#### LONDONDERRY, NH PLANNING BOARD

### MINUTES OF THE MEETING OF OCTOBER 1, 2014 AT THE MOOSE HILL COUNCIL CHAMBERS

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Members Present: Art Rugg; Mary Soares; Lynn Wiles; Chris Davies; Jim Butler, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; Leitha Reilly, alternate member; Al Sypek, alternate member; and Ann Chiampa, alternate member

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

A. Rugg called the meeting to order at 7:00 PM. He appointed L. Reilly to vote for Laura El-Azem and A. Sypek to vote for Scott Benson.

#### **Administrative Board Work**

A. Approval of Minutes – September 3 and September 10, 2014

M. Soares made a motion to approve and sign the minutes from the September 3, 2014 meeting. L. Wiles seconded the motion. No discussion. Vote on the motion: 7-0-1.

(L. Wiles abstained as he did not attend the September 3, 2014 meeting).

M. Soares made a motion to approve and sign the minutes from the September 10, 2014 meeting. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

Minutes for September 3 and September 10, 2014 were approved and signed at the conclusion of the meeting.

B. Extension Request – Wallace Farm Site Plan, Map 16 Lots 1 and 3, 48 and 62 Perkins Road, Zoned AR-I [Conditionally Approved June 11, 2014].

C. May referred to a letter from Attorney Jay Leonard, representing Wallace Farm, LLC, requesting a one year extension of the site plan that will expire on October 9, 2014 (see Attachment #1). She explained that the applicant has a small number of conditions of approval to address before the plan will be ready for signature.

M. Soares made a motion to grant a one year extension to October 9, 2015. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

C. Public Hearing to amend the Conditions of Approval for the Wallace Farm, LLC (Owner and Applicant), Site Plan, Tax Map 16 Lots 1 and 3; 48 and 62 Perkins Road, Zoned AR-I [Conditionally Approved June 11, 2014].

1 2 3		<ul> <li>A. Rugg announced that Wallace Farm, LLC has requested a continuance of this public hearing to the November 5, 2014 meeting (see Attachment #2).</li> <li>M. Soares made a motion to continue the Wallace Farm, LLC Public Hearing to the November 5, 2014. meeting L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.</li> <li>A. Rugg noted that this would be the only public notice of the continuation to November 5, 2014 at 7 PM.</li> </ul>				
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25						
	D.		Regional Impact Determinations – All American Assisted Living Site Plan, Map 7 Lots 132-1, 2, 10, 11 & 12			
		C. May stated that the All American Assisted Living site plan on Map 7 Lots 132-1, 2, 10, 11, & 12 is not a development of regional impact, as it does not meet any of the regional impact guidelines suggested by Southern NH Planning Commission (SNHPC).				
		M. Soares made a motion to accept Staff's recommendation that the All American Assisted Living Site Plan is determined not to be of regional impact under RSA 36:56. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.				
		E.	Dis	scus	ssions with Town Staff	
26 27			•	Lit	chfield Road improvements	
28 29 30 31 32				ma po	Rugg asked J. R. Trottier about the status of the improvements being ade to Litchfield Road. J. R. Trottier replied that because the utility les will not be relocated before the end of the year, the work will not completed until 2015.	
33			•	Pla	ans signed	
34 35 36				sig	May notified the Board that following the recent change in plan planture policy (see August 13, 2014 minutes), the following plans have en signed at the Town Offices:	
37				0	Wolfinger two lot subdivision	
38				0	Londonderry Fish & Game site plan	
39				0	3 & 9 Alexander lot line adjustment plan	
40				0	Londonderry Baptist Church site plan	
41				0	Prologis Phase II site plan	
42				0	Prologis Subdivision plan	
43				0	Milton CAT lot line adjustment plan	

• Master Plan Implementation Committee

A. Rugg noted that the next meeting of this Committee will take place on October 22, 2014.

#### Public Hearings/Workshops/Conceptual Discussions

A. Public Hearing to amend the Conditions of Approval for the Wallace Farm, LLC (Owner and Applicant), Site Plan, Tax Map 16 Lots 1 and 3; 48 and 62 Perkins Road, Zoned AR-I [Conditionally Approved June 11, 2014].

The Board voted earlier in the evening to continue this public hearing to the November 5, 2014 meeting at the applicant's request. A. Rugg noted that the vote would be the only public notice of the continuance.

- B. Team Business Development Corporation (Owner) and Calamar Builders (Applicant), Tax Map 7 Lots 132-8, 9 and 13 through 20 Application Acceptance and Public Hearing for formal review of a lot consolidation and roadway lot line adjustment plan to consolidate Lots 132-8, 9 and 13 through 20, to discontinue Golen Drive, and to terminate Reed Street in a cul de sac within the consolidated area, creating a new lot of 12.725 acres. Street addresses for the aforementioned lots are 5 Button Drive; 4, 6, 7, 8, 9, 11 and 12 Golen Drive; and 1 & 3 Reed Street, Zoned C-I in the Route 102 Performance Overlay District.
  - J. R. Trottier stated there were no checklist items and that Staff recommends the application be accepted as complete.
  - M. Soares made a motion to accept the application as complete per Staff's Recommendation memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.
  - A. Rugg noted that the 65 day time frame for the Board to render a decision under RSA 676:4 commenced with acceptance of the application as complete.

George Chadwick of Bedford Design Consultants was joined by applicant Christopher Trevisani of Calamar Builders to present this proposal that will consolidate Lots 132-8, 9 and 13 through 20, after which a portion of Golen Drive will be discontinued and Reed Street will be terminated in a cul de sac built to Town standards on the eastern edge of the property (see Attachment #3). A 110-unit elderly housing (55+) development is proposed for the resulting 12.725 acre parcel (see next agenda item). Following its discontinuance, the approximate first half of Golen stemming from Button Drive will become a private driveway and will be shared with a separate development to occur on Lots 132-1, 2, 10, 11 and 12 to the west. The discontinuances are the jurisdiction of the Town Council and G. Chadwick said the first reading of the two orders has already taken place and will be followed by the second reading/public hearing to occur in the near future. A proposed utility easement will extend sewer service to the elderly housing development from the northeasterly abutting Woodland Condominium development and there are plans to bring both public water and natural gas to the property as well via the new lot's frontage on Button Drive. C. May noted later on that a

precedent condition for plan approval will be the merger of lots 132-10, 11, and 12 on the opposite side of Golen so that they will not lose their frontage and be considered unbuildable once Golen is discontinued as a Class V road. Being in common ownership, it will be a relatively simple voluntary merger with the resulting single lot having frontage on Button Drive.

