1 2 3 4	 LONDONDERRY, NH PLANNING BOARD <u>MINUTES OF THE MEETING OF MAY 14, 2008 AT THE MOOSE HILL</u> <u>COUNCIL CHAMBERS</u> 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; Kathy Wagner, Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Mary Soares; Laura El-Azem; Chris Davies, alternate member Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Division Secretary 			
5 6 7 8				
9 10 11				
12 13 14	A. Rugg called the meeting to order at 7 PM. A. Rugg appointed C. Davies to vote for J. Farrell.			
15	<u>Adı</u>	ministrative Board Work		
16 17 18 19	Α.	Plans to Sign – Stonyfield Farm Wastewater Facility Minor Site Plan – Map 14, Lot 44-13		
19 20 21 22 23 24 25 26		 J. Trottier said all precedent conditions for approval have been met and the staff recommends signing the plans. M. Soares made a motion to authorize the Chair and Secretary to sign the plans. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. A. Rugg said the plans will be signed at the conclusion of the meeting. 		
20 27 28 29	B.	Extension Request – Fillion Site Plan, Map 2, Lot 34-2 – request additional 1 year on final approval (8/22/09)		
30 31 32 33		T. Thompson referenced the letter from the applicant, Bernard Fillion, requesting an extension. T. Thompson stated that staff supports the extension to 8/22/09.		
34 35 36 37		M. Soares made a motion to grant extension to 8/22/09. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Extension to 8/22/09 was granted.		
38 39	C.	Regional Impact Determinations		
40 41 42 43 44		T. Thompson summarized the staff recommendations memo, recommending that the reconstruction of the Proctor-Morrison-Perry House at the Historical Society Site and the Alamo Fireworks construction of a 7600 square foot store projects were not of regional impact.		
45 46 47 48 49		M. Soares made a motion to accept staff recommendations that these projects are determined not to be of regional impact under RSA 36:56. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0.		

1 2	D.	Signing of Minutes – April 2 & 9
3		
4 5		Minutes for April 2 and 9 have been signed.
6 7	Ε.	Discussions with Town Staff
8 9 10 11 12 13 14 15 16		T. Thompson said that staff met yesterday with AHO construction regarding a previously approved, but never constructed site at the Eco Park. The approved plans call for a 60,000 square foot office/warehouse facility. The project has lapsed and the project has a new property owner. The new owner wants to construct a new facility on that site. Staff encouraged them to renew any state permits and then ask the Planning Board to revalidate the site plan approval from 2004 or the applicant would have to start over. Consensus of the Board was to allow the applicant to revalidate the site plan and move forward.
17 18 19		T. Thompson said the Planning Division intern will start Monday, May 19. Art said the Housing Task Force made their presentation to the Town Council this week.
20		R. Brideau said the CIP Committee will have their first meeting on June 11.
21 22	<u>Pu</u> ł	olic Hearings
23 24 25 26	A.	Londonderry Historical Society, Map 6, Lot 18-1 - Application Acceptance and Public Hearing for the reconstruction of the 1725 Proctor-Morrison-Perry House at the Londonderry Historical Society site.
27 28 29 20		T. Thompson stated there are no outstanding checklist items and Staff recommends the application be accepted as complete.
30 31 32 33 24		 M. Soares made a motion to accept the application as complete. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Application accepted as complete.
34 35 36 37 38 39 40 41 42 43 44		David Colglazier, Coburn Dr, Londonderry Historical Society, said this home was given to the Historical Society. The Historical Society has funds available to reconstruct the House. In the meantime they also acquired a carriage house and are asking the Board if they can place the carriage house on the property. They got a variance from ZBA to place the house on the property because it would sit close to the boundary line. On the new site it would be placed on a proper foundation, which it did not have previously. They would like to be able to bring water to the site. Sewer lines are not proposed for this site. If septic is brought to the site in the future, it would be placed at the back of the building.
45 46 47 48		 J. Trottier said the applicant is requesting 5 waivers and he read all waivers into the record: 1. The applicant is requesting a waiver to Section 3.14 of the regulations.

