

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF SEPTEMBER 1, 2010 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem;
6 John Farrell, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; George Herrmann, Ex-
7 Officio; Dana Coons, alternate member
8

9 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsra, Planning
10 Division Secretary; Jodie Levandowski, Planning Division Intern
11

12 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed D. Coons to vote
13 for C. Davies.
14

15 **Administrative Board Work**
16

17 A. Approval & Signing of Minutes – August 11 and 23
18

19 **J. Farrell made a motion to approve and sign the minutes from the**
20 **August 11 meeting. R. Brideau seconded the motion.** No discussion.
21 **Vote on the motion: 7-0-0.**
22

23 **J. Farrell made a motion to approve and sign the minutes from the**
24 **August 23 meeting. D. Coons seconded the motion.** No discussion.
25 **Vote on the motion: 4-0-3.**

26 (G.Herrmann, L.Wiles, D.Coons abstained because they were absent at the
27 August 23 meeting).
28

29 Minutes for August 11 and 23 are approved and will be signed at the
30 conclusion of the meeting.
31

32 B. Regional Impact Determinations
33

34 T. Thompson stated there were three projects to be considered for regional
35 impact determination.
36

37 Jason Guinesso is proposing a Lot Line Adjustment on Peabody ROW, Map 6,
38 Lot 27 and Map 7, Lot 36. Stonyfield Farm, Inc. is proposing a 62,019 s.f.
39 manufacturing addition on 10 Burton Drive, Map 14, Lot 44-13. Bosch
40 Thermotechnology, Inc. is proposing a 6440 square foot second floor addition
41 and related site improvements on 50 Wentworth Ave, Map 14, Lot 44-33.
42

43 He said that staff recommends these projects are not developments of
44 regional impact, as they do not meet any of the regional impact guidelines
45 suggested by Southern NH Planning Commission (SNHPC).
46

47 **J. Farrell made a motion to accept staff recommendations that these**
48 **projects are determined not to be of regional impact under RSA**

1 **36:56. D. Coons seconded the motion.** No discussion. **Vote on the**
2 **motion: 7-0-0.**

3
4 C. 1st Reading – Amendments to Planning Board Rules of Procedure

5
6 T. Thompson gave the Board an overview of the proposed changes
7 (Attachment #1). The proposed changes are as a result of new state law
8 changes relative to the role of alternates and the timeframes for public
9 availability of meeting minutes.

10
11 [L. El-Azem arrived at 7:07pm]

12
13 T. Thompson said they will review the amendments at two consecutive
14 meetings & then adopt it at a third meeting (in October).

15
16 D. Discussions with Town Staff

17
18 T. Thompson gave the Board a brief summary of the CIP meeting. He said the
19 draft plan will be presented to the Board at the next meeting, September 8.

20
21 J. Farrell addressed the recent newspaper article regarding Woodmont
22 Orchard. He said the Charrette is completely open to the public and they are
23 welcome to attend any meeting. Planning Board members are also welcome
24 to attend. Starting Tuesday all meetings to discuss the Charrette will be held
25 in the empty warehouse at Woodmont Orchards. The private developer is
26 trying hard to work with the public on future plans. It is not a town function
27 and abutter notices will not be sent for these meetings.

28
29 A. Rugg reminded Board members about the annual meeting/dinner in
30 September. He also mentioned that the SNHPC is holding their 35th annual
31 Municipal Law Lecture Series, held in six locations throughout the state for
32 members of the NH Local Government Center, in September and October.

33
34 A. Rugg asked for volunteers to represent the Planning Board on the Open
35 Space Committee. L. Wiles volunteered to be a regular member. D. Coons
36 volunteered to be an alternate.

37
38 **New Plans**

39
40 A. Ricky & Ann Marie Robichaud and Helen Jolicoeur, Map 11, Lot 25 –
41 Application Acceptance and Public Hearing for a 2 lot subdivision.

42
43 J. Levandowski stated that there were no checklist items, and staff
44 recommended the application be accepted as complete.

45
46 **J. Farrell made a motion to accept the application as complete. D.**
47 **Coons seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**
48 Application accepted as complete.

49

1 D. Coons recused himself from this discussion because Ricky Robichaud is a
2 good friend, was a neighbor, and he has done business with him.

3
4 Joseph Maynard from Benchmark Engineering presented their plans for a 2
5 lot subdivision on Litchfield Road. He said that the property is located at 109
6 Litchfield Road, consists of about 5 acres of land and is within the AR-1 zone.
7 There is an existing single family dwelling with an in-law apartment on the
8 easterly lot. They are proposing to subdivide the land into two lots. The new
9 lot will be 1 ½ acre in size, with an existing drainage easement that currently
10 runs through the middle of that lot. They want to relocate the drainage
11 easement on the lot line. The property will be granting road widening
12 easements along Litchfield Road to grant the town their required setback to
13 do improvements in the future. There is one waiver request for the existing
14 driveway, in regards sight distance.

15
16 J. Trottier summarized the design review items from the DPW/Stantec memo
17 and read the waiver request into the record:

18
19 The applicant is requesting a waiver to Exhibit D-2, Profile A. The sight
20 distance for the existing driveway does not meet the requirements of the A
21 profile. Planning Staff recommends **granting** the waiver, as the driveway
22 is existing and there does not exist a rational nexus between the costs
23 associated with the improvements and the scope of the project. Public
24 Works Staff recommends **denial** of the waiver, as improvements can be
25 made to improve the existing situation, and DPW always recommends
26 improving such situations when they are brought before the Planning Board.

27
28 J. Levandowski said based upon the information available staff recommends
29 conditional approval of this application.

30
31 A. Rugg asked about staff's concerns regarding septic on the subdivided lot.
32 J. Maynard said he spoke with the Subsurface Systems Bureau and they did
33 grant subdivision approval for this lot after reviewing the issue and the
34 criteria of the ditch. He said that if the Subsurface Systems Bureau requests
35 that he produce a septic system design he is willing to do that. He said that
36 they received State Subdivision approval with the proposed 4K area.

37
38 A. Rugg asked for public input, but there was none.

39
40 **J. Farrell made a motion to grant the waiver for sight distance based**
41 **on the applicant's letter and Planning staff recommendation. R.**

42 **Brideau seconded the motion.** L. Wiles asked J. Trottier if DPW made
43 suggestions to improve the sight distance. J. Trottier said they had not yet
44 discussed suggestions, but moving the driveway might be an option.

45 **Vote on the motion: 7-0-0.** Waiver granted.