A. Rugg asked for Staff input.

J. R. Trottier read into the record the waiver request from the Staff Recommendation memo:

 1. Sections 3.02 and 4.12.c.4 requiring the plan indicate and label all monuments. The applicant is requesting that the monumentation for the proposed common lot line to be created down the centerline of Golen Drive, which will become the private common driveway for both sites in the future, be shown as off-set from the property line and on the abutting lot along the westerly portion of the site. Staff recommends *granting* the waiver because it's not feasible to locate boundary monuments within the pavement of Golen Drive, and it would be appropriate to place them on the side as requested.

J. R. Trottier also summarized the engineering review letter (see Attachment #4).

A. Rugg asked for comments and questions from the Board.

C. Davies confirmed that the cul de sac to be added to Reed Street will conform to Town standards. There were no additional questions from the Board.

A. Rugg asked for public input. There was none.

M. Soares made a motion to approve the applicant's request for the waiver previously noted as outlined in Staff's Recommendation Memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

M. Soares made a motion to grant final approval to the Lot Consolidation and Roadway Lot Line Adjustment Plan for Calamar Builders (Applicant), Map 7 Lots 132-8, 9 and 13 through 20, to consolidate Lots 132-8, 9 and 13 through 20, to discontinue Golen Drive, and to terminate Reed Street in a cul de sac within the consolidated area, creating a new lot of 12.725 acres, in accordance with the plans prepared by Bedford Design Consultants, Inc., dated July 22, 2014, and last revised September 9, 2014, 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 October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

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C. Team Business Development Corporation (Owner) and Calamar Builders (Applicant), Tax Map 7 Lots 132-8, 9 and 13 through 20 – Application Acceptance and Public Hearing for formal review of a site plan to construct a 110-unit senior housing development with associated parking and facilities at 5 Button Drive; 4, 6, 7, 8, 9, 11 and 12 Golen Drive; and 1 and 3 Reed Street, Zoned C-I in the Route 102 Performance Overlay District.

- J. R. Trottier stated there were no checklist items and that Staff recommends the application be accepted as complete.
- M. Soares made a motion to accept the application as complete per Staff's Recommendation memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.
- A. Rugg noted that the 65 day time frame for the Board to render a decision under RSA 676:4 commenced with acceptance of the application as complete.

George Chadwick of Bedford Design Consultants and Christopher Trevisani of Calamar Builders briefly reviewed this proposal to construct 110 units of rental elderly housing in three separate buildings on what will become 1 Button Drive once the ten lots involved are consolidated (see previous agenda item). Since the conceptual presentation to the Board in March of this year, the applicant has received the several variances needed from the Zoning Board to make the project viable. With the discontinuation of Golen Drive as a Town road by the Town Council, approximately the first half of that right of way will serve as a driveway and main access to the site. A gated entrance to be used by emergency vehicles only will be created on the future cul de sac where Reed Street will be terminated on the eastern border of the property.

- G. Chadwick briefly reviewed drainage for the site, adding that a Conditional Use Permit (CUP) is being sought for the permitted use of drainage improvements within the Conservation Overlay District (COD) wetland buffer which will result in 5,690 square feet of impact. The Conservation Commission recommended approval of the CUP on September 23. Input from the Heritage Commission was also received and the building design met with their approval (see Attachment #5). The Heritage Commission similarly recommended approval of the sign for the development (see Attachment #6), but requested that downcast lighting be used on it, which G. Chadwick confirmed would be the case.
- G. Chadwick itemized utilities to be brought to the site, including public sewer to be extended from the Woodland Village condos to the northeast and Pennichuck water through the relocation of the water line from the intersection of Reed Street and Golen Drive. He added that the sewer line will be extended past this site to the lots to the west where an assisted living facility is planned. One waiver related to plan scale is being requested, as is an exemption from the residential phasing requirements of the zoning ordinance (see both below under Staff comments). An agreement related to the phasing that will be recorded at the Rockingham County Registry of Deeds will certify that the units will be restricted 100% to elderly residents aged 55 and over. A Fiscal Impact Analysis performed by Fougere Planning determined a positive net tax impact

to Town services of \$58,016 a year and to the School System of \$246,300 a year.

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During the aforementioned conceptual presentation to the Board, concerns were raised over adding traffic to the intersection of Route 102 and Meadow Drive, which is already viewed by many as a potentially dangerous juncture. G. Chadwick said the analysis of the traffic counts performed by the applicant's traffic consultant was reviewed by the Town as well as the NH Department of Transportation since Rte. 102 is a State road. The subsequent design provided by the State DOT calls for the applicant to upgrade the existing paved shoulders on 102 to the same cross section as the travel way for a distance of 800 feet. DOT will then, at some point in the future, perform an overlay of that area and restripe a left hand turn lane to access Meadow Drive. In addition, the applicant is proposing to widen and restripe Meadow Drive at its intersection with 102 to create a dedicated left and right turn lanes. The costs of the upgrades will be split between the applicants of the Grand Estate project and the All American Assisted Living Facility planned for the lots abutting to the west. J. Butler guestioned whether the improvements on Meadow Drive would create a degree of stacking that would interfere with access to those projects. Traffic consultant Steven Pernaw explained that trip generation and distribution figures resulting from the traffic study indicated that during the peak morning hour, four vehicles took left turns out of Meadow onto 102. Over 90% of vehicles leaving Meadow at that intersection took right turns. The rationale for the widening the mouth of Meadow was more about preventing the few vehicles seeking a left hand turn from blocking those looking to turn right and causing a backup. Presently, S. Pernaw said, there is no significant amount of stacking taking place on Meadow to access either direction on 102. The additional traffic to be created by both the elderly housing and the assisted living facility will amount to 13 more right turns in the peak morning hour and 19 during the peak PM hour. He classified these as small numbers that will result in short queues on Meadow Drive.

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A. Rugg asked for Staff input.