48 The applicant has not provided a traffic impact analysis. Staff

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1	recommends <i>granting</i> the waiver, as project does not result in a						
2	measurable increase to anticipated traffic to the site.						
3	2. The applicant is requesting a waiver to Section 3.09 of the regulations.						
4	The applicant has not provided a landscape plan. Staff recommends						
5	granting the waiver, as the proposed improvements are consistent with						
6	the historic nature of the site and is consistent with existing landscaping of						
7	the property.						
8	3. The applicant is requesting a waiver to Section 3.13 of the regulations.						
9	The applicant has not provided illumination plans. Staff recommends						
10	<i>granting</i> the waiver, as no lighting is proposed for the site.						
10	4. The applicant is requesting a waiver to Section 4.12 of the regulations.						
11							
	The applicant has not provided full boundary information on the existing						
13	conditions plan for the entirety of the site. Staff recommends <i>granting</i>						
14	the waiver, as there are plans on file with the boundary information.						
15	5. The applicant is requesting a waiver to Section 3.06 of the regulations.						
16	The applicant has not provided a septic design for the site. Staff						
17	recommends granting the waiver, based on the information provided						
18	from the Zoning Officer relative to the septic requirements for the project.						
19							
20	J. Trottier and T. Thompson highlighted for the Board some of the precedent						
21	conditions that he felt are important to note and said that staff recommends						
22	conditional approval.						
23							
24	A. Rugg asked for public input, but there was none.						
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=0	M Soares made a motion to grant the 5 waivers based on the						
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26							
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26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47	 applicant's letter and staff recommendation. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Waivers were granted. M. Soares made a motion to conditionally approve the plan with the following conditions: "Applicant", herein, refers to the property owner, business owner, or organization submitting this application and to his/its agents, successors, and assigns. PRECEDENT CONDITIONS All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to certification of the plans by the Planning Board. Certification of the plans is required prior to commencement of any site work, any construction on the site or issuance of a building permit. 1. The applicant shall obtain a certificate of approval from the Historic District Commission as required by the Zoning Ordinance. 2. The applicant shall provide additional treatment at the end of the 12" 						

1 2 3	3.	The applicant shall provide top and bottom of wall elevations for the proposed retaining wall to ensure proper construction.				
4 5	4.	The applicant shall revise the water connection to the house to be consistent with the requirements from Pennichuck.				
6 7 8	5.	The applicant shall clarify note 10 on the site plan meeting the approval of the Planning Division and Public Works Department.				
9 10 11	6.	The applicant shall clarify the valve box detail on sheet 3 meeting the approval of the Public Works Department.				
12 13 14	7.	The applicant shall note the variance received for the front setback in the notes, as required by the regulations.				
15 16 17	8.	The applicant shall note that the retaining wall will be need to be reviewed and approved by the Building Division.				
18 19 20	9.	The applicant shall provide the professional endorsement for the sight distance certification.				
21 22	10.	The applicant shall address the DRC Comments as applicable.				
23 24 25	11.	Note all waivers granted on the plan.				
25 26 27 28	12.	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 2.05.n of the regulations.				
29 30	13.	Financial guaranty if necessary.				
31 32	14.	Final engineering review				
33 34 35 36 37 38 39 40	certifiec within 1 conditio	ENOTE - Once these precedent conditions are met and the plans are I the approval is considered final. If these conditions are not met 20 days to the day of the meeting at which the Planning Board grants nal approval the board's approval will be considered to have lapsed submission of the application will be required. See RSA 674:39 on				
41 42	<u>GENER</u>	AL AND SUBSEQUENT CONDITIONS				
43 44	All of th	e conditions below are attached to this approval.				
44 45 46 47 48 49 50	1.	No construction or site work for the site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town. Contact the Department of Public Works to arrange for this meeting.				

