

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF January 4, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg, Chairman, Dana Coons, Vice-Chair; John Farrell,
6 Secretary; Paul DiMarco, Asst. Secretary; Rick Brideau, Ex-Officio; Brian Farmer, Ex-Officio
7 (arrived at 7:20 PM); Charles Tilgner, Ex-Officio; Tom Freda; Rob Nichols, alternate member.

8
9 Also Present: Tim Thompson, AICP; John Trottier, P.E. and Christine Marra, Recording
10 Secretary.

11
12 A. Rugg called the meeting to order at 7:00 PM. He appointed R. Nichols to vote for M.
13 Soares who was absent tonight.

14
15 ***Approval of Minutes- 12/07/05 and 12/14/05*** – A. Rugg said that he had corrections to the
16 12/14/05 minutes that were noted on the draft copy in the read file. **J. Farrell motioned to**
17 **approve the minutes of 12/07/05 as presented. Seconded by P. DiMarco. Vote: 7-0-1.**
18 **Minutes are approved and will be signed at next week’s meeting.**
19 **J. Farrell motioned to approve the minutes of 12/14/05 with the changes mentioned.**
20 **Seconded by D. Coons. Vote: 6-0-2. Minutes are approved and will be signed at next**
21 **week’s meeting.**

22
23 ***Discussions with Town Staff*** – T. Thompson addressed the Board regarding an existing
24 conditions plan for the Apple Tree Mall. He said that Frank Holdsworth, Code Enforcement
25 Officer, had approached him because of an ongoing violation of the outdoor storage of sand and
26 salt in the parking lot, which encompasses 5 parking spaces. F. Holdsworth had informed the
27 Apple Tree Mall Association that they would need site plan approval for outdoor storage
28 according to the regulations and T. Thompson wanted to know if a public hearing would be
29 necessary. A. Rugg said the Board would definitely have questions for the applicants. T.
30 Thompson said he would inform them that a site plan application and public hearing would be
31 necessary.
32 T. Thompson also mentioned that a public hearing would be held on February 8, 2006 for a
33 determination on the Growth Management ordinance. He would compile all the necessary
34 information by then. He said members should reserve February 15, 2006 as a back-up date in
35 case further time for determination is necessary. J. Farrell asked what happened at the last
36 meeting regarding the J. DiCarlo re-zoning on Mammoth Road. T. Thompson said that a public
37 hearing would be held next week on that issue. He said that Staff would not recommend
38 commercial zoning on Mammoth Road because the Master Plan recommends that the area remain
39 residential. T. Freda asked what the criteria for re-zoning changes was. T. Thompson said the
40 guide for re-zoning is determined by the Master Plan if appropriate. J. Farrell mentioned that
41 there is spot zoning along Mammoth Road now.

42 **[B. Farmer arrived at 7:20].**

43
44 **Public Hearings**

45
46 ***Enterprise Rent-A-Car, Map 28, Lot 21-16 – Continued Application Acceptance and Public***
47 ***Hearing for a site plan*** – T. Thompson said there was one checklist item on the memo but the
48 applicant has obtained the sewer discharge permit and this item is no longer outstanding. He said
49 the permit number should be noted on the plan and a copy given to the Planning Department for
50 the file. Since the permit has been obtained, staff recommended the application be accepted as

1 complete. **D. Coons motioned to accept the application for Enterprise Rent-A-Car, Map 28,**
2 **Lot 21-16 as complete as recommended by Town Staff. Seconded by P. DiMarco. Vote 9-0-**
3 **0. Application is accepted.** Keith Coviello , Sublime Civil Consultants, Inc., representing
4 Enterprise Rent-A-Car, presented the site plan. He said the property was on Perimeter Road
5 across the street from Fed-Ex and was a 2.9 acre vacant lot zoned I-II. He said that Little Cohas
6 Brook was in the rear of the property, therefore, some of the property was in the conservation
7 overlay district. The building would be used as a maintenance facility and carwash for their cars
8 that are rented at the airport. It would not be for public use. He said there would be two curb cuts
9 and one-way traffic around the facility. The lot would be used as a storage area for about 225
10 cars. They were also adding 24 parking spaces for employees. He said they were not proposing
11 any signage because this site was only for storage and upkeep of their vehicles. The carwash
12 would be on a recycling water system. He said they are requesting 2 waivers, the first is for
13 landscaping in the parking lots and the second waiver is for the utility clearance letter from
14 Adelphia. He said they are not bringing cable into the building. Steve Freeman, representing
15 Mark Carrier Construction Company, said that the construction schedule was 14-16 weeks. He
16 explained that it would be a single story building with a low pitch roof and an eight-foot concrete
17 wall. The office would just be for the use of the clerks who were shuttling the vehicles back and
18 forth from the airport. A. Rugg asked about the building renderings. T. Thompson said he has
19 the renderings but the Heritage Commission, which meets in two weeks, has not reviewed them.
20 J. Farrell asked if the vehicles would only be airport rentals. S. Freeman said yes, strictly for
21 airport services. P. DiMarco said he didn't know if "no signage" was a good idea and thought an
22 "authorized vehicles only" sign would be appropriate. S. Freeman said they would work out
23 something with the Fire and Police departments on the sign issue. K. Coviello said they could put
24 up a sign but not with Enterprise on it. R. Nichols asked if the 24 additional parking spaces were
25 for employees and if there were only 5 employees, why did they need 24 spaces. K. Coviello said
26 the spaces would be used for the employees and in order to maximize all the space, the extra
27 spaces would be used for storage of rental vehicles. Ray Moss, Regional Vice President of
28 Enterprise, addressed the Board and said Enterprise has grown considerably in the past year and
29 they have registered many vehicles with the Town. He also said this was a time-sensitive project
30 and they would like to be operating by this summer. Chris Martin, Regional Operations
31 Supervisor, also addressed the Board and mentioned the urgency of getting this project done
32 soon. John Trottier read the memo to the Planning Board dated 1/4/06 from the Public Works
33 Department and Vollmer Associates. He said the first design review item was the 4 waiver
34 requests for landscaping, which is also requested in the applicant's letter of 10/18/05. He then
35 read items 2-9. T. Thompson said Staff recommends approval of the waivers because this is a
36 storage facility and interior landscaping minimizes the space needed. He also recommends the
37 waiver for cable. T. Freda asked why were the perimeter plantings reduced. K. Coviello said
38 because of lack of room. T. Thompson said the landscaping standards are based on a regular
39 parking lot and the applicant has provided what they can. T. Freda asked if there would be
40 lighting in the parking lot. K. Coviello said primarily for security. A. Rugg asked for public
41 input. There was none. **D. Coons motioned to grant the waivers requested in the applicants**
42 **letter of 10/18/06 due to the nature of the site and use and Staff's recommendation.**
43 **Seconded by R. Nichols. Vote: 9-0-0. Waiver is granted. D. Coons motioned to**
44 **conditionally approve the site plan for Enterprise Rent-A-Car, Map 28, Lot 21-16 with the**
45 **following conditions:**

- 46
- 47 1. **The Applicant shall address the following relative to the revised drainage report:**
 - 48 A. **The area of detention basin (pond 1) is unchanged and does not address the**
 - 49 **revised grading at the basin shown on the grading plan and as noted in the**
 - 50 **Applicant's response letter. Please revise the pond area in the pond routing**

- 1 analysis and verify the minimum 12” freeboard is provided for the 50-year
2 storm as required by the regulations.
- 3 B. The outlet structure top grate dimension is corrected by hand to show a 4’
4 wide grate (vs. 2.75’) for pond 1P (proposed detention basin) with this latest
5 submittal. The top grate shall be properly corrected in the pond routing
6 analysis and an updated report be provided verifying compliance with the
7 regulations (no increase in runoff).
8
- 9 3. The Applicant shall address/clarify the following on the grading and utilities plan –
10 sheet C2:
- 11 A. Please verify the location of fire hydrants meets the approval of the Fire
12 Department.
- 13 B. The Applicant’s sewer profile on sheet C4 indicates on-site filling to the edge
14 of the Perimeter Road right of way, but the 214 contour associated with the
15 filling is missing within the green area along the edge of the paved area
16 between the driveways. Please review and revise as necessary.
- 17 C. It appears portions of the notes are difficult to read due to streaking on this
18 sheet and sheet C1. Please revise for clarity.
- 19 D. The Applicant’s grading at the emergency spillway structure to elevation
20 202 is not properly shown to the outlet weir elevation at 201. Please review
21 and revise accordingly. In addition, we recommend the Applicant review
22 the placement of the outlet structure and pipe in the embankment. We
23 recommend the outlet structure be placed within the basin per Exhibit D1.
24
- 25 4. The Applicant shall address the following on sheet C4:
- 26 A. Please verify the revised pump basin structure and indicated pressure
27 testing specification meeting the approval of the Sewer Division.
- 28 B. Please verify the direct pumping to the existing sewer manhole meets the
29 approval of the Sewer Division.
30
- 31 5. The Applicant shall provide a signature for the sight distance certification on
32 sheet C5. In addition, please note the FAA Permit on the cover sheet.
33
- 34 6. The Applicant shall address the comments of the Vollmer Associates LLP
35 memorandum relative to traffic dated January 4, 2005.
36
- 37 7. The Applicant is proposing a car wash bay and separate maintenance bay. The
38 Applicant shall verify with the Town if separate service connects (and facilities such
39 as separator tanks and waste oil tanks) are needed to address runoff from the car
40 wash and maintenance area. Please include any project specific sewer structure
41 details in the plan set as applicable.
42
- 43 8. The Applicant shall verify Verizon has approved the proposed utility improvements
44 in accordance with section 3.04 of the regulations.
45
- 46 9. The Applicant shall address the DRC comments as applicable:
- 47 A. Please verify the comments of the Fire Department have been adequately
48 addressed.
- 49 B. Please verify the comments of the Planning Department have been
50 adequately addressed.

- 1 **C. Please verify the comments of the Sewer Division have been adequately**
- 2 **addressed.**
- 3 **10. The Applicant shall note the Sewer Discharge Permit number on the Plan.**
- 4
- 5 **11. All waivers shall be noted on Plan.**
- 6 **12. Outside consultant's fees shall be paid within 30 days of conditional approval of**
- 7 **plan.**
- 8 **13. The Applicant shall provide a digital (electronic) copy of the complete final plan**
- 9 **sent to the Town at the time of signature by the Board in accordance with Section**
- 10 **2.05.n of the regulations.**
- 11 **14. Financial guaranty if necessary.**
- 12 **15. Final engineering review.**
- 13

14 **Seconded by R. Brideau. D. Coons amended the motion to include:**

- 15
- 16 **16. The signage issue shall be addressed to the satisfaction of the Fire Department.**
- 17 **Seconded by R. Brideau. Vote: 9-0-0. Plan is conditionally approved.**
- 18

19 ***Nancy R. Stearns, Map 6, Lot 33-7 – Continued Public Hearing for a Condominium***

20 ***Conversion*** – T. Thompson said this application had been accepted at the 12/7/05 Planning Board
21 meeting as complete. One abutter had not been notified so it was determined that the public
22 hearing would have to be continued so all abutters could be notified. Justin Zimba from
23 Promised Land Survey presented the plan to the Board. He said this was a duplex house at 93
24 Adams Road on 1 ½ acres that they would like to convert to a condominium. He said all abutters
25 have now been notified. J. Trottier read the memo to the Planning Board dated 1/4/06 from
26 Public Works Department and Vollmer Associates. He read design review items 1-3. T.
27 Thompson said on item 3.E, note 1 from the plan would have to be removed regarding expansion
28 because that would require the project to meet the full requirements of the subdivision
29 regulations. J. Zimba said they would take that note off the plan. A. Rugg asked the Board if
30 they had any questions. There were none. A. Rugg asked if the public had any input. Nancy
31 Stearns questioned the comment about the utility pole. J. Trottier said that J. Zimba would have
32 to contact the utility company to see if they have an easement from the abutter for the indicated
33 pole. **D. Coons motioned to conditionally approve the condominium conversion plan for**
34 **Nancy R. Stearns, Map 6, Lot 33-7 with the following conditions:**

- 35 **1. The Applicant shall indicate abutting lot 88-2 on the plans per section 4.12.C.5 of**
- 36 **the regulations.**
- 37 **2. The Applicant shall provide the Owner's signature on the plans.**
- 38 **3. The Applicant shall address the following on sheet 1:**
 - 39 **A. The plan indicates a roadway maintenance easement along the frontage with**
 - 40 **this latest submittal. The Applicant shall provide easement deeds for review and**
 - 41 **approval by the Town.**
 - 42 **B. Please include note Q per section 4.11 in the notes on the plan.**
 - 43 **C. Please note the NHDES Subdivision Approval number in note 15 on the plan.**
 - 44 **D. Please clarify and complete the tree line on the plan.**
 - 45 **E. The overhead utility line to the onsite utility pole shown on this latest submittal**
 - 46 **appears to encroach on abutting lot 33-8. Please clarify with a note if an**
 - 47 **easement exists for the indicated utility line.**
- 48 **4. The Applicant shall revise note 1 to remove references to future expansion.**
- 49 **5. Outside consultant's fees shall be paid within 30 days of conditional approval of**
- 50 **plan.**

- 1 **6. The Applicant shall provide a digital (electronic) copy of the complete final plan**
- 2 **sent to the Town at the time of signature by the Board in accordance with Section**
- 3 **2.05.n of the regulations.**
- 4 **7. Financial guaranty if necessary.**
- 5 **8. Final engineering review.**
- 6 **Seconded by R. Brideau. Vote: 9-0-0. Plan is conditionally approved.**

7
8
9 *Carl & Patricia Rennie, Map 2, Lots 2-27-11 & 27-27 – Application Acceptance and Public*
10 *Hearing for a Lot Line Adjustment* – T. Thompson said there were no checklist items and staff
11 recommends the Board accept the application as complete. **D. Coons motioned to accept the**
12 **application for Carl & Patricia Rennie as complete as recommended by Staff. Seconded by**
13 **J. Farrell. Vote 9-0-0. Application is accepted.** George Chadwick from Eric Mitchell and
14 Assoc. presented the plan to the Board. He said the property is on Priscilla Lane near the Hudson
15 line. The purpose of the plan is to straighten the line in front of the residence. He explained that
16 the septic system, which was in the way of an adjustment earlier, was now moved to another
17 location. He said they are requesting one waiver from Section 3.03.E of the subdivision
18 regulations. The lot line does not comply because it is not substantially at a right angle to the
19 right of way. He explained the change to the lot line is only 11 degrees. J. Trotter read the
20 memo to the Planning Board dated 1/4/06 from the Public Works Department and Vollmer
21 Associates. T. Thompson said that Staff supports the waiver. A. Rugg went around the Board for
22 comments. C. Tilgner said he wasn't clear on why they wanted to straighten the line. G.
23 Chadwick explained that in the initial subdivision, the line was established because of the
24 location of the septic system. The owner has since obtained approval for a new septic system,
25 and the revised lot line allows for a better front and side yard for the existing home on the
26 reconfigured lot. A. Rugg asked if there was any input from the public. There was none. **D.**
27 **Coons motioned to grant the waiver requested in the applicant's letter of 1/4/06 since there**
28 **was no substantial change and with Staff's recommendation. Seconded by R. Brideau.**
29 **Vote 9-0-0. Waiver is granted. D. Coons motioned to conditionally approve the Lot Line**
30 **Adjustment Plan for Carl & Patricia Rennie with the following conditions:**

- 31
- 32 **1. The Applicant's lot line adjustment plan, sheet 1, indicates the existing well radius**
- 33 **for lot 27-11 extends into the ROW of Priscilla Lane and does not comply with**
- 34 **section 3.06.B of the regulations. Please revise as necessary to comply with the**
- 35 **regulations. Please update sheets 2-5 accordingly.**
- 36 **2. The Applicant shall address the following on sheet 1 and update sheet 2 and 3**
- 37 **accordingly:**
- 38 **A. Please note the number of bedrooms for each lot in the notes.**
- 39 **B. Please verify the lot line shown in the tax map is consistent with the new lot line.**
- 40 **3. The Applicant shall clarify a low point at a minimum of 10 feet off the edge of**
- 41 **pavement is provided for the new driveway at lot 27-27 on sheet 3 as typically**
- 42 **required by the Town. Please provide a driveway apron detail that indicates the**
- 43 **driveway is to be constructed accordingly. In addition, please clarify the proposed**
- 44 **driveway culvert is a minimum 11 feet from the edge of pavement per section 3.08.I**
- 45 **of the regulations.**
- 46 **4. The Applicant shall indicate the proposed utility service to the lot and provide a**
- 47 **trench detail for the underground service line in the plan set.**
- 48 **5. The Applicant shall address the DRC comments as applicable.**
- 49
- 50 **6. Waiver shall be noted on plan.**

- 1 **7. Outside consultant’s fees shall be paid within 30 days of conditional approval of**
2 **plan.**
3 **8. The Applicant shall provide a digital (electronic) copy of the complete final plan**
4 **sent to the Town at the time of signature by the Board in accordance with Section**
5 **2.05.n of the regulations.**
6 **9. Financial guaranty if necessary.**
7 **10. Final engineering review.**
8 **Seconded by R. Brideau. Vote: 9-0-0. Plan is conditionally approved.**

9
10 **Adjournment:**

11
12 **J. Farrell motioned to adjourn the meeting at 8:15 PM. Seconded by P. DiMarco.**
13 **Vote 9-0-0.**

14
15 **Meeting adjourned.**
16

17 These minutes taped and typed by Christine Marra.

18 Respectfully Submitted,

19

20

21

22

23 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF January 11, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg, Chairman, Dana Coons, Vice-Chair; John Farrell,
6 Secretary; Paul DiMarco, Asst. Secretary; Rick Brideau, Ex-Officio; Charles Tilgner, Ex-Officio;
7 Tom Freda; Rob Nichols, alternate member; Mary Soares [arrived at 8:10 PM].

8
9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E. and Christine
10 Marra, Recording Secretary.

11
12 A. Rugg called the meeting to order at 7:00 PM. He appointed R. Nichols to vote for M.
13 Soares.

14
15 *Signing of Minutes- 12/07/05 and 12/14/05* – A. Rugg said the minutes would be signed at the
16 end of the meeting.

17
18 *Discussions with Town Staff* – T. Thompson said that he had put a draft together of the Planning
19 Board Rules of Procedure and asked the members to review their copy and email him any
20 comments or suggestions. He said the procedures must be adopted by a majority vote of the
21 members of the Board provided that the Rules are read at two successive meetings immediately
22 preceding the meeting at which the vote is to be taken. He suggested that this take place at the
23 two meetings in February. The Board agreed.

24
25 *Determinations of Regional Impact: 2 projects* – T. Thompson said that according to RSA
26 36:56, the Board shall make a determination of Regional Impact for any project that is received
27 for their consideration. He said two projects had been received which were: VibroMeter, Map 28,
28 Lot 31-2, which was a minor site plan for a change of use and Buttrick Road Professional Office
29 Park/DHB Homes, Map 6, Lot 34, which was a site plan for 24,000 square feet of professional
30 office. He said the staff recommends that these projects are not developments of regional impact,
31 as they do not meet any of the regional impact guidelines suggested by SNHPC. **D. Coons**
32 **motioned that the Board determines the projects in T. Thompson’s memo of 1/11/06 are not**
33 **developments of regional impact as recommended by Staff. Seconded by J. Farrell. Vote:**
34 **8-0-0.**

35
36 A. Garron said that on January 19, 2006 there would be a second meeting of the CTAP for the
37 purpose of planning the 3.5M assistance granted to the impacted communities that would be
38 affected by the I-93 road widening. He also mentioned that he had received an application for a
39 grant from the National Scenic By-ways. He said there is not a lot of time to react and appraisals
40 are needed of the areas that could be affected such as the Apple Way. He said that he was
41 looking at options and had met with the Conservation Commission last night. He said the
42 deadline is 2/10/06 to get the application to SNHPC and 3/10/06 to the Federal government.
43 SNHPC is willing to help out.

44
45 A. Rugg asked asked A. Garron how the TIF issue made out at the Town Council’s meeting on
46 Monday night. A. Garron said it was well received and they need to put a plan together by
47 4/1/06. There is going to be a meeting of the Open Space Task Force on 1/25/06 to determine the
48 area to be developed.

1 J. Farrell asked about the build-out memo in the read file. T. Thompson said that J. Vogl would
2 be on the agenda in February to discuss.

3
4 A. Rugg said there would be a meeting of the demolition committee tomorrow at 6:30 in the
5 Woodmont Conference Room to discuss the dismantling of the historic barn at the property where
6 the Elliott Medical Facility project is to be built. He said pictures would be taken beforehand and
7 they would be hung in the lobby of the facility.

8
9 **Public Hearings**

10
11 **Workshop – Flexible Industrial/(FI) Zone** – T. Thompson went through the proposed changes to
12 the zoning ordinance to add a Flexible Industrial (FI) district to the Industrial District. He read
13 the proposed section 2.5.1.2.3, which says this district is primarily intended to promote
14 appropriate industrial development in targeted areas identified by various planning studies,
15 charrettes, and the Master Plan. He then went through the permitted uses and accessory uses in
16 the table under FI.district. A. Garron explained the 2003 Charette that was done for the airport
17 area and Pettingill Road. T. Thompson said a consultant prepared the majority of the FI district
18 language, but moving forward, changes would be handled by A. Garron and himself. T.
19 Thompson read the objectives of the district from his memo, which stated, “ the Flexible
20 Industrial Zone is intended to allow for the development of gateways to the Town of
21 Londonderry, centers of commerce, and employment centers for the Southern NH region”. He
22 said the parcels for the district have to be identified and also the maximum lot coverage. Also the
23 ownership of proposed open space should be determined. He also went through the storage area,
24 signs and conditional use permit sections of the ordinance. D. Coons wanted to know how this
25 change compliments what has already been done with environmental regions such as the Eco
26 Park. A. Garron said the difference is the Eco Park has a set of covenants. T. Thompson said he
27 needs comments and consideration for what areas around the airport and other areas in Town are
28 to be included in this district by the next workshop. A. Garron said this also has to be reviewed
29 by the Town’s legal counsel. A. Rugg said there would be another workshop on February 8, 2006
30 on this subject. He asked if there was any public input. There was none.

31
32 **Workshop – Zoning Ordinance Changes suggested by ZBA** – T. Thompson summarized the
33 changes made since the 12/14/05 meeting. He said that he had worked with Frank Holdsworth to
34 modify the Livestock section to be more appropriate to Londonderry and more enforceable. He
35 said the Home Occupations section was split into 3 parts, general home occupations, child care
36 home occupations and adult day care home operations. The Section on adult day home
37 occupations is derived from the general home occupation standards, as well as state regulations
38 regarding adult day care and input from Stacy Thrall of the Elder Affairs Committee. He said
39 definitions relating to adult day care were added and modified. Also the sign section was
40 modified for the amount of time that open house signs could be posted from 5 days to 4 days
41 based on discussion at the last workshop. T. Thompson said that if the Zoning Board of
42 Adjustment is comfortable with these changes, a public hearing should be held next month. The
43 Board agreed.

44
45 **Workshop – Conservation Subdivisions** – T. Thompson said that he has not had time to work on
46 this since Holly Burbee left and said this workshop should be continued to another date. A.
47 Garron said the Planning Board should sit with the Conservation Commission to work on a draft
48 version for some of the issues and come back to the Board at the next workshop. A. Rugg asked
49 for 2 volunteers. D. Coons and J. Farrell volunteered to meet with the Commission. A. Garron
50 thought that 1 or 2 joint meetings should be sufficient.

1 **Mark Investments, LLC, Map 6, Lots 49, 51 & 52 – Continued Public Hearing for a**
2 **Conditional Use Permit and a Site Plan to construct a 12,256 sq. foot Walgreens Pharmacy**
3 **and associated improvements to the Bank of America Site and abandonment of a portion of**
4 **Kendall Pond Road.** – Earl Blatchford from the Hayner Swanson Engineering firm gave a brief
5 summary of what took place at the December 7, 2005 public hearing. He said the Lot line
6 adjustment plan was withdrawn in order to work with Staff on some of the issues and will be
7 resubmitted for approval. He said the Board accepted the site plan application and approved 3
8 waivers prior to receipt of the State Department of Transportation permit. He said they received
9 comments from Staff and Vollmer Associates at that meeting and have met with Staff and revised
10 the Site Plan accordingly. He said that one more waiver regarding HISS mapping for the
11 conservation lot would be required. T. Thompson said that would be relevant to the subdivision
12 plan not the site plan so it would not be an issue at this point. E. Blatchford said they are re-filing
13 the lot line adjustment plan to be heard on 2/1/06. He said they are asking the Board to consider
14 conditional approval of the site plan tonight. J. Trottier said this project is continued from the
15 December 7, 2005 Planning Board meeting. He said the Applicant submitted revised plans and
16 information and he read the comments in the memo dated January 11, 2006 from Public Works
17 Department and Vollmer Associates. He read comments 1-7 and Board Informational Items 1-6.
18 He said the Board Action Item regarding the conditional use permit was granted on December 7,
19 2005. **[Mary Soares arrived at 8:10 PM]**. J. Farrell asked why so many comments at this point.
20 T. Thompson said most of them deal with the off-site improvements, which are under review. T.
21 Thompson also said that on sheet 9, illumination plan, the note needs to be removed regarding the
22 electric reader board sign, which is not allowed in Londonderry. J. Trottier assured the Board
23 that all comments have to be addressed before the plan can be signed. T. Thompson handed out
24 an auto-turn schematic for WD-50 truck access to the site. E. Blatchford explained this schematic
25 was originally used for airplanes and they have adapted it for tractor trailer trucks and this is a
26 very conservative design. P. DiMarco asked if trucks would come off Mammoth Road and enter
27 the southern-most entrance. E. Blatchford said yes and drivers will be directed to use this
28 entrance and not come off Route 102. A. Garron asked Giles Ham, traffic consultant, to give a
29 brief overview of traffic resolutions. G. Ham said he had met with town staff and Vollmer
30 Associates and implemented the suggestions from our consultant. A. Garron also asked about the
31 driveway issue with the Lawsons. E. Blatchford said the Lawsons reviewed the plan at the last
32 meeting and have decided to keep the driveway where it is and keep the vegetation intact. T.
33 Thompson said that as part of condition 4B, this issue has to be addressed and a letter from the
34 Lawsons would be necessary. Steve Moss from Mark Investments said they would get a letter. A.
35 Rugg asked if there was any public input. There was none. A. Garron said the impact fees were
36 based on the traffic report, but the off-site improvements can be credited towards those fees. **D.**
37 **Coons motioned to conditionally approve the site plan for Mark Investments/Walgreen’s**
38 **Pharmacy, Map 6, Lots 49, 51 & 52 with the following conditions:**

- 39
- 40 **1. The Applicant shall address the following on the submitted existing conditions plan:**
 - 41 **A. Please indicate the existing stone wall along the property lines and indicate**
42 **proper monuments (existing or proposed) along the angle points of all**
43 **property lines in accordance with section 3.02 of the regulations.**
 - 44 **B. Please indicate the status (class) and dimension the pavement widths of each**
45 **existing street.**
 - 46 **C. Please indicate and label the existing septic system serving the bank and**
47 **existing dwelling. In addition, please indicate the existing stone walls on the**
48 **subject lots, label the status of the existing wells, and label the paved and**
49 **gravel driveways.**
 - 50 **D. Please correct note 3 to indicate the proper community number and panel**
51 **number for the site.**

- 1 **E. Sheet 3 was added to the plan set to show the remainder of lot 51. However,**
2 **the information relative to the existing drain system on the lot near abutting**
3 **lot 50 and within Mammoth Road is missing. In addition, the existing**
4 **pavement and appropriate roadway information is not included on this**
5 **sheet. Please clarify and revise as necessary.**
6 **F. The Applicant shall clarify the proposed use for lot 51 on sheet 1.**
7
8 **2. The Applicant shall address the following relative to the submitted drainage report:**
9 **A. The predevelopment plan and post development plan do not address the off-**
10 **site changes to Nashua Road (Route 102) north of the intersection with**
11 **Mammoth Road (Route 128) as indicated on the conceptual off-site**
12 **improvements design plan for the project. Please review and revise the**
13 **analysis and report as necessary consistent with the off-site design and verify**
14 **compliance with the regulations (no increase in runoff).**
15 **B. The predevelopment plan and post development plans do not appear to**
16 **properly address the changes along Mammoth Road due to the proposed**
17 **off-site roadway improvements shown on the conceptual design plan. Please**
18 **note the relocation and new construction of the islands along the roadway**
19 **appear to increase the amount of pavement that would be draining to the**
20 **easterly side of the roadway adjacent to lot 42-1. Please clarify, review and**
21 **revise the analysis and report as necessary consistent with the off-site design**
22 **and verify compliance with the regulations (no increase in runoff).**
23 **C. The predevelopment plan indicates a catch basin along Mammoth Road at**
24 **the frontage of lot 51 (which is within DA 1) that does not appear to be**
25 **properly accounted for. It appears a separate subcatchment delineation**
26 **may be necessary associated with the basin since the discharge location is**
27 **downstream of the point of analysis. Please note the post development plan**
28 **in the report indicates a new drain system is to be constructed along**
29 **Mammoth Road to connect to the existing catch basin but the associated**
30 **area is part of post DA1 and does not appear to be properly addressed on**
31 **post development plan consistent with other proposed catch basins. The post**
32 **development plan notes final off-site drainage design to be prepared by**
33 **others as part of the final off-site roadway improvements. Please clarify,**
34 **review and revise the analysis and report as necessary consistent with the**
35 **final design and verify compliance with the regulations (no increase in**
36 **runoff).**
37
38 **3. The plans and information submitted indicate there is more than one Owner for the**
39 **development lots. Please note the Applicant’s proposed drainage design includes**
40 **drainage piping crossing the two subject lots that discharge to a detention basin at**
41 **the southeasterly corner of both lots. In addition, the site grading plan, site utility**
42 **plan and site layout plan indicate grading, utilities, driveways and parking for the**
43 **two lots will be shared by both lots in the development areas of the site. The**
44 **Applicant added note 12 to sheet 1 with this latest submission. However, no**
45 **documentation was provided which addresses any easements or agreements for the**
46 **shared drain system and associated runoff, shared utilities, shared access and**
47 **parking between the lots. Please provide copies of the agreements/easements and**
48 **flowage rights as applicable for the Planning Department's files.**
49
50 **4. The Applicant has provided only a conceptual design of the proposed offsite**
51 **improvements for the project in the plan set – sheet 1 of 1 with this latest submittal.**