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J. R. Trottier read into the record the waiver request from the Staff Recommendation memo:

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1. Section 4.01.C which states that the maximum scale of the site plan cannot exceed 1"=40'. The applicant is requesting a scale of 1"=50' be allowed for the site plan sheet. Staff recommends granting the waiver because this will allow the site to be shown on a single sheet while still being sufficiently legible.

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J. R. Trottier also summarized the engineering review letter (see Attachment #7).

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C. May pointed out a precedent condition for plan approval, that being a Development Agreement, which will address in part the off-site traffic mitigation on both Rte. 102 and Meadow Drive. All general and subsequent conditions of approval will be included in the Development Agreement, something which will be approved by the Town Attorney and signed by the Town Manager. One of those subsequent conditions involves the certification

of the project as having 100% elderly residents, something explained in the Staff Recommendation memo as follows:

1. The applicant has requested an exemption from Residential Development Phasing, Section 1.3.3 of the Londonderry Zoning Ordinance as provided under Section 1.3.4. Staff supports *granting* the waiver because the elderly housing project is proposed in accordance with the definition in Section 4.7 of the ordinance and the owner will enter into an agreement to be filed at the Rockingham County Registry of Deeds certifying that the project will be utilized and restricted to 100% elderly occupants aged 55 and over.

C. May also referred to the Conditional Use Permit request from the Staff Recommendation memo:

1. The applicant has requested a Conditional Use Permit to allow a permitted use in the Conservation Overlay District. The request is to allow 5,690 square feet of impact to the Conservation Overlay District (COD) wetland buffer associated with grading for two stormwater treatment basins. The Conservation Commission is recommending approval of the CUP. Staff recommends *granting* the Conditional Use Permit because the application meets the criteria as outlined in Section 2.6.3.4.1 of the zoning ordinance.

A. Rugg asked for comments and questions from the Board.

Board members still expressed concerns about increased traffic and L. Reilly asked whether this would be considered a development of regional impact when combined with the future assisted living facility. Staff explained that traffic concerns were expressed to the applicant early on and the project as presented here adequately addresses the impacts associated with the proposal on that area, not just at the intersection of Meadow and Rte. 102. C. May stated that even the two projects together would not be qualified as having regional impact based on the regional impact criteria suggested by the Southern NH Planning Commission (SNHPC).

J. Butler noted that additional handicap parking was discussed at the Heritage Commission meeting and asked if the current plan reflected any changes in that regard. G. Chadwick replied that adding handicap spaces was found not to be possible if the site was to comply with other ordinance requirements, particularly in view of the variances received. A. Chiampa asked later on if any regular sized handicap parking spaces (i.e. not those requiring the width of a van accessible space) could be substituted for regular parking spaces at the main entrance. G. Chadwick said he would look into the possibility.

Concerns expressed about whether the amount of overall parking proposed would be adequate were addressed by Staff who explained that Londonderry parking regulations typically exceed national parking standards in all categories and that this project should provide sufficient parking for residents and visitors. G. Chadwick noted that the developer is very familiar with how much handicap

parking and overall parking is needed based on their other elderly housing developments around the country.

J. Butler verified that both the Police and Fire departments were consulted for the fiscal impact analysis submitted. He also inquired about trash pickup and whether residents will be able to install satellite dishes. G. Chadwick noted the location of two screened dumpsters on the north end of the lot and C. Trevisani stated answered satellite dishes will not be permitted. He said access to cable will be provided to all residents. M. Soares confirmed that three existing utility poles on Golen Drive will remain, while the rest on Golen and Reed Street will be discontinued and those utilities placed underground. A. Sypek inquired about emergency backup power, particularly since handicapped residents will not be restricted to the first floor of the buildings. C. Trevisani said the emergency generator will provide power for the oversized elevators and emergency lighting and when asked about sprinklers, said the units and common areas are fully sprinklered and that the buildings all have fire alarms.

A. Rugg asked for public input. There was none.

M. Soares made a motion to approve the applicant's request for the exemption to Section 1.3.3 of the Zoning Ordinance for Residential Development Phasing as outlined in Staff's Recommendation Memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

M. Soares made a motion to approve the applicant's request for the waiver previously noted as outlined in Staff's Recommendation Memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

M. Soares made a motion to approve the applicant's request for the Conditional Use Permit as outlined in Staff's Recommendation Memo Dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

M. Soares made a motion to grant final approval to the Site Plan for Calamar Builders (Applicant), Map 7 Lots 132-8, 9 and 13 through 20, to construct a 110-unit senior housing development with associated parking and facilities at 5 Button Drive; 4, 6, 7, 8, 9, 11 and 12 Golen Drive; and 1 and 3 Reed Street, Zoned C-I in the Route 102 Performance Overlay District, in accordance with the plans prepared by Bedford Design Consultants, Inc., dated July 22, 2014, and last revised September 9, 2014, 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 October 1, 2014, including the Development Agreement, the work on Meadow Drive that was indicated in the traffic study, and certifying the phasing. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

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- D. Alliance Energy Corporation (Owner) and Global Montello Group Corporation (Applicant), Tax Map 7 Lot 73-1 Application Acceptance and Public Hearing for formal review of a site plan to demolish an existing convenience store and fuel dispensing area and construct a new retail motor fuel outlet with convenience store, drive-thru donut shop, fuel dispensing area, and associated improvements at 1 Hampton Drive, Zoned C-II.
  - J. R. Trottier stated there were no checklist items and that Staff recommends the application be accepted as complete.
  - M. Soares made a motion to accept the application as complete per Staff's Recommendation memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.
  - A. Rugg noted that the 65 day time frame for the Board to render a decision under RSA 676:4 commenced with acceptance of the application as complete.

Engineer Huseyin Sevincgil of MHF Design Consultants, Inc. and Attorney Bob Best of Bianco Professional Association presented this proposal to redevelop the existing gas station on Route 102 near Exit 4. Several issues brought up on April 9, 2014 when the plan was presented conceptually to the Board have been addressed, including moving a trash enclosure so it meets the setback requirements, removing a bypass lane adjacent to the proposed drive-thru lane and withdrawing a proposal to use underground drainage. The three existing points of access will be retained, i.e. two driveways off Hampton Drive and a driveway connecting Lot 73-1 to Lot 72 to the east. The number of fueling locations will be decreased from ten to eight. A new convenience store with a drive-thru providing stacking for ten vehicles will replace the store on the site now. The Heritage Commission was consulted twice during the year, in May and June.

