

1 **LONDONDERRY ADMINISTRATIVE REVIEW**
2 **COMMITTEE**
3 **MINUTES OF THE PUBLIC HEARING ON APRIL 18, 2013 IN THE ELWOOD**
4 **CONFERENCE ROOM**
5

6 ARC Members Present: Asst. Director of Public Works and Acting Chair John
7 Trottier, P.E.; Town GIS Manager/Comprehensive Town Planner John Vogl; and
8 Senior Building Inspector/Zoning Officer/Health Officer Richard Canuel
9

10 Also Present: Jaye Trottier, Planning and Economic Development Secretary; and
11 Steve Hicks, Applicant
12

13 J. Trottier called the meeting to order at 3:07 PM.
14

15 **Public Hearings**
16

17 A. STJB, LLC (owner), Whittemore Insurance (applicant) Map 15, Lot 61-1
18 Application Acceptance and Public Hearing for formal review of a minor site plan
19 application to amend the previous Change of Use site plan to retain that portion
20 of the existing building to be removed per the previous approval and construct
21 an additional parking space as required at 172 Rockingham Road, Zoned MUC.
22

23 J. Trottier stated there are 4 outstanding checklist items, all of which have
24 associated waiver requests. Assuming the Administrative Review Committee
25 (ARC) grants the waivers, staff recommends the application be accepted as
26 complete.
27

28 The waivers were summarized as follows:

- 29 1. A waiver to Section 4.16 of the site plan regulations. The applicant has
30 not provided an illumination plan. Staff recommends **granting** the
31 waiver, as no new lighting is proposed as part of this project.
- 32 2. A waiver to Section 4.14.e of the site plan regulations. The applicant has
33 not provided a landscape plan. Staff recommends **granting** the waiver,
34 because site improvements are limited to incorporating DOT changes.
- 35 3. A waiver to Section 4.18.b of the site plan regulations. The applicant has
36 not provided utility clearance letters. Staff recommends **granting** the
37 waiver, because site improvements are limited to incorporating DOT
38 changes.
- 39 4. A waiver to Section 4.15 of the site plan regulations. The applicant has
40 not provided building elevations/renderings. Staff recommends **granting**
41 the waiver, because site improvements are limited to incorporating DOT
42 changes.
43

44 **J. Vogl made a motion to approve the waivers for checklist items**
45 **numbered 1-4 as outlined in Staff's recommendation memorandum**
46 **dated April 18, 2013. R. Canuel seconded the motion. No discussion.**
47 **Vote on the motion: 3-0-0.**
48

1 The four waivers were granted.
2

3 **J. Vogl made a motion to accept the application as complete. R. Canuel**
4 **seconded the motion. No discussion. Vote on the motion: 3-0-0.**
5

6 J. Trottier stated there were no other waivers requested with this application.
7

8 S. Hicks explained that the portion of the building that was to be removed per
9 the amended site plan signed in 2012 will now remain and the parking
10 improvements have been updated based on that change. A dumpster pad and
11 enclosure are proposed to be added behind the requisite additional parking
12 space. No other changes were made to the 2012 site plan.
13

14 J. Trottier reviewed the precedent conditions outlined in the staff
15 recommendation memo (see motion below).
16

17 No members of the public were present to comment.
18

19 J. Trottier said that staff recommends conditional approval of the application
20 with the Notice of Decision to read as indicated in the Staff Recommendation
21 memorandum dated April 18, 2013.
22

23 **J. Vogl made a motion to conditionally approve the minor site plan**
24 **application with the following conditions:**
25

26 "Applicant", herein, refers to the property owner, business owner, or
27 organization submitting this application and to his/its agents, successors, and
28 assigns.
29

30 **PRECEDENT CONDITIONS**
31

32 All of the precedent conditions below must be met by the applicant, at the
33 expense of the applicant, prior to certification of the plans by the Planning
34 Board. Certification of the plans is required prior to commencement of any site
35 work, any construction on the site or issuance of a building permit.

- 36 1. The Applicant shall clarify note 17 on the cover sheet and sheet 2. The note
37 indicates a 486 sf decrease in impervious surface area while sheet 2 indicates
38 a decrease of 239 sf.
39
- 40 2. The Applicant shall address all DRC Comments as applicable.
41
- 42 3. Note all waivers granted for this site on the plan.
43
- 44 4. The Applicant shall provide a digital (electronic) copy of the complete final
45 plan sent to the Town at the time of signature by the Board in accordance
46 with Section 2.05.n of the regulations.
47
- 48 5. Financial guaranty if necessary.
49
- 50 6. Final engineering review.