1 2. The project must be built and executed exactly as specified in the 2 approved application package unless modifications are approved by 3 the Planning Department & Department of Public Works, or if staff 4 deems applicable, the Planning Board. 5 6 All of the documentation submitted in the application package by the 3. 7 applicant and any requirements imposed by other agencies are part 8 of this approval unless otherwise updated, revised, clarified in some 9 manner, or superseded in full or in part. In the case of conflicting 10 information between documents, the most recent documentation and 11 this notice herein shall generally be determining. 12 13 All site improvements must be completed prior to the issuance of a 4. 14 certificate of occupancy. In accordance with Section 6.01.d of the 15 Site Plan Regulations, in circumstances that prevent landscaping to 16 be completed (due to weather conditions or other unique 17 circumstance), the Building Department may issue a certificate of 18 occupancy prior to the completion of landscaping improvements, if 19 agreed upon by the Planning & Public Works Departments, when a 20 financial guaranty (see forms available from the Public Works 21 Department) and agreement to complete improvements are placed 22 with the Town. The landscaping shall be completed within 6 months 23 from the issuance of the certificate of occupancy, or the Town shall 24 utilize the financial guaranty to contract out the work to complete the 25 improvements as stipulated in the agreement to complete landscaping improvements. No other improvements shall be 26 27 permitted to use a financial guaranty for their completion for 28 purposes of receiving a certificate of occupancy. 29 30 5. As built site plans must to be submitted to the Public Works 31 Department prior to the release of the applicant's financial guaranty. 32 33 It is the responsibility of the applicant to obtain all other local, state, 6. 34 and federal permits, licenses, and approvals which may be required 35 as part of this project (that were not received prior to certification of the plans). Contact the Building Department at extension 115 36 37 regarding building permits. 38 39 R. Brideau seconded the motion. No discussion. Vote on the motion: 7-40 **0-0**. Plan is conditionally approved. 41 42 A. Rugg will schedule a public hearing for the Certificate of Approval on the 43 agenda for the Historic District Commission. 44 45 DHB Homes, Inc., Map 6, Lot 34 -Public Hearing for an amendment to the В. 46 previously approved phasing plan (phases 1-4) 47 48 L. Zebrowski, Keach Nordstrom, presented a proposed phasing plan for the 49 approved site plan on Buttrick Road. The Buttrick Road office park is under 50 construction and should get the CO for one building soon. They are working

1 with the owner of the Mr. Steer site in order to make a 24' driveway 2 connection between their site and the Buttrick Road office park. Currently the 3 Mr. Steer site engineer is working with the Elliot on a driveway connection between Mr. Steer and the Elliot site. They hope to meet with the Mr. Steer engineer soon to discuss the driveway connection.

- J. Trottier referenced the memo with staff recommendations.
- T. Thompson said staff is recommending conditional approval.

T. Thompson said the zoning officer has determined that these driveway connections are allowed to cross the green area and do not violate the Zoning Ordinance.

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

M. Soares made a motion to conditionally approve the Amendment to the approved site plan with the following conditions:

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

PRECEDENT CONDITIONS

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

- 1. The Applicant shall revise the proposed phasing line for Phase 4 to include sufficient parking for phases 1 through 3 prior to the construction of phase 4. The plan currently does not provide the minimum number of spaces required for phases 1-3.
- 2. 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 120 days 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.

45 **GENERAL AND SUBSEQUENT CONDITIONS**

- 47 All of the conditions below are attached to this approval.
- 49 No construction or site work for the site plan may be 1. 50 undertaken until the pre-construction meeting with Town staff