- 1 **The Applicant shall provide final and complete construction plans, details and**
2 **information for the proposed off-site improvements for review and for proper**
3 **construction as typically required by the Town. The Applicant shall address the**
4 **outstanding comments from the NHDOT with the off-site improvements and**
5 **address the following:**
6 **A. Please update the off-site improvement plan to provide a 4-foot shoulder**
7 **along Nashua Road (Route 102) consistent with the letter from NHDOT.**
8 **B. Address the residential driveway for Map 6 Lot 48 (move driveway access**
9 **from Mammoth Road to Kendall Pond Road).**
10 **C. Obtain a NHDOT permit for the proposed off-site improvements and**
11 **provide a copy of the permit for the Planning Department’s file.**
12
13 **5. The off-site improvements along Mammoth Road will require relocation of utility**
14 **poles as noted on sheet 5. However, the previously submitted utility clearance**
15 **letters do not address or indicate approval of the relocated poles. The Applicant**
16 **shall provide utility clearance letters that specify approval of the utility and pole**
17 **relocation under this project as typically required by the Town and as noted in the**
18 **Applicant’s response letter. In addition, the Applicant indicated in his response**
19 **letter that new lot 51 will be a non-building lot. However, this is unclear at this time**
20 **since the application for the new lots shown (including lot 51) has not been**
21 **presented to the Board at this time. The Applicant shall provide updated utility**
22 **clearance letters from Verizon, Adelphia and Pennichuck Water, which address new**
23 **lot 51 as may be applicable.**
24
25
26 **6. The Applicant shall address the following on the grading plan – Sheet 4:**
27 **A. The Applicant shall clarify the proposed construction at lot 49 will not affect**
28 **the existing septic system serving the existing bank.**
29 **B. It appears a proposed 268 contour is missing at the northwesterly corner of**
30 **the Walgreen’s parking area with this revised grading plan. Please clarify**
31 **and verify the wetlands are not impacted or update the wetland permit as**
32 **may be necessary.**
33
34 **7. The Applicant has provided an Auto-Turn schematics for the WB-50 truck access**
35 **which indicates an encroachment of a handicap space will occur. Please**
36 **address/clarify this for the site.**
37
38 **8. The Applicant shall remove reference to Electronic reader board sign on Sheet 9,**
39 **Illumination Plan.**
40
41 **9. The site plan and existing conditions reference a roadway discontinuance plan and a**
42 **separate lot line adjustment plan to be presented to the Planning Board. Final**
43 **approval of this plan shall be subject to final approval of the roadway and**
44 **subdivision creating the indicated lots.**
45
46 **10. All waivers granted shall be noted on the Plan.**
47
48 **11. Conditional Use Permit granted shall be noted on the Plan.**
49
50 **12. Outside consultant’s fees shall be paid within 30 days of conditional approval of**
51 **plan.**

- 1 **13. The Applicant shall provide a digital (electronic) copy of the complete final plan**
- 2 **sent to the Town at the time of signature by the Board in accordance with Section**
- 3 **2.05.n of the regulations.**
- 4 **14. Financial guaranty if necessary.**
- 5 **15. Final engineering review.**

6
7 **A. Rugg noted that R. Nichols would no longer be a voting member of the Board since Mary**
8 **Soares was now present.**

9
10 **Seconded by Mary Soares. Discussion: P. DiMarco asked about the handicap parking**
11 **space. T. Thompson said that would be clarified as part of condition #7. Vote: 8-0-0. Plan**
12 **is conditionally approved.**

13
14 ***Public Hearing – Rezoning Request – Joe Dicarlo – Map 12, Lot 68 – AR-1 to C-IV*** – A. Rugg
15 said the applicant had come in last month for a conceptual discussion for this parcel. Tom Freda
16 reclused himself from voting on this matter and sat in the audience as a citizen. A. Rugg
17 appointed R. Nichols to vote for T. Freda. J. Dicarlo handed out copies of his presentation to the
18 Board. Mrs. DiCarlo said some of the main reasons for the request were; the safety of children;
19 the preservation of the historic home, which wouldn't be guaranteed if the home was sold as
20 residential; the many businesses in the area, which she referred to on the map to show the
21 locations; and the increase in traffic from 10,000 cars a day in 2001 to 14,000 in 2004. She said
22 all they wanted to do was to allow professional office space on the property and any future
23 owners would have to go before the Planning Board for any change of use. She said not only are
24 her children at risk at this busy intersection but any future owner's children if the home was sold
25 as residential. J. Dicarlo addressed the Board and referred to the amount of new development in
26 the immediate area; Whittemore Estates, which proposes 82 units; Mountain Homes, which has
27 152 units; the mobile home park across the street, the concrete business on the corner and the
28 church expansion. He said the new driveway for his property would be off of Litchfield Road
29 rather than Mammoth Road if the State goes through with their plans to put in traffic signals at
30 the intersection. T. Thompson addressed the Board and referred to his memo to the Board dated
31 1/11/06. He said this plan was presented to the Planning Board on 12/14/05 and the applicant
32 seeks to allow the parcel to be used for professional office space. He said this would be one of
33 several permitted uses in the C-IV District, with a footprint limit of 3500 square feet. The area in
34 question is entirely zoned AR-1, and the nearest commercially zoned lot is at least 4300 feet away
35 to the north, and over 5000 feet away to the south. He said the 2004 Master Plan is clear that the
36 Mammoth Road corridor be preserved as residential in nature. He said other than the Town
37 Center area (which has yet to be defined by the yet not created Town Center Task Force), the
38 Master Plan does not recommend any changes to zoning along Mammoth Road. He said the
39 Planning Board has always expressed concern about commercial zoning "creeping" from both
40 ends (Rt. 102 and Rt. 28). He said in summary that the rezoning is inconsistent with the Master
41 Plan, is located far removed from any other commercially zoned land, and if the parcels were to
42 be rezoned commercially, it would, in staff's opinion, be an illegal spot zoning. He said
43 therefore, staff recommends that the Planning Board **Not Recommend** this rezoning to the Town
44 Council. He said most of the businesses that the DiCarlos referred to are pre-existing or non-
45 conforming uses. A. Garron also agreed that this re-zoning would be inconsistent with the
46 Master Plan. He was also concerned with the effect the zoning change would have with the State
47 Department of Transportation and their plans for the intersection. R. Brideau asked if the
48 DiCarlos planned on selling the property or developing the office space. J. DiCarlo said he would
49 like to develop it on his own. R. Brideau asked if the Planning Board does not recommend the
50 rezoning, where do they go. T. Thompson said that the Town Council will make the final
51 decision or they can go to the Zoning Board of Adjustment. M. Soares wanted to know if the

1 State would have the same reaction if they went for a use variance. J. Farrell asked if their intent
2 was to have the same character as the Robie House. J. DiCarlo said yes, but on a smaller scale. J.
3 Farrell asked what was reasonable in this instance. He said the Town cannot meet the intent of
4 the Master Plan for a Town Center and this intersection with traffic lights would not be
5 inconsistent. A. Garron said that we should be consistent with the Master Plan's intent. J. Farrell
6 said the Robie House turned out good. M. Soares asked if their house had historic significance.
7 J. DiCarlo said yes it did and noted the reference from the Town library. M. Soares said that she
8 would rather have them go for a variance than change the zoning. D. Coons said that if it was
9 rezoned that would be spot zoning and 5 years from now the use could change. C. Tilgner said
10 changing the zoning is inappropriate and it should be done by variance with the ZBA, then they
11 could limit the use. P. DiMarco said he knows they have the best intentions but he does not
12 support a zoning change but would support a ZBA variance. R. Nichols said he does not support
13 a zoning change but is struggling to know what would be the right thing to do. A. Rugg said this
14 would be difficult for a C-4 zone because he would want to keep the use as to what they are
15 proposing. He said one option is a variance. A. Rugg also passed out his concept for a C-5 zone,
16 which would be more like a home occupation to commercial zone. T. Thompson said this would
17 have no backing from the Master Plan. J. DiCarlo said all he wants is professional office space
18 and C-4 was all they had to work with. A. Rugg asked for public input. Delores Pino from
19 Wagon Wheels Coop., which represents 35 mobile homes, stated that they wanted the property to
20 stay residential. She said there are so many accidents at that intersection. Also she said that the
21 park is losing 15 feet of land and the Dicarlos are gaining 10 feet when the State reconfigures the
22 intersection for traffic lights. Doris Stevens from Wagon Wheels Park also said they are losing
23 15 feet of property for the new lights and the State may not like it if the zoning changes. She said
24 they took 15 feet of their property because the State couldn't touch historic property. She said
25 that the property should stay residential. T. Freda, Buckingham Drive, said he had three
26 concerns. He said there were no guaranties that it would stay as a professional office building, it
27 could increase traffic greatly and if the problem is traffic now, increasing it even slightly is not
28 good; and how is the change going to help the public. He also said it would be spot zoning.
29 Delores Pino from Wagon Wheels said she had lived in Amherst on Route 101A and saw the
30 commercial creep happen there. Graham Baker, 19 Buckingham Drive, said that initially the
31 house was on the market as a private sale, then it went to a realtor who raised the price. He said
32 he thought it was inappropriate to rezone for personal economic gain. J. DiCarlo said it was his
33 intent to sell privately, but he spent a lot of money on the property. He said the realtor listed it as
34 possibly commercial if rezoned or by variance for office space, which did up the price. He said
35 he did not have any prospects when he listed it as residential. T. Thompson said the realignment
36 of Mammoth Road from the DOT has little relevance to the zoning request. A. Rugg brought it
37 back to the Board. T. Thompson said the ZBA would want them to exhaust all other options. A.
38 Garron said it would be advantageous to have a Planning Board decision. M. DiCarlo asked what
39 the options were. A. Rugg said they could withdraw the request or they can go to the Town
40 Council with the Planning Board recommendation. Another option was after the vote from the
41 Planning Board, go to the ZBA. **D. Coons motioned that the Planning Board not recommend**
42 **rezoning Map 12, Lot 68 from AR-1 to C-4 because it would be spot zoning and Staff does**
43 **not recommend it. Seconded by C. Tilgner. Vote: 6-0-2. The request will go on to the**
44 **Town Council as "Not Recommended" by the Planning Board.**
45

46 *Conceptual Discussion – Wallboard Supply, Map 2, Lot 34-3* – Tony Marcotte from Bedford
47 Design presented a conceptual site plan for a 9,600 sf office/warehouse building on Tracy Lane.
48 He said this property was subdivided in the 80's. The sight distance to the west is limited to 200
49 feet and is on the Hudson border. He said he would be seeking a waiver to the sight distance
50 from Hudson. He said he would like direction from the Board on how to proceed. J. Trottier
51 told him he has to fulfill Hudson's requirements and they are more restrictive than

1 Londonderry's. He said he would have to approach abutters to achieve sight distance. T.
2 Marcotte said he is appearing at the Hudson Planning Board in 2 weeks. T. Thompson said he
3 would be comfortable deferring to Hudson's Planning Board for jurisdiction for site distance and
4 list this on the plan. T. Thompson said the plan would have to be signed in both Towns.

5

6 **Adjournment:**

7

8 **J. Farrell motioned to adjourn the meeting at 10:30 PM. Seconded by C. Tilgner.**

9

Vote 8-0-0.

10

11 **Meeting adjourned.**

12

13 These minutes taped and typed by Christine Marra.

14 Respectfully Submitted,

15

16

17

18

19 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF February 1, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg, Chairman, John Farrell, Secretary; Paul DiMarco, Asst.
6 Secretary; Rick Brideau, Ex-Officio; Brian Farmer, Ex-Officio; Charles Tilgner, Ex-Officio; Rob
7 Nichols, alternate member (arrived at 7:10PM)

8
9 Also Present: Tim Thompson, AICP; John Trottier, P.E. and Christine Marra, Recording
10 Secretary.

11
12 A. Rugg called the meeting to order at 7:00 PM. Since there was a quorum present, B.
13 Farmer left to attend another meeting at 7:05 PM.

14
15 A. Rugg said there was only one public hearing scheduled tonight and the applicant had requested
16 a continuance so he suggested handling that first so the people attending this hearing would not
17 have to sit through the entire "Administrative Board Work" part of the meeting.. The Board
18 agreed.

19
20 **Public Hearings**

21
22 ***Mark Investments, LLC, Map 6, Lots 51 & 52 – Application Acceptance and Public Hearing***
23 ***for a Lot Line Adjustment***– T. Thompson said the Applicant was requesting a continuance
24 because of one checklist item that still has to be taken care of. He read a letter from Attorney
25 Morgan A. Hollis, representing Mark Investments, into the record. In his letter Attorney Hollis
26 stated " In light of some recently discovered information, my client, Mark Investments, Inc.,
27 requests that the above-captioned plan which is scheduled for hearing before the Planning Board
28 this evening, February 1, 2006, be continued to the meeting of the Planning Board scheduled for
29 March 1, 2006." **J. Farrell motioned to continue the public hearing for Mark Investments,**
30 **LLC, Map 6, Lots 51 & 52 Lot Line Adjustment plan until March 1, 2006 as requested by**
31 **the Applicant in his letter to the Planning Board dated February 1, 2006. Seconded by R.**
32 **Brideau. Vote: 5-0-0. A. Rugg said this will be the only notice and the plan will be**
33 **continued until March 1, 2006 at 7 PM.** An abutter to the property, Sean O'Keefe of 163
34 Mammoth Road, asked if he could ask a few questions even though the hearing was being tabled
35 for tonight. A. Rugg said yes he could and to come forward. S. O'Keefe asked where they were
36 in the application process and their intent for the land. T. Thompson said the site plan for
37 Walgreen's had already been conditionally approved last month and one of the conditions was the
38 approval of the lot line adjustment plan, which included the vacating of the portion of Kendall
39 Pond Road that runs between the 2 lots. He said the Town Council has to take action on that. He
40 said the information that was missing for tonight was the minimum lot size for the lot that was
41 being deeded to the Town for conservation land. S. O'Keefe also wanted to know where the
42 entrances and exits for the property were. A. Rugg said the plans could be viewed at the Planning
43 Department office during the week. J. Farrell explained the entrances and exits but also said that
44 he should view the actual plan. Mr. O'Keefe said he thought that having another pharmacy at this
45 intersection was excessive. A. Rugg explained that the plan meets all the requirements for the
46 Town's site plan regulations. J. Farrell said that numerous on-site meetings were held with the
47 developers and the Town regarding the traffic flow, etc. He also explained the Performance
48 Overlay District that the Town adopted, which puts restrictions on the type and size of buildings
49 in this area. This site is part of the POD and is therefore subject to these restrictions. He said that
50 if this POD wasn't in place, a much larger building such as a Walmart could have gone there.

1 **[R. Nichols arrived at 7:10PM].** P. DiMarco added that the conservation land would also act as
2 a buffer. Mrs. O’Keefe addressed the Board and asked if the Board takes into consideration the
3 comments of abutters. T. Thompson said that the Board could consider requests from abutters
4 such as buffering or other matters that are within the Board’s authority to change. Mrs. O’Keefe
5 said she was frustrated with the rate of growth in Town.

6
7 **A. Rugg appointed R Nichols to vote for Mary Soares.**

8
9 **Administrative Board Work**

10
11 **A. Extension Request – DiLorenzo Site Plan – Map 14, Lot 31** – T. Thompson read the letter
12 dated January 13, 2006 from Barbara DiLorenzo requesting an additional 60 days to obtain
13 the additional information and prepare the revisions required for final acceptance and
14 signature by the Planning Board. **J. Farrell motioned to grant the 60 day extension until**
15 **May 9, 2006 for the DiLorenzo site plan, Map 14, Lot 31 as requested by the applicant.**
16 **Seconded by R. Brideau. Vote: 6-0-0. Extension is granted.**

17
18 **B. Waiver Request – 13 Delta Drive, LLC, Map 14, Lot 21-7** – T. Thompson referred to the
19 letter from 13 Delta Drive LLC dated January 24, 2006 requesting a limited waiver of Section
20 6.01(c) that would allow issuance of a CO without the top coat of pavement. They explained
21 in the letter that the approved site plan calls for the wearing course (top coat) of paving has to
22 be installed prior to the issuance of a certificate of occupancy. They said they would like to
23 wait until late spring to install the top coat of pavement in order to have optimal weather
24 conditions and to prevent damage to the top coat from ongoing construction activities. They
25 said it was essential to the business owners that a CO is obtained in April due to the partial
26 occupancy of the building. They said 13 Delta LLC is willing to post cash security to ensure
27 the proper application of the top coat. J. Trottier said he has worked with this company
28 before on other projects and has not had any problems with them and he would be
29 comfortable with the waiver request. **J. Farrell motioned to grant the waiver request for**
30 **13 Delta Drive as outlined in their letter of January 24, 2006 and recommended by Staff.**
31 **Seconded by P. DiMarco. Vote: 5-1-0. Waiver is granted.**

32
33 **C. Amendment of Forest Hills Covenants** – T. Thompson referred to a letter from the Town’s
34 attorney, Barton L. Mayer, dated January 23, 2006 regarding the Forest Hills Adult
35 Community. The letter states that Forest Hills incorporated an amendment in Section 2-7-10
36 of its Declaration. He said this covenant runs to the benefit of the Town and any amendment
37 of the covenant needs to be approved by the Town. He said this requirement was
38 incorporated into the Declaration in order to ensure that the Town’s interests are protected.
39 He said the covenant provides additional protection to the Town by requiring the association
40 to verify compliance with the requirement that dwelling units be occupied by persons over
41 age fifty-five (55). T. Thompson referred to the original approved covenants and the new
42 amendment, which deals with the verification procedures. P. DiMarco wanted to know the
43 reason for this amendment. T. Thompson said it had to do with funding and the need to
44 prove the age verifications for new residents of the development. He said a vote was not
45 necessary but an approval or consensus of the Board was necessary. A. Rugg went around
46 the Board for input. It was the consensus of the Board to approve the amendment.

47
48 **D. Lafontaine Subdivision, Map 11, Lot 77- Plan to Sign** – J. Trottier said this plan had been
49 conditionally approved by the Board on December 7, 2005 and all conditions have been met.
50 **J. Farrell motioned to sign the plan for Lafontaine Subdivision since all conditions have**

1 **been met. Seconded by C. Tilgner. Vote: 6-0-0. Plan will be signed at the conclusion of**
2 **the meeting.**

3
4 **E. *Approval of Minutes- 1/4/06 and 1/11/06*** – A. Rugg said corrections to the 1/4/06 minutes
5 were noted on the draft copy in the read file. **J. Farrell motioned to approve the minutes**
6 **of 1/4/06 as presented. Seconded by C. Tilgner. Vote: 6-0-0. Minutes are approved and**
7 **will be signed at next week’s meeting.**

8 **J. Farrell motioned to approve the minutes of 1/11/06 with the changes noted on the**
9 **draft copy. Seconded by R. Brideau. Vote: 6-0-0. Minutes are approved and will be**
10 **signed at next week’s meeting.**

11
12 **F. *Determinations of Regional Impact – 3 projects*** -- T. Thompson said that according to RSA
13 36:56, the Board shall make a determination of Regional Impact for any project that is
14 received for their consideration. He said three projects had been received which were:
15 Gagnon Retail Plaza, Map 15, Lots 128 & 129, which was a site plan for 19,980 square feet
16 of retail/financial institution/professional office space; Alcumet, Inc., Map 14, Lot 13, which
17 was a site plan for 5,000 square foot building addition and shortening of the Planeview Dr.
18 roadway with associated construction of a cul-de-sac; and Asgitisdi LLC, Map 6, Lot 37 &
19 38, which was a site plan for 6,842 square feet of office and retail space. He said the staff
20 recommends that these projects are not developments of regional impact, as they do not meet
21 any of the regional impact guidelines suggested by SNHPC. **J. Farrell motioned that the**
22 **Board determines the projects in T. Thompson’s memo of 2/1/06 are not developments**
23 **of regional impact as recommended by Staff. Seconded by R. Brideau. Vote: 6-0-0.**

24
25 **G. *Discussions with Town Staff – PSNH- Map 13, Lot 110 (John Trottier)*** – J. Trottier
26 explained that PSNH would like to make a change in their approved plan for their substation
27 on this lot. The plan called for a proposed retaining wall to protect some communication
28 cable. PSNH now wants an engineered slope instead of the wall. Bob Gosling from PSNH
29 was present to answer any questions. J. Farrell wanted to know how tall the slope would be.
30 J.Trottier said it varies from 6-14 feet. J. Trottier wanted to know if a public hearing was
31 necessary for this change. A. Rugg thought this was a minor change and the Staff could
32 handle it with PSNH. The Board agreed.

33
34 **H.** T. Thompson said that he has received information from the census bureau, which would help
35 to determine the GMO for this year. He said he would send an email to all the members
36 before the meeting next week. T. Thompson also mentioned that the Zoning Board of
37 Adjustment has received 2 requests for variances to allow a 2nd floor in single family elderly
38 housing without an elevator, which is required under the zoning ordinance. He wanted to
39 know if this is worthy of further discussion in order to perhaps change the ordinance. Some
40 of the members thought that elevators were not necessary for age 55+ developments, for
41 single and two family structures. A. Rugg said this requirement of elevators should be
42 discussed at a later meeting. The Board agreed.

43
44 **I.** A. Rugg mentioned that Mr. DiCarlo, who had come in last month for a rezoning of his
45 parcel had submitted a petition to the Town Council. T. Thompson said that this should be
46 discussed at next week’s meeting when A. Garron would be present along with the rest of the
47 Board members.

48
49 **J. *1st Reading – Planning Board Rules of Procedure*** – T. Thompson said that he could
50 summarize the Rules if the Board wished or read through all of them. A. Rugg said just the
51 changes would be fine and the Board could waive the reading. **P. DiMarco motioned to**

1 **waive the reading of the Rules of Procedure. Seconded by J. Farrell. Vote – 6-0-0. A.**
2 **Rugg said the formal reading is waived.** T. Thompson went through the changes and
3 additions, which were sections 2.4, 4.5, 4.3 5.1 and 6.4. P. DiMarco had 2 questions. He
4 asked if the Chairman has the ability to change the order of the meeting in section 4.7. T.
5 Thompson said yes he does. P. DiMarco also questioned section 2.1, which T. Thompson
6 said was straight from the Town Charter. R. Nichols wanted to know if an alternate could
7 vote for an ex-officio member of the Board. T. Thompson said no, only for regular members.
8 R. Nichols also said in Section 2.2 and 2.3, **RSA** should be bolded. **C. Tilgner motioned to**
9 **approve the first reading of the Planning Board Rules of Procedure and the second**
10 **reading would be at next week’s meeting on February 8, 2006. Seconded by J. Farrell.**
11 **Vote: 6-0-0. Second reading will be next week.**

12
13
14 **Adjournment:**

15
16 **P. DiMarco motioned to adjourn the meeting at 8:00 PM. Seconded by R. Brideau.**
17 **Vote 6-0-0.**

18
19 **Meeting adjourned.**
20

21 These minutes taped and typed by Christine Marra.

22 Respectfully Submitted,
23

24
25
26
27 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF February 8, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg, Chairman, Dana Coons, Vice-Chair; John Farrell,
6 Secretary; Paul DiMarco, Asst. Secretary; Brian Farmer, Ex-Officio (arrived at 7:20 PM); Rick
7 Brideau, Ex-Officio; Charles Tilgner, Ex-Officio; Mary Soares; Tom Freda (arrived at 7:10PM);
8 Rob Nichols, alternate member .
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; John Vogl, GIS
11 Manager; Frank Holdsworth, Enforcement Officer; Mike Brown, ZBA member and Christine
12 Marra, Recording Secretary.
13

14 A. Rugg called the meeting to order at 7:00 PM. He appointed R. Nichols to vote for Tom
15 Freda.
16

17 *Signing of Minutes- 1/4/06 and 1/11/06* – A. Rugg said the minutes that were approved last week
18 would be signed at the end of the meeting.
19

20 *Plans to Re-sign* – T. Thompson said that there were 2 mylar plans to resign, one for the
21 Lafontaine Subdivision and the other for The Landings Waterline Relocation plan because they
22 were rejected at the Registry of Deeds. A. Rugg said that they would be signed at the end of the
23 meeting.
24

25 *Discussions with Town Staff* – A. Rugg asked André Garron to explain the procedures
26 concerning the recent zoning request from the DiCarlos on Mammoth Road. A. Garron referred
27 to the memo to Marcy DiCarlo from Dave Caron, Town Manager, dated January 25, 2006. In his
28 memo, Dave Caron explained the zoning amendment process to Ms. DeCarlo. He said that in
29 Towns without a charter, there are three avenues for consideration and adoption of a zoning
30 amendment by Town Meeting. The first is the governing body may propose amendments on its
31 own initiative, next the Planning Board may propose amendments on its own initiative, including
32 any requests for residents and lastly citizens may request Legislative Body consideration by filing
33 a petition containing the signatures of at least 25 registered voters. He said that Londonderry had
34 adopted a Town Charter, therefore Town Meeting only deals with budget issues and all other
35 functions of the Legislative Body become the responsibility of the Town Council, including
36 approving amendments to the Zoning Ordinance. He said the Town Council could only legally
37 consider amendments to the Zoning Ordinance when presented to them under one of those 3
38 avenues. A. Garron said if an individual makes a rezoning request through the Planning Board
39 and receives a favorable response from the Planning Board, the Board could then recommend it to
40 the Town Council (by recommending it it becomes a Planning Board Initiative), but if it is
41 inconsistent with the Master Plan and the Board cannot recommend it to the Council, it would
42 have to be submitted by petition by the applicant to the Town Council. **[Tom Freda arrived at**
43 **7:10PM]**. J. Farrell said it was good to have a clear process going forward, but the Town
44 Manager and town attorney should have come back to the Board with their decision before
45 notifying the applicant.

46 J. Trottier addressed the Board regarding the Harvey Industries site plan, which had been
47 approved for a 389,435 square foot industrial building on Map 17, Lot 45-2 on Jack's Bridge
48 Road. He said they were proposing some changes, which would reduce the size of the building
49 by 58,000 square feet and were relocating the generator, and he wanted to bring this to the
50 attention of the Board. D. Coons asked what was the reason for the deduction. J. Trottier didn't

1 know. M. Soares said that we should know what they are eliminating. J. Farrell asked if it was
2 manufacturing space or office space. J. Trottier said he would find out. A. Garron suggested that
3 Harvey should show that space as an additional phase in case they decide to expand in the future.
4 The board thought that was an excellent idea. D. Coons asked if they would be required to
5 change the site plan. T. Thompson said it was their option as to which way they wanted to go. J.
6 Trottier said he would get back to the Board with further information.

7 A. Garron gave an update on the CTAP program with New Hampshire Department of
8 Transportation. He said the committee had their 2nd meeting last month to consider how best to
9 use the \$3.5M that was put aside for the communities effected by the I-93 road widening. He said
10 they discussed which top issues would be consistent with the regional Master Plan. The next
11 meeting will be held on February 16, 2006. He also said for further information, there is a
12 website now set up, www.rebuilding93.com. A. Garron also mentioned he had met with the
13 Conservation Commission regarding the By-way Grant. They had agreed that the best option for
14 using the grant was for purchase rights or development of the Twin Gates Horse Farm. He
15 explained that this land resource grant has to be used for land within the Apple Way. He said
16 they are working with the owner and developer of the property and they will be submitting plans
17 by next Wednesday. A. Garron also discussed the proposed TIF district near Exit 5, which had
18 gone before the Town Council on Monday and was presented to the School Board the following
19 night. **[B. Farmer arrived at 7:20]**. He said the next meeting with the Town Council was on
20 February 20, 2006.