- H. Sevincgil reviewed the five waiver requests, explaining the rationale for each (see below under Staff input). J. R. Trottier suggested it would be helpful for the Board to hear from the applicant's traffic consultant, Heather Monticup of Greenman-Pedersen, Inc. Using Institute of Transportation Engineers (ITE) data, she explained that ten new trips in the AM peak hour would be generated by the redevelopment and four new trips would be added during the Saturday midday peak hour, however the number of trips in the peak PM hour would be decreased by three. Stacking for the drive-thru was assessed by comparing three other existing drive-thru sites in Londonderry (on Nashua Road, Rockingham Road and Mohawk Drive). The average queue was found to be five vehicles and the maximum was ten, for which this plan provides.
- A. Rugg asked for Staff input.
- J. R. Trottier read into the record the five (5) waiver requests from the Staff Recommendation memo:
- 1. Section 3.07.g.1 requiring a minimum allowable pipe diameter in any storm drain system to be 15". The applicant is requesting the use of a 12" pipe to connect to an existing closed drainage system to the east. Staff recommends *granting* the waiver because it is sound engineering

practice that all upstream drain lines shall not exceed the existing 12" downstream pipe and because adequate flow capacities for the proposed development will not be affected.

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> 2. Section 3.08.b.5 requiring a minimum sight distance of 365 feet in all directions at roadway intersections. The applicant states that they cannot meet the 365' of sight distance in all directions because of the curvature of Hampton Drive and the proximity to Route 102. They can, however, show the existing all season safe sight distance which is similar to what was approved and signed by the Planning Board on August 2, 2006. Staff recommends granting the waiver because this is an existing curb cut and they are not proposing to modify the locations.

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3. Section 3.08.c. requiring sidewalks for pedestrians. The applicant is requesting the waiver because no sidewalks currently exist on either Route 102 or Hampton Drive. Staff recommends granting the waiver because this is an existing development and there are no reasonable opportunities to provide sidewalks.

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4. Section 3.11.q.1.i requiring the dedication of 10% of any parking lot located in front of the principal building to landscaped areas. One of the three parking areas on this site (i.e. the area facing Hampton Drive) is too constrained to meet the requirement. Staff recommends granting the waiver because the proposed redevelopment improves the landscaping where it is reasonably possible, given existing site constraints.

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5. Section 3.13.c.12 requiring proposed outdoor lighting not exceed 0.2 footcandles at the property line. The applicant is requesting lighting levels be slightly higher than 0.2 footcandles at the driveway entrance on Hampton Drive as well as the driveway connection with Map 7 Lot 72 to the east. Staff recommends *granting* the waiver because it is safer to have adequate lighting at access points to the lot.

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J. R. Trottier also summarized the engineering review letter (see Attachment #8).

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A. Sypek inquired about snow storage for the site. H. Sevincgil explained that landscaped areas around the perimeter would be utilized and excess snow would be removed from the property so as not to impede vehicle access around the site. A. Chiampa asked if the renderings presented (see Attachment #9) reflected the final design for the structures. H. Sevincgil said they were, and A. Chiampa asked if the dentil molding found on the canopy had been removed as it was seen on it at one of the Heritage Commission meetings and there the request was made to add matching dentil molding to the building. A. Rugg questioned whether there had been consensus amongst Commissioners to add the molding to the building, but A. Chiampa and J. Butler believed there had been. A. Rugg said the minutes of the meeting would have to be reviewed. J. Butler verified that the HVAC system on the roof

50 51 of the convenience store was going to be screened with white railing (see

Lynn Wiles, Secretary

Attachment #9). There was some discussion about whether the enclosure should be solid, but C. May explained that a solid enclosure is actually more visually distracting and will tend to call attention to that part of the building. C. Davies confirmed that the 90 degree change in orientation of the new gas pumps combined with the addition of the drive-thru lane is not expected to create confusion for regular customers and impact circulation.

A. Rugg asked for public input. There was none.

M. Soares made a motion to approve the applicant's request for the waivers numbered 1 through 5 as outlined in Staff's Recommendation Memo dated October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

M. Soares made a motion to grant final approval to the Site Plan for Global Montello Group Corporation (Applicant), Map 7 Lot 73-1, to demolish an existing convenience store and fuel dispensing area and construct a new retail motor fuel outlet with convenience store, drivethru donut shop, fuel dispensing area, and associated improvements at 1 Hampton Drive, Zoned C-II, in accordance with the plans prepared by MHF Design Consultants, Inc., dated July 8, 2014, and last revised September 11, 2014, 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 October 1, 2014. L. Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.

#### Other Business

There was no other business.

#### **Adjournment:**

M. Soares made a motion to adjourn the meeting. R. Brideau seconded the motion. Vote on the motion: 8-0-0.

The meeting adjourned at 8:42 PM.

These minutes prepared by Associate Planner Jaye Trottier

Respectfully Submitted,



### WELTS, WHITE & FONTAINE, P.C. Attorneys at Law

THOMAS J. LEONARD tileonard@lawyersnh.com

September 22, 2014

VIA EMAIL: jtrottier@londonderrynh.org

Town of Londonderry Planning Board 268B Mammoth Road Londonderry, NH 03053

Re: Wallace Farm, LLC Tax Map 16 Lots 1 and 3 - Site Plan to Construct 240

Rental Apartments Inclusionary/Workforce Housing

Dear Ms. Trottier:

Please accept this letter as a formal request to allow additional time to meet the conditions precedent set forth in a Notice of Decision dated June 19, 2014 regarding the above-entitled project. In the decision, the applicant was given one hundred twenty (120) days within which to accomplish the conditions precedent and have the plans certified as final. Despite diligent and good faith efforts, the applicant has not been able to accomplish all conditions precedent. By this letter, the applicant is requesting an additional year.

Over the last several months, we have been working diligently to meet the conditions of our final approval. Most of the conditions are well along and we expect to have most completed and finalized within the next thirty (30) to forty-five (45) days.

While we have worked diligently toward the New Hampshire DOT permit, we will need additional time. New Hampshire DOT has approved the concept design and the Planning Board and Stan Tech have also agreed in concept. We have worked with a neighboring property owner and we believe we have reached an agreement in that regard as well. However, the plans and permitting process will require additional time for the final plans and a complete approval.