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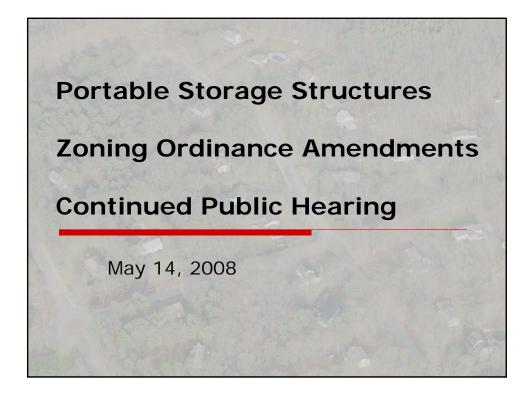
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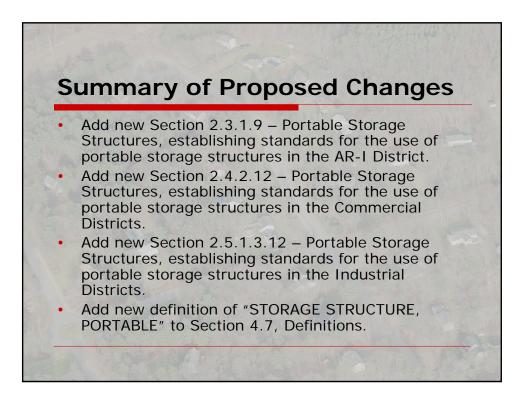
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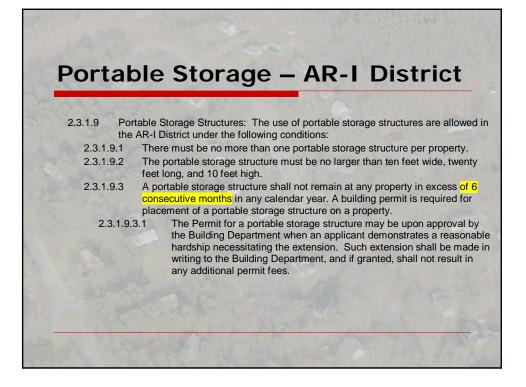
1 2 3 4		has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town. Contact the Department of Public Works to arrange for this meeting.
5 6 7 8 9	2.	The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the Planning Department & Department of Public Works, or if staff deems applicable, the Planning Board.
9 10 11 12 13 14 15 16	3.	All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
10 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33	4.	All site improvements must be completed prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Department may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning & Public Works Departments, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements. <i>No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy</i> .
34 35 36	5.	As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
37 38 39 40 41 42 43	6. R. B r	It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Department at extension 115 regarding building permits.
44		Plan is conditionally approved.

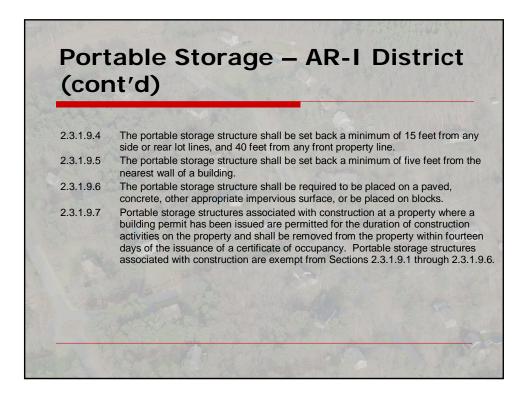
1 2 3	C.	Continued Public Hearing - Zoning Ordinance Amendments for Portable Storage Structures
4 5 6 7 8 9 10		T. Thompson presented the proposed amendments to Sections 2.3.1.9, 2.4.2.12, 2.5.1.3.12 and to add new definition of "Storage Structure, Portable" to Section 4.7, Definitions. (See attachment #1) Commercial/Industrial would remain at a 45 day allowance. AR-1 would have a 6 month allowance.
10 11 12 13		F. Holdsworth, building code enforcement, said he met with staff and that they feel comfortable with the 6 month allowance.
13 14 15 16 17 18 19 20 21 22 23 24		K. Wagner asked what would happen with storage containers that have existed on properties for years. F. Holdsworth said he would not go looking for them and he would have to discuss the situation with management. He said that people will be given ample time to remove the storage containers that are not in compliance. T. Thompson said that by adding this language to the ordinance it allows people to request a permit from zoning to allow the storage containers on their property, which would then make them legal. M. Soares asked if the advertising on the storage containers falls under the signage part of the ordinance. T. Thompson said that because it's not a permanent structure it's not required to follow the signage ordinance.
25		A. Rugg asked for public input, but there was none.
26 27 28 29 30 21		C. Tilgner made a motion that we recommend to the Town Council adopting the amendments to the Zoning Ordinance. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. This recommendation will be sent to the Town Council.
31 32	D.	Workshop - Historic Properties Preservation Zoning Amendments
33 34 35 36		K. Wagner recused herself from this discussion because her property is included in the list.
37 38 39		T. Thompson said the intern will be participating in this process and he presented the proposed amendments. (See attachment #2)
40 41 42 43 44 45		T. Thompson asked the Board what zoning we want to include in the commercially oriented overlay. The Board listed the following uses: light office, professional office, bed/breakfast, adult day care, retail sales (with limits to be determined), restaurant (depending on parking), service establishment.
43 46 47 48 49		In the Residentially oriented overlay the Board wants to include: professional office (less than in commercially oriented overlay), bed/breakfast, multi-family residence with a maximum of 3 units per structure.