21 T. Thompson reminded members of the Spring OEP Planning & Zoning conference to be held at
22 the Radisson Hotel in Manchester on Saturday, April 1, 2006. Members should let him know by
23 Friday so the reservations can be made.

24 A. Rugg mentioned House Bill 1508, which concerns Board procedures. T. Thompson said that
25 the bill is in regards to when applications are protected from ordinance and regulation changes.
26 Currently, only plans accepted as complete by the Planning Board are protected. The proposed
27 bill would change the language of the statute to state that applications “considered for acceptance
28 by the Planning Board under RSA 676:4” would be protected from ordinance and regulation
29 changes. In his opinion, T. Thompson stated that the change would not have much impact on
30 Londonderry, due to our review process, but that he would be keeping an eye on the bill as it
31 moves through the legislature. **[A. Rugg said that since T. Freda is present, R. Nichols is now
32 not a voting member]**.

33
34 ***2nd Reading of the Planning Board Rules of Procedure*** – T. Thompson said the changes that
35 were discussed last week were made. **J. Farrell motioned to waive the 2nd reading of the
36 Planning Board Rules of Procedure and move to adoption of the procedures on March 1,
37 2006. Seconded by D. Coons. Discussion: P. DiMarco said that items 6 & 7, the person
38 speaking needs to give their name and address for the record. Vote: 9-0-0. The reading is
39 waived.**

40 41 **PUBLIC HEARINGS/WORKSHOPS/CONCEPTUAL DISCUSSIONS**

42
43 ***Public Hearing- Growth Management Determination*** – A. Garron said that the Planning Board,
44 in accordance with section 1.4-Growth Management (2002) must make a determination of
45 sustainability prior to March 1, 2006. He said the Board must also make a GMO determination
46 using Section 1304 of the 1998 Growth Management Regulations as well. He explained how the
47 evaluation was made in his memo to the Planning Board dated February 8, 2006. He said that
48 given that two of the three criteria of the 2002 GMO was not met and three of the three criteria of
49 the 1998 GMO were not met, Staff recommends that the Planning Board make a determination
50 that for 2006, the Town of Londonderry will be in a period of sustainable growth, and there will
51 be no cap of the number of building permits issued. This decision will end on December 31,

1 2006. He also explained the emergency provision that would kick in if 2% of of the existing
2 housing stock was exceeded (more than 163 or 164 permits). A. Rugg said that there is also a 15-
3 lot phasing ordinance in place. M. Soares said she thought the GMO did its job and the market
4 will keep it at a slower growth. J. Farrell said he thought the GMO was right on line and next
5 year will tell. A. Rugg said the Town has made use of the time with significant infrastructure
6 increase. B. Farmer asked if this period would end in 12/06. A. Garron said yes, unless the lots
7 are exempt from the ordinance. P. DiMarco asked how many outstanding subdivisions there were
8 that could ask for permits. T. Thompson said the Nevin's project still has outstanding lots as does
9 the Mill Pond subdivision and Tanager Landings subdivision. A. Garron also mentioned the
10 multi-family unit off of Sanborn Road. T. Freda said that on page 2 of A. Garron's memo five
11 projects were mentioned as planned in the 6-year Capital Improvements Program and shouldn't
12 the cultural arts center have been mentioned. T. Thompson said that project has been moved into
13 a Category 4 so is not in the 2007 CIP program. A. Rugg asked if there was any public input.
14 There was none. **D. Coons motioned the Planning Board make a determination that the
15 Town of Londonderry will be in a period of sustainable growth, and there will be no cap for
16 the number of building permits issued through December, 2006. Seconded by M. Soares.
17 Vote 8-0-1 [J. Farrell abstaining]. Determination that Londonderry be in a period of
18 sustainable growth and no cap on building permits through December, 2006 has been made.**
19

20 ***Public Hearing- Zoning Ordinance Amendments – Livestock, Accessory Apartments, Elderly
21 Housing, Home Occupations, Signs, Special Exceptions, Enforcement, & Definitions - T.***

22 Thompson said that he has been in touch with the New Hampshire Farm Bureau and the
23 Department of Agriculture and was told some of the language used in these proposed
24 amendments was inappropriate. He said the Board should consider removing the livestock
25 portion of the proposed amendments and he would continue working on it and bring it back to the
26 Board in the future. P. DiMarco thought this was reasonable and it should be done right. T.
27 Thompson said it would be beneficial if the Board would go through each section individually
28 and get public input after each section. He also read into the record an email he had received from
29 the NH Farm Bureau:

30 From: Richard Uncles [<mailto:runcles@agr.state.nh.us>]
31 Sent: Thursday, February 02, 2006 10:32 AM
32 To: 'Wayne A. Mann'; 'NHFBF(Rob)'; 'Briggs, Tiffany'; 'ROCK (Ferdinando, Phil)'
33 Cc: Tim Thompson
34 Subject: RE: Proposed Londonderry Zoning Changes
35 Wayne,

36 I got a copy of the proposed ordinance from the Town of Londonderry's website, I shared it with Comm.
37 Taylor and Dr. Crawford.

38 Your suggestions to the town are very good. Although, 432:33, the protection from nuisance suit statute,
39 applies to Londonderry regardless of what their ordinance says. In other words, state law trumps a local
40 ordinance in this case. It may be useful though to cite the statute in town ordinance for clarity.

41 Londonderry is well-recognized as a town that values its agriculture and historic traditions.

42 Our feeling is that the minimum 2 acre requirement for large livestock and the setbacks are reasonable,
43 especially in a heavily developed town like Londonderry. Where, we differ is the acre per animal
44 requirement for horses and cattle and the proportionally less pasture area requirement for smaller animals.
45 The reason the one acre/one animal guidance exists in extension documents and other publications is based
46 on supplying the nutritional needs of the animal. If an animal had to subsist on its own, ideally they should
47 have that much forage land available, although winter makes that irrelevant in NH. The proposed density
48 standard has little connection to environmental issues like manure management, erosion and nuisance
49 concerns. These management issues are best addressed, in our view, by Best Management Practices,
50 guided by the state, not by prescribed density requirements.

51 In our manure complaint regulatory work, we have seen extremely well managed livestock operations on
52 very small parcels and conversely, vast acreage operations that are causing environmental and nuisance
53 problems.

1
2 Richard B Uncles
3 Bureau of Markets Supervisor
4 NH Dept of Agriculture, Markets & Food
5 PO Box 2042 - 25 Capitol Street
6 Concord NH 03302-2042
7 Tel. 603-271-2753, 603-271-7761 direct
8 Fax 603-271-1109
9 runcles@agr.state.nh.us

10
11 T. Thompson said that a public workshop could be held at the March 8, 2006 meeting. A. Rugg
12 recognized that many farm residents were present and gave them an opportunity to speak. Hank
13 Peterson asked if the experts own and raise animals. T. Thompson said that State statute takes
14 precedence over town regulations. B. Farmer asked what the impact on existing agriculture
15 residents would be. T. Thompson said none and this would only limit incoming owners. Mr.
16 Peterson asked if their lots would be grandfathered. B. Farmer said yes and that when the Town
17 makes zoning changes the existing lots are protected. Mr. Peterson also mentioned that having
18 chickens outside in an exercise yard would be a hardship because of wild birds infiltrating his
19 flock. He also thought that 20 acres for 20 horses was excessive. He said you cannot restrict
20 agriculture and State laws are already there if a problem arises. T. Thompson said this was
21 brought forward by the ZBA to help clarify the ordinances. Mr. Peterson also asked what is
22 pasture. M. Soares said the amendment doesn't specify and it should just reference State law.
23 Mr. Peterson also said "don't fix it if its not broke". D. Coons agreed with Mr. Peterson and said
24 you do not need 1 acre of land per animal because you need to supplement feed in this part of the
25 country. Many residents spoke and agreed the zoning did not have to be changed and
26 Londonderry would be imposing more restrictions than other towns. Mike Brown from the ZBA
27 spoke and said the only problems the ZBA had were with lots less than 2 acres. T. Thompson
28 said that if the ZBA is happy with what the zoning has now, that's fine. B. Farmer said what he
29 was hearing is there is enough coverage in State laws and we do not need to do anything here. D.
30 Coons wanted to know if the ZBA has the option to reference State requirements. M. Brown said
31 if an applicant asks for a variance for livestock on a parcel of less than 2 acres, they have to prove
32 some hardship. They do not get into State law, only decide whether to grant the variance or not.
33 Bob Lievens, resident, said the problem is the ZBA has had complaints and it is not inappropriate
34 for them to enforce regulations, but most complaints would be covered under State statute. Some
35 more discussion ensued with more residents. A. Rugg asked if a workshop should be held or not.
36 **J. Farrell motioned to remove Section 2.3.1.4 Livestock from discussion and remove the**
37 **amended definition for "Livestock" and leave all livestock provisions of the ordinance as it**
38 **is currently written. Seconded by D. Coons. Discussion: P. DiMarco said the changes**
39 **would be struck from the livestock section of the ordinance. Vote: 9-0-0. The livestock**
40 **zoning changes will be sticken.**

41 *Accessory Apts.* – T. Thompson went over the changes to this section, which was striking
42 2.3.1.7.8 & 9 and renumbering and adding 2.3.1.7.9 concerning no accessory apartment shall be
43 permitted on a lot created as part of a back lot development per Section 3.4.1.3.7 of the ordinance.
44 D. Coons said he felt the 3-year time frame didn't need to be in the regulations. A. Garron said
45 he had dealt with this in Goffstown and researched some areas where people would add accessory
46 apartments on for investment purposes, which is not the intent of the ordinance. Frank
47 Holdsworth said if you don't keep this in the ordinance, you would be granting multi-family
48 housing, which is not allowed in a residential zone. A. Rugg asked for public input. There was
49 none.

50 *Elderly Housing* – T. Thompson read the changes to this Section 3.6.4.11. A. Rugg asked for
51 public input. There was none.

1 **Home Occupations** – T. Thompson read through the proposed changes to this section and the
2 addition standard for Child Care and Adult Day Care as set forth in Sections 3.12.2 and 3.12.3.
3 He said he had worked with Stacey Thrall of the Elder Affairs Committee, on the Adult Day Care
4 section. A. Rugg said he would ask the Board for their comments and then go to the public. R.
5 Nichols said that some definitions already exist in State guidelines for child daycares and these
6 should be referenced. T. Thompson said that daycares with more than 3 children must be
7 licensed by the State. R. Nichols recommended referencing State licensing and drop what we
8 have. T. Thompson said this language should be in the ordinance because it relates specifically to
9 the requirements for a special exception for home occupations, not the day care guidelines from
10 the state regarding the operations of a day care. Mike Brown said that these regulations for
11 daycares have been working well. R. Brideau asked about the new text. T. Thompson said he
12 was just separating language in individual sections. P. DiMarco asked about the change to
13 3.12.1.5. M. Brown said that was to clarify. C. Tilgner said he thought that a fenced-in play area
14 should be in an unobtrusive area. D. Coons agreed with C. Tilgner and said the ZBA should be
15 able to tell the applicant where to put the fenced-in play area. A Rugg asked for public input.
16 Stacy Thrall, 9 Crosby Lane, commended the Town for adding the adult daycare section and said
17 it would help the applicants and the ZBA and she thanked the Staff.

18 **Signs** – T. Thompson read the changes that were proposed for this section. A. Rugg asked the
19 Board if they had questions. T. Freda referred to 3.11.2.6.6 regarding political signs and
20 reference to 45 days prior to a state primary. T. Thompson said that was worth discussion but not
21 part of the public hearing tonight. A. Rugg said that could be earmarked for the next round. A.
22 Rugg asked for public input. There was none. M. Soares asked if there would be a permit cost.
23 T. Thompson said yes. D. Coons said there was no need for 3.11.2.6.8.1. T. Thompson said this
24 was to allow for off-site signs. Frank Holdsworth said this is to make sure realtors pick up their
25 signs and that's the reason for the permit. He said the charge could be \$10. per sign. D. Coons
26 thought that was excessive. J. Farrell suggested an annual fee. T. Thompson said that fees would
27 be beyond the scope of the zoning ordinance. T. Thompson read the *special exception* section
28 change and the *Enforcement* section. He then summarized all the proposed changes. **J. Farrell**
29 **motioned to recommend to the Town Council to adopt the changes to the zoning ordinance**
30 **as presented and amended by Staff and strike the livestock section changes. Seconded by P.**
31 **DiMarco. Vote: 8-0-1 [D. Coons Abstained]. The recommendation will go to Town Council**
32 **for public hearing and adoption.**
33

34 A. Rugg said there were 2 conceptual discussions scheduled for the end of the meeting that
35 should be heard now because of the late hour. The Board agreed.
36

37 **Conceptual Discussion – Rezoning of Map 15, Lots 236 & 238** – Joe Ducharme representing
38 A.J. Huard of Zohl Holdings, Ltd., owner of lots 236 and 238, addressed the Board. He said they
39 were requesting feedback from the Board on potentially re-zoning lots 15-236 and 15-238 from
40 AR-1 to C-2. He said the owner proposes to meet the minimum 1-acre lot size for zone C-2
41 properties by applying for a lot line adjustment for Lot 15-235, also owned by Huard. He said
42 this zoning would be consistent with the Master Plan and the surrounding lots are C-2 and I-2. J.
43 Trottier said he had discussions with J. Ducharme regarding the needs for improvements and he
44 had no additional comments. T. Thompson said he went through the request briefly and the AR-1
45 zoning is not the best fit for that area but he would not support C-2. He thought C-1, 3 or 4 would
46 be better geared for that area. A. Garron asked what did they anticipate using the site for. Mr.
47 Huard said at this time it would mostly be to serve the industrial lot. J. Ducharme said they
48 requested C-2 to be compatible with what is there now. He also said the intended use of the lots
49 could possibly contain professional business offices or retail and the existing buildings could be
50 modified or replaced with a new building and parking that meets the requirements. B. Farmer
51 asked if these lots were coming out of AR-1 would they have to come up to code. T. Thompson

1 said that would have to be looked at. The majority of the Board were in favor of rezoning to C-1,
2 J. Farrell and D. Coons were in favor of C-2. J. Ducharme said they would reconsider which
3 zoning to use and what the owner wants to do with the lots. Mr. Huard said there would not be a
4 gas station. M. Soares said she would be interested in the opinions of the people across the street.
5 A. Rugg asked for public input. B. Merrill, owner of the land across the street, said the Town
6 already has plans for sewer lines and these changes would be very helpful.

7
8 **Conceptual Discussion – Martin Lot Line Adjustment** - T. Thompson said he had received a
9 letter from the applicant requesting a discussion with the Planning Board regarding their lot line
10 adjustment. The applicant had previously withdrawn their application from formal application to
11 make revisions. Paul Martin, 49 Adams Road, addressed the Board. He said he had two issues to
12 discuss and a number of issues with engineering. He said the two issues were with the neighbor's
13 driveway and his fence. He said he is requesting a 50-foot lot line adjustment and acquiring the
14 land from lot 81, which has 1200 feet of frontage. He said the driveway may not have the sight
15 distance required and they are requesting a waiver of this requirement. He also said he had built a
16 granite post and white picket fence along the frontage of his property based on a survey plan done
17 in 1985. It was discovered the fence was in the Town's right of way. He said he was told by the
18 Town Council to remove the fence from the Town right of way 25 ft. from the centerline. He
19 said with the new survey, it was found the fence is still in the Town right of way and should be
20 moved back 30 feet. B. Farmer asked why the lot line wasn't known. P. Martin said it was a
21 mistake made by the surveyor back in the 1980's. J. Trottier said the fence is still within the right
22 of way. T. Thompson read the minutes from the Town Council's meeting, which stated that the
23 fence must be removed from the Town's right of way. B. Farmer said we need to find the
24 information and source of the problem and what is the requirement for that class of roadway. J.
25 Trottier said a Class V road is typically a 50 ft. right of way. B. Farmer said the resurveying
26 showed the fence is still in the right of way but we have to see how we can accommodate the
27 error that was made in 1985. A. Garron asked if the Martin's surveyor found the error. P. Martin
28 said it was discovered after he had already moved the fence. John Farrell said he would be
29 willing to go out to the property with Staff and the owner and another Planning board member to
30 try and come to some solution. B. Farmer said that to be reasonable that if a Class V road
31 requires a 50 ft. right of way, could the Council give back to the lot. P. Martin said that he acted
32 in good faith when he moved the fence and he was told 25ft. from centerline. He also said he
33 didn't see a copy of the comments from Vollmer Associates. A. Rugg said a copy would be
34 provided to him. J. Farrell asked T. Thompson to set up a meeting with the applicant, staff and
35 Promised Land surveyors at the property site and come back to the Board with the results. The
36 Board agreed.

37
38 **Other Business - Elliot Medical Facility, Map 6, Lot 73** – Ken Rhodes from CLD Engineering
39 addressed the Board and explained that they were told that they could not start any site work on
40 their project until the plan is signed. He said they had received the DOT permit and wetland
41 permit today and also the letters of credit were delivered today, which were some of the
42 requirements. He said Elliot has to get started and needs the plans signed before the March
43 meeting. He wanted to know how they could work things out in order to move forward. D.
44 Coons said that the Board couldn't allow them to start construction until the plans are signed, but
45 if they worked with staff on their outstanding items, the Board could come in for a special
46 meeting to sign the plans when they are ready. K. Rhodes said that the plans could be ready in a
47 matter of days. T. Thompson said a 24 hour notice would have to be given before the plans are
48 signed. A. Rugg said that 5 members would have to be present at the signing and if the plans
49 were to be signed next Wed., the plans would have to be received by Monday.

50

1 A. Rugg said that the 2 items left on the agenda would be heard at the March 8, 2006 meeting.
2 The items were **Workshop – FI Zone and GIS/Buildout Analysis Discussion with John Vogl**. It
3 was agreed that John Vogl should be first on the agenda.

4
5 **Adjournment:**

6
7 **M. Soares motioned to adjourn the meeting at 11:30 PM. Seconded by C. Tilgner.**
8 **Vote 9-0-0.**

9
10 **Meeting adjourned.**

11
12 These minutes taped and typed by Christine Marra.

13 Respectfully Submitted,

14

15

16 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE SPECIAL MEETING OF February 14, 2006 AT THE ELWOOD**
3 **CONFERENCE ROOM**

4
5 7:00 PM: Members Present: Dana Coons, Vice-Chair; Brian Farmer, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Mary Soares (Arrived at 7:05PM); Tom Freda.

7
8 Also Present: Tim Thompson, AICP, Town Planner; Ken Rhodes, CLD Consulting Engineers

9
10 D. Coons called the meeting to order at 7:05 PM

11
12 **Administrative Board Work – Plans to sign: Elliott Medical Office Facility Site Plan, Map**
13 **6, Lots 73 & 31.**

14
15 T. Thompson stated that staff and the Town’s review consultant had reviewed the plans and
16 information with the Notice of Decision, and stated that all conditions of the approval had been
17 met.

18
19 **M. Soares made a motion to authorize the Chairman and Secretary to sign the plans for the**
20 **Elliot Medical Office Facility seeing that all conditions of approval have been met.**
21 **Seconded by B. Farmer. Discussion: None. Vote on the motion: 5-0-0. Plans will be**
22 **signed at the conclusion of the meeting.**

23
24 T. Thompson informed the Board that the Secretary would be stopping by the Planning
25 Department to sign the plans in the morning. D. Coons will sign tonight for the Chairman.

26
27 K. Rhodes thanked the Board for having the special meeting to sign the plans. The Board
28 thanked Mr. Rhodes for attending.

29
30 **Adjournment:**

31
32 **C. Tilgner motioned to adjourn the meeting at 7:06 PM. Seconded by B. Farmer.**
33 **Vote 5-0-0.**

34
35 **Meeting adjourned.**

36 These minutes typed by Tim Thompson, AICP.

37 Respectfully Submitted,

38
39
40
41 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF March 1, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg, Chairman,; Dana Coons, Vice-Chair; Paul DiMarco,
6 Asst. Secretary; Rick Brideau, Ex-Officio; Brian Farmer, Ex-Officio; Charles Tilgner, Ex-
7 Officio; Mary Soares; Tom Freda; Rob Nichols, alternate member (arrived at 7:15PM)

8
9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E. and Christine
10 Marra, Recording Secretary.

11
12 A. Rugg called the meeting to order at 7:00 PM.

13
14 **Administrative Board Work**

15
16 **A. Extension Request – Reid Development, LLC Site Plan – Map 28, Lot 31-35 – T.**
17 Thompson addressed the Board and referred to a fax he had received from David Reid on 2/21/06
18 requesting a one year extension on his site plan which now expires on May 4, 2006. He said the
19 conditional approval was on May 4, 2005 and they didn't get final approval until November 2005
20 at which time it was too late to start any site work. T. Thompson said he would recommend
21 5/4/07 as the extension. **P. DiMarco motioned to grant the extension to Reid Development,**
22 **LLC site plan until 5/4/07. Seconded by D. Coons. Vote: 7-0-0. Motion carries. [T. Freda**
23 **arrived at 7:10 P.M.]**

24
25 **B. Extension Request – Gilcreast House LLC, Temporary Occupancy pending Site Plan**
26 **approval, Map 6, Lot 64-1-1 – T.** Thompson referred to a letter dated February 22, 2006 from
27 Barry Mazzaglia requesting an extension to complete his site plan for the above property. D.
28 Coons wanted to know why this was not complete and that the Board had been assured at the time
29 of the last extension that it would be complete by March, 2006. B. Mazzaglia said he hired an
30 engineer to do an as-built plan in enough time to meet that deadline but at a meeting with the
31 Town Staff it was determined that further information was needed. T. Thompson said that a site
32 plan for the property is required according to regulation and not an as-built plan. B. Mazzaglia
33 showed several as-built plans to the Board and asked if the building is going from a retail/office
34 space to just office, is a full-blown site plan necessary. A. Garron said he spoke with B.
35 Mazzaglia and the term as-built only recently appeared on his letter. He said on 5/11/05 Mr.
36 Mazzaglia said that he would submit a site plan by September, 2005 and the term as-built was
37 never mentioned. **[R. Nichols arrived at 7:15PM].** A. Rugg said, to be consistent, a site plan is
38 required. B. Mazzaglia said he had moved forward with his engineer with an as-built plan and
39 now further work is needed for a site plan therefore he needs the extension. T. Thompson said
40 that they had meetings with Mr. Mazzaglia and explained how the as-built plan is compared to
41 the original plan and the differences are noted. He explained that now a site plan has to be
42 prepared with the differences. He said they went through the checklist with the applicant and
43 noted 20 or so design review items. B. Mazzaglia said he didn't know how long his surveyor
44 would need to prepare the plan, but one of the main items was a wetlands review of the property.
45 T. Thompson said this plan would qualify as a minor site plan and could be reviewed by the
46 Administrative Review Committee and then come back to the Planning Board for signature. **D.**
47 **Coons motioned to approve the extension requested by Gilcreast House, LLC until 9/8/06.**
48 **Seconded by P. DiMarco. [A. Rugg appointed R. Nichols to vote for J. Farrell] Discussion:**
49 T. Freda asked why he is just asking for an extension today and not a month ago. B. Mazzaglia
50 said he thought he only needed an as-built plan. A. Garron suggested that a meeting be held with

1 the engineer, applicant and Staff to be sure everyone understands the process. A. Rugg said he
2 thought that would be appropriate. M. Soares said that the temporary occupancy permit bothered
3 her and thought that it was an inordinate amount of time for such a permit. T. Thompson said
4 that was a building code item. A. Garron said the Planning Board could recommend to the
5 Building Inspector to coincide the temporary permit with the extension. **Vote: 9-0-0. Extension**
6 **for submitting a site plan is granted until 9/8/06 with the temporary occupancy permit to**
7 **coincide with the extension.**

8
9 **C. Approval of Minutes – 2/1/06 and 2/8/06** – A. Rugg said corrections to the 2/1/06 and 2/8/06
10 minutes were noted on the draft copies in the read file. **D. Coons motioned to approve the**
11 **minutes of 2/1/06 as presented. Seconded by R. Brideau. Vote: 7-0-2. (M. Soares & D.**
12 **Coons abstained, they were not present on 2/1/06). Minutes are approved and will be signed**
13 **at next week’s meeting.**

14 **M. Soares motioned to approve the minutes of 2/8/06 with the changes noted on the draft**
15 **copy. Seconded by P. DiMarco. Vote: 9-0-0. Minutes are approved and will be signed at**
16 **next week’s meeting.**

17
18 **D. Discussions with Town Staff** – T. Thompson addressed the Board and referred to a letter
19 from Pete Sapatis dated February 24, 2006 requesting a waiver to attain a new permit from the
20 Building Inspector to build a garage on his property. He said originally his building permit
21 included his house and a 3-stall garage. He said he never completed the garage. His property
22 was zoned residential at that time. Since then the property has been rezoned commercial and
23 therefore would require a site plan for any additions. The property has a flea market on it now
24 and is also his primary residence. T. Thompson wanted the Planning Board’s consensus that Mr.
25 Sapatis should submit a letter saying the garage is strictly for residential purposes and not
26 commercial to forgo a site plan. C. Tilgner asked if that was why he is coming to the Planning
27 Board, because it is commercial property. T. Thompson said yes, so that there would be
28 something on file. M. Soares asked if there is no site plan on file, how would you know where he
29 wants to put the garage. T. Thompson said there is a sketch that is filed with the building
30 department. D. Coons said he felt that as long as the letter stated “for residential purposes only”,
31 that would be sufficient. **D. Coons motioned that on receipt of a letter from Pete Sapatis**
32 **stating the proposed garage is to be used for residential use only, the Planning Board will**
33 **waive the need for a site plan. Seconded by P. DiMarco. Vote: 9-0-0.**

34
35 T. Thompson said he had received several emails regarding Planning Board abstentions and
36 voting. He said the only time a Board member should abstain is when they recuse themselves
37 according to State statute under RSA 673:14 and he read the statute. *“673:14 Disqualification of*
38 *Member. –*

39 *I. No member of a zoning board of adjustment, building code board of appeals, planning board, heritage*
40 *commission, or historic district commission shall participate in deciding or shall sit upon the hearing of*
41 *any question which the board is to decide in a judicial capacity if that member has a direct personal or*
42 *pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would*
43 *be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law.*
44 *Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts*
45 *involved gained in the performance of the member's official duties.*

46 *II. When uncertainty arises as to the application of paragraph I to a board member in particular*
47 *circumstances, the board shall, upon the request of that member or another member of the board, vote on*
48 *the question of whether that member should be disqualified. Any such request and vote shall be made prior*
49 *to or at the commencement of any required public hearing. Such a vote shall be advisory and non-binding,*
50 *and may not be requested by persons other than board members, except as provided by local ordinance or*
51 *by a procedural rule adopted under RSA 676:1.*

1 *III. If a member is disqualified or unable to act in any particular case pending before the board, the*
2 *chairperson shall designate an alternate to act in the member's place, as provided in RSA 673:11."*
3

4 He said that the issue here is when a member fully participates in the hearing, discussion and
5 deliberation and abstains from voting. He said the Town's legal counsel has stated that it is the
6 responsibility of a land use board member that participates to vote. The alternative would be
7 moving for a continuance if they need further information in order to vote. A. Rugg read Section
8 3.6 of the Town Charter, which says a reason for abstaining on a vote should be given. P.
9 DiMarco said if a member recuses himself, he can step down and sit in the audience and
10 participate as a resident of the Town.

11
12 A.Garron addressed the Board regarding a draft letter he had prepared to send to Kevin Dillon,
13 Manchester Airport Director, in reference to the Draft Zoning Ordinances that the airport had
14 prepared and sent to the Town for comments. He went over the revisions to the height and noise
15 overlay due to the runway extension and how would this change affect development in this area.
16 He mentioned their requirement to subsection 3.D.3, which requires a developer to consult with
17 the Airport Operator prior to application. He said he supports this amendment but does the
18 airport have a form it prefers to use that Londonderry could include in its regulations. He said the
19 decibel levels have changed from 65 Ldn to 60 Ldn and what affect would that have on the Town.
20 He showed the Board the maps that the airport provided and said they would be more helpful if
21 they could be integrated into our GIS. He said this would give Londonderry the opportunity to
22 overlay the height and noise information on more meaningful maps. He said the USGS maps do
23 not take into consideration lot creation or development activity for this area. He also said having
24 this information in digital format would help. T. Thompson said these ordinances would have to
25 be reformatted into our ordinances and it would be helpful to have the airport's representatives
26 come in to meet with the Planning Board. A. Rugg agreed that a workshop meeting should be
27 held. The Board agreed to have A. Garron send the letter to Kevin Dillon.

28
29 B. Farmer said that he had met on site with Paul Martin regarding his lot line adjustment on
30 Adams Road along with John Trottier, Tim Thompson and John Farrell, as was decided upon at
31 Mr. Martin's last hearing regarding this project. He said they all walked the property lines and
32 did some measurements. He said it looks like Mr. Martin met the intent in moving his fence out
33 of the right of way, but a small portion still remains in the right of way. He said no resolution
34 was decided and further discussions will take place at the Town Council not the Planning Board.
35 He was pleased that the Town went the extra step to try and resolve this issue.