Accordingly, the applicant requests that the Board grant a one year extension of the approval.

Thank you for your anticipated understanding.

Very truly yours,

Thomas J. Leonard

cc: Thomas F. Monahan

From: Thomas J. Leonard
To: Cynthia May

Cc: John Trottier; Richard Canuel; Libby Canuel; Jaye Trottier; Mark Fougere; Tom Monahan

Subject: RE: Wallace Farm Meeting

**Date:** Wednesday, October 01, 2014 10:14:52 AM

#### Good morning Cynthia,

Please accept this email as confirmation that our request before the Planning Board tonight is limited to the extension of the plan approval. We are asking that the other matters raised by my letters be postponed until the first meeting in November.

Thank you, Jay Leonard

Thomas J. Leonard Attorney at Law Welts, White & Fontaine, PC

tjleonard@lawyersnh.com ph. 603-883-0797 cell 603-315-1084

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**From:** Cynthia May [mailto:cmay@londonderrynh.org]

Sent: Tuesday, September 30, 2014 12:29 PM

To: Thomas J. Leonard

Cc: John Trottier; Richard Canuel; Libby Canuel; Jaye Trottier

Subject: Wallace Farm Meeting

Jay,

We are available at 4:00 today to meet.

Cynthia

Cynthia A. May, ASLA

Town Planner | Department Manager Planning & Economic Development Department 268 B Mammoth Road Londonderry, NH 03053

(v) 603.432.1100 ext. 103

(f) 603.432.1128

cmay@londonderrynh.org

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#### **MEMORANDUM**

To: Planning Board Date: October 1, 2014

From: Planning and Economic Development Re: Tax Map 7, Lots 132-7, 132-8 &

Department of Public Works & Engineering
Stantec Consulting Services, Inc.

132-13 through 132- 20
Lot Line Adjustment Plan
Button Drive and Reed Street

Owner: Team Business Develop. Corp.

Applicant: Calamar Builders

Bedford Design Consultants, 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 not provided proper monuments along the westerly portion of the site at Golen Drive per section 3.02 and 4.12.c.4 of the regulations. As discussed with the Applicant, offset monuments on the subject lot (versus upon the abutting lots) should be provided and shown on the plan. The Applicant has submitted a <u>waiver request</u> for this requirement.
- 2. The project notes indicate the new lot would be serviced by extension of the Town's sewer system, but it appears the utility extension and easement occur easterly from and upon abutting lots 124-29 and 124-24. The Applicant's draft easement information provided with the application only includes abutting lot 124-29 and is not signed by the abutter. Please clarify the easement limits shown across each abutting lot (124-29 and 124-24) on the plans. In addition, please provide documentation that the abutter of lot 124-24 has agreed to any proposed easements and provide a copy of the executed easement or agreements from each abutter for the Town's file. In addition, please obtain a Londonderry Sewer Discharge Permit for the site since it is our understanding that the site currently is not serviced by the Town's sewer system.
- 3. It appears the discontinuance of Golen Drive would eliminate the frontage on a class V or better roadway at existing lot 132-11. In addition, access to existing lot 132-12 may also be lost since access from NH Route 102 would require a NHDOT permit. Based upon a meeting with the Applicant, it is our understanding that the Owner of the existing abutting lots along the westerly portion of Golen Drive, also includes lots 132-11 and 132-12, and would submit a voluntary merger form to merge all of the existing lots to address this issue. However, the Applicant did not provide the necessary form with the project submission. We recommend the Applicant arrange a meeting with the Department of Public Works, Planning

Memorandum - Proposed Lot Line Adjustment for Tax Map 7 Lots 132-8, 132-9, and 132-13 thru 132-20 Button Drive and Reed Street Londonderry, NH, Applicant: Calamar Builders October 1, 2014 Page 2

Department, and Zoning Officer to discuss the impacts of the roadway discontinuance upon the lots to remain that currently have frontage on Golen Drive. Please update as necessary acceptable to the Town.

- 4. The Applicant shall address the following relative to the proposed cul-de sac design for Reed Street shown on sheet 4 per section 4.16 of the Subdivision Regulations:
  - a. The design includes construction of a new catch basin #151 located near abutting Lot 132C-55 and drain pipe connection to an existing catch basin east of the proposed cul-de-sac. We note the proposed drain line will be approximately 5 feet from the abutting lot and recommend a drain easement upon lot 132C-55, located a minimum of 10 feet from the proposed drain line, be provided per section 3.03.F and 3.09.L of the Subdivision Regulations. Please update the design and plans accordingly.
  - b. Please indicate the new drain pipe invert into the existing catch basin in the plan view per section 4.16.A.19 of the regulations.
  - c. The proposed sewer line and gas line shown are associated with the separate site plan utilities to serve the proposed buildings. Please provide notes and additional information on the plan that addresses the design elevations for the proposed sewer manholes, pipes and the proposed gas line consistent with the site plan, per section 4.16.B of the regulations and as acceptable to the Department of Public Works. We recommend the utilities be labeled as proposed and as private services. The easements for the utilities should also be labeled.
  - d. Please provide roadway cross sections for the new Reed Street cul-de-sac per section 4.16.E of the Subdivision Regulations.
  - e. Please provide roadway centerline geometry for the new cul-de-sac per section 4.16.C.1.xii of the Subdivision Regulations.
  - f. Please provide a benchmark for the proposed roadway design construction per section 4.16.a.17 of the regulations.
  - g. Please indicate temporary erosion control measures for the proposed roadway design construction per section 4.16.a.20 of the regulations.

#### **Board Action Items:**


1. The Applicant is requesting one (1) waiver to the Subdivision Regulations as noted in his letter dated September 29, 2014. The Board will need to consider the waiver under this application.

#### **Board Informational Items:**

1. The project requires action by the Town Council to act upon and complete the discontinuance of Golen Drive and a portion of Reed Street that creates the subject property indicated under this application.

Memorandum - Proposed Lot Line Adjustment for Tax Map 7 Lots 132-8, 132-9, and 132-13 thru 132-20 Button Drive and Reed Street Londonderry, NH, Applicant: Calamar Builders October 1, 2014 Page 3

2. A separate site plan application for the subject property has been submitted and is currently under review by the Town.







