

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF DECEMBER 2, 2009 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; John Farrell; Rick Brideau, CNHA, Ex-
6 Officio; Paul DiMarco, Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Mary Soares;
7 Lynn Wiles; Cole Melendy, P.E., alternate member; George Herrmann, alternate
8 member
9

10 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsra, Planning
11 Division Secretary
12

13 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed C. Melendy to
14 vote for Rob Nichols.
15

16 **Administrative Board Work**
17

18 A. Extension Request - Dans Floor Store Site Plan
19

20 T. Thompson referenced the letter from Charles Evans, requesting a one year
21 extension of the final approved site plans (Staff intended to bring this request
22 to the Board in November, but due to staff error, it was not presented to the
23 Board). The Planning Board has granted 3 extensions and because the
24 economy has not improved the applicant has still not been able to secure a
25 long term tenant, to justify going forward with the project. T. Thompson said
26 that staff is supportive of that request.
27

28 **J. Farrell made a motion to grant a one year extension from**
29 **expiration (11/9/09). R. Brideau seconded the motion.** No discussion.
30 **Vote on the motion: 8-0-0.** Extension for one year was granted (*to*
31 *11/9/10*).
32

33 B. Approval of Minutes – November 4 & 19
34

35 **J. Farrell made a motion to approve the minutes from the November 4**
36 **meeting. R. Brideau seconded the motion.** No discussion. **Vote on the**
37 **motion: 6-0-2.** (C. Melendy & M. Soares abstained because they were
38 absent at the November 4 meeting). Minutes are approved and will be signed
39 at the December 9 meeting.
40

41 **J. Farrell made a motion to approve the minutes from the November**
42 **19 meeting. R. Brideau seconded the motion.** No discussion. **Vote on**
43 **the motion: 6-0-2.** (P. DiMarco & R. Brideau abstained because they were
44 absent at the November 19 meeting). Minutes are approved and will be
45 signed at the December 9 meeting.
46

47 C. Discussions with Town Staff
48

1 T. Thompson said the Monday Town Council meeting will include a
2 continuation of the public hearing for workforce housing and there will also be
3 a first reading for the Gateway Business District and the PUD ordinance. M.
4 Soares asked P. DiMarco if they expect all 5 Town Councilors to be in
5 attendance at the December 7 meeting. P. DiMarco said yes, they expect all 5
6 councilors to be in attendance and that none of them are expected to be
7 away on business. A. Rugg said that the Board is encouraged to attend.

8
9 A. Rugg said the 4th annual leadership forum (Metro Center leadership forum)
10 is Dec 10, 2009.

11
12 A. Rugg stated that there was an error on page 10 of the Londonderry Times
13 dated November 26. He said that the article was entitled "Planning Board
14 Votes by Secret Ballot for Regional Development Seats". In the article it
15 mentions that the Planning Board Secretary, Cathy Dirsra, was not at the
16 November 19 meeting. He said that she was indeed at the entire meeting and
17 took the minutes for the meeting. He also noted that the reporter, April
18 Guilmette, who wrote the article was not present at tonight's meeting, but
19 her boss, Deb Paul, was at the November 19 meeting and was within 10 feet
20 of Cathy during the interview process. J. Farrell added "for the record" that as
21 stated in the minutes, they had a discussion about a secret ballot, but one
22 never actually took place because the Chairman instructed the Board that
23 they were not allowed to do that. A. Rugg said it was all public. P. DiMarco
24 also noted that the same paper said he wasn't in attendance at the last Town
25 Council meeting, but he was there.

26
27 J. Farrell stated that the Economic Development Task Force will be having a
28 meeting on either December 8 or 10 and they should be making a final
29 decision after multiple iterations on the website.

30
31 **Public Hearings**

32
33 A. Marco & Jean Barbato, Map 3, Lot 138A - Continued Application Acceptance
34 and Public Hearing for a 2 lot subdivision.

35
36 T. Thompson stated that there were no checklist items, and staff
37 recommended the application be accepted as complete.

38
39 **J. Farrell made a motion to accept the application as complete. R.**
40 **Brideau seconded the motion.** No discussion. **Vote on the motion: 8-0-**
41 **0.** Application accepted as complete.