36
37 T. Thompson said he has a mylar plan for the VIP/Platinum Car Wash that needs to be signed so
38 that the owner could record it at the registry of deeds. He said it was consistent with the original
39 mylar.

40
41 A. Rugg mentioned several meetings to be held by the SNHPC: 3/22/06 – Regional Waste Water
42 Treatment, to be held at PSNH Energy Park from 3:00-5:00; 3/30/06 – NH Housing Finance
43 Authority from 6:00-8:00PM in their office in Bedford; 4/5/06 – Affordable/Workforce Housing
44 Forum, PSNH Energy Park from 3:00-5:00; and 4/17/06 – Greening of the Region – Energy
45 Forum, PSNH Energy Park from 3:00-5:00. He encouraged members to attend if possible.

46
47 **E. Adoption – Planning Board Rules of Procedure** - T. Thompson said that the rules
48 could be adopted or modified tonight. The readings had been waived at the previous two
49 meetings and the reading could be waived tonight and then the Board could vote on adopting
50 them. He said that he would recommend that the Board adopt the Rules tonight so that he could
51 file it with the Town Clerk's office tomorrow. He suggested that if they wanted any changes, to

1 do that later with an amendment. **D. Coons motioned to waive the 3rd reading of the Planning**
2 **Board Rules of Procedure. Seconded by R. Nichols. Vote: 9-0-0. D. Coons motioned to**
3 **adopt the Planning Board Rules of Procedure as presented. Seconded by P. DiMarco.**
4 **Vote: 9-0-0. Rules are adopted.** T. Thompson said he would have the secretary sign them and
5 he would file with the Town Clerk's office tomorrow.

6
7 **Public Hearings**

8
9 **Public Hearing- Petitioned Rezoning- Map 12, Lot 68 – AR-1 to C-IV –DiCarlo** – A. Rugg
10 stated that he was a signatory on the petition but only for due process and he has no other
11 interests so he intends to vote. T. Thompson said this was before the Board for their
12 recommendation to the Town Council on whether this parcel should be rezoned or not. A. Rugg
13 said this discussion will again take place at the Town Council meeting on March 6, 2006. M.
14 Soares said she felt the Town Council was in a bad position because some of the members of the
15 Council had signed the petition whereas other people could have signed it. A. Rugg said he
16 wanted to see due process take place and was trying to rectify the situation for the DiCarlos. P.
17 DiMarco asked what the process was now. T. Thompson said the difference was originally the
18 DiCarlos had requested the rezoning change with the Planning Board and the Planning Board sent
19 their recommendation not to rezone to the Town Council, which was incorrect according to our
20 form of government. In order for an individual request for a rezoning to be voted on by the
21 council, it would need to be supported by the Planning Board, and therefore, become a Planning
22 Board rezoning initiative, which is allowed under our form of government. Because the Planning
23 Board did not endorse the rezoning in January, the Council had not authority to hear the request.
24 The proposal is now before the Board as a petitioned rezoning, with more than 25 registered
25 voters signatures, and was referred to the Planning Board by the Town Council for a
26 recommendation under the process outlined in the Town's Charter.. A. Garron said now the
27 DiCarlos went to the Town Council with a petition signed by at least 25 registered voters of the
28 Town, which was one of their options explained to them in a memo from the Town Manager
29 dated January 25, 2006. T. Thompson said the petition went to the Town Council for the 1st
30 reading and now it is back to the Planning Board for a recommendation, then it will go back to
31 the Town Council for a second reading. C. Tilgner asked if the Board could go either way with
32 their recommendation to the Town Council. T. Thompson said yes. J. DiCarlo addressed the
33 Board and said he had obtained a Purchase and Sales Agreement for the property, which was
34 pending the outcome of the rezoning and he passed out copies to the Board. Marcy DiCarlo
35 addressed the Board and read her letter, which reiterated their reasons for requesting the rezoning
36 from residential to C-IV to allow only professional office space. She said the house is only 14 ft.
37 away from one of the busiest intersections in Town and the traffic has increased to over 10,000
38 cars on an average day. She also mentioned the historic relevance of the structure as it is
39 portrayed at the Leach Library. She said their Purchase and Sales Agreement was for the original
40 residential sales price and they were not looking to make money by the rezoning. The purchaser
41 was the Londonderry Times and they intend to preserve the historical character of the building.
42 She said she hopes for a positive recommendation from the Board. J. DiCarlo said he could go
43 over the maps if the Board wished, but they were the same as the last hearing on January 11,
44 2006. T. Thompson addressed the Board and referred to his memo to the Board of January 11,
45 2006. He said his recommendation is unchanged in that the rezoning is inconsistent with the
46 Master Plan for Mammoth Road and this would, in Staff's opinion, be an illegal spot zoning.
47 Therefore, he said he would recommend that the Planning Board not recommend this rezoning.
48 He also referred to §1:16 of the New Hampshire Municipal Practice Series, Volume 1, on Land
49 Use Planning and Zoning concerning Spot Zoning. J. DiCarlo said that there was a mixed use in
50 the area, most of it being grandfathered. Brian Farmer said that traditionally the Planning Board
51 is a defender of the Master Plan and also of historic preservation in the Master Plan. He said the

1 Town Center Task Force unfortunately still hasn't been formed. He asked Mr. DiCarlo why they
2 chose C-4. J. DiCarlo said they thought that was the appropriate district to choose. T. Thompson
3 said C-4 would have the least impact. B. Farmer said he thought C-3 was more appropriate. He
4 also asked if Staff had asked for the Town Attorney's opinion on spot zoning for this property. T.
5 Thompson said he hadn't but he would do so. T. Freda asked if it is the Staff's opinion that this
6 is spot zoning, what is on the books to protect a historic building. T. Thompson said it would
7 have to be on the National Register of historical properties or in a historic district to be protected.
8 M. Soares asked T. Freda why he didn't recuse himself from voting tonight when he did so at the
9 last meeting. T. Freda said this discussion was different from the last meeting. He said he agrees
10 that rezoning this property would be spot zoning and this discussion is about changing the law.
11 M. Soares was concerned if the property was rezoned and the Londonderry Times sold the
12 property, it could be used as another commercial use and the only protection would be if the ZBA
13 granted an exception for a specific use. T. Thompson said that a variance runs with the land. B.
14 Farmer asked T. Thompson if he considered himself a legal expert. T. Thompson said no but he
15 was a professional planner certified by the American Institute of Certified Planners. B. Farmer
16 said that is why we need the Town attorney's opinion. A. Garron said that obtaining a variance
17 was not an easy procedure either and the ZBA has a different set of rules to follow and by
18 applying for a variance is no guaranty. J. DiCarlo read an excerpt from the Master Plan regarding
19 historic preservation along Mammoth Road. A. Rugg asked if there was any public input. Steve
20 Young, 7 Fiddlers Ridge, said he was an instrumental in making sure historic preservation was
21 included in the Master Plan and was a former member of the Master Plan Steering Committee
22 (MPSC) said he spoke in favor of light commercial along the Mammoth Road corridor during the
23 Master Plan process, but the entire MPSC voted not to support commercial on Mammoth Road.
24 He said this decision was made in 2004 and he asked the Board to support the Master Plan.
25 Graham Baker, Buckingham Drive, said he appreciated the additional information regarding the
26 conversion for a local office use meaning the Londonderry Times. He said because the C-4
27 allows retail and professional offices, there is nothing to prohibit changing the use and a C-5
28 district would be better. A. Rugg said the C-5 is not in existence yet. G. Baker also said the
29 nature of the proposed business would be ideal but there is no guarantee of the longevity of that
30 business. He also said there were many properties in town listed for more than 6 months and if
31 this rezoning was allowed it would open the door for more C-4 requests and this could be used as
32 a precedent. Walter Bandursky, High Range Road, said he thinks the Planning Board should look
33 at the bottom line and put restrictions on the rezoning. A. Rugg brought it back to the Board. D.
34 Coons said Steve Young is right and that cards were sent to residents on Mammoth Road and
35 they did not want to make it commercial. J. DiCarlo asked if it was possible to request something
36 other than C-4. A. Rugg said there would have to be another whole process. **D. Coons**
37 **motioned that based on Staff's recommendation the Planning Board not recommend the**
38 **rezoning of Map 12, Lot 68 from AR-1 to C-IV. Seconded by P. DiMarco. Discussion: B.**
39 **Farmer said more has to be done to put historic preservation in the Master Plan. T. Freda**
40 **said there is a legal way to solve the problem with a right of re-entry placed in the deed and**
41 **suggested the DiCarlos explore that. Vote: 9-0-0. The motion carries and the**
42 **recommendation will be sent to the Town Council.**

43
44 ***Mark Investments, LLC, Map 6, Lots 51 & 52, Continued Application Acceptance and Public***
45 ***Hearing for a Lot Line Adjustment*** – T. Thompson said there were two checklist items on the
46 memo to the Planning Board from the Public Works Department and Vollmer Associates dated
47 March 1, 2006. He said these were both waivers that were requested in the applicants letter of
48 12/22/05, the first was regarding sight distance, which has been provide on the site development
49 plans and the second was a NHDOT permit, which was applied for on the site development plans
50 also. He said Staff supports these waivers. He also stated that pending the granting of the
51 waivers, staff recommends the application be accepted as complete. [**M. Soares left the room at**

1 **9:13 PM and B. Farmer left the room at 9:15PM] D. Coons motioned to grant the two**
2 **waivers as requested in the applicant's letter of 12/22/05 and recommended by Staff.**
3 **Seconded by R. Brideau. Vote: 7-0-0. Waivers granted. [Mary Soares returned at**
4 **9:16PM]]. D. Coons motioned to accept the application for Mark Investments, LLC, Map**
5 **6, Lots 51 & 52 as complete. Seconded by R. Brideau. Vote: 8-0-0. Application is accepted**
6 **as complete. [B. Farmer returned 9:17pm].** Earl Blatchford from Hayner Swanson on behalf
7 of Mark Investment, LLC, presented the plan to the Board. He said the plan entails 3 existing lots
8 and the Kendall Pond Rd. right of way property to be discontinued. He said the conservation lot
9 was unable to meet the minimum lot requirements. He said they revised the plan to a 2 lot plan
10 which combined the Walgreen's lot and the conservation lot into one lot and the bank lot would
11 be the other lot. He said the change was presented to the Conservation Commission and he has a
12 letter from Deb Lievens stating that by combining lots 51 and 52 an easement would be provided
13 on the back of the newly created parcel for conservation. He said this would require more area
14 be added to the easement and the applicant is agreeable to this. This would also have to be
15 revised on the plan. John Trottier read the Design Review Items 1-5 from the memo to the
16 Planning Board dated March 1, 2006 from the Public Works Department and Vollmer Associates.
17 He said Staff supports #1 in which the applicant had requested a waiver for utility clearance
18 letters in his letter of 12/22/05. A. Garron read a memo from Deb Lievens, Chairman,
19 Londonderry Conservation Commission, regarding the conservation easement. A. Rugg went
20 around the Board for comments. P. DiMarco asked if taxes would still be paid on the entire
21 parcel. R. Brideau said the wetlands portion would be minimal. B. Farmer asked about the
22 timeline for the discontinuance of the roadway. T. Thompson said this has to be approved first.
23 B. Farmer asked the engineer if they were working with the Elliott on the off-site improvements.
24 E. Blatchford said yes they were. M. Soares asked about the letter from the abutter whose
25 driveway they were supposed to relocate. T. Thompson said that was part of the site plan
26 approval and they have a letter, but it didn't quite address what they were looking for so they will
27 require another. A. Rugg asked for public input. Diane Trow asked if they were moving the
28 pond towards Route 102. E. Blatchford pointed out the pond on the plan and said it was not
29 going to be touched. T. Thompson said that when the site plan is re-submitted, it would have to
30 include all the revisions to the lots as presented tonight also. **D. Coons motioned to grant the**
31 **waiver for utility clearance letters requested by the applicant in their letter of 2/13/06.**
32 **Seconded by M. Soares. Vote: 9-0-0. Waiver is granted. D. Coons motioned to grant**
33 **waiver for the scale of the plan not complying with section 4.01 of the regulations as**
34 **recommended by Staff. Seconded by M. Soares. Vote: 9-0-0. Waiver is granted.**
35 **D. Coons motioned to grant conditional approval of the Lot Line Adjustment plan for Mark**
36 **Investments, LLC, Map 6, Lots 51 & 52 with the following conditions:**
37

- 38 **1. The Applicant shall address the following relative to the Topographic/Hiss plan:**
 - 39 **A. Please provide a label on the lot line (distance) that appears to be missing**
40 **along Mammoth Road for lot 49.**
 - 41 **B. Please indicate the new lot lines consistent with lot line adjustment plans**
42 **(sheets 1 and 2). In addition, please indicate the required setbacks including**
43 **applicable buffers (CO District) for each lot in accordance with the**
44 **regulations. Please update sheets 1, 2 and sheet A1 accordingly.**
 - 45 **C. Please revise the tax map sketch on the plan to indicate the proposed lot**
46 **lines as typically requested by the Assessor. In addition, please update the**
47 **tax map on all applicable sheets accordingly.**
- 48
- 49 **2. The Applicant shall provide proper monuments per sections 3.02 and 4.12.C.4 of the**
50 **Subdivision Regulations and Item III.14 of the Checklist. Please note a bound**
51 **should be provided along the new Mammoth Road ROW at the PT and PC**

1 locations of the lot line adjustment plan set. In addition, a bound should be placed
2 at the new lot corner of lots 52 and 49 to provide at least one bound at a ROW lot
3 corner for each lot as required by the regulations.
4

5 3. The Applicant shall review and update the notes for the lot line adjustment plan set
6 to provide note O. In addition, please update the notes on sheet 5 to address the
7 proposed area of lot 52 (note 1). Also, the Applicant shall indicate the Zoning
8 District boundary line on sheet 2 consistent with the rezoning granted by the Town
9 Council on July 22, 2004 (at the conservation easement line).
10

11 4. The Applicant shall provide the Owner signatures on the roadway discontinuance
12 plans. In addition, provide a wetland scientist stamp for the indicated delineations
13 on the plan.
14

15 5. Note all waivers granted on the plan set.
16

17 6. The final approval of this plan is subject to the discontinuance of the portion of
18 Kendall Pond Road from Nashua Road (Route 102) to Mammoth Road (Route 128),
19 which requires action by the Londonderry Town Council
20

21 7. Outside consultant's fees shall be paid within 30 days of approval of plan.
22

23 8. The Applicant shall provide a digital (electronic) copy of the complete final plan
24 sent to the Town at the time of signature by the Board in accordance with Section
25 2.05.n of the regulations.
26

27 9. Financial guaranty if necessary.
28

29 10. Final engineering review
30

31 **Seconded by M. Soares. Vote: 9-0-0. Plan is conditionally approved.**
32

33 *102 Realty Trust, Map 3, Lot 136 – Public Hearing for an amendment to previously approved*
34 *site plan* - Karen O'Rourke from Brown Engineering presented the plan to the Board. T.
35 Thompson said there were no outstanding checklist items since this was an amended site plan. K.
36 O'Rourke said there were some drainage issues when the driveway was constructed and she had
37 an as-built plan as to what exists today. She said the footprint is the same and the parking is
38 extended 5 ft. on either side. She also said Note 3 was added for the amended site plan. J.
39 Trottier read the memo to the Planning Board dated March 1, 2006 from the Department of
40 Public Works which included 5 design review comments. T. Thompson said that on comment #3
41 if the retaining wall was going to be greater than 3 ft. high it would require a variance. A. Rugg
42 went around the Board for comments. R. Brideau asked if it was an undersized lot. A. Garron
43 said it was just encumbered by wetlands. **M. Soares motioned to conditionally approve the**
44 **amended site plan for 102 Realty Trust, Map 3, Lot 136 with the following conditions:**
45

- 46 1. The Applicant shall provide a drainage report in accordance with sections 3.07 and
47 4.18 of the Site Plan Regulations addressing the proposed changes of the site. Please
48 include drainage calculations, which address the 15-inch culvert at the entrance
49 including any erosion protection which may be required.
- 50 2. Please review and revise the plan as required to ensure the site is graded to meet the
51 previously approved plan and the drainage report/ design. Review of the as-built

- 1 **conditions of the detention basin located at the rear of the building indicates the**
2 **required one-foot of free board is not provided.**
3 **3. Please clarify the height of the proposed retaining walls to be constructed at the**
4 **building.**
5 **4. Please revise the ditch detail to indicate a 3-foot wide, 6-inch deep crushed bank**
6 **run gravel shoulder.**
7 **5. Please clarify if a light is proposed at the entrance to the site.**
8 **6. The Applicant shall provide a digital (electronic) copy of the complete final plan**
9 **sent to the Town at the time of signature by the Board in accordance with Section**
10 **2.05.n of the regulations.**
11 **7. Financial guaranty if necessary.**
12 **8. Final engineering review**

13
14 **Seconded by R. Brideau. Vote: 9-0-0. Amended site plan is conditionally approved.**
15

16
17 **Adjournment:**

18
19 **D. Coons motioned to adjourn the meeting at 9:45 PM. Seconded by R. Brideau.**
20 **Vote 9-0-0.**

21
22 **Meeting adjourned.**
23

24 These minutes taped and typed by Christine Marra.

25 Respectfully Submitted,
26

27
28
29
30 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF March 8, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg, Chairman, Dana Coons, Vice-Chair; John Farrell,
6 Secretary (arrived at 7:10 PM); Paul DiMarco, Asst. Secretary; Brian Farmer, Ex-Officio; Rick
7 Brideau, Ex-Officio; Charles Tilgner, Ex-Officio; Mary Soares; Tom Freda; Rob Nichols,
8 alternate member .
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; John Vogl, GIS
11 Manager and Christine Marra, Recording Secretary.
12

13 A. Rugg called the meeting to order at 7:00 PM.
14

15 **Administrative Board Work**
16

17 ***Extension Request – Kelcourse Multi-Family Site Plan, Map 15, Lot 87-1*** – T. Thompson stated
18 that he had received a letter dated March 6, 2006 from Deb Dietz at TF Moran who represents the
19 owner of the property, Sanborn Road Realty, LLC, requesting an extension of 6 months of the
20 Conditional Site plan Approval granted on April 16, 2003 extended through April 16, 2005. He
21 said that because of the growth management ordinance restriction on permits, the applicant was
22 unable to get financing. He said the project needs additional survey work due to the North School
23 parking lot improvements that have to be reflected in the new plan. He said they had a meeting
24 with the engineers, owner and builder and Staff is comfortable with this extension. D. Coons
25 asked if 6 months was going to be a sufficient amount of time. Howard Brewster from TF Moran
26 addressed the Board and introduced Ron Dupont from Red Oak properties, who has entered into a
27 purchase and sales agreement with Sanborn Realty, LLC. He said that the 6 month extension
28 should be sufficient. D. Coons said that the Board didn't want to go into extension after
29 extension. H. Brewster said that Sanborn Realty was not a builder but Red Oak properties is and
30 is interested in moving this project forward. A. Garron said he felt the builder will want to get
31 this moving because there is no GMO right now but there could be next year. He said 6 months
32 should be enough time to get the mylars ready. Ron Dupont said that he had just signed the
33 Purchase and Sales 2 days ago and has met with Staff. H. Brewster said they will be back in with
34 the phasing plan. P. DiMarco suggested giving an eight month extension. Ron Dupont said he
35 would take the 8 months and thanked the Board for that consideration. **D. Coons motioned to**
36 **grant an extension as requested by the applicant for Map 15, Lot 87-1 in his letter of March**
37 **6, 2006 for the site plan approval granted April 16, 2003 and extended to April 16, 2005.**
38 **The extension granted is for 8 months through December 16, 2006. Seconded by P.**
39 **DiMarco. Vote: 9-0-0.**
40

41 ***Plans to Sign – VibroMeter Minor Site Plan*** – John Trottier said the Administrative Review
42 Committee on 2/28/06 conditionally approved this minor site plan, and all conditions have been
43 met to the satisfaction of Staff. **D. Coons motioned to authorize the Chairman and Secretary**
44 **to sign the minor site plan for VibroMeter, Map 28, Lot 31-2 since all conditions of**
45 **approval have been met and recommended by Staff. Seconded by R. Brideau. Vote 9-0-0.**
46 **The plan will be signed at the end of the meeting.**
47

48 ***Plans to Sign – Chestnut Acres Subdivision*** – John Trottier said this was a 15-lot subdivision
49 plan that was conditionally approved on June 9, 2004. He said it had been dormant since then
50 because of the growth management ordinance restriction on permits. He said all conditions of

1 approval have been met to the satisfaction of Staff. **D. Coons motioned to authorize the**
2 **Chairman and Secretary to sign the subdivision plan for Chestnut Acres, Map 2, Lot 49**
3 **since all conditions of approval have been met and recommended by Staff. Seconded by M.**
4 **Soares. Vote 9-0-0. The plan will be signed at the end of the meeting.**

5
6 **Approval of Minutes – February 14, 2006** – T. Thompson stated that he had emailed the minutes
7 to members for comments and had not received any changes. He asked that the minutes be
8 approved so that they could be signed along with the other February minutes. **D. Coons**
9 **motioned to approve the minutes of February 14, 2006. Seconded by R. Brideau. Vote: 5-0-**
10 **4. A. Rugg, P. DiMarco, R. Brideau and J. Farrell abstained since they were not at that**
11 **meeting.** A. Rugg said these minutes and the minutes that were approved last week would be
12 signed at the end of the meeting also.

13
14 **Discussion with Town Staff** – A. Garron mentioned that there would be a workshop meeting on
15 Monday night, March 13, 2006 at 6:00PM regarding the proposed TIF District and encouraged all
16 members to attend. He also said that in January, the Enterprise Car Rental site plan had been
17 conditionally approved and they were unable to get the plans ready for tonight’s meeting to be
18 signed. He said they had met with the applicant today and they indicated they could be ready in a
19 few days. He asked if there was a quorum of members present at the Monday night meeting,
20 could they sign the plan at that time. T. Thompson suggested that if they were not ready for
21 Monday, they should try for another day before next month. A. Garron said there is a public
22 hearing regarding the TIF District on Wednesday night and that would be another opportunity to
23 sign the plans. A. Garron also mentioned that the meeting notes of the I-93 CTAP Session Two
24 held on February 16, 2006 were in tonight’s packet of materials. He said information can also be
25 found on the NHDOT website. A. Rugg asked how these sessions were working. A. Garron said
26 they were very constructive and Carol Murray, Commissioner of NHDOT was present and
27 emphasized the DOT’s commitment to providing technical assistance to the Towns and cities in
28 this corridor.

29 A.Rugg said there would be an Open Space Task Force meeting on March 22, 2006.
30 Brian Farmer mentioned the TIF workshop meeting on Monday and the formation of an advisory
31 board for the TIF District. He said the majority should be property owners and maybe a Planning
32 Board member. He said there was urgency on forming the district by April 1st for the tax benefits
33 to the Town. B. Farmer also mentioned the Town Council had taken a unique step on Monday
34 night to work with the owner of the property on the corner of Litchfield and Mammoth Road to
35 rezone it from AR-1 to C-3 with historic preservation instead of C-4, which they had originally
36 requested. He said the specific language has to be negotiated and the property owner and the
37 Council have to come to an agreement. He said some people were concerned that this would
38 open precedence for other properties wishing to rezone. He said if there is no urgency for historic
39 preservation, there is no urgency to honor any other request so there is no precedence being set.
40 He said he knows everyone here felt this could be settled at the Zoning Board of Adjustment but
41 he was skeptical this could reach the 5 points of law that a variance has to meet. He said the
42 compelling reason is for historic preservation. M. Soares said there are other means of historic
43 preservation and the Town attorney will hold this as spot zoning.

44
45 **Workshops/Conceptual Discussions/Public Hearings**

46
47 **GIS Buildout Analysis Discussion – John Vogl** – A. Garron explained that Dave Caron and
48 Carol Murray, DOT Commissioner, had requested a Buildout analysis of Londonderry be done to
49 gauge development capacity and asked if this could be done in-house. He said that the
50 Department had purchased a GIS extension called Community Viz to accomplish this task. John
51 Vogl addressed the Board and said this memo was an updated version of the last Buildout

1 Analysis he had done (distributed 2/13/06) and he was looking for peer review from the Board.
2 He said the memo contains an inventory of the process, assumptions and findings. He said he
3 used a Geographic Information System (GIS) containing an extensive suite of datalayers to carry
4 out the analysis and generate relevant maps. He explained how the formula worked in
5 determining the analysis. He said based on this data, Londonderry has a total of 9,181 acres of
6 land available for future development, of which 6,350 acres are considered buildable and the
7 remainder is constrained by environmental factors. He also explained that development potential
8 was identified in number of dwelling units for residential areas and in number of buildings and
9 the square feet of building space for non-residential areas. He said with existing land use
10 controls, the Town could realize 2,089 new housing units at buildout and 149 new non-residential
11 buildings. Also assuming 3.05 residents per dwelling unit, the population might grow from
12 23,236 to 29,607 at buildout. R. Nichols asked if this analysis was compared with other cities. J.
13 Vogl said his sole focus was Londonderry. He explained the process and assumptions used in
14 this analysis. He also explained how he broke Londonderry into 19 neighborhoods for which
15 buildout potential was summarized on a table for residential and non-residential units. He asked
16 the members to send him any comments or questions.

17
18 **Workshop – FI Zone** – T. Thompson explained the proposed changes concerning the proposed
19 Flexible Industrial (FI) district were in bold text on the handout. A. Garron handed out a design
20 charette vision map to the Board for the airport area. He also explained that the I-1 and I-II
21 districts do not have a maximum lot coverage now but this new ordinance puts the maximum
22 coverage to 67%. T. Thompson said the actual language for the Flexible Industrial District
23 begins on page 6 & 7 of the handout. He said one of the key components was on page 12
24 concerning conditional use permits (CUP). He said the CUP is meant to provide flexibility,
25 minimize adverse impacts and allow the Board to participate jointly with the applicant in
26 preparing development that is consistent with the ordinance, local regulations, the Londonderry
27 Business Park Design Charrette Report and the 2004 Master Plan. A. Rugg commented on the
28 ownership of open space and stewardship on page 9 and keeping the open space language to
29 allow public access. T. Freda commented on page 13 and the sentence concerning a CUP being
30 issued only if the development complies with all of the requirements of this section. T.
31 Thompson said there were no requirements of this section and he would have to reword. T.
32 Thompson said an appropriate area for this district has to be identified and should be focused on
33 the airport and in the future the Jack’s Bridge Road area. A. Garron said they would get input
34 from landowners and other boards. T. Thompson said another workshop should be held. The
35 Board agreed.