46
47 **J. Farrell made a motion to conditionally approve the 2 lot subdivision**
48 **with the following conditions:**

49

1 "Applicant", herein, refers to the property owner, business owner, or
2 organization submitting this application and to his/its agents, successors, and
3 assigns.
4

5 **PRECEDENT CONDITIONS**
6

7 All of the precedent conditions below must be met by the Applicant, at the
8 expense of the Applicant, prior to certification of the plans by the Planning
9 Board. Certification of the plans is required prior to commencement of any
10 site work, any construction on the site or issuance of a building permit.
11

- 12 1. The project proposes to remove and relocate a portion of the Town's
13 existing drainage system including removal and relocation of a
14 drainage easement upon the subject lot and removal of a significant
15 portion of existing drainage pipe. The Applicant shall note the
16 proposed grading of the new drainage swale encompasses the entirety
17 of the proposed drainage easement upon new lot 25-3, but the
18 easement does not appear wide enough to allow the Town access
19 adjacent to the proposed swale to perform maintenance. In addition,
20 we note the existing drainage pipe is CMP and this type of pipe has
21 historically corroded and caused some roadway failures and closures to
22 replace the pipes. The Applicant shall arrange a meeting with the
23 Department of Public Works to provide a drainage system design and
24 easement meeting approval of the Department of Public Works.
25
- 26 2. The Applicant's NHDES 4K area shown on sheet 3 is significantly
27 encumbered with the proposed dwelling and driveway and it does not
28 appear to provide the minimum 75-foot setback to the new open
29 drainage system or culvert opening proposed by the Applicant per Env-
30 Wq 1008.04 and per section 3.07.B of the regulations. Please note
31 that due to the Applicant's chosen lot configuration, the plan appears
32 to indicate that only a small portion of the lot is suitable for
33 development and that a smaller portion is only suitable for placement
34 of a septic system and thus, we are concerned that the lot may not be
35 adequate as implied. We note the plan indicates the new water line
36 will encroach on the 4K area and will require a setback from the septic
37 system. In addition, setbacks from the proposed building and open
38 drainage system are needed for proper placement. We therefore
39 recommend the Applicant provide an approved septic design that
40 indicates the new lot can be developed for the Town's file.
41
- 42 3. The Applicant shall provide endorsements (signatures) for the wetland
43 and soil scientist stamps and information on all applicable plans.
44
- 45 4. The Applicant shall address the following on the Topographic/HISS
46 Plan:
 - 47 a. The Applicant shall label the size and type of water line to serve
48 the proposed dwelling shown on lot 25-3.
 - 49 b. The revised plan indicates a new water line service will be
50 provided to the existing dwelling. The Applicant shall label the

- 1 size and type of water line to the existing building and update
2 note 8 on sheet 1 to state the lot will be serviced by Pennichuck
3 Water Works. In addition, the Applicant shall label what will be
4 done to the existing well serving lot 25 (abandoned, removed,
5 etc.) for proper construction.
6 c. The Applicant shall remove the well radius for the proposed
7 drainage easement on lot 25 as typically required by the Town.
8 d. The Applicant shall clarify/explain the proposed well shown for
9 lot 25 behind the existing dwelling and revise if necessary.
10
11 5. The project is located along a significant portion of Litchfield Road.
12 The Applicant shall verify if additional off-site improvements to
13 Litchfield Road will be necessary under this application with the
14 Department of Public Works.
15
16 6. The Applicant shall clarify the "No-cut Zone" on the plan as requested
17 in the Conservation Commission's DRC comments.
18
19 7. Note all waivers granted on the plan.
20
21 8. The Applicant shall provide a digital (electronic) copy of the complete
22 final plan sent to the Town at the time of signature by the Board in
23 accordance with Section 2.06.N of the regulations.
24
25 9. The Applicant shall provide a check for \$25 (made payable to the
26 *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that
27 became effective on recording of all plans and documents at the
28 registry on July 1, 2008.
29
30 10. The Applicant shall note all general and subsequent conditions on the
31 plans **(must be on a sheet to be recorded)**, per the new
32 requirements of RSA 676:3.
33
34 11. Outside consultant's fees shall be paid within 30 days of approval of
35 plan.
36
37 12. Financial guaranty if necessary.
38
39 13. Final engineering review
40

41 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
42 certified the approval is considered final. If these conditions are not met
43 within 2 years to the day of the meeting at which the Planning Board grants
44 conditional approval the board's approval will be considered to have lapsed
45 and re-submission of the application will be required. See RSA 674:39 on
46 vesting.
47

1
2 **GENERAL AND SUBSEQUENT CONDITIONS**
3

4 All of the conditions below are attached to this approval.
5

- 6 1. **No construction or site work for the amended site plan may be**
7 **undertaken until the pre-construction meeting with Town staff**
8 **has taken place, filing of an NPDES-EPA Permit and the site**
9 **restoration financial guaranty is in place with the Town.** Contact
10 the Department of Public Works to arrange for this meeting.
11
12 2. The project must be built and executed exactly as specified in the
13 approved application package unless modifications are approved by the
14 Planning Department & Department of Public Works, or if staff deems
15 applicable, the Planning Board.
16
17 3. All of the documentation submitted in the application package by the
18 Applicant and any requirements imposed by other agencies are part of
19 this approval unless otherwise updated, revised, clarified in some
20 manner, or superseded in full or in part. In the case of conflicting
21 information between documents, the most recent documentation and
22 this notice herein shall generally be determining.
23
24 4. All required School, Library, Recreation, Traffic, Police, and Fire impact
25 fees must be paid prior to the issuance of a Certificate of Occupancy
26 for development of the new lot.
27
28 5. It is the responsibility of the Applicant to obtain all other local, state,
29 and federal permits, licenses, and approvals which may be required as
30 part of this project (that were not received prior to certification of the
31 plans). Contact the Building Division at extension 115 regarding
32 building permits.
33

34 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-**
35 **0-0.** Plan is conditionally approved.
36

37 D. Coons returned to the Board.
38

- 39 B. Bosch Thermotechnology Corp, Map 14, Lot 44-33 – Application Acceptance
40 and Public Hearing for a Site Plan and Conditional Use Permit to construct a
41 6,440 square foot second floor addition and related site improvements.
42

43 T. Thompson stated that there were no outstanding checklist items, and staff
44 recommended the application be accepted as complete.
45

46 **J. Farrell made a motion to accept the application as complete. R.**
47 **Brideau seconded the motion.** No discussion. **Vote on the motion: 8-0-**
48 **0.** Application accepted as complete.
49

1 Jeff Merritt from Keach-Nordstrom Associates presented their plans. He said
2 the parcel is located at 50 Wentworth Ave, is a 10.2 acre parcel and located
3 entirely within the Industrial District. The proposal is a two phase project. The
4 first is for a 6,440 square foot second floor addition and a vestibule area.
5 They also plan to add 28 additional parking spaces and modify the existing
6 detention basin. Phase 2 consists of work on the west side of the site. They
7 plan to add 16 parking spaces on the west side, a new stormwater detention
8 basin, improvements to existing treatment swale. The Conservation
9 Commission did recommend approval of the Conditional Use Permit (CUP) for
10 this project. They are seeking one waiver to section 3.07.g.3 of the
11 regulations.