42
43 Todd Connors from Sublime Civil Consultants and Brian Hays from Promised
44 Land Survey presented their plans for a 2 lot subdivision on 17 Diana Road.
45 T. Connors stated that the property received 2 actions from the Zoning Board
46 of Adjustment (ZBA) and both were granted by the ZBA on February 20,
47 2008. He said that the first item was for frontage on the new lot, which fronts
48 on an unapproved Right of Way (ROW) and the second action was an
49 administrative appeal for the granting of a building permit on roadways that
50 don't have status.

1 T. Connors said they are requesting a waiver to section 3.08F of the
2 regulations. The applicant's sight distances for the driveways do not meet the
3 requirements of the regulations (existing drive does not meet the "A" profile,
4 and the proposed driveway does not meet either profile requirement). Dianna
5 Road curves at an almost 90 degree angle in the vicinity of the driveways,
6 and traffic is not capable of passing through this area at 35 MPH, which is
7 what the sight distance requirements are based upon, and there is not a
8 rational nexus to the costs associated with making improvements to meet the
9 regulatory requirement versus the impact of the proposed project.

10 T. Connors said they have received their state subdivision approval for the
11 remainder lot and the proposed lot.

12
13 J. Trottier summarized the design review items from the DPW/Stantec memo
14 and referenced the waiver.

15
16 T. Thompson said staff recommends granting the waiver and conditional
17 approval as outlined in the staff recommendation memo.

18
19 L. Wiles asked if Diana Road is being used as a road or a driveway. T.
20 Connors said it is his understanding that neighbors are able to use the road.
21 He believes that the applicant is responsible to sign a waiver to liability for
22 that road as part of the conditions placed on the variance by the ZBA.

23 C. Melendy asked if there was a plan for Diana Road. T. Thompson said that
24 at one point it was thought that this road would be for access to the
25 subdivision.

26
27 A. Rugg asked for public input.

28
29 Jan & John McLaughlin, Apollo Rd, said their concern is that this plan is
30 different from the original plan and that the road stub was not to be used as
31 a driveway. They have been in their house for 23 years and they have no
32 access to the back of their lot except to use this road. They would like to be
33 able to use this road for access to their property. They said they are
34 concerned that they plan to change a 25 foot road to a 12 foot driveway.

35 P. DiMarco asked if the ROW is owned by the town. T. Thompson said yes it is
36 currently owned by the town. J. Trottier said that any paper road that is
37 owned by the town can be used by residents for access. Jan McLaughlin
38 asked how the driveway will be built. T. Connors said he just discussed this
39 issue with the applicant and they said that they are willing to be a good
40 neighbor and let the residents use the road for access. He also said that the
41 driveway would be built with as little change to the existing ground as
42 currently exists. Jan McLaughlin asked if 12 feet is wide enough for
43 emergency vehicle access. J. Trottier said yes it is wide enough.

44 Jan McLaughlin said she is concerned about drainage on the ROW affecting
45 their property. J. Trottier said he would review the proposed drainage for the
46 driveway and ensured that it would not have a negative affect on the
47 McLaughlin's property.

48
49 There was no further public comment.
50

1 [G. Herrmann arrived at 7:40PM]
2

3 **J. Farrell made a motion to grant the waiver based on the applicant's**
4 **letter and staff recommendation. R. Brideau seconded the motion.** No
5 discussion. **Vote on the motion: 8-0-0.** Waiver granted.
6

7 **J. Farrell made a motion to conditionally approve the subdivision plan**
8 **with the following conditions:**
9

10 "Applicant", herein, refers to the property owner, business owner, or
11 organization submitting this application and to his/its agents, successors, and
12 assigns.
13

14 **PRECEDENT CONDITIONS**
15

16 All of the precedent conditions below must be met by the applicant, at the
17 expense of the applicant, prior to certification of the plans by the Planning
18 Board. Certification of the plans is required prior to commencement of any
19 site work, any construction on the site or issuance of a building permit.
20