36
37 **Elderly Housing Discussion with Jim Smith – Elevator requirements in single family & duplex**
38 **elderly housing** – T. Thompson said that he had brought this before the Planning Board a month
39 ago and since that time has had 2 specific requests to waive this requirement. Jim Smith,
40 Building Inspector, addressed the Board and said this requirement does not make sense for a
41 single-family or duplex dwelling. He said most over 55 units had the main living area on the first
42 floor and guest areas on the second. He said if the dwelling had 4 or more units, they would have
43 to be adaptable for elevators. J. Farrell said he never understood why this requirement was in the
44 ordinance. T. Thompson said he was looking for direction from the Board to eliminate this from
45 the ordinance. A. Garron said that he thought this was put in because elderly housing used to be
46 considered for people over 62, but now 55 is the standard. D. Coons said he felt that an elevator
47 in a single-family home was a luxury that most people can’t afford. A. Rugg asked for public
48 input. Elmer Pease from PD Associates spoke in favor of eliminating the elevator requirement as
49 well as Paul Morin from Tarkka Homes. Mr. Morin said the code treats a townhouse unit the
50 same as a single and duplex so the same logic should apply and not have the elevator

1 requirement. The Board agreed the elevator requirement should be eliminated. T. Thompson
2 said he would work on an amendment to the zoning ordinance and to a public hearing.
3

4 ***Conceptual Discussion – Vineyards at Hillside Elderly Housing – Map 10, Lot 92-*** Elmer
5 Pease, developer and Matt Peterson, his design engineer addressed the Board. E. Pease said that
6 this proposal was for a 50 unit elderly housing including 2 buildings on the easterly side of I-93
7 behind the Cracker Barrel Restaurant. The property included 16 ½ acres, which included an
8 existing home, which has a life-estate for the present owner. He said the 2 buildings would be
9 centered on a courtyard and the units would be on two floors. There would also be drive-in
10 underground parking. He also said each unit would have a patio or balcony with a closet for
11 storage, which would add privacy screening. The roof would be shingled and shakes for siding
12 with a covered balcony. The lot is serviced by water and sewer. He said a sliver of the land is
13 located in Derry so they would have to appear before the Derry Planning Board also. A. Garron
14 said this would be an impact on Londonderry Road and most likely off-site improvements would
15 have to be made. E. Pease said he was prepared for that. A. Rugg suggested purple lilacs be
16 added to the landscaping plan. P. DiMarco asked if these units would be sold as condominiums.
17 E. Pease said yes. R. Brideau asked if they would be affordable. E. Pease said the market price
18 right now is around \$245,000-275,000. M. Soares asked about what happens when the life-estate
19 runs out. E. Pease said they would not add more units, but would sell the house as a single unit.
20 J. Farrell asked how much of the vineyard is going to stay intact. E. Pease said they were
21 planning on keeping some. T. Thompson said the development would be a development of
22 regional impact, and that approval would be necessary from the Derry Planning Board as well.
23 He suggested a meeting be arranged with the Derry Planning & Public Works Departments and
24 the Londonderry Planning & Public Works Departments. He also stated that there was a Heritage
25 Commission meeting on March 23, 2006 that they should make arrangements to attend and
26 discuss their plans. The next meeting wouldn't be until May. E. Pease said he would do that and
27 will start with the design.
28

29 ***Tanager Landing Subdivision, Map 5, Various Lots – Public Hearing to amend previously***
30 ***approved subdivision (removal of walking trails) and approval of Phase 2 of the project*** – A.
31 Garron explained that the Town and the Conservation Commission had negotiated with the
32 developer of the northern portion of Tanager Landing or Phase II for an open space lot, lot 5-10-
33 23, at a reduced price in exchange for the removal of the walking trails on the original plan.
34 Howard Brewster from TF Moran presented the plan to the Board. He explained that Phase I was
35 almost complete and now they are requesting signatures on the Phase II mylars. A. Rugg said
36 this request was in two parts. First, removing the walking trails amended the existing plan and
37 these pages would have to be re-signed. Secondly, the Phase II plan is ready to be signed. T.
38 Thompson said he has the signatures of all the landowners releasing the trails from their property.
39 A. Garron said the cost to the developer of the lower portion or Phase I to construct the trails
40 would be paid to the Town to develop trails elsewhere in Town. T. Thompson stated that this
41 could be added as a general condition to the approval and no certificates of occupancy would be
42 issued for the remainder of the lots in Phase I until this was paid. T. Thompson said the
43 Londonderry Planning Board has never done a general condition before but it can be done. T.
44 Freda asked if this would burden the second developer of Phase II. T. Thompson said no. R.
45 Brideau asked if the current owners deeds mention the trails. T. Thompson said they would have
46 to be updated to reference the new amended plan. M. Soares asked if the lots in Phase II were
47 sold and was concerned with the conservation lot being in the middle of 2 residential lots.
48 George Hermann, Conservation Commission, said they have the same issue on Hickory Hill Rd.
49 with the Musquash Conservation area. He said people have the right to park on a public road and
50 there should be disclosure up front by realtors that this lot is access to conservation space. **D.**
51 **Coons motioned to amend the previously-approved subdivision plan for Tanager Landing,**

1 **Phase 1 by removing the walking trails and adding the general condition that the amount**
2 **agreed to by the Developer and the Town be paid to the Town before certificates of**
3 **occupancy are issued on the remaining lots in Phase 1. Seconded by P. DiMarco. Vote: 9-0-**
4 **0. Motion carries.**

5 **D. Coons motioned to authorize the Chairman and Secretary to sign Phase II of the**
6 **Tanager Landing Subdivision plan. Seconded by P. DiMarco. Vote: 9-0-0. Motion carries.**
7 **Plan will be signed at the conclusion of the meeting.**

8
9 *Conceptual Discussion – Barons Manchester Realty, LLC – Rezoning of a portion of Map 15,*
10 *Lot 97 from AR-1 to I-1* – David Souter did a presentation to the Board regarding the Coltey lot
11 on Jack’s Bridge Road. He said they would like to rezone the parcel from AR-1 to IND-1 for the
12 purpose of putting a warehouse facility and supporting call center. He explained the lot is
13 adjacent to the Coca Cola plant and the lots across the street are already IND-1. He explained
14 that the IND-1 zoning would be contingent upon subdivision approval for 2.5 acres of the Coltey
15 property adjacent to the Coke Property. T. Thompson said the Master Plan calls for this area to
16 be industrial zoning and it is also part of the proposed TIF District. He said he would recommend
17 rezoning be conditioned on approval of subdivision. J. Farrell asked if the Clark Road portion of
18 the parcel would remain residential. T. Thompson said yes. P. DiMarco said he would support
19 the rezoning. T. Freda asked why this wouldn’t be spot zoning. T. Thompson said because it is
20 consistent with the Master Plan and is adjacent to Industrially zoned land. A. Garron asked the
21 size of the proposed building. D. Souter said is would be 15,000 square feet. M. Soares asked if
22 the abutters would be notified. T. Thompson said it would be back next month for a public
23 hearing.

24
25 *Other Business*

26
27 The Board members thanked Chris Marra for her service to the Town and the Planning Board and
28 wished her well in her retirement. She said it had been a pleasure.

29
30
31 **Meeting adjourned at 9:30 P.M.**
32

33 These minutes taped and typed by Christine Marra.

34 Respectfully Submitted,

35
36
37 John Farrell, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF APRIL 5, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; John Farrell; Rick Brideau, Ex-
6 Officio; Joe Paradis, Ex-Officio; Charles Tilgner, Ex-Officio; Tom Freda (Arrived at
7 7:04PM); Lynn Wiles, alternate member; Rob Nichols, alternate member (arrived at
8 7:09PM)
9

10 Also Present: Tim Thompson, AICP; and John Trottier, P.E.
11

12 A. Rugg called the meeting to order at 7:03 PM. The Board welcomed new alternate
13 member L. Wiles and new Council ex-officio J. Paradis to the Planning Board. A. Rugg
14 appointed L. Wiles to vote for D. Coon's vacant regular position, and R. Nichols to vote
15 for M. Soares.
16

17 **Administrative Board Work**
18

19 **A. Organizational Meeting**
20

21 *Election of Officers.* **J. Farrell moved to elect A. Rugg as Chair, J. Farrell as Vice**
22 **Chair, P. DiMarco as Secretary, and M. Soares as Asst. Secretary, based on the**
23 **Board's practice of elevating officers to the next highest position following a**
24 **vacancy in the officers, with the resignation of D. Coons. P. DiMarco seconded**
25 **the motion. No discussion on the motion. Vote on the motion: 9-0-0.**
26

27 *Committee Assignments.* A. Rugg appointed the following members to the noted
28 committees:

- 29 CIP Committee: J. Farrell and R. Brideau
- 30 Conservation Subdivision Subcommittee: P. DiMarco
- 31 Heritage Commission: A. Rugg
- 32 Open Space Taskforce: M. Soares & P. Dimarco (alternate)
- 33 Historic Properties Preservation Taskforce: A. Rugg & C. Tilgner.
34

35 T. Freda questioned whether it was legal to have multiple Planning Board members
36 on the CIP committee. T. Thompson referred to RSA 674:5, relative to the make-up
37 of CIP committees, and verified that it was OK per the statute, and the second
38 Planning Board representative was added in a charter change in 2005.
39

40 **B. Plans to Sign – Manchester Motor Freight Site Plan, Map 14, Lot 44-34**
41

42 J. Trottier verified that all conditions of approval had been met. **P. DiMarco**
43 **motioned to authorize the Chair and Secretary to sign the site plan. R. Brideau**
44 **seconded the motion. No discussion. Vote on the Motion: 9-0-0. Plans will be**
45 **signed at the conclusion of the meeting.**
46

47 **C. Plans to Sign – Glenbervie Minor Site Plan, Map 28, Lot 22-29**
48

49 J. Trottier verified that all conditions of approval had been met. **J. Farrell motioned**
50 **to authorize the Chair and Secretary to sign the minor site plan. R. Brideau**

1 **seconded the motion.** No discussion. **Vote on the Motion: 9-0-0.** Plans will be
2 signed at the conclusion of the meeting.

3
4 **D. Plans to Sign - LHRA Lot Line Adjustment, Map 6, Lots 6, 6-1, & 6-2**

5
6 J. Trottier verified that all conditions of approval had been met. **J. Farrell motioned**
7 **to authorize the Chair and Secretary to sign the lot line adjustment plans. R.**
8 **Nichols seconded the motion.** No discussion. **Vote on the Motion: 9-0-0.** Plans
9 will be signed at the conclusion of the meeting.

10
11 **E. Extension Request – DiLorenzo Site Plan (60 Day Extension)**

12
13 T. Thompson addressed the Board relative to the letter from Ms. DiLorenzo in the
14 packet, and the follow up e-mail from Ms. DiLorenzo relative to the state septic
15 approval being granted. He stated that staff supports the 60 day extension request,
16 and verified that he believed that 60 days should be sufficient for the applicant to
17 meet the remaining conditions of approval. **J. Farrell motioned to grant the**
18 **extension request. R. Nichols seconded the motion.** J. Farrell asked staff if they
19 felt 60 days was sufficient time. T. Thompson verified that he believed it was now
20 that the septic approval has been granted by the State. **Vote on the Motion: 9-0-0.**

21
22 Chair Rugg noted that under the Public Hearing Portion of the meeting there were
23 two continuance requests. He stated that he would like to deal with these now, in
24 case there were any members of the public here for those hearings. The Board
25 agreed.

26
27 **Public Hearings**

28
29 **B & C. AICuMet, Inc. - Map 14, Lots 13 & 13-4 - Application Acceptance and**
30 **Public Hearing for a lot line adjustment, roadway discontinuance,**
31 **and a Conditional Use Permit.**

32
33 **AICuMet, Inc - Map 14, Lot 13 - Application Acceptance and Public**
34 **Hearing for a site plan to construct a 5000 sq. ft. building addition**
35 **and a Conditional Use Permit.**

36
37 T. Thompson directed the Board to the 2 letters from Northpoint Engineering asking
38 for a continuance of the two hearings so that the outstanding checklist items could be
39 resolved for both projects. He indicated that May 3 would be the appropriate date to
40 continue the projects to. **J. Farrell made a motion to continue the 2 AICuMet, Inc.**
41 **projects to May 3, 2006, at 7:00 PM per the letters from Northpoint Engineering**
42 **and the recommendation of staff. R. Brideau seconded the motion.** No
43 discussion. **Vote on the motion: 9-0-0.** Projects are continued to May 3, 2006 at
44 7:00PM. A. Rugg stated that this would be the only public notice.

45
46 **Administrative Board Work (Continued)**

47
48 **F. Governmental Land Use Request – Manchester Airport Runway 6/24**
49 **project**

50

1 T. Thompson directed the Board to the letter from Airport Director Kevin Dillon, and
2 the memo from Planning & Economic Development Director Andre Garron in the
3 Board's packet. He explained that the project is for improvements to runway 6/24,
4 and that other than a retaining wall, the majority of the project is located within the
5 City of Manchester. He stated that staff does not believe a hearing is required for
6 this project. A. Rugg asked the Board if they felt an informational meeting, but not a
7 specific public hearing, from the Airport would be worthwhile. The Board agreed that
8 an informational update from the Airport would be appreciated. J. Farrell asked staff
9 to make sure that when the Airport does come in for the informational meeting that
10 they are placed first on the agenda. T. Thompson said he would make sure that it
11 was first on the agenda.

12
13 **G. Sign Design Review – Rocky's Ace Hardware – As required by 1979**
14 **Variance**

15
16 T. Thompson directed the Board to the information in the packets relative to this
17 request. He stated that because of a condition on the variance granted for this
18 property in 1979, and the Planning Board must review signs proposed on the
19 property. Joe Buchholz, from Upright Signs in Oxford, MA was present on behalf of
20 the applicant, Rocky's Ace Hardware. Mr. Buchholz explained that Rocky's was
21 taking over the vacant Ben Franklin building in the Derry Plaza on Rt. 102 near the
22 Derry town line. The proposed sign would conform to the variance, and would utilize
23 LED technology, not neon. J. Farrell asked if it was the same size as the Ben
24 Franklin sign that had just been removed. Mr. Buchholz confirmed it was the same
25 size. P. DiMarco questioned the variance and if it applied to the new tenant. T.
26 Thompson & J. Trottier explained that a variance runs with the property, not the user.
27 General discussion on the design of the sign ensued. The consensus of the
28 Planning Board was that the sign was OK, and that the Building Department could
29 issue the sign permit.

30
31 **H. Regional Impact Determinations**

32
33 T. Thompson directed the Board to his memo in the packet relative to 5 projects (see
34 attachment). He stated for the Board that all 5 projects do not meet the criteria
35 established by Southern NH Planning Commission, and that he recommends that the
36 projects be found not to have regional impact. **J. Farrell made a motion to find**
37 **that the five projects in the staff memo are not regional impact based on staff's**
38 **recommendation. C. Tilgner seconded the motion. No discussion. Vote on the**
39 **motion: 9-0-0.**

40
41 J. Farrell asked about the roadwork taking place on Rt. 102 near West Road. J.
42 Trottier explained that it was a State project to put in truck acceleration and
43 deceleration lanes. J. Farrell asked about rumored development taking place at the
44 Twin Gate Horse Farm. T. Thompson stated that nothing had been formally
45 submitted, but that there was a developer interested in doing an elderly housing
46 project, and that the Town was interested in obtaining an easement or development
47 rights to the parcel for protection as part of the Apple Way.

48
49 **I. Approval of Minutes – March 1, 8 & 18**
50

1 The Board decided to handle the minutes separately. **J. Farrell made a motion to**
2 **accept the minutes of March 1 as amended and presented in the read file. P.**
3 **DiMarco seconded the motion. No discussion. Vote on the motion: 9-0-0.**

4
5 **J. Farrell made a motion to accept the minutes of March 8 as amended and**
6 **presented in the read file. R. Nichols seconded the motion. No discussion.**
7 **Vote on the motion: 9-0-0.**

8
9 **J. Farrell made a motion to accept the minutes of March 18 as amended and**
10 **presented in the read file. P. DiMarco seconded the motion. No discussion.**
11 **Vote on the motion: 7-0-2. A. Rugg & R. Nichols abstained, as they were not**
12 **present at the meeting.**

13
14 **J. Discussions with Town Staff**

15
16 J. Trottier presented the board with a question regarding the recently signed
17 Enterprise Rent-A-Car site plan on S. Perimeter Road. Plans were approved leaving
18 a concrete pad for eventual construction of a fueling station for the rental cars. This
19 was not on the plans approved by the Board because of Enterprise's need to begin
20 construction quickly, and the required State permit from NHDES had not been
21 obtained. Enterprise has now obtained the permit, and wish to move forward on
22 construction of the fueling station. T. Thompson asked the Board if they wanted to
23 handle this as an amendment to the approved plan or as a new application, either
24 with the ARC or the Planning Board. J. Farrell asked if other trucking facilities or
25 other rental car operations have similar facilities. T. Thompson and J. Trottier were
26 not sure. R. Nichols asked if this was ever discussed with the Planning Board. J.
27 Trottier explained that it was not, since they did not have the NHDES permit, and
28 wanted to get the site approved expeditiously. T. Thompson stated that staff
29 recommended to Enterprise before the original application was submitted to leave
30 the fueling station off the plans, as it would not have been able to go to a formal
31 application until the permit was in hand. After discussion, the Planning Board
32 determined that Enterprise should move forward with an amendment to the site plan,
33 which will need a public hearing with the Planning Board and abutter notices.
34

35 T. Thompson stated that Cathy Dirsra would be starting on Monday as the new
36 Planning & Economic Development Department secretary, and that next week would
37 be her first Planning Board meeting. He asked for the Board's patience tonight, as
38 he is responsible for tonight's minutes.
39

40 A. Rugg noted that there were some items from SNHPC in the Board's read file.
41

42 **Public Hearings**

43
44 **A. Town of Londonderry - Map 6, Lot 57 & Map 17, Lots 5-1 & 5-2 - Public**
45 **Hearing Under RSA 674:54 for construction of new South & North/West**
46 **Fire Stations.**

47
48 T. Thompson explained for the Board and the audience the process for municipal
49 projects under RSA 674:54.
50

1 Kelly Davis, Architect from Portsmouth, and Earle Blatchford, project manager from
2 Hayner/Swanson presented the project to the Board. Mr. Davis explained the project
3 and that the funding was approved at the recent Town Meeting in March. Mr.
4 Blatchford explained that the site plans presented show the full build out of both
5 stations, but that initially only South Station would be constructed, and the initial site
6 work at North/West would take place. He continued with an overview of the South
7 Station, a 7060 square foot building and associated site improvements. No access
8 to Rt. 102 is available, so there are 2 driveways on Young Road. The septic system
9 is designed for the full build out of the station, including future expansion. He noted
10 the grading for the site would impact a small area of CO District, and that a small
11 portion of the access drive is located in the buffer to the AR-I zoned parcel across Rt.
12 102, where the sawmill is located. He stated that the design alternative of
13 encroaching in this buffer was preferable to pushing the improvements closer to the
14 residential uses along Young Road. The State Septic permit is the only state permit
15 required for this project.

16
17 Mr. Blatchford continued with an overview of the North/West station. This would be a
18 "twin" building to the South Station (same design). There are 2 lots involved, and the
19 Town is in the process of obtaining the second parcel, which will be merged with the
20 Town owner parcel to create the lot for the station. He stated there are no wetlands
21 on this site, and that water and sewer were available in Grenier Field Road. There is
22 a small residential buffer encroachment of 10' for some parking spaces, but this was
23 selected due to the grading of the site creating a berm to screen the spaces from the
24 adjacent parcel and to avoid expensive retaining walls as part of the design of the
25 site.

26
27 J. Farrell asked if the stations were 2-bay. Mr. Davis responded that they both were.
28 J. Farrell expressed his concern about traffic flow and a lack of warning signage for
29 the stations, particularly South Station being adjacent to Rt. 102 where traffic
30 routinely exceeds 50 MPH. He expressed his strong recommendations about
31 warning signs for the motoring public approaching the stations. Mr. Davis stated that
32 they were going to monitor the traffic situation and do a more detailed study of the
33 traffic post construction to see what the warrants were for signalization and signage,
34 and that it was certainly worthy of discussion with Town Manager Dave Caron and
35 Fire Chief Mike Carrier. J. Paradis asked about the proximity of the North/West
36 station to the residential abutter. T. Thompson explained the 50' buffer requirement
37 of the zoning ordinance, and that the nearest home was approximately 75-80 feet
38 away from the nearest parking for the station. J. Trottier added that the berm would
39 help buffer the parking from the residence. J. Farrell continued to express his
40 concerns about signage and traffic. P. DiMarco asked if Central Station would be the
41 only place for residents to get permits. He also inquired about communications.
42 Chief Carrier stated that all 3 stations have sufficient parking for visitors and would all
43 handle permits, and that there was a communication tower at both new stations, 55'
44 tall keeping aesthetics in mind in the design. J. Farrell asked Chief Carrier his
45 thoughts on warning signage. Chief Carrier stated that signage would be fine, but
46 that signalization is very expensive, and beyond the budget currently in place. He
47 said it would be ideal to have signalization at the stations and would like to do it, but
48 it depends on costs. He stated the exit on Young Road will be far better than the
49 current situation at the current South Station. T. Freda questioned if there were any
50 plans for signs and signalization, and if he knew the costs associated with
51 signalization. Chief Carrier said "Fire Station Ahead" signs are in the plans, but no

1 signals at present. The Fire Department would like to get about a year of history at
2 the new station to come up with a signalization plan. He also said that signalization
3 could cost between \$50,000 - \$100,000, and would depend on the results of a traffic
4 study. J. Trottier stated that any signalization for the South Station would require
5 NHDOT approval because Rt. 102 is a state highway. Chief Carrier stated that
6 NHDOT would be concerned about the placement of signals because of the
7 proximity to other traffic signals along Rt. 102. R. Nichols and L. Wiles echoed the
8 traffic concerns of the other Board members, especially related to South Station. A.
9 Rugg said his biggest concern was the safety of the fire truck drivers at Rt. 102. He
10 also inquired about drainage and the landscape plans. Mr. Blatchford briefly
11 explained the drainage design and the oil-water separators at both sites. Mr. Davis
12 showed the originally proposed landscape plans, which came in way over budget, at
13 \$35,000 - \$40,000 per site. Due to the tight budget, the landscape designs are being
14 reevaluated, and secondary designs were in the works.

15
16 The Hearing was opened to the public. Tony and Heidi Bennett of Young Road
17 expressed their concerns relative to South Station. They stated that traffic was brutal
18 at Young Rd & Rt. 102. They also stated concerns relative to drainage in the area
19 and concern about many families with children (approx 10 children in the abutting
20 properties) along Young Road. Mr. Blatchford explained the drainage requirements
21 of the town and how the project met them. J. Farrell suggested the Bennetts meet
22 on site with J. Trottier. A. Rugg asked about a curb cut on Rt. 102. T. Thompson
23 stated that the state would not permit a driveway access for this parcel on Rt. 102. J.
24 Paradis asked why 2 driveways on Young Road were proposed. Chief Carrier and
25 Mr. Blatchford explained the circulation pattern on the site and buffering the
26 residences as much as possible. J. Trottier explained the cross culvert on Young
27 Road and the connection to the water system. J. Paradis stated he would ask the
28 Town Council to look into possible restrictions of truck traffic on Young Road. Neil
29 Smith, 15 Grenier Field Road, asked about contamination at the North/West station
30 since the site was a former junkyard. Town Manager Caron stated that there are
31 monitoring wells on the site, and that the Town is contracted with EnviroSense for
32 monitoring of the site. He explained that there is a process in place if contamination
33 issues arise during construction. Mr. Smith inquired about the lighting for the site
34 and expressed concerns about the existing lighting for the Fed Ex facility nearby. T.
35 Thompson & J. Trottier stated there was not much that can be done about Fed Ex,
36 as their lighting meets Town requirements, the problem is that the site is so high
37 above everything on Grenier Field Road due to the grade change. Mr. Davis
38 explained that the new station would have 6-7 new lights and that they meet the
39 Town lighting requirements. Ms Bennett asked if the South Station driveways could
40 be designed for one way (one in, one out). Mr. Davis and Chief Carrier explained
41 that they were designed for full access for circulation and operational purposes.

42
43 T. Thompson & J. Trottier summarized the items on the staff review memo, and
44 suggested that they be made the non-binding recommendations of the Planning
45 Board. **J. Farrell made a motion to use the staff memo as the non-binding**
46 **recommendations of the Planning Board, and also that the project come back**
47 **to the Board for an update on the signage and safety issues raised tonight,**
48 **and that abutters be re-notified when the project comes back. P. DiMarco**
49 **seconded the motion.** Discussion: T. Thompson reminded the Board that coming
50 back to the Board is a non-binding recommendation, and that under the statute there

1 is no obligation for the plans to come back to the Board. **Vote on the motion: 9-0-0.**
2
3

4 **B. AICuMet, Inc. - Map 14, Lots 13 & 13-4 - Application Acceptance and Public**
5 **Hearing for a lot line adjustment, roadway discontinuance, and a**
6 **Conditional Use Permit.**
7

8 *Continued to May 3, 2006 @ 7PM earlier in the meeting.*
9

10 **C. AICuMet, Inc - Map 14, Lot 13 - Application Acceptance and Public Hearing**
11 **for a site plan to construct a 5000 sq. ft. building addition and a Conditional**
12 **Use Permit.**
13

14 *Continued to May 3, 2006 @ 7PM earlier in the meeting.*
15

16 **D. ASGITISDI, LLC - Map 6, Lots 37 & 38 - Application Acceptance and Public**
17 **Hearing for a site plan to construct 2 office/retail buildings.**
18

19 *Acceptance:* T. Thompson stated that there were no outstanding checklist items and
20 recommended that the application be accepted as complete. **P. DiMarco made a**
21 **motion to accept the application as complete. R. Nichols seconded the**
22 **motion.** No discussion. **Vote on the motion: 9-0-0.** Application is accepted as
23 complete.
24

25 *Public Hearing:* Tim Winings of TJW Survey presented the application for the
26 applicant. The Board expressed concern on the number of unresolved design review
27 comments. T. Thompson suggested that tonight's meeting focus on the key issue of
28 the sight distance waiver, and that the hearing be continued after that discussion.
29 Mr. Winings gave a brief overview of the application, highlighting the variances that
30 were granted by the ZBA and the sight distance waiver request. He stated that there
31 is 212+ feet of sight distance to the west of the proposed driveway. J. Farrell
32 expressed his concern on the sight distance waiver. The Board has never been
33 willing to waive sight distance for a proposed driveway before. T. Thompson
34 deferred the technical portion of the staff recommendation to J. Trottier, but
35 expressed his concern that the applicant has sought sight distance easements from
36 all the abutters, and none are willing to grant them. He also expressed concern that
37 there is a possibility of a takings issue if the waiver is not granted, as it may take all
38 the value from the lot. He stated he still needs to discuss this issue with the Town's
39 legal counsel. J. Trottier stated that he does support the waiver request, as this is a
40 unique situation with the configuration of the curve at Granite and Mohawk. He
41 explained the rationale for the 365' requirement of the regulations, based on a 35
42 MPH speed limit. The curve in the roadway has a radius of 52'. Based on the
43 AASHTO design guidelines (which is what the Town utilized to create the regulation)
44 the safe speed for that radius is 25 MPH. At a speed of 25 MPH the stopping sight
45 distance is 125'. As this application provides 212 feet, he felt comfortable supporting
46 the waiver as sufficient sight distance is provided at the speed traffic will be moving
47 at the curve.
48

49 The Hearing was opened to the public. There was no public comment. J. Trottier
50 highlighted the major items from the staff memo to the Board, items 1, 4 & 6D. T.
51 Thompson echoed the concern on comment #1, and relayed the positive

1 recommendation from the Heritage Commission on the architectural design of the
2 buildings. J. Paradis asked for an overview of the uses of the buildings. Mr. Winings
3 gave the overview, building 1 for medical office and general office use, building 2 for
4 office or retail/office use. A. Rugg inquired about dumpsters and noise, and
5 suggested that dumpster unloading not take place early in the morning. R. Nichols
6 asked about the parking for the site. Mr. Winings stated there were 33 spaces for
7 both buildings, and he would be willing to eliminate the retail option from the plan if
8 the Board wants. P. DiMarco asked if there were "No Parking" signs along the
9 streets in this area. J. Trottier stated there were not, and that it was an enforcement
10 issue. A. Rugg suggested that staff get a legal opinion on the potential taking issue.
11 **J. Farrell made a motion to deny the applicant's waiver request for the sight**
12 **distance. P. DiMarco seconded the motion.** Discussion: T. Thompson reminded
13 the Board that if this motion fails it does not mean the waiver is granted. A motion to
14 grant the waiver would need to pass for the waiver to be granted. **Vote on the**
15 **motion: 4-5-0 (J. Farrell, P. DiMarco, T. Freda, & R. Nichols in favor; R.**
16 **Brideau, J. Paradis, A. Rugg, C. Tilgner, & L. Wiles opposed).** **Motion fails. P.**
17 **DiMarco made a motion to continue the hearing until May 10, 2006 at 7PM. J.**
18 **Paradis seconded the motion.** No discussion. **Vote on the motion: 9-0-0.**
19 Application is continued to May 10, 2006 at 7PM. A. Rugg notified the audience that
20 this would be the only notice of the continuance.

21
22 **E. MPV Trailer Sales, LLC - Map 13, Lot 65-1 - Application Acceptance and**
23 **Public Hearing for a site plan for a change in use and a Conditional Use**
24 **Permit.**
25

26 *Acceptance:* T. Thompson stated that there were no outstanding checklist items and
27 recommended that the application be accepted as complete. **J. Farrell made a**
28 **motion to accept the application as complete. R. Brideau seconded the**
29 **motion.** No discussion. **Vote on the motion: 9-0-0.** Application is accepted as
30 complete.

31
32 *Public Hearing :* Russ Seward from Keach-Nordstrom Associates presented the
33 application for the applicant. He gave an overview of the project, the site was
34 previously used for auto sales, will now be for trailer sales. He highlighted the
35 "removals plan" which indicated the large amount of pavement and gravel, which
36 would be removed from the site and landscaped. T. Thompson gave an overview of
37 how this project was originally submitted on 2004, was withdrawn to Design Review
38 due to not having all the required permits, and was now back for a formal application.
39 Mr. Seward discussed how items in the Rt. 28 right-of-way were removed, and that
40 NHDOT has granted approval of the amended driveway permit. J. Trottier went over
41 the items in the review memo to the Board. T. Thompson stated that the
42 Conservation Commission has not yet given a recommendation on the Conditional
43 Use Permit for the buffer impacts, and recommends the Board continue the
44 application so that the applicant can meet with the Conservation Commission. R.
45 Brideau asked about the width of the driveway. T. Thompson stated that it is an
46 existing condition of the site.

47
48 The Hearing was opened to the public. There was no public comment. **J. Farrell**
49 **made a motion to continue the hearing until May 10, 2006 at 7PM so that the**
50 **applicant can meet with the Conservation Commission to get a**
51 **recommendation on the Conditional Use Permit. J. Paradis seconded the**

1 **motion.** No discussion. **Vote on the motion: 9-0-0.** Application is continued to
2 May 10, 2006 at 7PM. A. Rugg notified the audience that this would be the only
3 notice of the continuance.