#### **MEMORANDUM**

To: Planning Board Date: October 1, 2014

From: Planning and Economic Development Re: Tax Map 7, Lot 132-8

Department of Public Works & Engineering Proposed Site Plan for

Stantec Consulting Services, Inc.

Grand Estate at Londonderry
Button Drive and Reed Street

Owner: Team Business Develop. Corp.

Applicant: Calamar Builders

Bedford Design Consultants, 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. There are no checklist items.

#### **Design Review Items:**

- 1. The Applicant's Master Site Plan is at a scale of 1"=50 feet and does not comply the maximum 1"=40 per section 4.01c of the regulations. The Applicant submitted a <u>waiver</u> request for this requirement.
- 2. The Applicant has not provided utility clearance letters for cable television to serve the site per sections 3.0 and 4.18.B of the Site Plan Regulations. The Applicant shall obtain and provide copies of the required letter for the Planning Department's file.
- 3. The Applicant indicates the NHDES Alteration of Terrain, NHDES Sewer Discharge Permit and Londonderry Sewer Discharge Permit have been submitted. We recommend the Applicant obtain all project permits, indicate the permit approval numbers in note 13 on sheet 1 of 26 and provide copies of all permits for the Planning Division files per section 4.13 of the Site Plan Regulations.
- 4. The project notes indicate the lot will be serviced by extension of the Town's sewer system, but it appears the utility extension and easement occur easterly from and upon abutting lots 124-29 and 124-24. The Applicant's draft easement information provided only includes/identifies abutting lot 124-29 associated with the easement but the easement is not signed by the abutter. Please clarify the easement limits shown across each abutting lot (124-29 and 124-24) on the plans. In addition, please provide documentation that the abutter of lot 124-24 has agreed to any proposed easements and provide a copy of the executed easement or agreements from each abutter for the Town's file. In addition, please obtain a Londonderry Sewer Discharge Permit for the site since it is our understanding that the site currently is not serviced by the Town's sewer system.

Memorandum - Tax Map 7 Lot 132-8
Proposed Site Plan for
Grand Estate at Londonderry
Button Drive and Reed Street
Londonderry, NH,
Applicant: Calamar Builders
October 1, 2014
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- 5. We recommend the Applicant update the existing conditions plan to address the following:
  - a. Please indicate the proposed utility easement across the lot consistent with the lot line adjustment plan.
  - b. Please indicate the access easement and proper monuments adjacent to Golen Drive consistent with the lot line adjustment plan.
- 6. We recommend the Applicant address the following relative to the revised grading and drainage plans:
  - a. The location and/or grading of the flared end sections at the detention basins do not appear to be properly placed/graded since it appears portions of the proposed pipe to the end sections are above the proposed contours. For example, the invert for the 15" pipe at ES#72 is 272.26, with the pipe end of ES placed below on the 273 contour. This design method appears to be shown at most locations. Please review, revise and update accordingly. Please review and verify appropriate cover (minimum 3 feet per section 3.07.g.3) is provided for all drainage systems.
  - b. Please remove the utilities associated with the roadways on sheets 6 and 7 that are removed under the project for clarity.
  - c. We recommend that CB#40 be connected to CB#41 (versus to DMH#42) to minimize the size of DMH#42.
  - d. It appears portions of the roof drains are not indicated on sheet 5 consistent with the utility plans. Please review and revise the grading plans to be consistent with the utility plans.
  - e. Please provide spot elevations along the top and toe of the proposed retaining wall to clarify the proposed grading intent and for proper construction.
- 7. We recommend the Applicant address the following relative to the revised utility plans:
  - a. The invert out at DMH#88 on sheet 8 has two invert outs where one is expected. Please clarify the design intent of the pipe from ES#89 to DMH#88. Please review and revise to provide a proper design.
  - b. Please remove the utilities associated with the roadways on sheets 9 and 10 that are removed under the project for clarity.
  - c. Sheet 9 notes the existing utility pole at Reed Street east of the cul-de-sac is noted as to be removed, which is inconsistent with the demo plan. Please review and revise to be consistent.
  - d. Please show the lot line between abutting lot 124-29 ad 124-24 on sheet 10 for clarity.
- 8. The revised proposed outlet structure elevations in the detail on sheet 21 indicate OS#11 does not provide the minimum 6" to the finish grade and the minimum 12" cover over the pipe as typically required by the Department of Public Works based upon the difference of the pipe inverts and the top grate for the 15" outlet pipe. Please revise to be constructible in accordance with the Town's typical detail requirements. The drainage report shall be updated accordingly.
- 9. We recommend the Applicant address the following relative to the revised project drainage report:

Memorandum - Tax Map 7 Lot 132-8
Proposed Site Plan for
Grand Estate at Londonderry
Button Drive and Reed Street
Londonderry, NH,
Applicant: Calamar Builders
October 1, 2014
Page 3

- a. The revised project design indicates a proposed pipe discharge to the existing wetlands (pond 104) at the easterly portion of the site and that a portion of the wetland appears to be upon abutting lot 132C-56. The revised analysis indicates the post development impact to the existing wetlands at pond 104 at the easterly property line would increase the 25-year pond elevation from 272.20 to 272.46 and further impact abutting lot 132C-56, which does not comply with section 3.07 of the Site Plan Regulations (no increase in runoff). It is unknown what impact the proposed development runoff would have to the 50-year elevation of the pond 104 with the inclusion of this pond into the project design analysis to mitigate runoff from the site development, since a predevelopment and post 50-year analysis of this pond was not provided with this revision. The Applicant shall review and revise the design in compliance with the regulations.
- b. The revised 50-year pond routing analysis for the proposed ponds included with the analysis indicate ponds 10P, 22P, 25P, 44P, 54P, and 71P will have peak elevations which do not provide the minimum 12 inches required to the top of embankment per section 3.07.b.10 of the Site Plan Regulations, and thus does not comply. The Applicant shall review and revise the design in compliance with the regulations.
- c. The revised 25-year post development analysis indicates most of the ponds have warnings indicating pipe submergence with some noted in excess of two feet (2.02' at detention basin 25) implying the drainage system design is not adequately sized to address the required design storm for the project. Please review and revise as necessary to clarify the proposed design is adequately sized to address the proposed development runoff flows.
- d. The revised report does not include the proposed swale shown along the westerly portion of the site adjacent to Golen Drive in the swale summary table in accordance with section 3.07.b.5 of the regulations. Please update the report accordingly.
- e. Please revise the post development drainage area plan to include the proposed sewer line including the connection through abutting lot 124-29 and update the project drainage analysis to include these impacted areas. Please verify compliance is achieved under the post development conditions (no increase in runoff).
- f. The report summary table does not include the impacts to abutting lots 132-11 and 132-12 as required per section 3.07.b.3 of the regulations and item Xi.2.c of the checklist. Please update the summary table in the report narrative that indicates the pre- and post-development impacts to each abutting lot, and indicates no increase in runoff in accordance with the regulations is achieved as typically required by the Town.
- g. The revised 25-year predevelopment analysis still indicates existing ponds 101P and 104P with storage below the outlet device that is typically not allowed as noted previously. Please review and revise to eliminate storage below the outlet.
- h. The revised 25-year post development pond routing calculations at ponds 54P, 101P and 104P include storage below the outlet invert elevation of the structures that is typically not allowed by the Town as previously noted. Please revise the pond analysis to eliminate storage volume below the outlet structure invert elevation as typically required by the Town and verify compliance with the regulations is achieved (no increase in runoff).
- i. Please update post development subcatchments 22S, 25S, 44S, 54S, 71S and 81S to include the riprap aprons shown as previously requested.

