

1 **LONDONDERRY, NH PLANNING BOARD**  
2 **MINUTES OF THE MEETING OF SEPTEMBER 3, 2008 AT THE MOOSE HILL**  
3 **COUNCIL CHAMBERS**  
4

5 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; John Farrell;  
6 Kathy Wagner, Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Rob Nichols; Lynn  
7 Wiles; Laura El-Azem; Chris Davies, alternate member; Greg Warner, alternate  
8 member  
9

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

13 A. Rugg called the meeting to order at 7:05 PM.  
14

15 **Administrative Board Work**  
16

17 A. Extension Request - STG Realty (Workout Club) Site Plan - Map 7, Lot 40-12  
18 - Request additional 12 Months for Active & Substantial Development  
19

20 T. Thompson referenced the letter from Ronald Tringale, Workout Club &  
21 Wellness Center, requesting an additional 12 month extension (December 6,  
22 2009) to complete active and substantial development on the approved site  
23 plan.  
24

25 **J. Farrell made a motion to grant an extension to December 6, 2009**  
26 **and that because they are going into the second year after approval**  
27 **the applicant may need to update their state permits. R. Brideau**  
28 **seconded the motion. No discussion. Vote on the motion: 8-0-0.**  
29 Extension to December 6, 2009 granted.  
30

31 A. Rugg appointed G. Warner to vote for M. Soares.  
32

33 B. Approval of Minutes – August 6 & 13  
34

35 **J. Farrell made a motion to approve the minutes from the August 6**  
36 **meeting. R. Brideau seconded the motion. No discussion. Vote on the**  
37 **motion: 7-0-2.** L. El-Azem and J. Farrell abstained because they were  
38 absent at the August 6 meeting. Minutes are approved and will be signed at  
39 the September 10 meeting.  
40

41 **J. Farrell made a motion to approve the minutes from the August 13**  
42 **meeting. R. Brideau seconded the motion. No discussion. Vote on the**  
43 **motion: 9-0-0.** Minutes are approved and will be signed at the September  
44 10 meeting.  
45

46 C. Discussions with Town Staff  
47

48 1. Comcast Site Plan - field changes  
49

T. Thompson said that Howard Brewster, TF Moran, contacted him with  
some slight changes. They're proposing to relocate the generator pad

1 from a different location on the site to the area generally adjacent to the  
2 proposed addition. They are asking the Board if this can be handled as  
3 part of the as-built for the site plan or if it requires an additional public  
4 hearing for the change in the site. Consensus of the Board is they are  
5 comfortable with the change suggested in the as-built plan.  
6

7 2. PSNH Mammoth Road Site Plan - field changes

8 T. Thompson said that PSNH wants to add an access drive for drive-thru  
9 service and additional parking spaces.

10 Nick Golan, TF Moran said the need for this is due to the electrical  
11 configuration of the site. They want to revise the previously approved  
12 site plan. J. Trottier asked if they could move some of the development  
13 away from the lot line for the benefit of the abutters. N. Golan said they  
14 can do that. A. Rugg suggested having a public hearing in case any  
15 abutters have input. Consensus of the Board was not to require a public  
16 hearing if the applicant can obtain letters from the primarily impacted  
17 abutter stating their acceptance of the proposed changes. If written OK  
18 from abutter is not received, the changes will require a public hearing.  
19

20 3. Unicast - Proposed Phasing Changes/Amendments

21 N. Golan gave an overview of the site plan for the Board. T. Thompson  
22 said that staff suggests the applicant submit an amendment to the  
23 approved site plan to address all the proposed changes to the phasing.  
24 The Board agreed that a hearing for an amended phasing plan would be  
25 required.  
26

27 4. Londonderry Commons Building F - Proposed Canopy

28 Jack Szemplinski, Benchmark Engineering, said they would like to add a  
29 canopy over the 2 handicap parking spaces directly in front of the  
30 building and to add an emergency generator. Consensus of the Board  
31 was for staff to handle the changes.  
32

33 J. Farrell said Capital Improvement Plan (CIP) Committee did meet and will  
34 provide a summary at the next Planning Board meeting September 10. He  
35 said there are a few items that will be coming before the Board. There will be  
36 two parcels that are up for the open space program, the Moose Hill Orchards  
37 parcel (directly abuts Town Hall) and Gilcreast Rd / Pillsbury Rd parcel (up on  
38 the hill where political signs are placed).