4

5 **Adjournment:**

6

7 **J. Farrell motioned to adjourn the meeting at 9:36 PM. Seconded by P. DiMarco.**
8 **Vote 9-0-0.**

9

10 **Meeting adjourned.**

11

12 These minutes prepared by Tim Thompson, AICP, Town Planner.

13 Respectfully Submitted,

14

15

16

17

18 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF APRIL 12, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Joe
6 Paradis, Ex-Officio; Charles Tilgner, Ex-Officio; Tom Freda (arrived at 7:10PM); Lynn
7 Wiles, alternate member; Rob Nichols, alternate member (arrived at 7:05PM), Mary
8 Soares (arrived at 7:20)
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Cathy
11 Dirsa, Recording Secretary
12

13 A. Rugg called the meeting to order at 7:01 PM. Andre Garron and the Board welcomed
14 new Recording Secretary Cathy Dirsa to the Planning Board. A. Rugg appointed R.
15 Nichols to vote for J. Farrell & L. Wiles to vote for D. Coons' vacant regular position.
16

17 **Administrative Board Work**
18

19 **A. Plans to Sign – Wesley Properties, Map 28, Lot 22-5**
20

21 T. Thompson explained that this was a project conditionally approved in 2000. No
22 changes have occurred in the ordinances and regulations impacting this project.
23 Due to the length of time passed since conditional approval, this has been advertised
24 as a public hearing. J. Trottier confirmed that all the conditions of approval had been
25 met. The hearing was opened to the public. There was no public comment. **P.**
26 **DiMarco made a motion to authorize the Chair and Secretary to sign the plans.**
27 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-1** (T.
28 Freda abstained as he arrived late and missed the discussion). Plans will be signed
29 at the conclusion of the meeting.
30

31
32 **B. Plans to Sign – Ball Lot Line Adjustment**
33

34 J. Trottier confirmed that all the conditions of approval had been met. **P. DiMarco**
35 **made a motion to authorize the Chair and Secretary to sign the lot line**
36 **adjustment plans. R. Nichols seconded the motion.** No discussion. **Vote on the**
37 **motion: 8-0-0.** Plans will be signed at the conclusion of the meeting.
38

39 **C. Signing of minutes from April 5 meeting**
40

41 Secretary DiMarco signed the minutes approved at the April 5 meeting.
42

43 **D. Discussions with Town Staff – introduction of Recording Secretary**
44 **Cathy Dirsa**
45

46 A. Garron introduced Cathy Dirsa to the Board as the new Planning & Economic
47 Development Department Secretary. The Board welcomed Cathy aboard. M.
48 Soares addressed possible grants and/or recreation facilities, which were topics
49 at the OEP Planning & Zoning Conference on April 1. She said she would make
50 materials from the conference available in the Board's read file next month.

1
2 **Public Hearings/Workshops/Conceptual Discussions**
3

4 **A. Conceptual Discussion for Tarkka Homes – Elderly**
5 **Housing/Affordability**
6

7 Paul Morin (Tarkka Homes) addressed the Board regarding a previous conceptual
8 discussion last year and this year. Has revised his concept based on meeting with
9 Town Staff. He stated that he does not own the adjacent lot, but that he has begun
10 to talk to the property owner about acquiring it. To make the development
11 architecturally interesting P.Morin would like to make the entrance on Mammoth Rd
12 vs. Grenier Rd, and requested the Board give some guidance on their willingness to
13 be flexible with the Town’s roadway standards as they apply to the development. The
14 Mammoth Rd entrance would require crossing wetlands. He plans on 8 buildings (7
15 buildings with 4 units and 1 duplex with 2 units) with 6 units each.
16

17 J. Trottier said he needs to review driveway plans once they are further along in
18 engineering before he can comment on the flexibility issue. T. Thompson said mini-
19 storage space had been approved for that site previously by the Board. T.
20 Thompson said he prefers the Mammoth Rd entrance due to the anticipated traffic
21 on Grenier Field road once the Airport area develops. He also expressed his comfort
22 level in the Board waving portions of the roadway design standards for the
23 development, as it would allow a better development design, more in line with what
24 the Town desires. He stated that the requirement for private roads to meet Town
25 standards goes back to the former (Town Meeting) form of government, and that
26 under our current form of government (Town Council) it would be almost impossible
27 for the Town to take over the private roads that do not meet Town standards.A.
28 Garron said he agrees with T. Thompson.
29

30 M. Soares is concerned about single floor homes and the roads remaining private.
31 J. Paradis questioned the definition of affordable housing. R. Brideau & C. Tilgner
32 asked if there would be enough room for fire trucks. T. Thompson & J. Trottier
33 assured the Board that the Fire Department would have to be accommodated in the
34 design of the site. P. DiMarco asked if walking paths, sidewalks and lighting could
35 be included, since the project would be very close to the Senior Center. Will there be
36 a pull over area for people to pick up mail?
37

38 Paul Morin said lighting is planned, but no walking paths or sidewalks are planned at
39 this time. He said there will be a trust or Condo Association with a monthly fee for
40 plowing, etc.
41

42 T. Freda asked if they would be condos. He also wanted to know if the roads would
43 be wide enough to accommodate the transit bus/van. A. Garron said they will be
44 vans and the roads would be wide enough for them.
45

46 R. Nichols asked if there would be emergency access to Grenier Rd.
47

48 A. Garron asked about parking for units/visitors. M. Soares suggested to Paul Morin
49 that the units be slightly tilted so that parking spaces would allow adequate room to
50 back out.
51

1 A. Rugg said this project will need to go before the Heritage Commission early in the
2 process for a review of the architectural design. He said the consensus of the Board
3 is to support the private network of roads with waivers to the road design standards,
4 so long as the Fire Department has adequate access.

5
6 **B. Public Hearing – Barons Manchester Realty, LLC – rezoning of a portion**
7 **of Map 15, Lot 97 from AR-1 to I-1.**

8
9 Mike Baron, of Baron’s Major Brands presented the application on behalf of the
10 property owners. He said Baron’s proposed to construct an appliance warehouse,
11 distribution center, and call center on the southerly portion of the lot, which would
12 involve a subdivision and a site plan. He is requesting that the new parcel be
13 rezoned from residential to industrial.

14
15 T. Thompson presented the staff recommendation for the project. He said that the
16 2004 Master Plan identifies this area of Jack’s Bridge Road as one of the primary
17 target areas for industrial development in the Town of Londonderry. The Plan calls
18 for the AR-I zoned lots in the “triangle area” of Clark & Jack’s Bridge Road to be
19 rezoned accordingly, so that industrial development can occur in this area. He
20 concluded by saying that, in summary, the rezoning is consistent with the Master
21 Plan, is virtually surrounded by Industrially zoned land, and the nature of Jack’s
22 Bridge Road is appropriate for the proposed future use. Therefore, staff
23 recommends that the Planning Board **RECOMMEND** this rezoning from AR-I to I-I to
24 the Town Council, with the condition that the rezoning not become effective until the
25 Planning Board approves the subdivision to create the lot for the Baron’s
26 Development. A. Garron concurred with T. Thompson’s report.

27
28 M. Soares asked if other homeowners expect to sell their homes as industrial
29 property. A. Garron said yes, others have indicated this. All Board members agreed
30 the rezoning was appropriate. L. Wiles asked if there are plans to improve Clark Rd
31 and was told by J. Trottier that there are not, since the last subdivision for Jack’s
32 Bridge Road created a cul-de-sac and emergency gate that prevents industrial traffic
33 from using Clark Road.

34
35 The hearing was opened to the public. There was no public comment. **P. DiMarco**
36 **made a motion to recommend to the Town Council that they rezone the**
37 **southerly portion of Map 15, Lot 97 from AR-1 to I-1, with the condition that**
38 **the rezoning not become effective until the Planning Board approves the**
39 **subdivision to create the lot for the Baron’s development. R.Nichols**
40 **seconded the motion.** No Discussion. **Vote on the Motion 9-0-0.** The rezoning
41 will be recommended to the Town Council.

42
43 R. Nichols asked if the Town Council had plans to fill Dana Coons’ vacant regular
44 position. A. Rugg & J. Paradis said that the Council would be appointing R. Nichols
45 to move from alternate to regular member at the next Council meeting.

46
47 **C. Public Hearing – Zoning Ordinance Amendment – removal of elevator**
48 **requirement for elderly housing.**

49
50 T. Thompson summarized the proposed changes, which would eliminate the
51 requirement for an elevator or an at grade access in order for an elderly housing

1 development to have second stories. He said the building height should stay at 35'.
2 A. Garron said the building codes dictate when elevators are required.. J. Paradis
3 asked if they are two floors and over 35' do they need a variance. T. Thompson
4 responded that they would require variances for any height over 35'. All Board
5 members agreed that the proposed change is fine.

6
7 The Hearing was opened to the public. B. DiLorenzo, Harvey Road, member of the
8 Zoning Board, asked for clarification on the extent of the changes. T. Thompson
9 showed Ms. DiLorenzo a copy of the revised language.

10 **M. Soares made a motion to recommend the proposed zoning amendment**
11 **which will remove the elevator requirement for elderly housing to the Town**
12 **Council. R. Nichols seconded the motion. No Discussion. Vote on the Motion 9-**
13 **0-0.** A. Rugg said this amendment will now go to the Town Council.

14 15 **D. Workshop – F1 Zone**

16
17 T. Thompson presented the draft to the Board, and summarized the changes from
18 the last workshop, which included adding conditional use permit criteria, and
19 identifying those lots to be included in the District. He said that J. Vogl created the
20 map so that the Board could see where the proposed district would be created. A.
21 Garron said we should test out the ordinance, by having a consultant prepare some
22 conceptual designs to see how well the ordinance works. The Board agreed that this
23 was a good idea, and pointed out some minor typographical errors to T. Thompson.
24 T. Thompson said there should be another workshop after the test run and before a
25 public hearing takes place. The Board agreed.

26 27 **E. Zoning Ordinance Overhaul – Initial Discussion and Strategy**

28
29 T. Thompson presented a staff memo to the Board highlighting the areas of the
30 Zoning Ordinance that should be revised or re-written as part of the implementation
31 of the Master Plan. He said that after meeting with A. Garron, they determined that
32 the whole ordinance does not need an overhaul, but preferred to address the specific
33 sections outlined in the memo. He also suggested that the Board establish a
34 steering committee for the project. A. Garron mentioned that this summer's intern
35 would be assisting on this project. M. Soares asked if a task force or steering
36 committee was started. T. Thompson said that he is asking the Board to determine if
37 one is needed. The Board agreed that a committee as presented in the memo would
38 be appropriate. M. Soares volunteered for the committee, and said she had
39 particular interest in the signs section. R. Nichols volunteered for the steering
40 committee. J. Paradis asked if this is a summer project (for interns) or longer term.
41 T. Thompson & A. Garron said that it will likely take at least a year, base on current
42 workload for the Department, and will vary depending on whether or not consultants
43 are needed to assist.

44 45 **Other Business**

46
47 A. R. Nichols asked if the Town Council had plans to fill Dana Coons' vacant
48 regular position. A. Rugg & J. Paradis said that the Council would be
49 appointing R. Nichols to move from alternate to regular member at the next
50 Council meeting.
51

1 B. R. Nichols re-mentioned the Planning Board's decision to recommend the
2 proposed zoning amendment, which would remove the elevator requirement
3 for elderly housing to the Town Council, for the benefit of Mr. Morin. Mr.
4 Morin had mentioned he was interested in the outcome, but was unavailable
5 at the time of discussion.

6

7 **Adjournment:**

8

9 **R. Brideau motioned to adjourn the meeting at 8:45PM. Seconded by P. DiMarco.**

10

11 **Meeting adjourned.**

12

13 These minutes prepared by Cathy Dirsa, Planning Department Secretary.

14 Respectfully Submitted,

15

16

17

18

19 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF MAY 3, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Joe
6 Paradis (arrived at 7:03PM), Ex-Officio; Charles Tilgner, Ex-Officio; Tom Freda; Lynn
7 Wiles, alternate member; Rob Nichols (arrived at 7:05PM), Mary Soares; John Farrell

8
9 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsra, Planning
10 Department Secretary

11
12 A. Rugg called the meeting to order at 7:02 PM.

13
14 **Administrative Board Work**

15
16 **A. Plans to Sign – Barrett Subdivision**

17
18 J. Trottier said all conditions have been met. **J. Farrell made a motion to authorize**
19 **the Chair and Secretary to sign the Barrett Subdivision plans. P. DiMarco**
20 **seconded the motion.** No discussion. **Vote on the motion. 9-0-0.** A. Rugg stated
21 the plans would be signed at the conclusion of the meeting.

22
23
24 **B. Plans to Sign – LHRA Subdivision (rejected at Registry)**

25
26 T. Thompson said that the plans were rejected at the Registry, and that there is no
27 additional motion needed. A. Rugg stated the plans would be re-signed at the
28 conclusion of the meeting.

29
30 **C. Extension Request – Walgreens Site Plan, 6 months requested**

31
32 T. Thompson stated that the letter incorrectly requests an extension to the lot line
33 adjustment. Under the subdivision regulations, the conditional approval for the lot
34 line adjustment is valid for 2 years, and no extension is needed. The Site Plan does
35 need an extension, however, as the standard time to meet conditions is 120 days.
36 He explained that due to the fact that the project requires off-site improvements
37 needing NHDOT approval, he should have recommended an extended period for the
38 conditional approval at the time of the hearing. He recommended the Board grant
39 the requested 6-month extension as requested in the letter from Hayner/Swanson,
40 Inc. P. DiMarco asked for the date the extension would expire and T. Thompson said
41 that with the extension the plans would be OK until October 11, 2006.

42 **J. Farrell made a motion to grant the extension for 6 months per the staff**
43 **recommendation. M. Soares seconded the motion.** No discussion. **Vote on the**
44 **motion: 9-0-0.**

45
46 T. Thompson noted for the record, L. Wiles was not voting for anyone at this
47 meeting, since all regular members were present.

48
49 **D. Regional Impact Determinations**
50

1 T. Thompson referred to his memo in the packet regarding the subdivision and site
2 plan applications for HSL Real Estate Trust, and recommended the Board find that
3 both projects were not of regional impact.

4 **J. Farrell made a motion to accept the staff memo for regional impact**
5 **determinations. M. Soares seconded the motion. No discussion. Vote on the**
6 **motion: 9-0-0.**

7
8 **E. Approval of minutes from April 5 and April 12 meeting**

9
10 **J. Farrell made a motion to accept minutes from April 5 meeting. P. DiMarco**
11 **seconded the motion. No discussion. Vote on the motion: 9-0-0.**

12 **J. Farrell made a motion to accept minutes from April 12 meeting. P. DiMarco**
13 **seconded the motion. No discussion. Vote on the motion: 7-0-2, M. Soares and**
14 **J. Farrell abstained, as they were not in attendance at the April 12 meeting.**
15 **The minutes from April 5 and April 12 meetings will be signed at the May 10 meeting.**

16
17 **F. Discussions with Town Staff**

- 18
19 1. 2 Brian Drive – waiver for school impact fees
20 T. Thompson addressed the Board about a letter from Mr & Mrs
21 Brundage regarding a new modular home they want to construct on **2**
22 **Brian Drive**. They are considered elderly and handicapped and have
23 asked the Town to waive the school impact fees on their proposed
24 home. The Planning Department recommends that the Board approve
25 providing the occupants supply the Town documentation that all
26 occupants will be over the age of 55.
27 a) P. DiMarco asked if this would include future owners. T.
28 Thompson said impact fees have been waived in the past for
29 these same reasons and also said this would be a one-time
30 occurrence.
31 b) Rugg recommended waiting until the May 10 meeting for A.
32 Garron to address this issue.
33 c) J. Farrell said the property is 20% on the Hudson line and wanted
34 to know if this would affect the Hudson impact fees also.
35 d) M. Soares requested some history/background on these issues.
36
37 2. Mohawk Drive – lowering speed limit to 25mph
38 J. Farrell said there will be a meeting this Friday, May 5 at 9:30 on
39 **Mohawk Drive**. Public Works will attend the meeting to observe traffic
40 flow and discuss the proposed sight distance waiver and possible road
41 improvements. A. Rugg cautioned that 5 or more members will
42 constitute a meeting forum and we should try to keep attendees to a
43 minimum.
44
45

46 **Public Hearings**

- 47
48 **A. AICuMet, Inc. – Map 14, Lots 13 & 13-4, Continued Application**
49 **Acceptance and Public Hearing for a lot line adjustment, roadway**
50 **discontinuance, and a Conditional Use Permit**

51

1 *Application Acceptance:* T. Thompson stated that there was one checklist item
2 outstanding, for the topographic plan, and the applicant has requested a waiver
3 request based on information on file with the Town providing the topographic
4 information in a previous subdivision. He stated that staff supports the waiver
5 request, and that with approval of the waiver that staff recommends the application
6 be accepted as complete.

7 **P. DiMarco made a motion to grant the waiver of section 4.1.7 based on staff**
8 **recommendation and the information already on file with the Town. J. Paradis**
9 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.**

10 **P. DiMarco made a motion to accept the application as complete. J. Paradis**
11 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Application
12 accepted.

13 *Public Hearing:* Jeff Lewis P.E. from Northpoint Engineering and applicant Russell
14 Wilmarth , Coriveau Drive, Hooksett NH, addressed the Board and discussed the lot
15 line adjustment plan. J. Lewis said the Planeview Drive was never completed per the
16 previous subdivision approval. He said they propose to construct a cul-de-sac for
17 better traffic flow. Wetlands now exist where the original area for the cul-de-sac was
18 planned. They propose to relocate the cul-de-sac. A lot line adjustment is needed to
19 reconfigure Map 14, Lots 13 & 13-4 to accommodate the new design for a cul-de-sac
20 and for a roadway improvement plan.

21 J. Trottier read the design review items, board action items and informational items
22 from the staff memo. T. Thompson read the Conservation Commission
23 recommendation on the conditional use permit for the record, stating the commission
24 recommends the conditional use permit as presented.

25
26 The hearing was opened to the public. Abutter, Dana Boucher, living at 104
27 Pinecrest Road, Litchfield said he is concerned about losing 130' of frontage on his
28 property. T. Thompson explained the change and the construction of the cul-de-sac.

29 **P. DiMarco made a motion to grant Conditional Use Permit for the buffer**
30 **impacts of the cul-de-sac grading. R. Brideau seconded the motion.** No
31 Discussion. **Vote on the motion: 9-0-0.** Conditional Use Permit granted.

32 J. Farrell made a motion to conditionally approve the lot line adjustment with the
33 following conditions:

- 34
35 1. The Applicant shall address the following on the lot line relocation plan,
36 sheet 1:
- 37 a) Please provide the Owner's signature on the plan. This shall
38 apply to all applicable sheets. The Applicant noted that the
39 signature would be provided on final plans in his response
40 letter.
 - 41 b) Please note the proposed use for lot 13-4 on the plan per
42 section 4.11 of the regulations.
 - 43 c) Please note the class of Planeview Drive and Harvey Road on
44 the plans.
- 45
46 2. The Applicant shall address the following relative to the revised
47 Planeview Drive Plan & Profile – sheet 2:
- 48 a) The roadway cross sections indicate a cut section and
49 underdrain is necessary along the entire inside portion of the
50 cul-de-sac and the cross section indicates underdrain is
51 necessary from station 10+50 to 11+00 on the right side of the

- 1 roadway in accordance with the regulations. Please review and
2 revise as necessary meeting the approval of the Town. Please
3 update the cross sections accordingly.
- 4 b) Please revise the roadway vertical alignment as necessary to
5 provide a minimum K= 40 per AASHTO. In addition, we
6 recommend a minimum vertical curve length of 50 feet be
7 provided. Please revise as necessary meeting the approval of
8 the Town.
- 9 c) Please indicate the proposed utility services to lot 13-4 on the
10 plan per section 4.16.B of the regulations. Please update the
11 cross sections as applicable. In addition, please provide
12 appropriate utility trench details in the plan set as applicable.
13 We understand the existing water line in Planeview Drive is not
14 currently accepted by Manchester Water Works. We
15 recommend the Applicant coordinate and obtain acceptance of
16 the water line in Planeview Drive and indicate a water line
17 extension with a utility service for lot 13-4 meeting the approval
18 of Manchester Water Works.
- 19 d) We recommend the Applicant remove the offsite sign from the
20 Planeview Drive/ Harvey Road ROW.
- 21 e) We understand the Department of Public Works has a concern
22 with the existing southerly roadway shoulder and drainage along
23 Planeview Drive and the proposed improvements are intended
24 to address the concern. We recommend the Applicant provide a
25 note on the plan to clarify the proposed shoulder construction of
26 Planeview Drive shall meet the approval of the Department of
27 Public Works.
- 28
- 29 3. The Applicant shall clarify the catch basin structure as H-20 loading in
30 accordance with the regulations in the project details:
- 31
- 32 4. The Applicant shall indicate the locations on the plan on in a note where
33 the CO District Markers will be placed on both lots for proper
34 construction.
- 35
- 36 5. This project indicates that a portion of the existing cul-de-sac ROW for
37 Planeview Drive will be discontinued. The applicant shall obtain
38 Planeview Drive discontinuance approval from the Town Council.
- 39
- 40 6. Note all waivers and the conditional use permit granted on the plan.
- 41
- 42 7. Outside consultant's fees shall be paid within 30 days of approval of plan.
- 43
- 44 8. The Applicant shall provide a digital (electronic) copy of the complete
45 final plan sent to the Town at the time of signature by the Board in
46 accordance with Section 2.05.n of the regulations.
- 47
- 48 9. Financial guaranty if necessary.
- 49
- 50 10. Final engineering review
- 51

1 **M. Soares seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Lot
2 line adjustment approved with conditions.

3
4 **B. AICuMet, Inc. – Map 14, Lots 13 & 13-4, Continued Application**

5
6 *Application Acceptance:* T. Thompson stated the FAA permit had been received,
7 and all checklist items are provided. He recommended the Board accept the
8 application as complete.

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

12 *Public Hearing:* Jeff Lewis P.E. from Northpoint Engineering summarized the plan to
13 the Board asking for a 5000 square foot addition to the existing building and
14 summarized the design for the stormwater runoff and catch basins. He referred to
15 his letter to the board on the 2 waivers for the plan scale and the landscaping design.
16 J. Trottier said the Public Works staff supports the waiver requests.
17 T. Thompson said Planning supports the waiver requests.

18
19 **J. Farrell made a motion to grant both waivers as recommended by staff and**
20 **outlined in the applicant’s letter. P. DiMarco seconded the motion.** No
21 discussion. **Vote on the motion: 9-0-0.** Both waivers granted.

22 J. Trottier read the design review items, board action items and informational items
23 from the staff memo. T. Thompson read the Conservation Commission
24 recommendation on the conditional use permit for the record, stating the commission
25 recommends the conditional use permit as presented.

26 Meeting opened to the public. Abutter, Dana Boucher, asked to see the plan. T.
27 Thompson showed him the existing layout of Planeview Dr, and the proposed
28 improvements.

29 **J. Farrell made a motion to grant the Conditional Use Permit for the buffer**
30 **impacts associated with the grading of the drainage ways. M. Soares seconded**
31 **the motion.** No discussion. **Vote on the motion: 9-0-0.** Conditional Use Permit
32 granted.

33
34 J. Farrell made a motion to conditionally approve the site plan with the following
35 conditions:

- 36
37 1. **The Applicant shall provide the FAA Permit number on the cover**
38 **sheet.**
39
40 2. **The Applicant shall address the following relative to the submitted**
41 **drainage report:**
42 a) **The analysis and drainage area plans indicate the culvert as**
43 **24” at the PSNH ROW (vs. 12” with this latest submittal)**
44 **which is not consistent with the revised plans. Please**
45 **revise the analysis notations in the report and drainage**
46 **area plans to be consistent with the updated information**
47 **(i.e. 12” culvert).**
48 b) **The riprap aprons shown on the grading plans are not the**
49 **proper length as noted in the riprap calculations or detail.**
50 **Please revise the plans to indicate the proper lengths in**
51 **accordance with the calculations and detail.**

1 c) The revised analysis uses significant group A soils in
2 predevelopment subcatchment 10, which do not appear to
3 be indicated within the subcatchment or shown on the
4 drainage plans. The soil map provided does not appear to
5 indicate the soil type would be significantly present too.
6 Please review and revise to be consistent with the plans
7 and update the post development analysis accordingly.
8

- 9 3. The Applicant shall provide the Owner's signature on the plans.
10
11 4. The Applicant shall clarify the catch basin structure as H-20
12 loading in accordance with the regulations in the project details.
13
14 5. The Applicant shall indicate the locations on the plan or with a
15 note where the CO District Markers will be placed for proper
16 construction.
17
18 6. The applicant shall obtain final approval on the associated
19 subdivision and roadway discontinuance plan prior to final
20 approval of this project.
21
22 7. Outside consultant's fees shall be paid within 30 days of approval
23 of plan.
24
25 8. Note all waivers and the conditional use permit granted on the
26 plan.
27
28 9. The Applicant shall provide a digital (electronic) copy of the
29 complete final plan sent to the Town at the time of signature by the
30 Board in accordance with Section 2.05.n of the regulations.
31
32 10. Financial guaranty if necessary.
33
34 11. Final engineering review
35

36 **M. Soares seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Site
37 plan conditionally approved.
38

39 **C. William M. Tate – Map 2, Lot 28-10 – Conditional Use Permit to allow a 2**
40 **lot residential subdivision.**
41

42 *Public Hearing:* T. Thompson summarized the request for the conditional use permit,
43 explaining that this applicant was originally proposing a "back lot" subdivision. At
44 previous conceptual discussions, the board agreed that it was likely to approve a
45 conditional use permit both for the back lot development, and for allowing the
46 residential use in the Rt. 102 Performance Overlay District. The applicant has
47 decided not to pursue the back lot development, and instead is here only to allow for
48 a 2-lot residential subdivision. The Board will need to act on the Conditional Use
49 Permit before the subdivision can be approved.

50 Robert Davison P.E. from Hayner/Swanson, Inc. and William Tate addressed the
51 Board.

1 R. Davison said there are no wetlands impacts. He said the subdivision could
2 support duplex homes and the driveway would have access from Nashua Road.
3 T. Thompson said he believed that this request was consistent with the conceptual
4 discussions where the Board indicated it's non-binding support of the conditional use
5 permit..
6 M. Soares asked W. Tate if this subdivision would be for a single or duplex home.
7 W. Tate said he plans to build two duplex homes for his family and does not plan to
8 change the subdivision to a larger development.
9 R. Brideau asked if W. Tate plans to change the existing single home on one lot to a
10 duplex home. W. Tate stated that he plans to do this with the Board's approval.
11 Hearing opened to the public. Abutter, Steve Peska, living at 275 Nashua Road, is
12 concerned about the lot lines and would like to discuss a lot line adjustment.
13 A. Rugg suggested the neighbors discuss the possibility of a lot line adjustment and
14 he said it would not stop the subdivision plans from being approved.
15 J. Farrell made a motion to grant the Conditional Use Permit to allow the 2-lot
16 residential subdivision in the Rt. 102 Performance Overlay District. M. Soares
17 seconded the motion. No discussion. Vote on the motion: 9-0-0. Conditional Use
18 Permit granted.

19
20 **Other Business**

21
22 None.

23
24 **Adjournment:**

25
26 J. Farrell motioned to adjourn the meeting at 8:20 PM. Seconded by P. DiMarco. Vote
27 on the motion: 9-0-0.

28
29 Meeting adjourned.

30
31
32 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

33
34
35 Respectfully Submitted,

36
37 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF MAY 10, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Joe Paradis, Ex-
6 Officio; Charles Tilgner, Ex-Officio; Tom Freda (arrived 7:15PM); Lynn Wiles, alternate member;
7 Rob Nichols, Mary Soares

8
9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsra,
10 Planning Department Secretary

11
12 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed L. Wiles to vote for J. Farrell.
13
14

15 **Administrative Board Work**

16
17 **A. Government Land Use Request – Town of Londonderry – Municipal Complex**
18 **Parking/Walkways**

19
20 J.Trottier referred to his letter in the packet, regarding parking/walkways at the southeast
21 corner of the site, which has temporary parking. The intent of the project was for the
22 Highway Department to pave the temporary parking spaces and create paved walkways
23 between Town Hall and the Police Department. Consensus of the Board was not to hold a
24 public hearing, and allow DPW to oversee the review of the project.

25 M.Soaes asked if the Public Library parking signs the responsibility of Public Works,
26 because she feels too many of them were installed. A.Rugg said it's the Library's
27 responsibility and recommended she talk with the Trustees.
28

29 **B. Signing of Minutes – April 5 & 12**

30
31 P.DiMarco signed the minutes for April 5 & 12 meetings.
32

33 **C. Discussions with Town Staff**

34
35 A.Garron announced the initial meeting of the Historic Properties Preservation Task Force,
36 which will meet May 22 in the Sunnycrest meeting room at the Town Hall.