12
13 Architect, Dennis Miers illustrated the proposed changes for the Board.

14
15 J. Trottier summarized the design review items from the DPW/Stantec memo
16 and read the waiver request into the record:

17
18 The applicant is requesting a waiver to Section 3.07.g of the regulations.
19 The applicant has not provided 3' of cover over one of the proposed
20 drainage pipes. Staff recommends **granting** the waiver, as the pipe is
21 located in a landscaped area and will not be subject to vehicle weight on top
22 of the pipe.

23
24 T. Thompson stated that staff recommends granting the conditional use
25 permit, per the recommendation of the Conservation Commission. He said
26 that in regards to traffic, there were some typos on the report that need to
27 be addressed. Additionally staff is requesting that the report graphically
28 indicate the distribution of the traffic to Route 28, as we typically require for
29 the purposes of applying the proper impact fee. He said that in regards to
30 item 2 of the precedent conditions, staff is requesting that they add purple
31 lilacs and remove everlow yew from the landscaping plan and provide an
32 alternate that would withstand the winter climate. T. Thompson said that
33 staff recommends conditional approval as outlined in the staff
34 recommendation memo.

35
36 A.Rugg asked for public input, but there was none.

37
38 **D. Coons made a motion to grant the waiver to Section 3.07.g based**
39 **on the applicant's letter and staff recommendation. J. Farrell**
40 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Waiver
41 was granted.

42
43 **J. Farrell made a motion to grant the Conditional Use Permit per the**
44 **recommendation of staff and the Conservation Commission. D. Coons**
45 **seconded the motion.** No Discussion. **Vote on the motion: 8-0-0.**
46 Conditional Use Permit granted.

47
48 **J. Farrell made a motion to conditionally approve the site plan with**
49 **the following conditions:**

50

1 "Applicant", herein, refers to the property owner, business owner, or
2 organization submitting this application and to his/its agents, successors, and
3 assigns.
4

5 **PRECEDENT CONDITIONS**
6

7 All of the precedent conditions below must be met by the Applicant, at the
8 expense of the Applicant, prior to certification of the plans by the Planning
9 Board. Certification of the plans is required prior to commencement of any
10 site work, any construction on the site or issuance of a building permit.
11

- 12 1. The Applicant's submitted checklist indicates a NHDES site specific
13 (AoT) permit approval, NHDES wetlands permit approval and Federal
14 Aviation Administration permit approval applications have been
15 submitted for the project. The Applicant shall obtain all necessary
16 permits, indicate the approval number on the cover sheet, and provide
17 copies of the approvals for the Planning Department's file.
18
- 19 2. The Applicant shall address the following relative to the project
20 drainage report:
 - 21 a. The Applicant shall provide an existing condition watershed area
22 plan in the report in accordance with the regulations.
 - 23 b. The Applicant shall provide flood routing calculations for the
24 proposed 50-year event for each pond in the report in
25 accordance with the regulations.
 - 26 c. The post development calculations for subcatchment 4A do not
27 appear to account for all the new impervious area including
28 sidewalks, curbing and parking areas under this project as
29 depicted on the drainage area plan. In addition, we note the
30 post development calculations for subcatchment 6A do not
31 include the impervious sidewalk area indicated on the drainage
32 area plan. Also, we note the building plans indicate the glass
33 vestibule addition will extend to the same roof height as the two
34 story addition, but the building area of subcatchment 5 is
35 unchanged from the predevelopment information. The Applicant
36 shall carefully review all subcatchment areas to verify all
37 impervious areas such as parking, driveways, sidewalks, curbs,
38 buildings, etc. are properly accounted for in the post
39 development analysis. The Applicant shall verify compliance
40 with the regulations (no increase in runoff).
 - 41 d. The pond routing calculations for pond 1 indicate an invert at
42 elevation 316.00, but the invert out of the existing structure is
43 at elevation 316.39. The Applicant shall update the analysis as
44 necessary to clearly indicate volume below the outlet invert
45 elevation (316.39) is not used in the analysis as typically
46 required by the Town. In addition, the Applicant shall review
47 and update the analysis for pond 2 accordingly to clarify volume
48 below the outlet invert elevation (320.20) is not utilized in the
49 analysis.

- 1 e. The existing topography for subcatchment 1S appears to
2 indicate the northerly portion of the subcatchment area would
3 likely drain toward Wentworth Avenue and thus not be part of
4 the area draining toward the detention basin. The Applicant
5 shall review and revise the subcatchment area(s) and analysis
6 as necessary to be representative of the existing site conditions.
 - 7 f. The Applicant shall update the grass CN values to 74 (vs. 72) for
8 new subcatchments 15 and 16 used in the analysis consistent
9 with the referenced TFM report and consistent with the other
10 developed areas of the site. In addition, the Applicant shall
11 revise the calculations to include the new riprap aprons (CN 89)
12 and update subcatchment 10 accordingly for the new apron
13 shown as typically requested by the Town.
 - 14 g. The Applicant shall update the swale summary table to provide
15 the cross-section/channel width in accordance with the
16 regulations.
- 17
18 3. The Applicant shall address the following relative to the existing
19 conditions plan - sheet 1:
 - 20 a. The Applicant shall update the plan to indicate the Conservation
21 Overlay (CO) District (vs. 50' wetland setback) per item V.11 of
22 the checklist. In addition, the Applicant shall update the site
23 plan – sheet 3 – to indicate the location of the CO District signs
24 to be placed along the boundary in accordance with section 5.06
25 of the regulations and include an appropriate note on the plan
26 for proper sign placement in accordance to the regulations.
 - 27 b. The Applicant shall provide proper monuments at the
28 northeasterly and northwesterly corners of the lot per Section
29 3.02 of the Site Plan Regulations and item V.3.b of the checklist.
 - 30 c. The Applicant shall note the base datum used for the indicated
31 topography (USGS?) on the plan.
 - 32
33 4. We note the submitted traffic report and existing conditions plan
34 indicate no signage or pavements markings are provided at the two
35 driveway exits and recommend the Applicant update the site plan to
36 provide stop signs and stop bars at the driveway exits onto Wentworth
37 Avenue as typically requested by the Town. The Applicant shall include
38 details in the plan set for proper construction.
 - 39
40 5. The Applicant shall address the following relative to the project details:
 - 41 a. The Applicant shall update the Outlet structure detail provided
42 on sheet 4 to clarify the location of items "J" and "K". In
43 addition, the Applicant shall provide a detail of the weir plate for
44 OS#2 and sufficient information to allow construction of the
45 concrete opening at the weir in the plan set for proper
46 construction. Also, the Applicant shall update the OS#1 plate
47 detail on sheet 9 to indicate the weir invert as "C" vs. "G"
48 consistent with the detail.
 - 49 b. The Applicant shall update the sidewalk details on sheet 8 to
50 indicate a minimum of 8" of crushed gravel is provided under