1
2 **PLEASE NOTE** - Once these precedent conditions are met and the plans are
3 certified the approval is considered final. If these conditions are not met within
4 120 days to the day of the meeting at which the Planning Board grants
5 conditional approval the board's approval will be considered to have lapsed and
6 re-submission of the application will be required. See RSA 674:39 on vesting.

7
8 **GENERAL AND SUBSEQUENT CONDITIONS**

9
10 All of the conditions below are attached to this approval.

- 11
12 1. **No construction or site work for the amended site plan may be**
13 **undertaken until the pre-construction meeting with Town staff has**
14 **taken place, filing of an NPDES-EPA Permit and the site restoration**
15 **financial guaranty is in place with the Town.** Contact the Department of
16 Public Works to arrange for this meeting.
17
18 2. The project must be built and executed exactly as specified in the approved
19 application package unless modifications are approved by the Planning
20 Division & Department of Public Works, or if staff deems applicable, the
21 Planning Board.
22
23 3. All of the documentation submitted in the application package by the
24 applicant and any requirements imposed by other agencies are part of this
25 approval unless otherwise updated, revised, clarified in some manner, or
26 superseded in full or in part. In the case of conflicting information between
27 documents, the most recent documentation and this notice herein shall
28 generally be determining.
29
30 4. All site improvements must be completed prior to the issuance of a certificate
31 of occupancy. In accordance with Section 6.01.d of the Site Plan
32 Regulations, in circumstances that prevent landscaping to be completed (due
33 to weather conditions or other unique circumstance), the Building Division
34 may issue a certificate of occupancy prior to the completion of landscaping
35 improvements, if agreed upon by the Planning Division & Public Works
36 Department, when a financial guaranty (see forms available from the Public
37 Works Department) and agreement to complete improvements are placed
38 with the Town. The landscaping shall be completed within 6 months from the
39 issuance of the certificate of occupancy, or the Town shall utilize the financial
40 guaranty to contract out the work to complete the improvements as
41 stipulated in the agreement to complete landscaping improvements. **No**
42 **other improvements shall be permitted to use a financial guaranty**
43 **for their completion for purposes of receiving a certificate of**
44 **occupancy.**
45
46 5. As built site plans must to be submitted to the Public Works Department prior
47 to the release of the applicant's financial guaranty.
48

49 It is the responsibility of the applicant to obtain all other local, state, and federal
50 permits, licenses, and approvals which may be required as part of this project

1 (that were not received prior to certification of the plans). Contact the Building
2 Division at extension 115 regarding building permits.

3
4 **R. Canuel seconded the motion. No discussion. Vote on the motion:**
5 **3-0-0.**

6
7 The application was conditionally approved.

8
9 **Other Business**

10
11 There was no other business

12
13 **Adjournment:**

14
15 **J. Vogl made a motion to adjourn. R. Canuel seconded the motion.**
16 **Vote on the motion: 3-0-0.**

17
18 The meeting adjourned at 3:13 PM.

19
20 These minutes were prepared by Jaye Trottier, Planning and Economic
21 Development Department Secretary.

22
23 Respectfully Submitted,

24
25
26
27 John Vogl
28 GIS Manager | Comprehensive Planner

From: [Richard Canuel](#)
To: [Jaye Trottier](#); [John Trottier](#); [John Vogl](#)
Cc: [Cynthia May](#)
Subject: RE: Vote on the ARC minutes
Date: Friday, April 19, 2013 4:52:56 PM

APPROVE!!

From: Jaye Trottier
Sent: Friday, April 19, 2013 4:11 PM
To: John Trottier; John Vogl; Richard Canuel
Cc: Cynthia May
Subject: Vote on the ARC minutes

Okay, now that everyone has had a chance to ok the minutes, could you all please reply with your vote of approval?

Thank you!

Jaye A. Trottier
Secretary
Zoning Board of Adjustment
Planning Board
Conservation Commission
Master Plan Steering Committee
Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053
(603).432.1100 x134
(603).432.1128 (fax)

From: [John Trottier](#)
To: [Jaye Trottier](#); [John Vogl](#); [Richard Canuel](#)
Cc: [Cynthia May](#)
Subject: RE: Vote on the ARC minutes
Date: Friday, April 19, 2013 4:50:46 PM

I approve.

John T.

From: Jaye Trottier
Sent: Friday, April 19, 2013 4:11 PM
To: John Trottier; John Vogl; Richard Canuel
Cc: Cynthia May
Subject: Vote on the ARC minutes

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From: [John Vogl](#)
To: [Jaye Trottier](#)
Subject: RE: Vote on the ARC minutes
Date: Friday, April 19, 2013 4:37:43 PM

I approve.

From: Jaye Trottier
Sent: Friday, April 19, 2013 4:11 PM
To: John Trottier; John Vogl; Richard Canuel
Cc: Cynthia May
Subject: Vote on the ARC minutes

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