37 Also referenced was a conference on May 31 in Concord on the "State of Housing in NH."

38 R.Brideau mentioned the first meeting for CIP Committee will be May 11 at 6 PM

39 A. Rugg and J. Paradis mentioned Town Council will have a public hearing on May 15 to
40 discuss Mohawk Drive speed limits.

41 T. Thompson said 2 zoning issues on elderly housing would also have hearings with the
42 Town Council on Monday May 15.
43

1
2 **Public Hearings/Workshops/Conceptual Discussions**
3

4 **A. ASGITISDI, LLC - Map 6, Lots 37 & 38 - Continued Public Hearing for a site plan**
5 **to construct 2 office/retail buildings (Request Continuance to June 14, and**
6 **waive 65 Day Clock under RSA 676:4)**
7

8 T. Thompson directed the Board to the letter in the packet from the applicant requesting a
9 continuance, and waiving the 65 day clock under RSA 676:4. **P.DiMarco made a motion**
10 **to continue this project until June 14 at 7PM. R.Nichols seconded the motion.** No
11 discussion. **Vote on the motion: 8-0-0.** Plan is continued to June 14 at 7PM. A. Rugg
12 notified the Audience that this would be the only public notice of the continuance.
13

14 **B. MPV Trailer Sales, LLC - Map 13, Lot 65-1 - Continued Public Hearing for a site**
15 **plan for a change in use and a Conditional Use Permit.**
16

17 T. Thompson directed the Board to the letter in the packet from the applicant requesting a
18 continuance. **P.DiMarco made a motion to continue this plan to June 14 at 7 PM.**
19 **R.Nichols seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Plan is
20 continued to June 14 at 7PM. A. Rugg notified the Audience that this would be the only
21 public notice of the continuance.
22

23 **C. Zoning Ordinance Overhaul – Workshop**
24

25 T.Thompson referred to a memo from last month’s meeting. He stated that he is looking for
26 a formal appointment of 2 Board members and agreement on which groups should make up
27 the steering committee.

28 R.Nichols and M.Soaes volunteered at that meeting, and reiterated their interest. T.
29 Thompson recommends Public Works, Building Department, and one or 2 at large positions.
30 Meeting schedule will be determined in the coming weeks.

31 A.Garron said there would be an intern on board soon to help with the project.
32

33 **D. Public Hearing – Rezoning request, Map 15, Lots 236 & 238 from AR-I to C-II.**
34

35 In attendance were owner, AJ.Huard from 3 Page Road, Londonderry and Joe Ducharme
36 from the Turner Group to present their plans to rezone 2 lots from AR-I to C-II.

37 J.Ducharme talked about future land use portions of the Master Plan including the Jack’s
38 Bridge Road area, the Route 28 and Page Road residential mixed use area and the area,
39 which is North on Route 28 designated for future corporate use. He stated that Mr. Huard
40 owns the surrounding parcels, and wishes to rezone to C-II consistent with the adjacent
41 parcel. He is aware the request for C-II will result in increased traffic from Route 28.

42 T.Thompson referred to the notes from his May 10 staff recommendations. He stated that
43 this particular area is not specifically targeted for changes in the Master Plan, but that staff
44 has concerns about allowing new auto-oriented uses along Mammoth Road, but that Page
45 Road would be appropriate for accessing more intensive uses. In summary, he offered 2
46 recommendations:
47

- 48 1. If the owner of the parcels is willing to combine the lots with the adjacent
49 C-II zoned lot, and develops the parcel such that the access to future
50 development is obtained from Page Road, staff would **RECOMMEND** the
51 rezoning as the applicant desires from AR-I to **C-II**. Such

1 recommendation should be conditioned that the rezoning does not
2 become effective until:

- 3 a) The lots are combined with Map 15, Lot 235
4 b) The Planning Board approved a site plan for the lot where access
5 is obtained from Page Road.
6

- 7 2. If the owner of the parcels is not desirous of combining with lot Map 15,
8 Lot 235, and wishes to develop the lots independently staff would
9 recommend that the Planning Board **RECOMMEND** this rezoning from
10 AR-I to **C-I** to the Town Council, as the C-I zoning district would be a
11 more appropriate fit for the area, as the C-I district would not allow the
12 auto-oriented uses that are not an appropriate addition to the Mammoth
13 Road area of the North Village.
14

15 A. Garron said if the development decides to combine both lots we should ensure they
16 would remain as one lot, and add that as item "c" to staff's recommendation #1.
17

18 J. Ducharme said the property owner, AJ. Huard and abutters have noticed more traffic flow,
19 including non-residential.

20 A.Garron said that access onto Page Road is acceptable for C-II uses, based on the
21 anticipated traffic levels from the Master Plan and Airport Area.

22 AJ. Huard said abutter, Craig Leonard, has stated that he would provide a letter of
23 recommendation in the future, if necessary.

24 A. Rugg said any statements from abutters would have to be submitted at this meeting,
25 otherwise it's just hearsay and not admissible.

26 J.Ducharme said he doesn't believe the Mammoth Road access would affect the Residential
27 Mixed Use area because Route 28 is already a barrier.

28 A.Garron suggested lights in the future for Village residents and a crosswalk/crossing for
29 people crossing Route 28 and children, who already cross there for school.

30 T.Freda asked what non-appropriate "auto-oriented" uses are.

31 T.Thompson said they are; hotels, light manufacturing, motor vehicle service (gas stations,
32 etc), sales, wholesale, etc. He said to limit use of Mammoth Road is preferable for auto-
33 oriented uses. Most Grenier Field Road and Page Road traffic would be from the Airport
34 area, heading toward I-93, and with the higher traffic volumes is more appropriate for C-II
35 uses.

36 T. Thompson said if lots were combined and a Lot Line Adjustment (LLA) occurred, the new
37 lot would be subject to the more restrictive zone, in this case C-I.
38

39 J.Paradis asked if they could access Mammoth Road instead of Page Road the way the lots
40 currently exist.

41 T.Thompson strongly encourages Page Road access.

42 R.Nichols is concerned for the residents across the street, if the proposed lots were to be
43 converted to C-II..

44 M.Soaes said what about C-IV?

45 R.Nichols asked if the owner would be willing to compromise on C-II re-zoning for the two
46 residential (AR-I) lots..
47

48 J.Ducharme said he'd be willing to work with the Planning Dept on a compromise, but the
49 owner would likely still request C-II zoning.

50 T. Thompson recommended the application be withdrawn and reviewed further with the
51 staff.

1 Public Comments:

2 Mike Brown from Carousel Court said it makes sense that the Planning Board listen to the
3 Planning Dept concerns. There was no further public comment.

4 A. Rugg recommended to table the idea.

5 T.Thompson said we need to renotify all abutters if the plans change.

6 J.Ducharme said they would like to work with Planning for a possible compromise.

7 A.Garron strongly recommended withdrawing or taking action and not to table this
8 application. Then the application can be resubmitted, because either way if anything
9 changes we still need to renotify all abutters.

10 P.DiMarco said he couldn't vote on this as presented.

11 T.Freda recommended getting a sense of the Board's view as to whether or not they favor
12 this plan.

13 R.Brideau, J.Paradis, C.Tilgner, P.DiMarco, M.Soaes, R.Nichols, L.Wiles, A.Rugg, all said
14 they are not in favor of this plan as it currently proposed by the applicant. T.Freda is in favor
15 of it.

16 **P.DiMarco made a motion to deny this application. M.Soaes seconded the motion.** No
17 discussion. **Vote on the motion: 8-1-0 (T. Freda in opposition).** The Rezoning is denied,
18 and will not be sent to the Town Council as a Planning Board initiative.

19
20 **E. Enterprise Rent A Car – Map 28, Lot 21-16 amendment to approved site plan to**
21 **allow for construction of a 10,000 gallon fueling facility.**

22
23 T. Thompson summarized the amendments to the approved plan to the Planning Board,
24 which is to add a fueling facility and canopy on the approved Enterprise Rent-A-Car lot,
25 recently approved by the Planning Board. The applicant did not include this on the original
26 plan as they did not yet have their state permit, and needed to begin site work.

27 Steve Freeman from Mark Carrier Construction and Keith Coviello from Sublime Civil
28 Consulting presented their plans to the Board.

29 Keith said they plan to add on top of the approved concrete pad a fuel facility with a canopy
30 (19' tall) and lights to illuminate the area. He said the FAA has agreed with their plan.

31 J. Trottier read the Planning Department & Public Works Department memo regarding this
32 application.

33 A.Garron recommended they contact the airport and make them aware of their plan.
34 No public discussion.

35 **P.DiMarco made a motion to approve the amended site plan with the following**
36 **conditions:**

- 37
38 1. The applicant shall update the purpose of the plan in note 1 on sheet C1
39 to indicate the fueling facility, storage tank, and canopy consistent with
40 the amended plan.
- 41 2. The applicant has submitted a separate 11x17 sheet indicating the
42 proposed lighting associated with the canopy. This information should be
43 part of the illumination plan in the plan set, and the illumination plan
44 revised accordingly. Additionally, the proposed lighting levels are
45 unacceptable, as they do not meet the requirements of the regulations
46 (Section 3.13.c.12 - U-Ratio, and Appendix LIGHT 2 for the canopy
47 design). The applicant shall revise the lighting design as necessary to
48 meet the requirements of the regulations, and provide details of the
49 canopy and canopy lighting design to ensure it meets the requirements of
50 the regulations.

- 1 **3.** The applicant shall provide all appropriate signatures, including the
- 2 approval of the LHRA.
- 3 **4.** The applicant shall provide copies of the referenced Wilcox and Barton,
- 4 Inc. plans for the Planning Department's files.

5
6 **M.Soares seconded the motion. No discussion. Vote on the motion: 9-0-0. Amended**
7 **Plan is conditionally approved.**

8
9 **F. Olde Londonderry Elderly Housing, Map 7, Lots 132-1 to 132-20 – conceptual**
10 **discussion.**

11
12 Jack Szemplinski, Benchmark Engineering, Attorney John Michaels, and Developer, Joseph
13 Decarolis presented their plan.

14 J. Szemplinski said there are 20 vacant lots with about 1 acre each today. Proposal calls for
15 11, 20-unit elderly, affordable, housing buildings. The buildings would primarily be 1-
16 bedroom units instead of the typical 2 bedroom units seen in most elderly developments.
17 They plan to use existing town roads and realign Meadow Drive for a better intersection with
18 Rt. 102. Town water/sewer would come from Constitution Drive. This "affordable housing"
19 would require the zoning to be amended to allow for an increase in the density from 6 units
20 per acre to 12 units per acre. They are requesting more flexibility on parking in the proposed
21 zoning changes.

22 J.Michaels recapped the last Planning Dept discussion.

23 A.Garron said the applicant is now presenting "subsidized housing" with 12 units per acre.
24 He said should try to keep this housing affordable for elderly occupants and look at elderly
25 affordable housing for Londonderry's future. He said we need to decide what is considered
26 affordable.

27 J.Michaels said these would be rental units.

28 T.Thompson said the base concept would work. He said we need to come up with a
29 Conditional Use Permit (CUP). He asked if the Board for direction on whether to address
30 this as only an amendment to the elderly housing section of the ordinance, or if it should be
31 handled more comprehensively as part of the ordinance overhaul project.

32 J. Michaels said the clock is ticking and the money is down so they can't wait for the Town to
33 develop a plan for "all" Londonderry elderly housing. He said the density level must be up in
34 order to be affordable elderly housing.

35 A.Garron said density with subsidies should stay affordable.

36 J.Michaels said the life of the mortgage must stay under the program in order to receive tax
37 credits.

38 J.Decarolis from Lunan Realty said the project was hard to start, it would be easy to fill the
39 units and they don't object to conditional use permits as the approach in the revision in the
40 zoning ordinance. J.Michaels said after the mortgage the units can only be sold as condos if
41 the Planning Board approves a different rezoning. The CUP would provide restrictions.

42 R.Nichols asked for the density trade-offs to be explained again for clarity.

43 J.Michaels explained that although the higher density of 6-12 units/acre is required, the total
44 number of bedrooms, 264, is lower than 284 bedrooms allowed under current zoning.

45 A.Garron said NH Housing Finance Authority handles tax credits (financing conduit).

46 M.Soares asked if the rentals would be based on income and/or age.

47 J.Michaels said renters should qualify or there will be a default on the mortgage from NH
48 Housing or HUD.

49 T.Thompson said the goal is for mostly 1-bedroom units, and the actual bedroom density
50 could actually be less than what is allowed now in the ordinance with all the units being 2
51 bedrooms.

1 Public discussion:

2 Bob Stenson stated that the Townspeople need this and recommended the Planning Board
3 consider approving the plan.

4 Mike Brown, Carousel Court, asked if we could restrict the occupants. He felt we should
5 have answers and need to make informed decisions.

6 A.Rugg suggested speaking with Ben Frost (NHHFA) and Jennifer Czysz (SNHPC) for their
7 input at a future meeting.

8
9 **G. Ravenna Investment Assoc., Map 7, Lots 40-5,40-6,40-7 & 40-10 – conceptual**
10 **discussion.**

11
12 Deb Brewster from TF Moran, and Alex Vailas from Ravenna Investment Assoc. presented
13 the project. The proposal calls for 2 restaurants and a bank on the land between Route 102
14 and Orchard View Drive, in front of the Apple Tree Mall.

15 D.Brewster said they would like to use the 4 lots next to the Hess Station on Route 102.

16 Included in their plans would be the reconstruction of the barn that existed on Buttrick Road
17 for the Donut Shop.

18 A. Garron like the new plan and the access from Orchard View Drive.

19 T. Thompson stated that the encroachment of the parking from the Hess Station will need to
20 be addressed.

21 R. Nichols overall liked the proposed plan, specifically: the long entry allowing traffic to fully
22 exit Orchard View Drive without curb-cuts; the traffic-flow design and green space; and the
23 barn reconstruction design into a Donut Shop. However one area of concern was the Donut
24 Shop parking.

25 Historically the number of parking spaces for Donut Shop customers is inadequate, although
26 it could possible be mitigated by re-designing a shared parking lot with the adjacent bank.

27 In his opinion this arrangement works quite well, since the bank parking lot is typically empty
28 during non-business hours..

29 P. DiMarco would like to close Route 102 access and use only Orchard View Drive for the
30 new site leaving the Hess station access to 102 as is..

31 C. Tilgner would like to see a “left turn only” sign posted at Route 102.

32 A. Garon brought up the point of sidewalks for pedestrian traffic at the site and in the area.

33 A. Rugg added that there should be some pathways for pedestrian traffic to travel between
34 the buildings.

35 **COMMENT FROM R.NICHOLS:** Paul DiMarco brought up an excellent point regarding
36 pedestrian walkways throughout the complex (Restaurant, Bank, and Donut Shop) and also
37 up to Orchard View Drive

38 **ANSWER FROM P.DIMARCO:** I don't think this was me commenting on pedestrian
39 walkways. I had commented on if the developer had considered putting a single drive off of
40 Orchard View into the complex directly across from the driveway into Shaws.

41 They said that the terrain would not allow that and the 2 driveway design allowed a more
42 efficient design of the site. I also commented on (along with others) about the concern of
43 people making a left off of Rt. 102 into the site (using the shared driveway with Hess). I
44 wanted to see the Hess driveway remain as is and the access to this new site be off of
45 Orchard View only.

46
47 **Other Business**

48
49 A.Garron mentioned the school impact fee waiver being requested for Mr/Mrs Brundage as
50 discussed at the April 12 meeting. He said we should prepare a deed restriction for this.

1 T. Freda said they should get an exemption without a deed restriction, but the exemption should
2 be noted with the registry. The Board agreed with the approach suggested by T. Freda.

3
4 **Adjournment:**

5
6 **M.Soares motioned to adjourn the meeting at 10:40PM. Seconded by P. DiMarco. Vote**
7 **on the motion: 9-0-0.**

8
9 Meeting adjourned.

10
11
12
13 These minutes prepared by Cathy Dirsa, Planning Department Secretary.

14
15
16 Respectfully Submitted,

17
18
19
20
21 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF JUNE 7, 2006 AT THE MOOSE HILL COUNCIL CHAMBERS**
3

4 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles Tilgner,
5 Ex-Officio; Tom Freda (arrived at 7:10 PM); Lynn Wiles, alternate member; John Farrell

6
7 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Department
8 Secretary

9
10 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed L. Wiles to vote for R.Nichols.
11

12 **Administrative Board Work**
13

14 **A. Voluntary Merger – Town of Londonderry – Map 17, Lots 5-1 & 5-2 (North/West**
15 **Fire Station Site)**
16

17 T. Thompson stated that the Town of Londonderry wants to combine the two lots.

18 **J.Farrell made a motion to grant the merger. P.DiMarco seconded the motion.** No
19 discussion. **Vote on the motion: 6-0-0.** Merger granted. (T. Freda arrived at 7:10 PM)
20

21 **B. Extension Request – Conditionally Approved DiLorenzo Site Plan, 60 days**
22 **requested**
23

24 T. Thompson referenced a letter from Barbara DiLorenzo, who was present for the hearing.
25 Barbara DiLorenzo from Harvey Road said she had to change the septic plan due to drainage
26 issues. She said a second plan was submitted, which still needs to be revisited due to the
27 retaining wall height in the building setbacks. She said there was a misunderstanding between
28 the two Engineers working on the plan.

29 T. Thompson would like to see an extension granted until September 2006.

30 **J. Farrell made a motion to grant an extension until October 1, 2006. R. Brideau**
31 **seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Extension granted.
32

33 **C. Extension Request – Approved Doxon Realty Trust Site Plan, 1 year requested to**
34 **obtain building permits.**
35

36 T. Thompson referenced letter from S. Keach (Keach-Nordstrom) dated 5/16/06, which
37 addresses the plan presented by Paul Morin of Tarka Homes to build an elderly housing
38 development at the site. He said there is currently an approved site plan in place for a storage
39 facility if the Tarka Homes plan falls through. The current extension for Doxon expires 6/9/07.

40 **J. Farrell made a motion to grant the request for a one-year extension. R. Brideau**
41 **seconded the motion.**

42 P. DiMarco expressed concern about the extension possibly getting continued again at the end
43 of the one year.

44 T. Thompson said he doesn't believe the extension would go another year.

45 **Vote on the motion: 7-0-0.** Extension granted.
46

47 **D. Sign Design Review (as required by variance granted in 1979) – Rocky's Ace**
48 **Hardware (former Ben Franklin), Derry Plaza, 10 Nashua Road – REVISED**
49

50 T. Thompson said Rocky's sign is still within the zoning variance granted in 1979.

51 Joe Buchholtz from Upright Signs said the only change is in the trim color for letters.

52 **P. DiMarco made a motion to approve revised sign design as presented.**

1 **J. Farrell seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Revised sign
2 design approved.

3
4 **E. Regional Impact Determinations (See attached Memo)**

5
6 T. Thompson presented his memo, recommending the 2 projects (ExxonMobil Site Plan and
7 Albird Estates Subdivision) are not of regional impact.

8 **J. Farrell made a motion to accept the staff's recommendation.**

9 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-0.**

10
11 **F. Approval of Minutes – May 3 & May 10**

12
13 **J. Farrell made a motion to approve the minutes for May 3 meeting.**

14 **P. DiMarco seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Minutes
15 approved.

16 **J. Farrell made a motion to approve the minutes for May 10 meeting.**

17 **P. DiMarco seconded the motion.** No discussion. Vote 6-0-1 (J. Farrell abstained because
18 he was absent at May 10 meeting). Minutes approved. Minutes will be signed at the June 14
19 meeting.

20
21 **G. Discussions with Town Staff**

22
23 T. Thompson said the second meeting for Capital Improvements Plan Committee will be June 8
24 at 5:30pm.

25 He said the Historic Properties Preservation Task Force will also meet again on June 28 at
26 7pm.

27 P. DiMarco said the Open Space Task Force completed it's assignment.

28 T. Thompson stated that Airport personnel will be present at the next Planning Board meeting
29 on June 14, and that the Open Space Task Force is complete and will be presented to the
30 Board next week.

31 A. Rugg said the Regional Transportation meeting will be June 15th, 3 to 5 PM at PSNH Five
32 Rivers conference room. The NH local government center will meet June 20 at 9am-3pm.

33 J. Farrell suggested discussing Mohawk Drive.

34 A. Rugg said on May 15 the speed limit on Mohawk Drive was lowered to 25 MPH.

35 J. Farrell said we should look at all areas in that area for additional changes. He also said there
36 are drainage concerns where Granite and Mohawk meet. He said the owner doesn't want to do
37 a permit and that the pins are located on the boundaries. He said if the buffer is removed to
38 relocate the driveway then a buffer should be re-installed. He wants to know why the traffic
39 study was so different from the Chiropractor's traffic study. He said the parking spaces were
40 changed because retail was removed from the plan.

41 J. Trotter said we will see a revised plan next week.

42
43 **Public Hearings**

44
45 **A. William Tate, Map 2, Lot 28-10 – Application Acceptance and Public Hearing for a 2**
46 **lot subdivision.**

47
48 T. Thompson recommended accepting the application, as the utility clearance letters were
49 received today.

50 **J. Farrell made a motion to accept the application as complete.**

51 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Application
52 accepted as complete.

1
2 Robert Davison, P.E. from Hayner/Swanson made a presentation for the 2-lot subdivision.
3 He requested a waiver to allow PSNH to extend wires overhead and said they would not be
4 visible due to the topography.
5 J. Farrell asked if the area is in PSNH easement and would an easement be required.
6 R. Davison said yes and an easement is not necessary. He said the original owner was granted
7 an extra easement area from PSNH. He said the area is 16.8 acres in size and stated again
8 that they want to subdivide into two lots. This would allow for 335 ft. frontage and maintain
9 access through PSNH easement. He said there are no wetlands to be impacted and the high
10 intensity soils were done and found to be normal. He said both lots could easily support 4
11 bedrooms and that the single family existing home could become a duplex in the future.
12 J. Trottier referred to a memo dated 6/7/06.
13 T. Thompson notes that the lots will support 8 bedroom units, but the calculations will need to
14 be redone consistent with the ordinance.
15 Both J. Trottier and T. Thompson said they support the waiver.
16 **J. Farrell made a motion to grant the waiver to Section 3.04 based on the request letter**
17 **of the applicant and with staff's recommendation. R. Brideau seconded the motion.**
18 T. Freda asked what the intent of the regulation is to place wires underground.
19 T. Thompson said for new developments it's desirable from an aesthetic standpoint, but in this
20 case existing wires are already overhead.
21 T. Freda asked what the cost would be for underground vs. overhead wires.
22 William Tate (owner) said he is not sure what the cost would be, but that it would definitely cost
23 more.
24 R. Davison said the overhead wires would prevent cutting trees to install underground wiring.
25 He said they would still need to add poles as needed, depending length requirements from
26 PSNH.
27 T. Thompson said the existing home has overhead wires.
28 Public discussion will follow the vote. **Vote on the motion: 6-1-0 (T. Freda in opposition).**
29 Waiver granted for overhead wires.
30 R. Davison said the lots could support three times what's been proposed.
31 Public Discussion:
32 Steve Peska from 28A Nashua Road (Rte 102) said he is concerned about the mailbox
33 locations and driveway use.
34 W. Tate said that both lots plan to use the new driveway, which he plans to gravel. He also said
35 that he doesn't plan to place overhead wires through the existing field for aesthetic reasons.
36 J. Farrell asked what the new driveway length would be.
37 T. Thompson said the new driveway length would be 1100 ft.
38 J. Farrell said he strongly opposes using gravel on the new driveway because of the length,
39 due to emergency vehicle access.
40 W. Tate said he is in the paving business and would prefer to use gravel vs. pavement for
41 aesthetic reasons.
42 J. Farrell said if the Town can't get in with emergency vehicles then W. Tate may need to waive
43 his rights to emergency services.
44 A. Rugg asked if there was any board discussion.
45 P. DiMarco asked if an easement is required for the overhead wires.
46 T. Thompson recommended keeping the condition for overhead wires.
47 **J. Farrell made a motion to conditionally approve the application with the following**
48 **conditions:**
49
50 **1. The Applicant shall clarify if an easement may be necessary for utilities to serve**
51 **lot 28-10-1 and revise as necessary.**
52

- 1 **2. The Applicant noted in his response that each lot can support an eight bedroom**
2 **duplex, but the submitted calculations do not appear to support the statement.**
3 **While the lots appear adequately sized for duplexes, the submitted calculations**
4 **do not appear to be based on the current requirements to determine the lot size.**
5 **The Applicant shall review and revise the lot size calculations to be based on the**
6 **current requirements for the Planning Department's files. In addition, the**
7 **Applicant shall verify and clarify how the 8 bedroom duplexes for each lot is**
8 **achieved meeting the approval of the Zoning Officer and Planning Department.**
9
10 **3. The Applicant shall address the following on the subdivision plans - sheets 1-4:**
11 **A. The Applicant shall note the number of bedrooms proposed for each lot in the**
12 **notes on sheet 1.**
13 **B. The Applicant shall provide an appropriate monument at the common front lot**
14 **corner (bound) per section 3.02 of the regulations. Update the topographic**
15 **plans accordingly.**
16 **C. The Applicant shall verify the vicinity plan meets the requirements of the**
17 **Registry of Deeds and revise if necessary.**
18 **D. The Applicant shall indicate the location of the Conservation Overlay District**
19 **signs in accordance with section 3.02.C of the regulations. The Applicant**
20 **shall provide appropriate details in the plan set for proper construction.**
21
22 **4. The Applicant has indicated the protective well radius lot 28-10 (existing house**
23 **lot) extending onto abutting lot 28A on the topographic plans. The Applicant**
24 **shall clarify if an easement exists for the indicated well radius on lot 28A per**
25 **section 3.06 of the regulations.**
26
27 **5. The Applicant shall clarify the following relative to the submitted drainage report:**
28 **A. The applicant shall update the report to indicate a paved driveway as typically**
29 **requested by the Town.**
30 **B. The Applicant shall indicate the area of each subcatchment (both pre- and**
31 **post development) on the drainage area plans in accordance with the**
32 **regulations.**
33 **C. The Applicant shall provide a summary table for each pipe and piping system**
34 **in the stormwater management report.**
35 **D. The Applicant shall provide a summary table for each swale and channel in**
36 **the stormwater management report.**
37 **E. The Applicant shall provide riprap design calculations in the stormwater**
38 **management report.**
39
40 **6. It appears FES end section 2 at the driveway entrance is too close to the**
41 **proposed edge of pavement on the plan and profile - sheet 8. The Applicant shall**
42 **verify the proposed end section is properly located, and revise as necessary.**
43
44 **7. The Applicant shall address the following relative to the project details:**
45 **A. The Applicant shall provide a trench detail for the proposed underground**
46 **utilities to serve the site, if applicable.**
47 **B. The Applicant shall provide the NHDOT typical driveway apron detail in the**
48 **plan set.**
49 **C. Note 5 of the construction sequence on sheet 12 reference construction of a**
50 **detention basin that do not appear in the revised plan set. In addition, note 15**
51 **indicates paving of a parking lot that is not shown. The Applicant shall clarify**
52 **and revise accordingly.**

1
2 **8. Outside consultant's fees shall be paid within 30 days of approval of plan.**

3
4 **9. The Applicant shall note all waivers granted on the plan.**

5
6 **10. The Applicant shall provide a digital (electronic) copy of the complete final plan**
7 **sent to the Town at the time of signature by the Board in accordance with Section**
8 **2.05.n of the regulations.**

9
10 **11. Financial guaranty if necessary.**

11
12 **12. Final engineering review**

13
14 **P. DiMarco seconded the motion. No discussion. Vote on the motion: 7-0-0. Plan**
15 **conditionally approved.**

16
17 **B. Lonrock Realty, LLC, Map 15, Lot 68 – Public Hearing for an amendment to a**
18 **previously approved site plan for Dunkin' Donuts.**

19
20 This plan was withdrawn and will be resubmitted.

21
22 **C. ExxonMobil Oil Corp., Map 10, Lot 51-1 – Application Acceptance and Public Hearing**
23 **for a site plan to renovate existing service station into a convenience store/gas**
24 **station.**

25
26 T. Thompson said the staff cannot support the application as complete, as there are several
27 missing checklist items, including an updated NHDOT Driveway permit.

28 A. Rugg informed the Applicant that the Planning Board cannot approve the application until it
29 is accepted as complete.

30 J. Farrell said there are 25 outstanding items.

31 T. Thompson said the Applicant chose to submit the "Formal Application" vs. first going to
32 Design Review Committee (DRC).

33 A. Rugg asked the Applicant to complete all items or discuss everything with the staff.

34 Anthony Guba (Ayoub Engineering) said their request was for a change of use and no change
35 to the property.

36 A. Rugg told the A. Guba that if the staff says everything is acceptable the Planning Board can
37 move forward.

38 A. Guba said he wants to meet with the staff.

39 T. Thompson recommended that the Applicant withdraw the application and continue in pre-
40 application Design Review.