39 T. Thompson said the only things proposed for fiscal year 2010 are; 1) north  
40 fire station, 2) intersection of Page Rd and Route 28 (we are seeking state aid  
41 grant) and the roadway management program from the public works  
42 department, the open space request for 2 million dollars for the specific  
43 projects and additional requests that they have asked for the future years  
44 that the CIP committee has recommended for the final two years with a gap  
45 between 2010-2013.

46 J. Farrell said the recommendations they are making around open space is  
47 that it should be more of a targeted program for specific parcels.

48 A. Rugg reminded Board members that the Southern NH Planning  
49 Commission (SNHPC) will hold their annual meeting and dinner on September  
50 12 at 6:30PM at the Puritan Backroom complex in Manchester.

1  
2 **Public Hearings**  
3

4 A. Alamo Fireworks, Map 10 Lots 117 and 118 - Application Acceptance and  
5 Public Hearing for a site plan to construct a 7,778 sq. ft. fireworks  
6 retail/warehouse building.  
7

8 T. Thompson said there are no outstanding checklist items, staff recommends  
9 the application be accepted as complete.  
10

11 **J. Farrell made a motion to accept the application as complete. R.**  
12 **Brideau seconded the motion.** No discussion. **Vote on the motion: 9-0-**  
13 **0.** Application accepted as complete.  
14

15 Joseph Maynard & Jack Szemplinski, Benchmark Engineering; and Dave  
16 Udelsman, Udelsman Associates, presented their plans. Lawrence Dagert  
17 from Alamo Fireworks was also present. They are proposing to merge the two  
18 lots, raze the two existing structures and construct the proposed building of  
19 approximately 7,700 square feet for Alamo Fireworks. Associated with the  
20 building there will be a detention pond constructed along the street to  
21 accommodate any drainage. There are a couple waivers associated with the  
22 project. They have been through Stantec review, worked with staff on the  
23 project and feel they have worked through most of their issues at this time.

24 J. Trottier summarized the design review items from the DPW/Stantec memo.  
25 He also read all waivers into the record from the Staff Recommendation  
26 memo and summarized the staff recommendations for the requested waivers.  
27

28 *Waivers:*

- 29 1. *The applicant has requested a waiver to Section 3.08.g. The applicant has*  
30 *not provided the minimum 3 feet of cover over the proposed drainage*  
31 *pipes, which does not comply with the regulations. **Staff recommends***  
32 ***granting the waiver**, as the site ties into existing drainage facilities on*  
33 *Londonderry Road, and the pipes have been reinforced by concrete to*  
34 *help ensure the structural integrity of the pipes.*  
35 2. *The Applicant is requesting a waiver to Sections 3.11.g of the regulations*  
36 *The Applicant has not provided proper internal parking lot landscaping.*  
37 *Staff recommends **granting** the waiver, as the applicant has provided*  
38 *additional perimeter landscaping to the parking area to help mitigate the*  
39 *visual impact of the parking area, and given the small lot, internal parking*  
40 *lot landscaping would make it difficult to provide sufficient parking to*  
41 *meet zoning requirements.*  
42 3. *The applicant has requested a waiver to Section 3.08.b.5 and Exhibit D-3.*  
43 *The applicant has not indicated the required 365 feet of sight distance*  
44 *from the proposed driveway to the south. **Staff recommends denial of***  
45 ***the waiver.** Staff recommends the Applicant provide the proper sight*  
46 *distance for the existing driveway and update the sight distance plan and*  
47 *profile accordingly with a proper certification in compliance with the*  
48 *regulations and obtain any sight distance easements as required. The*  
49 *applicant has approached the abutting lot to inquire about a sight*  
50 *distance easement and permission to make improvements to achieve the*  
51 *sight distance. Until such time that the applicant has submitted written*  
52 *documentation (currently only anecdotal observations are offered by the*

1                    *applicant, no communication from the abutter has been offered to the*  
2                    *staff by the applicant) that the abutter is not willing to provide the*  
3                    *easement and allow for necessary improvements, staff cannot support the*  
4                    *waiver request.*

5  
6                    T. Thompson summarized the traffic comments for the Board.

7  
8                    T. Thompson said this project was reviewed by the Heritage Commission,  
9                    who recommended approved of the project's architectural design. T.  
10                    Thompson said staff recommends conditional approval as outlined in the staff  
11                    recommendation memo.

12  
13                    J. Farrell asked the applicant why they chose to add a location in  
14                    Londonderry, from an economic development prospective.  
15                    Lawrence Dagert, Alamo Fireworks, said they are expanding to this area  
16                    because fireworks is a very stable market. He feels that this will be a positive  
17                    market for their new location.