- 21 1. The project is located along a significant portion of Dianna Road. We
22 note the Applicant has received a variance for frontage for the new lot.
23 The Applicant shall verify if additional off-site improvements to Dianna
24 Road will be necessary under this application with the Department of
25 Public Works.
26
- 27 2. The Applicant shall update note 8 to include all ZBA variances for the
28 subject parcel noted in the DRC comments as typically requested by the
29 Town.
30
- 31 3. Note all waivers granted on the plan.
32
- 33 4. The Applicant shall provide a digital (electronic) copy of the complete
34 final plan sent to the Town at the time of signature by the Board in
35 accordance with Section 2.06.N of the regulations.
36
- 37 5. The Applicant shall provide a check for \$25 (made payable to the
38 *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that
39 became effective on recording of all plans and documents at the registry
40 on July 1, 2008.
41
- 42 6. The Applicant shall note all general and subsequent conditions on the
43 plans (***must be on a sheet to be recorded***), per the new
44 requirements of RSA 676:3.
45
- 46 7. Outside consultant's fees shall be paid within 30 days of approval of
47 plan.
48
- 49 8. Financial guaranty if necessary.
50

1 9. Final engineering review
2

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

10 **GENERAL AND SUBSEQUENT CONDITIONS**
11

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

- 14 1. **No construction or site work for the subdivision may be**
15 **undertaken until the pre-construction meeting with Town staff**
16 **has taken place, filing of an NPDES-EPA Permit and the site**
17 **restoration financial guaranty is in place with the Town (as**
18 **applicable).** Contact the Department of Public Works to arrange for this
19 meeting.
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. All site improvements must be completed prior to the issuance of a
34 certificate of occupancy.
35
36 5. All required School, Library, Recreation, Traffic, Police, and Fire impact
37 fees must be paid prior to the issuance of a Certificate of Occupancy for
38 the newly created lot.
39
40 6. It is the responsibility of the applicant to obtain all other local, state, and
41 federal permits, licenses, and approvals which may be required as part
42 of this project (that were not received prior to certification of the plans).
43 Contact the Building Division at extension 115 regarding building
44 permits.
45

46 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
47 **0-0.** Plan is conditionally approved.
48

49 A. Rugg instructed J. Trottier to work with the applicant and the McLaughlins.
50

1 [M. Soares left the meeting at 7:45PM]
2

3 B. Henry E. Paul and Inez O. Paul Rev. Trusts, Map 11, Lots 89 and 89-1 -
4 Application Acceptance and Public Hearing for a lot line adjustment.
5

6 T. Thompson stated that there were no checklist items, and staff
7 recommended the application be accepted as complete.
8

9 **J. Farrell made a motion to accept the application as complete. R.**
10 **Brideau seconded the motion. No discussion. Vote on the motion: 7-0-**
11 **O. Application accepted as complete.**
12

13 Tim Winings from TJW Survey presented their plans for a lot line adjustment.
14 He said that the Paul family owns the two separate lots and they wish to sell
15 one lot, therefore, they need to make a lot line adjustment.
16

17 J. Trottier summarized the design review items from the DPW/Stantec memo,
18 read the waiver requests and staff recommendations into the record.
19

- 20 1. The applicant is requesting a waiver to Section 4.12.C.3 of the
21 regulations. The applicant has not provided the boundary of the entire
22 lot 89. Staff recommends **granting** the waiver, as there is a full
23 boundary survey on file in the Planning Division.
24
- 25 2. The applicant is requesting a waiver to Section 3.02.C of the
26 regulations. The applicant has not provided CO District signage for the
27 project as required by the regulations. Staff recommends **granting**
28 **the waiver for lot 89**, given the size of the parcel and the variance
29 granted by the ZBA to not to require wetland and CO District mapping.
30 Staff recommends **denial of the waiver for lot 89-1**, as the CO
31 District is mapped, and does not impact any paved areas or the
32 existing dwelling. Staff recommends the applicant meet with the
33 Conservation Commission (see their memo attached) to determine the
34 appropriate number and locations of CO District signs for lot 89-1.
35
- 36 3. The applicant is requesting a waiver to Sections 3.10 and 3.11 of the
37 regulations. The applicant has not provided topography, HISS, wetland
38 delineation and benchmarks for the entirety of lot 89. Staff
39 recommends **granting** the waiver, based on the ZBA variance for the
40 wetland and CO District delineation, and that sufficient topography and
41 HISS and benchmarks have been provided to ensure the lot meets
42 zoning requirements.
43
- 44 4. The applicant is requesting a waiver to Section 3.02 of the regulations.
45 The applicant has not provided boundary monuments along the eastern
46 boundary of lot 89-1. Staff recommends **granting** the waiver, as the
47 monuments would be placed in wetlands.
48

49 T. Thompson said the CO district boundary will move in accordance with the
50 decision not to meet the variance from the ZBA. He has suggested that T.