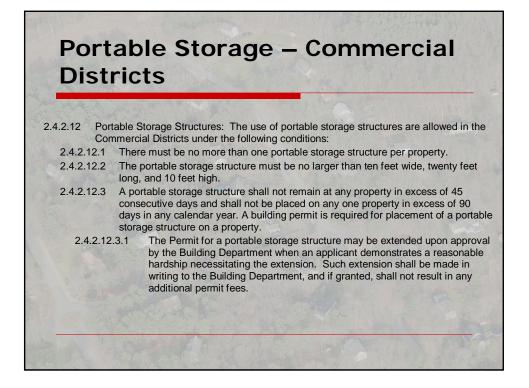
1	T. Thompson asked the Board how far they want to go in creating parking
2	lots on these historic properties. T. Thompson asked the Board about design
3	standards. The Board agreed on: non-paved parking (on case-by-case basis,
4	using a conditional use permit process)
5	
6	T. Thompson asked the Board how they want to handle op-in and op-out of
7	the overlay (as was a primary concern of the property owners through the
8	HPPTF process). The Board agreed that once people opt-in it's permanent for
9	that property (in perpetuity). T. Thompson said the overlay will apply to all
10	historic properties, but no restrictions will apply unless the property owners
11	want to do something to change their historic value.
12	
13	T. Thompson asked the Board how they want to treat expansions of existing
14	structures in the commercially oriented overlay. An example that he gave is the
15	conceptual plan for the Twin Gate Farm proposal. The Board gave T. Thompson further
16	direction on the development of the ordinance.
17	
	John Detigon, atterney, representing Twin Cate, acid they have been to 2
18	John Ratigan, attorney representing Twin Gate, said they have been to 3
19	different boards and they have received very positive responses from
20	everyone.
21	
22	A. Rugg asked for public input, but there was none.
23	
24	Other Business
25	
25 26	Other Business None.
25	None.
25 26	
25 26 27	None.
25 26 27 28	None.
25 26 27 28 29	None. Adjournment:
25 26 27 28 29 30	None. <u>Adjournment</u> : M. Soares made a motion to adjourn the meeting. R. Brideau seconded the
25 26 27 28 29 30 31	None. Adjournment: M. Soares made a motion to adjourn the meeting. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Meeting adjourned at 8:45
25 26 27 28 29 30 31 32 33	None. Adjournment: M. Soares made a motion to adjourn the meeting. R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Meeting adjourned at 8:45
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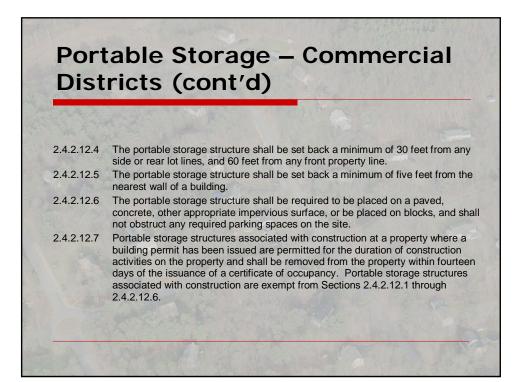