1 the sidewalk in accordance with the Town's typical detail (Exhibit
2 R103).
3

4 6. The Applicant shall address the Stantec memorandum relative to traffic
5 dated September 1, 2010 for the project.
6

7 7. The Applicant shall address the following on the landscape plan:
8 a. The Applicant shall add purple lilacs to the landscape design as
9 typically required by the Planning Board.
10 b. The Applicant shall remove the Ever-Low Yew from the
11 landscape plan and provide an appropriate substitution (as it
12 does not meet the winter hardiness level as required by the
13 regulations.)
14

15 8. The Applicant shall address the DRC Comments as applicable.
16

17 9. Note all waivers and the conditional use permit granted on the plan.
18

19 10. The Applicant shall provide a digital (electronic) copy of the complete
20 final plan sent to the Town at the time of signature by the Board in
21 accordance with Section 2.05.n of the regulations.
22

23 11. Outside consultant's fees shall be paid within 30 days of approval of
24 plan.
25

26 12. Financial guaranty if necessary.
27

28 13. Final engineering review
29

30 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
31 certified the approval is considered final. If these conditions are not met
32 within **120 days** to the day of the meeting at which the Planning Board
33 grants conditional approval the board's approval will be considered to have
34 lapsed and re-submission of the application will be required. See RSA 674:39
35 on vesting.
36

37 **GENERAL AND SUBSEQUENT CONDITIONS**

38

39 All of the conditions below are attached to this approval.
40

41 1. **No construction or site work for the amended site plan may be**
42 **undertaken until the pre-construction meeting with Town staff**
43 **has taken place, filing of an NPDES-EPA Permit and the site**
44 **restoration financial guaranty is in place with the Town.** Contact
45 the Department of Public Works to arrange for this meeting.
46

47 2. The project must be built and executed exactly as specified in the
48 approved application package unless modifications are approved by the
49 Planning Division & Department of Public Works, or if staff deems
50 applicable, the Planning Board.

- 1
2 3. All of the documentation submitted in the application package by the
3 Applicant and any requirements imposed by other agencies are part of
4 this approval unless otherwise updated, revised, clarified in some
5 manner, or superseded in full or in part. In the case of conflicting
6 information between documents, the most recent documentation and
7 this notice herein shall generally be determining.
8
9 4. All site improvements must be completed prior to the issuance of a
10 certificate of occupancy. In accordance with Section 6.01.d of the Site
11 Plan Regulations, in circumstances that prevent landscaping to be
12 completed (due to weather conditions or other unique circumstance),
13 the Building Division may issue a certificate of occupancy prior to the
14 completion of landscaping improvements, if agreed upon by the
15 Planning Division & Public Works Department, when a financial
16 guaranty (see forms available from the Public Works Department) and
17 agreement to complete improvements are placed with the Town. The
18 landscaping shall be completed within 6 months from the issuance of
19 the certificate of occupancy, or the Town shall utilize the financial
20 guaranty to contract out the work to complete the improvements as
21 stipulated in the agreement to complete landscaping improvements.
22 **No other improvements shall be permitted to use a financial**
23 **guaranty for their completion for purposes of receiving a**
24 **certificate of occupancy.**
25
26 5. As built site plans must to be submitted to the Public Works
27 Department prior to the release of the Applicant's financial guaranty.
28
29 6. All required Traffic, Police, and Fire impact fees must be paid prior to
30 the issuance of a Certificate of Occupancy.
31
32 7. It is the responsibility of the Applicant to obtain all other local, state,
33 and federal permits, licenses, and approvals which may be required as
34 part of this project (that were not received prior to certification of the
35 plans). Contact the Building Division at extension 115 regarding
36 building permits.
37

38 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
39 **0-0.** Plan is conditionally approved.
40

- 41 C. Jason R. Guinesso & Ham Family Revocable Trust of 2008, Map 6, Lot 27 and
42 Map 7, Lot 36 – Application Acceptance and Public Hearing for a Lot Line
43 Adjustment.
44

45 J. Levandowski stated that there were no checklist items, and staff
46 recommended the application be accepted as complete.
47

48 **J. Farrell made a motion to accept the application as complete. D.**
49 **Coons seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**
50 Application accepted as complete.

1
2 Greg Brown, CLD, presented their plans to move the lot line between the two
3 properties on Peabody ROW. Jason Guinesso, land owner of Map 6, Lot 27,
4 and Chet & Marilyn Ham, owners of Map 7, Lot 36 were present. G. Brown
5 said that J. Guinesso would like to purchase a piece of land from the Hams to
6 extend his property line. They requested a waiver for the driveway sight
7 distance. T. Thompson said that because these properties are on Peabody
8 ROW, which is a state road, a waiver may not be necessary.

9
10 J. Trottier summarized the design review items from the DPW/Stantec memo.

11
12 J. Levandowski read the staff recommendation memo and said that based on
13 the information provided staff recommends conditional approval.

14
15 T. Thompson said that our regulations do require a sight distance plans and
16 certifications for any lot line adjustment when a new survey is completed. He
17 said that because this is a state road we are willing and have in the past, if
18 the state does not require the site distance certifications be provided for
19 these lots, to support a waiver to not require the applicant to include them as
20 part of this project. We would like them to have that discussion with the
21 state, and if the state does require it, they would need to be provided to the
22 town.

23
24 J. Trottier said the applicant should still request a waiver to the sight distance
25 in case it is needed. T. Thompson said that staff recommends the waiver with
26 the condition that if the state requires the sight distance certifications, that
27 they be provided to the town. M. Soares asked why the applicant would be
28 required to have a discussion with the town in regards to the easement for 25
29 feet from the center line of the road, if the road is a state road. J. Trottier
30 said this is because the town works in harmony with the state on any issues
31 regarding state roads in town. T. Thompson said the easement is done so
32 that it would not impact the lot size calculations.

33
34 A. Rugg asked for public input, but there was none.