1 Winings meet with the Conservation Commission to determine the number
2 and spacing of CO district signs for the smaller lot. He said that staff does not
3 support the waiver and feels that signage should be provided and based on
4 the Conservation Commission recommendation. He feels confident that they
5 can come up with a solution, similar to what was done on Pillsbury Road
6 recently, where they met with the Conservation Commission and came up
7 with a solution that was acceptable by both parties.

8
9 A. Rugg asked for public input, but there was none.

10
11 **J. Farrell made a motion to grant the waivers to sections 4.12.C.3,**
12 **3.10, 3.11 and 3.02 based on the applicant's letter and staff**
13 **recommendation. R. Brideau seconded the motion. No discussion. Vote**
14 **on the motion: 7-0-0.** Waivers were granted.

15
16 **J. Farrell to grant waiver to section 3.02.C for lot both lots, based on**
17 **the applicant's letter and partially based on staff recommendation. R.**
18 **Brideau seconded the motion. Vote on the motion: 7-0-0.** Waivers were
19 granted.

20
21 **J. Farrell made a motion to conditionally approve the lot line**
22 **adjustment with the following conditions:**

23
24 "Applicant", herein, refers to the property owner, business owner, or
25 organization submitting this application and to his/its agents, successors, and
26 assigns.

27
28 **PRECEDENT CONDITIONS**

29
30 All of the precedent conditions below must be met by the applicant, at the
31 expense of the applicant, prior to certification of the plans by the Planning
32 Board. Certification of the plans is required prior to commencement of any
33 site work, any construction on the site or issuance of a building permit.

- 34
35 1. The Applicant shall address the following on the Lot Line Adjustment
36 Plan:
37 A. The Applicant shall label the plan index on the plan.
38 B. The Applicant shall provide a metes and bounds description for the
39 proposed well easement.
40 C. The Applicant shall provide both Owners' signatures on the plans.
41 D. The Applicant shall remove the Planning Board signature block from
42 sheet
43
44 2. The Applicant shall note all waivers granted on the plan.
45
46 3. The Applicant shall provide a digital (electronic) copy of the complete
47 final plan sent to the Town at the time of signature by the Board in
48 accordance with Section 2.06.N of the regulations.
49

- 1 4. The Applicant shall provide a check for \$25 (made payable to the
2 *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that
3 became effective on recording of all plans and documents at the registry
4 on July 1, 2008.
- 5
- 6 5. The Applicant shall note all general and subsequent conditions on the
7 plans (***must be on a sheet to be recorded***), per the new
8 requirements of RSA 676:3.
- 9
- 10 6. Outside consultant's fees shall be paid within 30 days of approval of
11 plan.
- 12
- 13 7. Financial guaranty if necessary.
- 14
- 15 8. Final engineering review

16
17 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
18 certified the approval is considered final. If these conditions are not met
19 within 2 years to the day of the meeting at which the Planning Board grants
20 conditional approval the board's approval will be considered to have lapsed
21 and re-submission of the application will be required. See RSA 674:39 on
22 vesting.

23
24 **GENERAL AND SUBSEQUENT CONDITIONS**

25
26 All of the conditions below are attached to this approval.