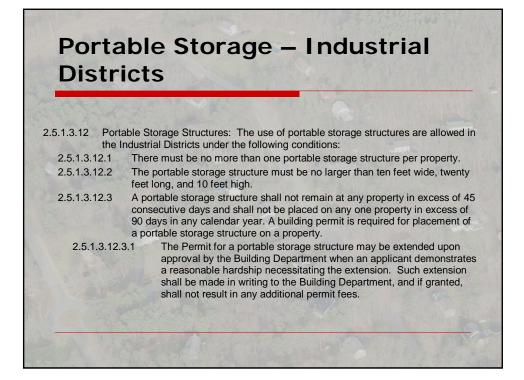


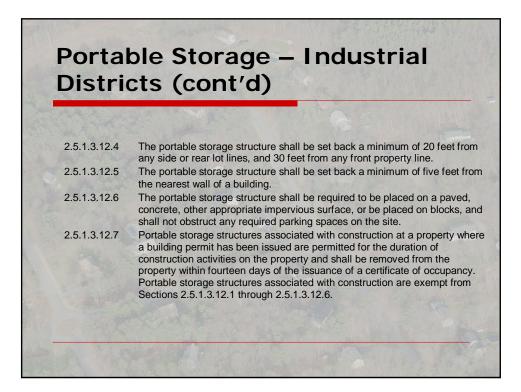












Portable Storage – Definition

STORAGE STRUCTURE, PORTABLE: any container, storage unit, shed-like container, other than an accessory building or shed complying with all building codes and land use requirements, that can be used for storage of personal property of any kind and which is located for such purposes outside an enclosed building.

To: Planning Board

Date: May 14, 2008

From: Timothy J. Thompson, AICP, Town Planner

Questions to be answered for Historic Properties "Overlay" prior to ordinance development:

- 1. What uses should be permitted in the commercially oriented overlay?
- 2. What uses should be permitted in the residentially oriented overlay?
- 3. Does the Board want to allow for non-paved parking areas or other site design items that would vary from the standard requirements of commercial zones?
- 4. How does the Board want to handle opt-in and opt-out of the overlay (as was a primary concern of the property owners through the HPPTF process)?
- 5. How does the Board want to treat expansions of existing structures in the commercially oriented overlay?

Мар	Lot	Sublot	Parcel ID	Location	AYB
001	006	0	001 006 0	2 BOCKES RD	1830
001	062	0	001 062 0	5 CHASE RD	1742
002	011	0	002 011 0	15 PARMENTER RD	1773
002	032	0	002 032 0	4 AVERY RD	1870
003	108	0	003 108 0	163 MAMMOTH RD	1880
006	019	0	006 019 0	258 MAMMOTH RD	1856
006	021	2	006 021 2	234 MAMMOTH RD	1750
006	065	0	006 065 0	183 MAMMOTH RD	1877
006	066	0	006 066 0	195 MAMMOTH RD	1840
006	072	1	006 072 1	176 MAMMOTH RD	1810
009	028	0	009 028 0	328 MAMMOTH RD	1840
009	030	0	009 030 0	326 MAMMOTH RD	1739
009	039	0	009 039 0	302 MAMMOTH RD	1810
009	050	0	009 050 0	126 PILLSBURY RD	1837
009	053	0	009 053 0	260 MAMMOTH RD	1860
012	052	1	012 052 1	370 MAMMOTH RD	1900
012	059	0	012 059 0	390 MAMMOTH RD	1890
012	067	0	012 067 0	421 MAMMOTH RD	1820
012	068	0	012 068 0	2 LITCHFIELD RD	1800
012	078	0	012 078 0	442 MAMMOTH RD	1862
012	079	0	012 079 0	445 MAMMOTH RD	1752
012	081	0	012 081 0	444 MAMMOTH RD	1773
015	015	1	015 015 1	459 MAMMOTH RD	1830
015	104	0	015 104 0	463 MAMMOTH RD	1787
015	106	0	015 106 0	467 MAMMOTH RD	1894

Parcels for Potential Historic Overlay