35
36 **D. Coons made a motion to grant the waiver for sight distance, with**
37 **the condition that they be provided if the NHDOT requires it. M.**
38 **Soares seconded. No discussion. Vote on the motion 8-0-0. Waiver**
39 **granted.**

40
41 **J. Farrell made a motion to conditionally approve the lot line**
42 **adjustment with the following conditions:**

43
44 "Applicant", herein, refers to the property owner, business owner, or
45 organization submitting this application and to his/its agents, successors, and
46 assigns.
47

1
2 **PRECEDENT CONDITIONS**
3

4 All of the precedent conditions below must be met by the Applicant, at the
5 expense of the Applicant, prior to certification of the plans by the Planning
6 Board. Certification of the plans is required prior to commencement of any
7 site work, any construction on the site or issuance of a building permit.
8

- 9 1. The Applicant indicates a NHDES subdivision approval application has
10 been submitted for the project on the submitted checklist. The
11 Applicant shall obtain the necessary permit, indicate the approval
12 number on sheet 1 and provide a copy of the approval for the Planning
13 Department's file.
14
- 15 2. The Applicant shall address the following relative to sheet 1:
16 a. The Applicant shall update the plan to indicate the Conservation
17 Overlay (CO) District (vs. 50' wetland setback) per item III.33 of
18 the checklist and the Applicant shall remove the building setback
19 lines within the CO District as typically requested by the Town.
20 In addition, the Applicant shall indicate the location of the CO
21 District signs to be placed along the boundary in accordance
22 with section 3.02.C of the regulations and include an appropriate
23 note on the plan for proper sign placement in accordance to the
24 regulations.
25 b. The Applicant shall update the notes to include the existing and
26 proposed areas for each lot per item III.7.c of the checklist.
27 c. The Applicant shall label the class (status) of Peabody ROW per
28 item III.16.b of the checklist and indicate the southerly ROW
29 limits of the roadway on the plan as typically requested by the
30 Town.
31 d. The plan indicates a well radius easement upon lot 36 for the
32 benefit of lot 27. However, the proposed easement information
33 (meets and bounds) per item III.19 of the checklist appears
34 missing for the easement. The Applicant shall update the plans
35 to include the required information.
36 e. The Applicant shall provide a proper monument at the
37 northeasterly corner of lot 36 at the existing wall per Section
38 3.02 of the Subdivision Regulations and item III.14.b of the
39 checklist.
40 f. The Applicant shall update the LLS certification to indicate
41 compliance with section 4.12.A of the regulations (1 part in
42 10,000).
43
- 44 3. It appears portions of the indicated right of way along Peabody ROW
45 are less than 25 feet from the centerline of the existing pavement. We
46 understand the Town typically requests a minimum 25 feet be provided
47 along existing roads for future widening. The Applicant shall discuss
48 this issue with the Town.
49

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

4. The Applicant shall provide a sheet in the plan set that does not include the site topography. The regulations do not require topography on the boundary plan, and typically the registry of deeds does not accept plans with topography on the boundary plan.
5. The Applicant shall correct note #5 on sheet 1. The note references lot sizing when sewer is available. Because the parcels are served by septic, the lot sizes are determined by HISS. The Applicant shall revise accordingly.
6. The Applicant shall provide lot size calculations for both lots, as required by the Zoning Ordinance, to verify the lots meet the minimum lot size. We note that there is a memo from the Asst. Building Inspector in the file stating the lots meet the minimum requirements, however the calculations are required per the Zoning Ordinance and cannot be waived by the Planning Board.
7. The Applicant shall provide driveway sight distance plans/profiles for the existing driveways in accordance with the requirements of the regulations if required by NHDOT (in accordance with the waiver granted by the Board). We note that these parcels are on a state maintained roadway, and the sight distance certifications, if required by NHDOT, shall be made in accordance with NHDOT requirements. Additionally, the plans indicate a second driveway on lot 27, which typically is not permitted unless a lot has a minimum of 300' of road frontage. The Applicant shall discuss this item with the NHDOT to verify compliance with the State's requirements.
8. The Applicant shall address the DRC comments as applicable.
9. Note all waivers granted on the plan.
10. 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 2.06.N of the regulations.
11. The Applicant shall provide a check for \$25 (made payable to the *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that became effective on recording of all plans and documents at the registry on July 1, 2008.
12. The Applicant shall note all general and subsequent conditions on the plans **(must be on a sheet to be recorded)**, per the new requirements of RSA 676:3.
13. Outside consultant's fees shall be paid within 30 days of approval of plan.
14. Financial guaranty if necessary.

1
2 15. Final engineering review
3

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

10
11 **GENERAL AND SUBSEQUENT CONDITIONS**
12

13 All of the conditions below are attached to this approval.
14

- 15 1. **No construction or site work for the may be undertaken until**
16 **the pre-construction meeting with Town staff has taken place,**
17 **filing of an NPDES-EPA Permit and the site restoration financial**
18 **guaranty is in place with the Town.** Contact the Department of
19 Public Works to arrange for this meeting (if applicable).
20
21 2. The project must be built and executed exactly as specified in the
22 approved application package unless modifications are approved by the
23 Planning Department & Department of Public Works, or if staff deems
24 applicable, the Planning Board.
25
26 3. All of the documentation submitted in the application package by the
27 Applicant and any requirements imposed by other agencies are part of
28 this approval unless otherwise updated, revised, clarified in some
29 manner, or superseded in full or in part. In the case of conflicting
30 information between documents, the most recent documentation and
31 this notice herein shall generally be determining.
32
33 4. It is the responsibility of the Applicant to obtain all other local, state,
34 and federal permits, licenses, and approvals which may be required as
35 part of this project (that were not received prior to certification of the
36 plans). Contact the Building Division at extension 115 regarding
37 building permits.
38

39 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
40 **0-0.** Plan is conditionally approved.
41

42 D. Stonyfield Farm Inc., Map 14, Lot 44-13 – Application Acceptance and Public
43 Hearing for a site plan to construct 62,019 square feet of building additions
44 (Battery Charging, Incubator, and Packaging space).
45

46 T. Thompson stated that there were no outstanding checklist items, and staff
47 recommended the application be accepted as complete.
48

1 **J. Farrell made a motion to accept the application as complete. D.**
2 **Coons seconded the motion. No discussion. Vote on the motion: 8-0-0.**
3 Application accepted as complete.

4
5 Chris Rice from TF Moran and Jeff Clark from Stonyfield Farms presented
6 their plans. C. Rice said they plan to construct a building addition in two
7 phases at 10 Burton Drive. The incubator addition will be built during Phase
8 1. Phase 2 will consist of a packaging addition on the east side and a 2300
9 s.f. addition for battery charging on the west side. The addition on the east
10 side will be built over the existing parking area, however, they will still have
11 adequate parking with the loss of those parking spaces. They are required to
12 have 366 spaces and they will have 406 spaces after the project is built. They
13 have requested two waivers. They have already submitted permits.

14
15 J. Trottier summarized the design review items from the DPW memo and
16 read the waiver requests into the record:

17
18 The applicant has requested 3 waivers, however, one waiver is not
19 applicable (for project permits in hand for acceptance. This is no longer a
20 requirement for acceptance following the September 2009 revisions to the
21 regulations). The remaining 2 waivers are summarized below.

- 22
23 1. The applicant is requesting a waiver to Sections 4.01.c. The applicant
24 has not provided plans at a scale of 1"=40' as required by the
25 regulations. Staff recommends **granting** the waiver, as all previous
26 plans for this parcel are at the 1"=50' scale (which was the
27 requirement from the regulations when the parcel was initially
28 developed, and has consistently been waived for the parcel since the
29 new requirements were adopted in 2001). In order to maintain
30 consistency with previous plans for this parcel, staff is comfortable
31 with the 50 scale plans.
32
33 2. The applicant is requesting a waiver to Exhibit 3. The applicant has
34 not provided the application fee based on the area of the entire
35 parcel. Staff recommends **granting** the waiver, as it is consistent
36 with past Board practice of allowing a reduced fee based on the area
37 of disturbance for projects located on large parcels.