- 27
- 28 1. **No construction or site work for the may be undertaken until the**
29 **pre-construction meeting with Town staff has taken place, filing**
30 **of an NPDES-EPA Permit and the site restoration financial**
31 **guaranty is in place with the Town.** Contact the Department of Public
32 Works to arrange for this meeting (if applicable).
- 33
- 34 2. The project must be built and executed exactly as specified in the
35 approved application package unless modifications are approved by the
36 Planning Department & Department of Public Works, or if staff deems
37 applicable, the Planning Board.
- 38
- 39 3. All of the documentation submitted in the application package by the
40 applicant and any requirements imposed by other agencies are part of
41 this approval unless otherwise updated, revised, clarified in some
42 manner, or superseded in full or in part. In the case of conflicting
43 information between documents, the most recent documentation and
44 this notice herein shall generally be determining.
- 45
- 46 4. It is the responsibility of the applicant to obtain all other local, state, and
47 federal permits, licenses, and approvals which may be required as part
48 of this project (that were not received prior to certification of the plans).
49 Contact the Building Division at extension 115 regarding building
50 permits.

1
2 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-**
3 **0-0.** Plan is conditionally approved.
4

5 On behalf of the applicant, T. Thompson said there is some urgency in getting
6 the plans signed and recorded, and given the fact that the only condition of
7 approval is a housekeeping item, he asked the Board if the Board if they
8 would waive the 7 day deadline and sign the plans at the next meeting. The
9 Board agreed to do so.

10
11 C. Michael and Terri Case, Map 1, Lot 71-4 - Application Acceptance and Public
12 Hearing for a 2 lot subdivision.
13

14 T. Thompson stated that there were no checklist items, and staff
15 recommended the application be accepted as complete.
16

17 **J. Farrell made a motion to accept the application as complete. R.**
18 **Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-**
19 **0.** Application accepted as complete.
20

21 Tim Winings from TJW Survey presented their plans for a 2 lot subdivision.
22 He said there is an existing house on 7 Falcon Road and a large drainage
23 easement down the middle of the property that drains off the end of Falcon
24 Road. He said that they have the state subdivision approval. There were 2
25 cases before the ZBA regarding this subdivision. The first one was determined
26 to be an error on Tim Winings part and the other one was grandfathered
27 because it was an existing structure within the zone. They are creating one
28 new lot with extensive frontage on Falcon Road. The existing house lot has
29 reduced frontage and there 3 variances on that lot. T. Winings said there are
30 some restrictions on these lots. One is for the detention pond on the new lot.
31 There are still some conditions from the original subdivision which need to be
32 taken care of.
33

34 J. Trottier summarized the design review items from the DPW/Stantec memo
35 and read the waiver and staff recommendations into the record.
36

- 37 1. The applicant is requesting a waiver to 3.02 of the regulations. The
38 applicant has not provided all monuments in accordance with the
39 regulations. Staff recommends **granting** the waiver, as the missing
40 monuments would be located within wetlands.
41

42 T. Thompson said that the proposed precedent condition #1 is that the
43 applicant shall complete all improvements associated with the previously
44 approved subdivision for Falcon Road and indicate such changes on an
45 updated existing conditions plan prior to final Planning Board approval of the
46 application. He said that staff recommends conditional approval as outlined in
47 the staff recommendation memo.
48

49 A. Rugg asked for public input.
50

1 Bob Palange, 5 Falcon Rd, said he has been attending variance meetings for
2 years and he was always assured that 4 houses could not be built in the cul-
3 de-sac and now he is seeing a proposal for 3 houses with a chance of a 4th.
4 B. Palange asked T. Winings if he plans on living in one of these houses. T.
5 Winings said it's possible, but he is not sure at this time. J. Farrell asked J.
6 Trottier if there was room on the property for a 4th lot. J. Trottier said that he
7 can not make that determination without all the lot calculations. Much
8 discussion ensued regarding the law and rules that apply to the Planning
9 Board and ZBA. B. Palange said he is very aggravated that the applicant can
10 get variances and accomplish what he wants, despite the fact that the ZBA
11 has repeatedly told B. Palange that 4 houses will not be built in that cul-de-sac.

12
13 There was no further public comment.

14
15 **J. Farrell made a motion to grant the waiver based on the applicant's**
16 **letter and staff recommendation. R. Brideau seconded the motion.** No
17 discussion. **Vote on the motion: 7-0-0.** Waiver granted.

18
19 **J. Farrell made a motion to conditionally approve the subdivision plan**
20 **with the following conditions:**

21
22 "Applicant", herein, refers to the property owner, business owner, or
23 organization submitting this application and to his/its agents, successors, and
24 assigns.