Memorandum - Tax Map 7 Lot 132-8
Proposed Site Plan for
Grand Estate at Londonderry
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Applicant: Calamar Builders
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- j. Please clarify on the pre development area plan where pond 100 and reach 125 would combine consistent with the analysis. In addition, please indicate the abutting lot lines to clarify the abutter impacts are consistent with the summary table provided with this submission.
- 10. It is our understanding that off-site improvements may be needed at the intersection of Meadow Drive and NH Route 102 and possibly at the intersection of Meadow Drive and Button Drive. We understand a turn lane is warranted at the of Meadow Drive and NH Route 102 intersection, that requires a NHDOT permit. However, the Applicant has not provided off-site improvements for the project in accordance with the regulations. Please update the project plans accordingly.

#### **Board Action Items:**

- 1. The Applicant is requesting one (1) waiver to the Site Plan Regulations as noted in his letter dated July 30, 2014. The Board will need to consider the waiver under this application.
- 2. The Applicant is requesting an exemption to the Zoning Regulations relative to phasing development as noted in his letter dated September 2, 2014. The Board will need to consider the waiver under this application
- 3. The Applicant's design indicates proposed 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 under this application.

#### **Board Informational Items:**

1. The project is contingent upon approval of a separate lot line adjustment plan that incorporates portion of Golen Drive and Reed Street. The separate lot line adjustment plan requires action by the Town Council to act upon and complete the discontinuance of Golen Drive and a portion of Reed Street that creates the subject property indicated under this application.

#### **MEMORANDUM**

To: Planning Board Date: September 25, 2014

From: Planning and Economic Development Re: Map 7 Lot 71-1

Department of Public Works & Engineering Proposed Retail Motor Fuel Outlet

Tighe & Bond, Inc. Site Redevelopment Plans

1 Hampton Drive

Owner: Alliance Energy Corp. Applicant: Global Montello Group Corp.

MHF Design Consultants, Inc. submitted plans and supporting information for the above-referenced project. The DRC and the Town's engineering consultant, Tighe & Bond, 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's drainage design calls for 12" diameter drain lines which does not meet the minimum required 15" diameter drainage pipe in accordance with 3.07.g.1. of the Site Plan Regulations. The Applicant has submitted a <u>waiver request</u> for this requirement.
- 2. The Applicant's site design does not provide the minimum required Sight Distance of 365 feet with proper visibility easements in accordance with Section 3.08.b.5. of Site Plan Regulations. The Applicant has submitted a <u>waiver request</u> for this requirement.
- 3. The Applicant's site design does not provide any sidewalks with street access for pedestrians in accordance with Section 3.08.c. of Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
- 4. The Applicant's landscape plan does not provide a minimum of 10% internal landscaping in front parking lots in accordance with Section 3.11.g.1.i of the Site Plan Regulations. The Applicant has submitted a **waiver request** for this requirement.
- 5. The Applicant's site lighting near the driveways exceeds 0.2 foot-candles and does not comply with Section 3.13.c.3 of the Site Plan Regulations. The Applicant has submitted a <u>waiver request</u> for this requirement.
- 6. The Drainage Calculations show an increase in the rate of runoff to Hampton Drive. In accordance with Section 3.07.a.1. of the Site Plan Regulations, the applicant should revise the drainage system design so that the post-development runoff rate does not exceed the pre-development runoff rate.
- 7. The Applicant should provide the locations of centerline and lane lines for Nashua Road (Route 102) on the Truck Turning Plan, in order to evaluate the truck movements.

Memorandum - Tax Map 7 Lots 73-1
Proposed Retail Motor Fuel Outlet
Site Redevelopment Plans
1 Hampton Drive
Owner: Alliance Energy Corp.
Applicant: Global Montello Group Corp.
September 25, 2014
Page 2

- 8. The applicant should obtain written confirmation from the Building Department and/or Zoning Officer if the addition of an ADA compliant detectable warning panel on the sidewalk tip-down ramp is required.
- 9. The Applicant indicates the required project permits on the Title Sheet, include the Londonderry Sewer Connection Permit, NHDES UST Approval, and NHDOT Driveway Permit Amendment. It is recommended that the Applicant update the Title Sheet with the permit numbers once received and provide copies of the permits to the Town for their project file.
- 10. The Applicant should verify the DRC comments for the project are adequately addressed as applicable:
  - a. Please verify the comments of the Sewer Division have been adequately addressed with the Sewer Division.