38
39 T. Thompson read items 2-6 from staff recommendations memo into the
40 record and said that staff recommends conditional approval of this project.

41
42 J. Trottier instructed the C. Rice to add the AOT permit to item 2 of the staff
43 recommendations memo.

44
45 M. Soares asked if the addition will go over pervious pavement and how that
46 pavement has been working out. J. Clark said it's working out well and that
47 they gave a report to the town about the pervious pavement. J. Trottier
48 noted that item 8 of the DPW memo addresses the pervious pavement.

49
50

1 A. Rugg asked for public input, but there was none. A. Rugg did read a letter
2 into the record from Karen Beliveau, 14 Wilshire Dr, regarding traffic
3 entering/exiting Stonyfield (Attachment #2). M. Soares asked J. Clark if he
4 would confirm that he will communicate Karen's concerns to his staff and he
5 will get in touch with Karen as well.

6
7 There was no further public comment.

8
9 **D. Coons made a motion to grant the waivers based on the**
10 **applicant's letter and staff recommendation. R. Brideau seconded the**
11 **motion. No discussion. Vote on the motion: 8-0-0. Waivers granted.**

12
13 **D. Coons made a motion to conditionally approve the site plan with**
14 **the following conditions:**

15
16 "Applicant", herein, refers to the property owner, business owner, or
17 organization submitting this application and to his/its agents, successors, and
18 assigns.

19
20 **PRECEDENT CONDITIONS**

21
22 All of the precedent conditions below must be met by the Applicant, at the
23 expense of the Applicant, prior to certification of the plans by the Planning
24 Board. Certification of the plans is required prior to commencement of any
25 site work, any construction on the site or issuance of a building permit.

- 26
27 1. The Applicant shall verify adequate parking will be provided during
28 construction of these two phases. The plan indicates approximately 40
29 parking spaces are not available in the temporary construction staging
30 area and it is assumed that other parking spaces will be required
31 during construction.
- 32
33 2. The existing conditions plans include proposed improvement features,
34 infrastructure information that is illegible and sewer information are
35 not provided, the Applicant shall clarify.
- 36
37 3. The Applicant shall clarify the following notes on sheet 6: note 2
38 regarding removal of silo in phase 3A and note 7 regarding Town of
39 Londonderry, Department of Public Works and Highways Standard
40 Specifications.
- 41
42 4. The Applicant shall clarify the following on sheet 7: provide the
43 appropriate construction entrance detail in the plan set., Additionally
44 the applicant shall verify if the existing sign to the west of the entrance
45 be relocated and indicate relocation on the plans in accordance with
46 the regulations as appropriate.
- 47
48 5. The applicant shall indicate the proper restoration along Burton Drive
49 to include 3-foot crushed gravel shoulder along the edge of pavement
50 then loam and seed on sheet 9.

- 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
 - 8
 - 9
 - 10
 - 11
 - 12
 - 13
 - 14
 - 15
 - 16
 - 17
 - 18
 - 19
 - 20
 - 21
 - 22
 - 23
 - 24
 - 25
 - 26
 - 27
 - 28
 - 29
 - 30
 - 31
 - 32
 - 33
 - 34
 - 35
 - 36
 - 37
 - 38
 - 39
 - 40
 - 41
 - 42
 - 43
 - 44
 - 45
 - 46
 - 47
 - 48
 - 49
6. The Applicant shall clarify the following on sheet 12: restoration around battery charging addition, slope of roof drain from battery charging addition, DMH 25 should be cored and booted to accept the roof drain, provide a temporary bench mark in the area of the packaging addition, proposed invert into the drop-over DMH is below the existing DMH1 invert.
 7. The Applicant shall clarify the design intent of constructing chimney & 8-inch service into building.
 8. The Applicant shall clarify the following on sheets 14 and 15:
 - a. Sawcut limit in concrete curb at sidewalk detail, provide parking lot or roadway section detail. Portions of the work will be performed within the pervious pavement section of the parking lot, will pervious pavement be replaced?
 - b. Revise the concrete sidewalk details to indicate the Town of Londonderry standard of 8-inches of crushed gravel.
 - c. Clarify the discrepancy between the Loam and seed detail (which indicates 4-inches of loam) and the erosion control notes (which indicates 6-inches of loam).
 - d. The applicant shall clarify the bollard detail, indicating where will this be placed on the plans.
 - e. The applicant shall clarify the sewer notes and sewer service detail which do not appear to address proposed phase 2 work.
 9. The Applicant shall provide professional endorsement on lighting plans.
 10. The Applicant shall clarify the following in the drainage memorandum: area of proposed packaging addition does not agree with areas noted on the plans, provide a table indicating pre and post flows from the July 2005 analysis and the subsequent change as a result of this plan, memorandum to be professionally endorsed.
 11. The Applicant shall obtain the FAA, NHDES AOT, and Sewer Discharge permits required for the project, and provide copies to the Town for the Planning Division's files.
 12. The Applicant shall revise the Planning Board signature blocks to add the "For Phase ____" language.
 13. The plan notes indicate 11 handicap accessible parking spaces, but only 9 such spaces appear on the plans. The Applicant shall clarify and revise the plans and/or notes as necessary.
 14. The Applicant shall verify the relocated signs on Sheet 9 will comply with the signage setback requirements of the Zoning Ordinance, and shall not be placed within the sight line of vehicles exiting the site.

- 1 15. The Applicant shall revise the "Resource List" on the cover sheet as
2 follows:
 - 3 a. Revise "Planning & Economic Development Department" to read
4 "Community Development Department."
 - 5 b. Revise "Jim Smith, Chief Building Inspector" to read "Richard
6 Canuel, Senior Building Official."
7
- 8 16. The Applicant shall address the DRC Comments as applicable.
9
- 10 17. Note all waivers granted on the plan.
11
- 12 18. The Applicant shall provide a digital (electronic) copy of the complete
13 final plan sent to the Town at the time of signature by the Board in
14 accordance with Section 2.05.n of the regulations.
15
- 16 19. Outside consultant's fees shall be paid within 30 days of approval of
17 plan.
18
- 19 20. Financial guaranty if necessary.
20
- 21 21. Final engineering review
22
23

24 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
25 certified the approval is considered final. If these conditions are not met
26 within **120 days** to the day of the meeting at which the Planning Board
27 grants conditional approval the board's approval will be considered to have
28 lapsed and re-submission of the application will be required. See RSA 674:39
29 on vesting.
30