25
26 **PRECEDENT CONDITIONS**

27
28 All of the precedent conditions below must be met by the applicant, at the
29 expense of the applicant, prior to certification of the plans by the Planning
30 Board. Certification of the plans is required prior to commencement of any
31 site work, any construction on the site or issuance of a building permit.

- 32
33 1. The Applicant shall complete all improvements associated with the
34 previously approved subdivision for Falcon Road, and indicate such
35 changes on an updated existing conditions plan, prior to final Planning
36 Board approval of this application.
37
38 2. The Applicant shall address the following relative to the Record Plan-
39 sheet 1:
40 A. The Applicant shall provide both Owners' signatures on the plan.
41 B. The Applicant shall update note 2 to properly state the zoning –
42 Agricultural/ Residential AR-1. In addition, please correct the
43 spelling in note 6.
44 C. The Applicant shall provide a metes and bounds description for the
45 proposed well easement upon lot 71-4.
46
47 3. The Applicant shall clarify the base datum reference for the indicated
48 topography is per USGS in accordance with the regulations with a note
49 on the Existing Conditions, Soils & Grading Plan – sheet 2. In addition,
50 please correct the spelling of "sight" for both profiles on sheet 3.

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4. The Applicant shall address the following relative to the submitted drainage report:
- A. The updated report does not include a summary table that indicates the impact to abutting lots 1-71-4, 1-71-20, 1-71-21 and 1-82-11 (each abutting lot) as typically requested by the Town. The Applicant shall update the report to provide a summary table indicating the pre- and post development impacts to each abutter to clarify compliance with the regulations (no increase in runoff).
 - B. Post development subcatchment 2C does not appear to include the proposed pavement within Falcon Road. The Applicant shall review and update accordingly.
5. The project is located along a significant portion of Falcon Road. The Applicant shall verify if additional off-site improvements to Falcon Road will be necessary under this application with the Department of Public Works.
6. Note all waivers granted on the plans.
7. 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.
8. 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.
9. 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.
10. Outside consultant's fees shall be paid within 30 days of approval of plan.
11. Financial guaranty if necessary.
12. Final engineering review

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

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

- 1
2 1. **No construction or site work for the subdivision may be**
3 **undertaken until the pre-construction meeting with Town staff**
4 **has taken place, filing of an NPDES-EPA Permit and the site**
5 **restoration financial guaranty is in place with the Town (as**
6 **applicable).** Contact the Department of Public Works to arrange for this
7 meeting.
8
- 9 2. The project must be built and executed exactly as specified in the
10 approved application package unless modifications are approved by the
11 Planning Department & Department of Public Works, or if staff deems
12 applicable, the Planning Board.
13
- 14 3. All of the documentation submitted in the application package by the
15 applicant and any requirements imposed by other agencies are part of
16 this approval unless otherwise updated, revised, clarified in some
17 manner, or superseded in full or in part. In the case of conflicting
18 information between documents, the most recent documentation and
19 this notice herein shall generally be determining.
20
- 21 4. All site improvements must be completed prior to the issuance of a
22 certificate of occupancy.
23
- 24 5. As built plans must to be submitted to the Public Works Department
25 prior to the release of the applicant's financial guaranty.
26
- 27 6. All required School, Library, Recreation, Traffic, Police, and Fire impact
28 fees must be paid prior to the issuance of a Certificate of Occupancy for
29 the newly created lot.
30
- 31 7. It is the responsibility of the applicant to obtain all other local, state, and
32 federal permits, licenses, and approvals which may be required as part
33 of this project (that were not received prior to certification of the plans).
34 Contact the Building Division at extension 115 regarding building
35 permits.
36

37 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-**
38 **0-0.** Plan is conditionally approved.
39

40 **Other Business**

41 None.
42

43 **Adjournment:**

44 **J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the**
45 **motion.** No discussion. **Vote on the motion: 7-0-0.** Meeting adjourned at
46 8:52PM.
47

48
49
50 These minutes prepared by Cathy Dirsas, Planning Division Secretary.

1
2
3 Respectfully Submitted,
4
5
6 Mary Wing Soares, Secretary