#### **Board Action Items:**

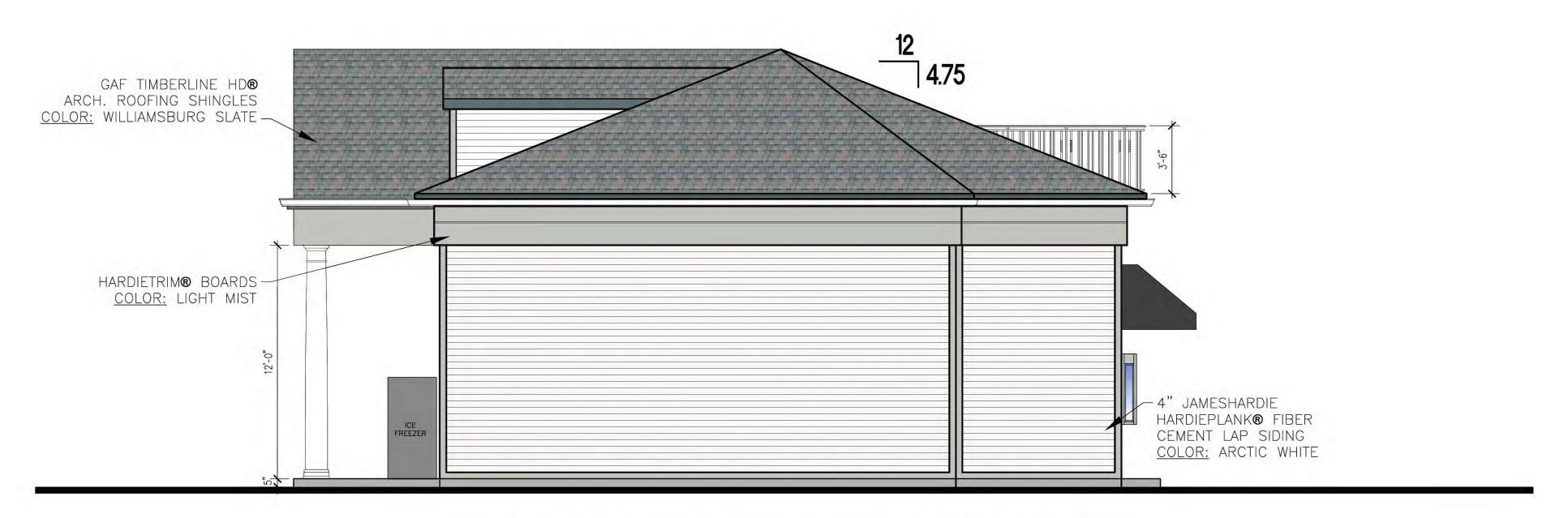
1. The Applicant is requesting five (5) waivers to the Site Plan Regulations as noted in his letter dated September 12, 2014. The Board will need to consider each waiver under this application.

#### **Board Informational Items:**

1. There are no additional informational items.







# PROPOSED NORTH ELEVATION (RIGHT)



PROPOSED SOUTH ELEVATION (LEFT)



REVISIONS:

NO. DATE DESCRIPTION:

1 4/8/2014 D.B. REV #1 - SIGNAGE 2 4/11/2014 D.B. REV #2 - WINDOWS (SOUTH ELEVATION)

3 5/16/2014 D.B. REV #3 - COMMENTS 4 6/23/2014 D.B. REV #3 - COMMENTS

NOTE: This conceptual plan is prepared for conceptual presentation purposes only and is not intended for utilization as a zoning and/or construction document. The existing conditions shown hereon are based upon information that was supplied at the time of plan preparation and may be subject to change upon performance of additional due diligence.

# NEW GAS STATION AND CONVENIENCE STORE

1 Hampton Drive Londonderry, NH 03053

# CONCEPTUAL BUILDING ELEVATIONS

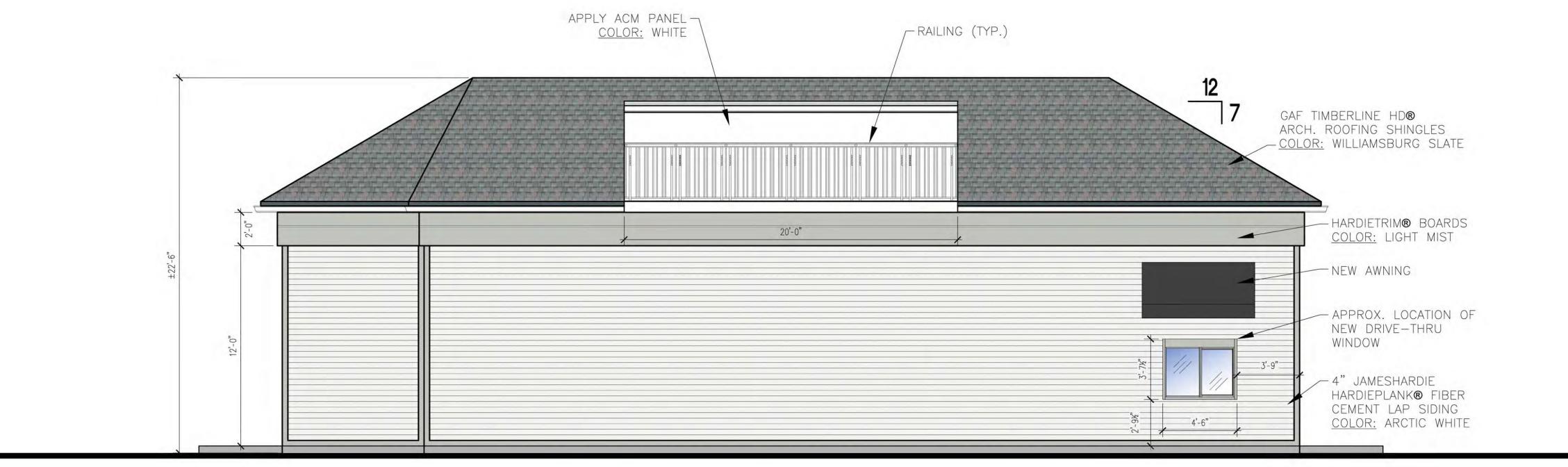
Date
4/7/2014
Scale
1/4" = 1'-0"

Drawing Number

A3



# PROPOSED EAST ELEVATION (FRONT)







REVISIONS:

NO. DATE DESCRIPTION:

1 4/8/2014 D.B. REV #1 - SIGNAGE 2 5/16/2014 D.B. REV #2 - COMMENTS 3 6/23/2014 D.B. REV #3 - COMMENTS

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## **NEW GAS STATION AND CONVENIENCE STORE**

1 Hampton Drive Londonderry, NH 03053

## CONCEPTUAL **BUILDING ELEVATIONS**

Date 4/7/2014 Scale 1/4" = 1'-0"

Drawing Number

A2