31 **GENERAL AND SUBSEQUENT CONDITIONS**

32

33 All of the conditions below are attached to this approval.
34

- 35 1. **No construction or site work for the amended site plan may be**
36 **undertaken until the pre-construction meeting with Town staff**
37 **has taken place, filing of an NPDES-EPA Permit and the site**
38 **restoration financial guaranty is in place with the Town.** Contact
39 the Department of Public Works to arrange for this meeting.
40
- 41 2. The project must be built and executed exactly as specified in the
42 approved application package unless modifications are approved by the
43 Planning Division & Department of Public Works, or if staff deems
44 applicable, the Planning Board.
45
- 46 3. All of the documentation submitted in the application package by the
47 Applicant and any requirements imposed by other agencies are part of
48 this approval unless otherwise updated, revised, clarified in some
49 manner, or superseded in full or in part. In the case of conflicting

1 information between documents, the most recent documentation and
2 this notice herein shall generally be determining.
3

- 4 4. All site improvements must be completed prior to the issuance of a
5 certificate of occupancy. In accordance with Section 6.01.d of the Site
6 Plan Regulations, in circumstances that prevent landscaping to be
7 completed (due to weather conditions or other unique circumstance),
8 the Building Division may issue a certificate of occupancy prior to the
9 completion of landscaping improvements, if agreed upon by the
10 Planning Division & Public Works Department, when a financial
11 guaranty (see forms available from the Public Works Department) and
12 agreement to complete improvements are placed with the Town. The
13 landscaping shall be completed within 6 months from the issuance of
14 the certificate of occupancy, or the Town shall utilize the financial
15 guaranty to contract out the work to complete the improvements as
16 stipulated in the agreement to complete landscaping improvements.
17 **No other improvements shall be permitted to use a financial**
18 **guaranty for their completion for purposes of receiving a**
19 **certificate of occupancy.**
20

- 21 5. As built site plans must to be submitted to the Public Works
22 Department prior to the release of the Applicant's financial guaranty.
23

- 24 6. All required Traffic, Police, and Fire impact fees must be paid prior to
25 the issuance of a Certificate of Occupancy.
26

- 27 7. It is the responsibility of the Applicant to obtain all other local, state,
28 and federal permits, licenses, and approvals which may be required as
29 part of this project (that were not received prior to certification of the
30 plans). Contact the Building Division at extension 115 regarding
31 building permits.
32

33 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
34 **0-0.** Plan is conditionally approved.
35

36 **Other Business**

37
38 None
39

40 **Adjournment:**

41
42 **M. Soares made a motion to adjourn the meeting. G. Herrmann seconded**
43 **the motion.** No discussion. **Vote on the motion: 8-0-0.** Meeting adjourned at
44 8:18 PM.
45

46 These minutes prepared by Cathy Dirsra, Planning Division Secretary.
47

48 Respectfully Submitted,
49

50 Charles Tilgner, Secretary



RULES OF PROCEDURE

PLANNING BOARD

TOWN OF LONDONDERRY, NH



Londonderry
Business is good. Life is better.

1. AUTHORITY

- 1.1. These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated (**RSA 676:1**).

2. MEMBERS

- 2.1. Per the Londonderry, NH Town Charter (Article 9, Section 1, A): The Planning Board shall consist of nine (9) members, of whom six (6) are appointed and three (3) are ex officio. The six (6) appointed members shall be appointed by the Town Council for terms of three (3) years, except that initial appointments shall be staggered so that no more that two (2) appointed members shall have terms that expire in a single year. The three (3) ex officio members shall consist of the Town Manager, or his/her designee, an administrative officer of the Town designated by the Manager, and a Councilor designated by the Council for a one year term. There shall also be three (3) alternate appointed members appointed in the same way as regular appointed members, except no more than one alternate appointed member's term shall expire in a single year.
- 2.2. Selection, qualification, term, removal of members, and filling of vacancies shall conform to **RSA 673**.
- 2.3. Alternate members may serve on the Planning Board as authorized by **RSA 673:6**. *Alternate members should attend all meetings to familiarize themselves with the workings of the board to stand ready to serve whenever a regular member of the board is unable to fulfill his/her responsibilities. Alternate members shall participate in all meetings and deliberations of the board, excluding voting (unless appointed to vote in the place of a regular member as appointed at the meeting by the Chair).*
- 2.4. Each newly appointed (including re-appointed) member shall be sworn in and take an oath of office as required by **RSA 42:1**.

3. OFFICERS

- 3.1. The officers of the Board shall be as follows:
 - 3.1.1 Chairman: The Chairman shall preside over all meetings and hearings; shall prepare, with the assistance of the Secretary, an annual report; and shall perform other duties customary to the office.
 - 3.1.2 Vice-Chairman: The Vice-Chairman shall preside in the absence of the

Chairman and shall have the full powers of the Chairman on matters that come before the Board in the absence of the Chairman.

3.1.3. Secretary: The Secretary shall keep a full and accurate record of the proceedings of each meeting; issue notices of all meetings; record the names of the members present; notify applicants and abutters of hearings; and prepare such correspondence and fulfill such duties as the Chairman may specify.

3.1.4. Assistant Secretary: Serves in the absence of the Secretary, performing all roles of the Secretary.

3.2 The officers of the Board shall be elected annually during the month of April by a majority vote of the Board. If requested by a majority of those present, voting shall be by written ballot.

4. MEETINGS

4.1. Regular meetings shall be held at least monthly at Town Hall at 7PM on the first Wednesday of each month.

4.2. Workshop meetings shall be held at least monthly at Town Hall at 7PM on the second Wednesday of each month.

4.3. Special meetings may be called by the Chairman or in her/his absence, by the Vice-Chairman, or at the request of three regular members of the Board provided public notice and notice to each member is given at least 48 hours in advance of the time of such meeting. The notice shall specify the purpose of the meeting.

4.4. Nonpublic Sessions shall be held only in accordance with **RSA 91-A:3**.

4.5. Quorum: A majority of the membership of the Board shall constitute a quorum, including alternates sitting in place of regular members. A quorum is necessary for the Board to take any action. If any regular Board member is absent from a meeting or hearing, or disqualifies her/himself from sitting on a particular application, the Chairman shall designate one of the alternate members to sit in place of the absent or disqualified member. Such alternate shall have all the powers and duties of a regular member in regards to any matter under consideration on which the regular member is unable to act. The alternate should continue until the matter is completed; the regular member does not vote on that matter.

4.6. Disqualification: If any member finds it necessary to be disqualified from sitting on a particular case, as provided in **RSA 673:14**, he or she shall notify the Chairman as soon as possible so that an alternate may be requested to fill the place. The disqualification shall be announced by either the Chairman or the member before the discussion or the public hearing on the application begins. The member disqualified shall leave the Board table during the public hearing and all deliberations, but may remain in the audience as a member of the public. If uncertainty arises as to whether a Board member should disqualify her/himself, on the request of that member or the request of another member of the Board, the Board shall vote on the question of whether that member should be

disqualified. Such request and vote shall be made prior to or at the commencement of any required public hearing. A vote on a question of disqualification shall be advisory and non-binding, and may not be requested by persons other than board members.

