 Londonderry, NH