18  
19                    J. Maynard said they asked the abutter (Louis Saab) for an easement for site  
20                    distance, but they would not agree.

21  
22                    A.Rugg asked for public input.

23  
24                    Louis Saab, owns barber shop next door (4 Londonderry Rd) said this project  
25                    would impact his business and he is opposed to the whole project. He said he  
26                    wants a white vinyl privacy fence. He said there is ledge on the backside of  
27                    his property that goes uphill, so drainage issues would impact his home &  
28                    business.

29  
30                    Lawrence Dagert, Alamo Fireworks, said that they offered to pay for re-  
31                    grading L. Saab's property to improve drainage and he would not agree. L.  
32                    Saab wanted them to purchase his property for \$550,000 which L. Dagert  
33                    said he will not consider.

34  
35                    J. Maynard said Londonderry Road is not positioned in the center of the right  
36                    of way as most roads are, which makes roadway improvements difficult.

37  
38                    Bart Perry, represented his father Jeremiah Perry (10 Londonderry Rd), who  
39                    recently had a medical issue & could not be there. B. Perry said his father is  
40                    against this project completely and he is here to carry out his father's wishes.  
41                    He said that the loss of trees and the commercial building would diminish his  
42                    father's property values considerably. He is also concerned that emergency  
43                    vehicle access for the proposed site might not be adequate, especially  
44                    considering the product.

45  
46                    Dan Sadler certified arborist, said if they dig right next to the trees at the  
47                    property line to put a wall there, the root system of the trees will be  
48                    destroyed and in a strong wind/rain storm those trees will fall. He proposed  
49                    setting up a tree protection zone.

50

1 L. Dagert, Alamo Fireworks, said they have heavier business on holidays and  
2 the peak selling season is about 10 days prior to the 4<sup>th</sup> of July.

3 D. Udelsman presented the signage plans to the Board.  
4

5 Barry Shack, Phantom Fireworks, said they have roughly 5700 cars coming to  
6 their business during the course of the season. He doesn't feel that this new  
7 business would bring no additional cars.  
8

9 L. Saab agrees that the increased traffic would have an effect on his home &  
10 business as well as the neighborhood.  
11

12 Richard Matckie, 12 Londonderry Rd, said they are converting a residence to  
13 a business and he feels they need to buy one of the two abutters to make it  
14 work.  
15

16 J. Farrell suggested asking the Fire Marshall to go to the property and take a  
17 physical look at the property in regards to emergency vehicle access. The  
18 Board agreed that a group of 2-3 Board members will go with staff (including  
19 fire department representative and abutters) to the parcel to visually review  
20 the site distance issues.  
21

22 Bill Zolla, Tinkham Realty, said he approached the abutters about easements  
23 for the site distance requirements. He said that L. Saab wanted a white vinyl  
24 fence for privacy and a solution to his existing drainage issues. He explained  
25 that they would agree to re-grade his property, but L. Saab admitted after a  
26 while that his wife was opposed to the project. B. Zolla realized at that point  
27 that the abutter did not plan to work with them.  
28

29 **J. Farrell made a motion to continue to October 8, 2008 at 7PM.**

30 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-**  
31 **0-0.** A. Rugg said this is the only public notice.  
32

33 B. PD Associates, LLC, Map 7, Lot 123 - Public Hearing for an extension request  
34 for a conditionally approved site plan to construct 3 single family elderly  
35 housing units.  
36

37 T. Thompson referenced the letter from Elmer Pease, Gilcreast Realty  
38 Holdings, requesting an extension of their conditional approval. T. Thompson  
39 said staff supports the 120 day extension.  
40

41 T. Thompson mentioned that the only reason this is a public hearing is  
42 because the conditional approval expired. Elmer Pease, PD Associates, said  
43 he takes full responsibility for that and offered to answer any questions.  
44

45 A. Rugg asked for public input.  
46

47 Gordon Flint, abutter, asked about the buffer zone and whether or not it has  
48 been changed. J. Trottier said this actually affects Mercury Drive.  
49

50 **J. Farrell made a motion to grant a 120 day extension. C. Tilgner**

1           **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** The  
2           120 day extension was granted.

3  
4  
5           **Other Business**

6  
7           None.

8  
9           **Adjournment:**

10  
11           **J. Farrell made a motion to adjourn the meeting. G. Warner seconded the**  
12           **motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at  
13           8:50PM.

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16  
17           These minutes prepared by Cathy Dirsra, Planning Division Secretary.

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20  
21           Respectfully Submitted,

22  
23  
24  
25           Mary Wing Soares, Secretary  
26