4.7. Order of Business for Regular Meetings shall be as follows:

4.7.1. Call to order by Chairman

4.7.2. Administrative Board Work

4.7.2.1. Approval of previous month's minutes.

4.7.2.2. Signing of plans for final approval

4.7.2.3. Extension Requests

4.2.7.4. Voluntary Mergers

4.2.7.5. Discussions with Town Staff

4.7.3. Application Acceptance and Public Hearings on new Subdivision & Site Plans

4.7.4. Other Business

4.7.5. Adjournment

4.8. Order of Business for Workshop Meetings shall be as follows:

4.8.1. Call to order by Chairman

4.8.2. Administrative Board Work

4.8.2.1. Approval of previous month's minutes.

4.8.2.2. Signing of plans for final approval

4.8.2.3. Extension Requests

4.8.7.4. Voluntary Mergers

4.8.7.5. Discussions with Town Staff

4.8.3. Public Hearings on Ordinance/Regulation Amendments or Re-Zonings, Conceptual Discussions, Workshops, Continued Public Hearings for Subdivision & Site Plan Applications.

4.8.4. Other Business

4.8.5. Adjournment

4.9. A motion, duly seconded, shall be carried by an affirmative vote of a majority of the voting members present. Voting shall be by voice vote, unless the chair specifically requests a roll call, which shall be recorded in the minutes.

5. APPLICATIONS FOR SUBDIVISION AND SITE PLAN REVIEW

- 5.1. All applications for subdivision approval and site plan approval shall be carried out as outlined in Section 2 of both the Londonderry Subdivision Regulations and Londonderry Site Plan Regulations.

6. PUBLIC HEARINGS

The conduct of public hearings shall be governed by the following rules:

- 6.1. The Chairman shall call the hearing in session, and read the application information into the record.
- 6.2. The applicant, or his/her representative will present the application to the Planning Board
- 6.3. Members of the Board may ask questions at any point during the presentation.
- 6.4. The Town staff will present any comments or recommendations to the Board.
- 6.5. Any applicant, any abutter or any person with an interest in the matter may testify in person or in writing.
- 6.6. Any party to the matter who desires to ask a question of another party must go through the Chairman.
- 6.7. Each person who speaks shall be required to state her/his name and address for the record.
- 6.8. The Board makes any appropriate motions regarding waivers requested, or Conditional Use Permits requested.
- 6.9. The Board makes any appropriate motions regarding conditional approval, denial, or continuance of the application.
- 6.10. The Chairman shall indicate whether the hearing is closed or continued pending the submission of additional material or information or the correction of noted deficiencies. In the case of a continuance, additional notice is not required if the date, time and place of the continuation is made known at the adjournment.

7. DECISIONS

- 7.1. The Board shall render a written decision within 65 days of the date of acceptance of a completed application, subject to extension or waiver as provided in **RSA 676:4**.
- 7.2. Notice of decision will be made available for public inspection at the Planning Department within 72 hours after the decision is made as required in **RSA 676:3**. If the application is disapproved, the Board shall provide the applicant with written reason for this disapproval.

8. RECORDS

- 8.1. The records of the Board shall be kept by the Secretary and shall be made available for public inspection at the Planning Department as required by **RSA 676:3,11**.
- 8.2. Minutes of the meetings including the names of Board members, staff members present, persons appearing before the Board, a brief description of the subject matter, all decisions made (including the vote tally for each motion), and shall be open to public inspection within ~~144 hours of~~ **5 business days after** the public meeting as required in **RSA 91-A:2 ,II**.

9. JOINT MEETINGS AND HEARINGS

- 9.1. The Planning Board may hold joint meetings and hearings with other “land use boards” including the Zoning Board of Adjustment and the Heritage/Historic District Commission. Each board shall have discretion whether or not to hold such joint meeting or hearing (**RSA 676:2**).
- 9.2. Joint business meetings with another local land use board may be held at any time when called jointly by the chairmen of the two boards.
- 9.3. A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the boards convened.
- 9.4. The Planning Board chair shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.
- 9.5. The rules of procedure for joint meetings and hearings, the subject matter of which involves the Planning Board, shall be the same as these rules of procedure except that the order of business shall be as follows:
 - 9.5.1. Call to order by Chairman
 - 9.5.2. Introduction of members of both boards by Chairman
 - 9.5.3. Explanation of reason for joint meeting/hearing by Chairman
 - 9.5.4. In the case of a public hearing relative to a requested permit, a site plan or an application for a subdivision approval, or all three, the applicant shall be called to present his proposal.
 - 9.5.5. Adjournment
- 9.6. Each board involved in a joint public hearing makes its own decision, based on its criteria for the particular matter.

10. AMENDMENT

- 10.1. These rules of procedure may be amended by a majority vote of the members of the Board provided that such amendment is read at two successive meetings immediately preceding the meeting at which the vote is to be taken. The amended procedures shall be filed with the Town Clerk.

11. PLANNING BOARD ADOPTION

These Rules of Procedure, having been duly read at 2 consecutive Planning Board Meetings, as required by Section 10.1, are hereby adopted by a vote of the Planning Board on this day of **October __, 2010**.

Signed

Chair

Secretary

1st Reading - 2010
September 1, 2010

Tim Thompson

From: Andre Garron
Sent: Wednesday, September 01, 2010 1:46 PM
To: Tim Thompson; Richard Canuel
Subject: FW: Stonyfield expansion

FYI

André

André L. Garron, AICP, Director
Community Development Department
268 B Mammoth Road
Londonderry, NH 03053

(V) 603-432-1100 Ext. 101
(F) 603-432-1128
(EM) agarron@londonderrynh.org



Business is good. Life is better!
www.thriveinlondonderry.com
[Town of Londonderry](http://TownofLondonderry)

From: karen believeau [mailto:████████████████████]
Sent: Wednesday, September 01, 2010 1:41 PM
To: Andre Garron; whart@londonderrynh.org
Subject: Stonyfield expansion

Good morning,

I really do hate to bother you but this has been an on going issue which could result in a catastrophic accident.

Stonyfield's exit has an incline leading onto Burton Drive. The gates are open at most times and Stonyfield employees and vendors fly out of there. I was going into Granite Ridge this morning and had to immediately apply my brakes as the Stonyfield employee was coming out of the driveway and crossing traffic.

If the company intends to expand and not rectify this situation, this could result in motor vehicle accident and hopefully not a loss of life.

Also the tractor trailer trucks park in the cul de sac making the situation even more hazardous.

Talking to Stonyfield has not been successful. As you know, I am a resident for 35 years of Londonderry and do not complain but I would appreciate if you would look into this on my behalf.

Thank You.

Karen J. Beliveau

Plant Administrator

Granite Ridge Energy

603-552-1005