41 A. Guba said they will withdraw and go to Design Review. He also said the Exxon/Mobil wants
42 this process to be complete and be able to start the project before fall.

43 T. Thompson said that in order to be on the Planning Board agenda for July plans and
44 information would need to be received by June 19 or by July 18 for the August Planning Board
45 meeting.

46 A. Rugg state that the application is now considered withdrawn.

47
48 **D. Christopher Dunn & Timothy Trombley, Map 10, Lots 38 & 39 – Application**
49 **Acceptance and Public Hearing for a Lot Line Adjustment and 4 lot subdivision.**

50
51 T. Thompson recommended that the application be accepted as complete.

52 **J. Farrell made a motion to accept the application as complete.**

1 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Application
2 accepted as complete.
3 James Crowley, P.E. (Maynard & Paquette) made a presentation to the Board and addressed
4 the following items:

- 5 - Houses exist on current lots
- 6 - One house to be razed and new house to be built
- 7 - No wetlands on the parcels
- 8 - No dredge/fill
- 9 - 4.3 acres bounded by Hovey Road
- 10 - Met with J. Trottier on May 19 to discuss site, drainage, driveways, etc.
- 11 - Easements
- 12 - Requesting waiver for overhead service to existing home/lot, underground for other lots
13 and on-site wells/septics
- 14 - Road widening/easements: surveyor said plan signed by PB in 1977 not consistent
15 with current requirements of 25' from center of road
- 16 - Request to start at corner of existing lot/home

17 J. Trottier referenced a memo dated 6/7/06. He said that Hovey Road has been reconstructed
18 since 1977, which moved the road closer than 25' from centerline to the property. He
19 recommended the Roadway Maintenance and Widening easement 25' from the centerline of
20 the existing Hovey Road be provided.

21 T. Thompson supports the waiver for the existing house.

22 P. DiMarco asked if the stonewall for the existing house would be removed.

23 J. Crowley said he is not sure now and that it would depend on the owner.

24 P. DiMarco said he would like to see the stonewall remain, even if it needs to be moved.

25 J. Farrell said we can make it a condition.

26 T. Thompson recommended a note be added to the plan indicating the stonewall to be
27 preserved or if moved to be reconstructed in kind.

28 P. DiMarco asked if the other structures on lot 38 will be removed. J. Crowley said yes, as
29 noted on the plan.

30 P. DiMarco asked if the current septic system on lot 39 will be rebuilt, because the existing
31 home is scheduled to be removed. J. Crowley said yes, that is planned.

32 J. Farrell asked if the Board can conditionally approve based on the road widening.

33 T. Thompson stated that either a dedication of the right-of-way or an easement would work.
34 Because of the lot sizes, he recommends the easement.

35 T. Freda asked why we are considering a waiver if the zoning officer has determined that there
36 are no changes to the Applicant's lot. By requesting a waiver before the Planning Board, the
37 Applicant is agreeing that there has been a change to his lot. This does not appear to be
38 consistent.

39 T. Thompson said a waiver is required because the existing lot is being changed and the
40 regulations required underground utilities.

41 T. Freda said he is against the waiver.

42 **J. Farrell made a motion to grant the waiver to Section 3.04 based on the request letter
43 of the applicant and with staff's recommendation for lot 10-39 only.**

44 **P. DiMarco seconded the motion.** No discussion. **Vote on the motion: 6-1-0 (T. Freda in
45 opposition).** Waiver granted.

46 J. Farrell made a motion to conditionally approve the application for Map 10, Lots 38 & 39 with
47 the following conditions:

- 48
- 49 1. **It appears the right of way along Hovey Road is less than 25 feet from the**
50 **centerline of the existing pavement along the lots. We understand the Town**
51 **typically requests a minimum 25 feet be provided along existing roads for future**

- 1 **widening. The Applicant shall provide the roadway widening and maintenance**
2 **easement as required by the Dept. of Public Works.**
3
4 **2. The Applicant shall provide a signature for the sight distance certifications on**
5 **sheets 6 and 7.**
6
7 **3. The Applicant shall address the following on the Subdivision Plan - sheet 1:**
8 **A. The Applicant shall indicate the westerly right of way along Hovey Road and**
9 **dimension the right of way width. This shall apply to all applicable sheets.**
10 **B. The Applicant shall update note 13 to indicate the proper number of sheets in**
11 **the plan set.**
12 **C. The Applicant shall indicate the location of overhead lines and poles on this**
13 **plan.**
14 **D. The Applicant shall indicate the existing septic system locations for lots 38**
15 **and 39 on this plan.**
16
17 **4. It appears a catch basin is located along Hovey Road and opposite the existing**
18 **house at lot 39, which is not shown on the Topographic/HISS Plan – sheet 2. The**
19 **catch basin is shown on plans prepared for the Town of Londonderry Cemetery**
20 **Trustees for Map 10 Lot 42 and Map 10 lot 154 and on file at the Town. The**
21 **Applicant shall review and revise and update the drainage structure table and the**
22 **plan set accordingly. In addition, The Applicant shall darken the drain system**
23 **near lot 39 on sheet 2 for clarity.**
24
25 **5. The Applicant shall address the following relative to the Grading Plan – sheet 3:**
26 **A. The Applicant is proposing to remove two of the three driveways to lot 39 as**
27 **noted on the plan. The Applicant shall indicate the limits of pavement sawcut**
28 **and removal and clarify the areas of loam and seed placement on the plan for**
29 **proper construction.**
30 **B. The Applicant shall update the level spreader detail to indicate the erosion**
31 **stop (pressure treated 2x6) will be a minimum 10 feet (vs. 5 feet) consistent**
32 **with the crest length. In addition, The Applicant shall dimension the width of**
33 **the level lip and label the down stream slope beyond the level lip for proper**
34 **construction.**
35 **C. The plan indicates a detail for the Hovey Road swale with this latest submittal**
36 **that appears to be proposed. The Applicant shall indicate the minimum swale**
37 **depth and the proposed locations on the plan for proper construction. The**
38 **Applicant shall provide additional spot elevations as necessary to clarify the**
39 **grading intent for proper construction.**
40
41 **6. The Applicant shall address the following relative to the revised drainage**
42 **calculations & stormwater management report:**
43 **A. Update the swale summary table to provide all required information per**
44 **section 3.08.B.5 of the regulations.**
45 **B. The pond routing analysis provided for the level spreaders indicates storage**
46 **below the invert out, which is typically not allowed by the Town. Review and**
47 **revise the analysis as necessary to eliminate storage below the invert out and**
48 **update the report accordingly. The Applicant shall verify compliance with the**
49 **regulations (no increase in runoff).**
50 **C. The Applicant shall label the areas of the new individual subcatchments on**
51 **the pre- and post development plans in accordance with the regulations.**

1 **D. The revised drainage area plans and analysis do not appear to address the**
2 **impacts to abutting lot 39-1 (both pre- and post development). The plans**
3 **appear to indicate that flow bypasses this lot, which does not appear**
4 **consistent with the topography. The Applicant shall review and revise as**
5 **necessary to clarify the statement of no impact in the report.**

6
7 **7. The Applicant shall note on the plans that the stonewall is to be preserved, or if**
8 **disturbed during construction, replaced in kind. Additionally, the Applicant shall**
9 **“Z” the stonewall on the plans, indicating that it is not a property boundary.**

10 **8. Outside consultant’s fees shall be paid within 30 days of approval of plan.**

11 **9. Note all waivers granted on the plan.**

12
13 **10. The Applicant shall provide a digital (electronic) copy of the complete final plan**
14 **sent to the Town at the time of signature by the Board in accordance with Section**
15 **2.05.n of the regulations.**

16
17
18 **11. Financial guaranty if necessary.**

19 **12. Final engineering review**

20
21
22 **R. Brideau seconded the motion. No discussion. Vote on the motion: 7-0-0. Plan**
23 **conditionally approved.**

24
25
26 **Other Business**

27
28 None.

29
30 **Adjournment:**

31
32 **J. Farrell made a motion to adjourn the meeting at 9:12PM. Seconded by R. Brideau. Vote**
33 **on the motion: 7-0-0.**

34
35
36 Meeting adjourned.

37
38
39 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

40
41
42
43 Respectfully Submitted,

44
45
46
47 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF June 14, 2006 AT THE MOOSE HILL COUNCIL CHAMBERS**
3

4 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; Charles Tilgner, Ex-Officio; Tom
5 Freda; Lynn Wiles, alternate member, John Farrell, Joe Paradis, Ex-Officio; Mary Soares (arrived
6 7:05pm), Rob Nichols (arrived 7:10pm)

7
8 Also Present: Tim Thompson, AICP; John Trottier, P.E.; John Vogl, GIS Manager; Cathy Dirsa,
9 Planning Department Secretary

10
11 A. Rugg called the meeting to order at 7pm. A. Rugg appointed L. Wiles to vote for P. DiMarco.
12

13 **Administrative Board Work**
14

15 **A. Plans to Sign – AICuMet Subdivision, Map 14, Lots 13 & 13-4**
16

17 J. Trottier said all conditions have been met. **J. Farrell made a motion to authorize the**
18 **Chair and Secretary to sign the AICuMet Subdivision plans. R. Brideau seconded**
19 **the motion.** No discussion. **Vote on the motion 8-0-0.** A. Rugg stated the plans would
20 be signed at the conclusion of the meeting.
21

22 **B. Plans to Sign – AICuMet Site Plan, Map 14, Lots 13**
23

24 J. Trottier said all conditions have been met. **J. Farrell made a motion to authorize the**
25 **Chair and Secretary to sign the AICuMet Site plans. R. Brideau seconded the**
26 **motion.** No discussion. **Vote on the motion 8-0-0.** A. Rugg stated the plans would be
27 signed at the conclusion of the meeting.
28

29 **C. Extension Request – Starter Building & Development Office Amended Site Plan,**
30 **Map 3, Lot 136**
31

32 T. Thompson referred to the letter from the applicant, dated June 14, 2006. He said the
33 applicant requested an additional 120 days (October 4, 2006). He recommended that the
34 Board grant the extension. **J. Farrell made a motion to grant the extension for 120**
35 **days per the staff recommendation and noted that this would be the last extension**
36 **granted. M. Soares seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**
37

38 **D. Signing of Minutes – May 3 and 10**
39

40 A. Rugg stated the Assistant Secretary, Mary Soares, would sign the minutes at the
41 conclusion of the meeting.
42

43 **E. Discussions with Town Staff**
44

45 T. Thompson presented the Board with a draft memo for Staff Recommendations, which
46 would be used to supplement the Vollmer memos the Planning Board receives for the
47 meetings. The memo would outline staff recommendations on completeness, waivers,
48 conditional use permits, and present a suggested notice of decision if staff recommended
49 conditional approval. He also noted that he would like to introduce the concept of
50 “General/Subsequent Conditions” which would be effective after the plan is signed by the
51 Board.

1 J. Farrell asked if the Board had committed themselves to following these memos exactly.
2 T. Thompson said the Board is free to do with the recommendations as they wish, that the
3 staff is making recommendations, but ultimately the Board has the final decision, and can
4 modify the recommendations as they see fit. A. Rugg said we need to review and discuss
5 the issues, and suggested a further discussion. C. Tilgner suggested the Board try the
6 recommendations moving forward, and that if the Board doesn't like it, they can direct
7 staff to stop. The Board agreed, and the new memos will be used starting in July.
8

9 T. Thompson said Voluntary Merger for the North/West Fire Station lots needs to be re-
10 signed, since the Chair had signed the wrong line on the form last week .

11 T. Thompson said that Mike Speltz requested the Board delay his "Open Space"
12 presentation until later in the meeting because he was detained at a previous
13 appointment. A. Rugg said that's ok with the Board
14

15 A. Rugg mentioned that the Southern New Hampshire Planning Commission and other
16 regional planning commissions were sponsoring a Commuter Transportation Alternatives
17 for Southern New Hampshire Conference (Update and Current Status) on June 15th,
18 2006 at 3:00 PM to 5:00 PM at the PSNH - Energy Park, Five Rivers Conference Room,
19 780 North Commercial Street, Manchester, NH.
20

21 J. Farrell said the next CIP meeting would be August 10, 2006 at 5:30pm.
22

23 T. Thompson said the deadline for the CIP project submissions from Departments and
24 Boards/Committees is July 21, 2006.
25

26 T. Freda asked if there were items to be continued and if the Public would be present.
27

28 T. Thompson said IIIC is continued and IIIG is continued with a waiver request.
29

30 **J. Farrell made a motion to continue the Site Plan for STG Realty until July 12, 2006**
31 **at 7:00 PM. M. Soares seconded the motion.** No discussion. **Vote on the motion 9-0-**
32 **0.** A. Rugg stated for the public that this would be the only notice of the continuance.
33

34 **J. Farrell made a motion to continue the Site Plan and Conditional Use Permit for**
35 **MPV Trailer Sales, LLC until July 12, 2006 at 7 PM and to acknowledge the**
36 **applicant has waived the 65-day clock under RSA 676:4. M. Soares seconded the**
37 **motion.** No discussion. **Vote on the motion 9-0-0.** T. Freda questioned if an e-mail
38 was sufficient for this request, and if there should be a signed letter from the applicant.
39 **J. Farrell made a motion to amend the previous continuance to July 12, 2006 at 7**
40 **PM, provided the applicant submits a signed letter to the Planning Department by**
41 **no later than 4 PM on June 16, and that if the letter is not received by the deadline**
42 **that the Board would deny the plan without prejudice on July 12. M. Soares**
43 **seconded the motion.** No discussion. **Vote on the motion 9-0-0.** A. Rugg stated for
44 the public that this would be the only notice of the continuance.
45
46
47

48 Public Hearings

49 **A. Manchester Airport – Informational Update**

50 Richard Fixler from the Manchester Airport gave an informational update. He summarized
51
52

1 the improvements to Runway 6-24, adding safety areas to both ends of the runway, both
2 in Londonderry and in Manchester. Retaining walls would be constructed, as would a
3 service vehicle lane around the runway and taxiway. He stated there are no terminal or
4 parking expansions planned at this time.

5
6 **B. Open Space Task Force Presentation**
7

8 Mike Speltz gave his presentation. See attachment to minutes for the presentation
9 materials. J. Farrell recommended not increasing funds to keep voter acceptance. He
10 also suggested that we show proof of savings to the voters in keeping open space areas
11 vs. home developments. T. Freda asked if we should have management agreements with
12 the owners. M. Soares said she would like to see pesticide use, development, done in
13 union with nature.
14

15 **C. ASGITISDI, LLC - Map 6, Lots 37 & 38 (Mohawk Drive) - Continued Public Hearing**
16 **for a site plan to construct 2 office/retail buildings**
17

18 Tim Winings (ASGITISDI, LLC) presented an overview of the project, which is to construct
19 2 office buildings on the 2 subject lots. He outlined his waiver request on the sight
20 distance at the driveway. His rationale for the request is based on the Town Council
21 decision to lower the speed limit on Mohawk from 35 MPH to 25 MPH. The Board asked
22 for staff's position on the waiver.

23 Janusz Czyzowski, Director of Public Works & Engineering, said because the speed limit
24 was lowered and the driveways were realigned, DPW recommend reduction of the
25 required site distance for the commercial driveway, as the AASHTO requirement for sight
26 distance at a 25 MPH speed limit was achieved in this plan. J. Farrell said we need to
27 ensure that other areas are reviewed in regards to their speed limits. A. Rugg suggested
28 sending a letter to the Londonderry Traffic Safety Committee. T. Thompson said the
29 Planning Dept agrees with Public Works' recommendation. T. Winings said they meet the
30 requirements for parking spaces.

31 J. Trottier read the staff comments from the memo from Vollmer Associates and DPW. T.
32 Thompson said the Heritage Commission was receptive and recommended acceptance
33 of the Architectural Design. J. Farrell asked about cleaning up the wetland and snow
34 storage area next to the driveway. T. Winings said the wetlands get little light so he is
35 proposing to plant vegetation that would provide a screen. J. Farrell asked if drainage
36 issues were addressed for this project. J. Czyzowski suggested that the applicant can do
37 some minor improvements to the west side of Granite Street to improve roadside
38 drainage and achieve better road visibility. T. Winings said they won't take all the trees
39 down in the wetland area, but will instead thin and improve it. J. Farrell asked if the snow
40 storage area next to the wetland would be a dredge and fill. T. Winings said he won't gain
41 anything by a dredge and fill. J. Farrell said they need to treat snow storage / wetland
42 area properly. He would like to see a fence on the property line buffering the
43 residential/commercial properties to be consistent with Crossroads and the
44 condominiums. J. Farrell asked about plans for the stonewall. M. Soares asked about
45 assessing, changing 2 lots to one. T. Thompson said the applicant has chosen to keep 2
46 lots with easements and variances, even though the assessor said it would be easier to
47 assess 1 lot. L. Wiles would like to see the stonewall moved or the stone reused if
48 necessary. T. Winings said he is sure they can work out something to improve/maintain
49 the character. A. Rugg asked about dumpster locations and when they would be emptied.
50 T. Winings said they would try to schedule dumpster pick ups for late mornings or
51 afternoons. A. Rugg asked about the traffic study. A. Rugg asked if the natural vegetation
52 would be kept, to maintain privacy. T. Thompson said there are sidewalks in the plans. J.

1 Czyzowski suggested plant vegetation with a fence for aesthetics. A. Rugg noted there
2 was no public discussion.

3 **J. Farrell made a motion to grant a waiver for site distance as recommended by**
4 **staff. M. Soares seconded the motion. No discussion. Vote on the motion 9-0-0.**
5 **Waiver granted.**

6 T. Thompson suggested a condition be added to update the variance to be consistent
7 with the revised driveway location.

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

10
11
12
13 **1. The Applicant shall address the following relative to the revised drainage**
14 **calculations:**

15 **A. Under the post development condition for subcatchments 4 and 6, and the**
16 **CN value for the woods changes from 60 (pre-) to 55 (post), but no**
17 **improvements (i.e. construction) will occur. We would not expect a change**
18 **in the CN with no improvements in the area. Please clarify the CN change in**
19 **the report.**

20 **B. The post development analysis does not provide the same labels for the**
21 **offsite areas consistent with the predevelopment analysis. Please revise**
22 **accordingly to be consistent.**

23 **C. Offsite predevelopment subcatchment 4 and offsite-post development**
24 **subcatchment 10 appear to be the same area but are shown with two**
25 **different soil types (type B pre- and type A post). Please explain and clarify**
26 **the soil type and CN change in the report. Please carefully review, clarify,**
27 **and revise the analysis as necessary to properly indicate consistent**
28 **information and verify compliance with the regulations (no increase in**
29 **runoff).**

30 **D. The revised post development subcatchments appear to indicate the project**
31 **will create approximately 18,280 sf of additional impervious area (CN=98).**
32 **The additional impervious area in the calculations appears to be less than**
33 **the area shown on the plans (22,900 sf +/- scaled from plans). Please**
34 **carefully review, clarify, and revise the analysis as necessary to properly**
35 **indicate all proposed impervious areas consistent with the proposed design**
36 **plans and verify compliance with the regulations (no increase in runoff).**

37
38 **2. The Applicant shall clarify/address the following on the site plan:**

39 **A. Please dimension the new parking spaces at the front of the lot 37**
40 **building. In addition, verify the 4-foot wide sidewalk along the front of the**
41 **lot 37 building is properly shown (which appears to be less than 4-foot**
42 **wide) and revise as necessary. Also, will this sidewalk have a curb or**
43 **substantial bumper in accordance with section 3.10.2.10 of the Zoning**
44 **Ordinance? Please clarify.**

45 **B. Please indicate the easterly limit of the sidewalk along the parking spaces**
46 **at the building on lot 38. In addition, it appears a curb is proposed as part**
47 **of the sidewalk. Please clarify and provide a detail for the curbed sidewalk**
48 **for proper construction. Also please verify the parking spaces are a**
49 **minimum 4 feet from the building as required. Please review and revise as**
50 **necessary.**

- 1 **3. The Applicant's luminaire schedule shown on the lighting plan, sheet 10,**
2 **appears to be inconsistent with the light detail and style numbers on sheet 8.**
3 **In addition, a light pole detail for the two different lights is not provided in the**
4 **plan set. Also, please label the lighting levels used for the lighting plan (foot-**
5 **candles?) for clarity. The applicant shall review and update the plans as**
6 **necessary.**
- 7
- 8 **4. The Applicant shall provide erosion matting or riprap on the embankment**
9 **from the curb break in the parking area along the detention basin**
10 **embankment to the bottom of the basin to minimize erosion on the grading**
11 **plan.**
- 12
- 13 **5. The Applicant has provided truck turning study information which indicates**
14 **the delivery truck will impact the sidewalk and a parking space at lot 37, which**
15 **is typically not allowed by the Town. The Applicant shall discuss the**
16 **proposed delivery truck information with the Town and verify the proposed**
17 **information is acceptable. Please revise as necessary to meet the approval of**
18 **the Town.**
- 19
- 20 **6. The Applicant shall address the Vollmer Associates LLP memorandum dated**
21 **June 14, 2006 relative to the submitted traffic report.**
- 22
- 23 **7. The Applicant's landscape plan indicates ornamental grasses are proposed in**
24 **the wetland area. However, the grasses are not indicated in the plant list. Will**
25 **the work to install the grasses impact the wetlands? The applicant shall**
26 **clarify how the installation of the ornamental grasses will be accomplished in**
27 **the plans for proper construction and obtain a wetland permit as applicable.**
28 **The Applicant shall verify the installation of the ornamental grasses meets**
29 **the approval of the Conservation Commission.**
- 30
- 31 **8. The Applicant has revised the driveway location with this submission, which**
32 **is now located on lot 37 and indicates easements for access to lot 38. The**
33 **revised driveway access is inconsistent with the variance granted for the**
34 **project in March 2005. We understand the Applicant has submitted to the**
35 **Zoning Board to obtain a variance consistent with this latest design, but the**
36 **variance has not been obtained to date. The applicant shall obtain an updated**
37 **variance for access to lot 38 through and from lot 37. In addition, the**
38 **applicant shall update note I on the cover sheet to list all zoning variances for**
39 **the properties.**
- 40
- 41
- 42
- 43 **9. The Applicant shall verify the snow storage on the site plan meets the**
44 **approval of the Conservation Commission.**
- 45
- 46 **10. The Applicant shall provide a 6' tall vinyl sided fence along the property**
47 **boundary of the Kendalwood Condominiums.**
- 48
- 49 **11. The Applicant shall coordinate with the Department of Public Works on off-**
50 **site drainage improvements to the west side of Granite Street, and provide**
51 **design and details as necessary for the plan set meeting the approval of the**
52 **Department of Public Works.**

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- 12. **Outside consultant’s fees shall be paid within 30 days of approval of plan.**
- 13. **Note all waivers granted on the plan.**
- 14. **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.**
- 15. **Financial guaranty if necessary.**
- 16. **Final engineering review**

M. Soares seconded the motion. T. Freda said he opposes the 6’ high fence. J. Paradis agrees with T. Freda. **Vote on the motion 3-6-0.** Motion fails.

T. Freda made a motion to conditionally approve the site plan with the same conditions of approval, eliminating condition #10 for the fence and that the landscaping buffer on the property line is to be mutually agreed upon by both the applicant and Kendalwood Condominiums as well as meeting the approval of the planning department. **R. Brideau seconded the motion.** M. Soares recommended instead of eliminating condition #10, amending it to allow the applicant to add additional landscaping in lieu of the fence.. No further discussion.

M. Soares made a motion to amend the motion to include a revised condition #10 which would read:

10. The Applicant shall provide additional landscaping of an evergreen nature along the property boundary of the Kendalwood Condominiums meeting the approval of the Planning Department..

L. Wiles seconded the motion. Vote 9-0-0. Amendment to the motion approved.
A. Rugg called for a vote on the amended motion. **Vote 9-0-0.** Conditional approval granted.

D. Conceptual Discussion – High Range Road Subdivision & 7 Falcon Road Subdivision – TJW Survey

T. Winings gave his presentation for the High Range Road Subdivision. He said the frontage would be around 600’ for 3 lots and would be about 6 ½ acres total between the lots. Because of sight distance issues, he seeks the Board’s guidance on shared driveways. One option is to have two driveways on one lot, one for the lot, and a second shared between the 2 other lots. The second option is one driveway serving all 3 lots. R. Nichols & M. Soares said they felt one curb cut would be better for safety. T. Thompson recommended 1 driveway, but once 3 homes are accessed off a driveway, the sight distance requirement increases from 250’ to 365’. J. Czyzowski agreed with Planning to combine 3 to 1. T. Thompson asked if the Board would recommend a single driveway, if we are unable to get 365’ site distance. J. Trottier said he would like to see what 365’ does. J. Czyzowski said he would like to discuss this with the staff. A. Rugg suggested that the Applicant discuss all of this with the staff. T. Thompson recommended that we don’t waive the 365’ requirement. J. Trottier agreed with T. Thompson and said the Applicant should review his plans with the ZBA. J. Czyzowski agreed with them. A. Rugg also agreed.

1
2 Mr. Winings then showed the Board 3 options for the subdivision of 7 Falcon Road into 2
3 lots. He cannot meet the requirements of Section 3.03.E of the subdivision regulations
4 without getting a variance for the frontage for the existing home. T. Thompson stated that
5 the purpose of Section 3.03.E, requiring lot lines to be perpendicular from the right of way
6 for a minimum distance of 100' was precisely to prevent what Mr. Winings is proposing,
7 which is to squeeze in an additional lot with irregular lot lines to meet frontage
8 requirements. He does not recommend waiving 3.03.E, because this is exactly what the
9 requirement intends to prevent. J. Trottier and J. Czyzowski concurred with T.
10 Thompson's recommendation, and said that the other options would be preferable if Mr.
11 Winings was able to obtain a variance for the frontage. The Board agreed with staff.
12

13 **E. STG Londonderry – Map 7, Lot 40-12 – Application Acceptance and Public Hearing**
14 **for a site plan and conditional use permit for a 38,260 square foot expansion to the**
15 **Workout Club and Wellness Center.**
16

17 Continued earlier in the meeting to July 12, 2006 at 7 PM.
18

19 **F. Conceptual Discussion – Rezoning of Map 15, Lot 96 – Jason White**
20

21 Matt Peterson gave his presentation, requesting a portion of Mr. White's lot with frontage
22 on Jack's Bridge Road be rezoned to I-I to allow a small industrial development.
23 T. Thompson stated that this would be consistent with the Master Plan, and that should
24 the applicant move forward to a rezoning hearing, staff would support the request. M.
25 Soares said we should encourage greenery and landscaping when the lot comes forward
26 for site plan review.
27

28 **G. MPV Trailer Sales, LLC - Map 13, Lot 65-1 - Continued Public Hearing for a site plan**
29 **for a change in use and a Conditional Use Permit**
30

31 Continued earlier in the meeting to July 12, 2006 at 7 PM.
32

33 **H. Conceptual Discussion – KCL Homes – Possible Subdivision of Map 13, Lots 75 &**
34 **75-1**
35

36 Eric Mitchell, from Eric C. Mitchell & Associates, gave his presentation on behalf of KCL
37 Homes. He presented the Board with 3 conceptual layouts for possible subdivisions. The
38 primary issue is the length of cul-de-sac, since the entire existing development has only
39 one access out to Rockingham Road.

40 T. Thompson said any additional development would require waivers due to the cul-de-
41 sac length. He is not comfortable with adding any additional development to this area
42 without providing a second means of access. If the Board were to allow the development
43 to move forward with one means of access, he recommended the connecting streets in
44 option 3, but would like to see additional means of access to Rockingham Road for any
45 further development. J. Trottier said about 100 homes using one intersection is not a
46 good idea. T. Thompson asked if the Board is willing to give guidance on a waiver and if
47 so, with what recommendations. T. Freda asked if the Applicant would have to
48 compensate the Town for making a public road out of the paper streets in the existing
49 development. T. Thompson said no, it's part of the the original subdivision. E. Mitchell
50 said he will pave the road according to Town requirements and there will be public water
51 and underground electric from PSNH. J. Farrell, C. Tilgner, M. Soares, R. Nichols & L.
52 Wiles asked about access for emergency vehicles and if water sprinklers would be

1 required in the homes. A. Rugg recommended getting the Fire Dept's opinion and
2 suggested asking if the 17 house increment would be problematic. T. Thompson said a
3 decrease in density will likely come when flagging wetlands. A. Rugg said the Board
4 couldn't commit with the current information they have been provided. He suggested the
5 Applicant work with the staff and review his plans with the Fire Dept. E. Mitchell
6 suggested that this plan could also be done as an open space development. A. Rugg said
7 the Applicant should check with the State on the traffic load for Rockingham Road.
8 Public discussion: Kevin LaGree (KCL Homes) said he believes this plan would have a
9 low impact on Rockingham Road.

10
11 **Other Business**

12
13
14 **Adjournment:**

15
16 R. Brideau made a motion to adjourn. J. Paradis seconded the motion. Vote 9-0-0.
17 Meeting adjourned at 10:10pm.

18
19
20
21 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

22
23
24
25 Respectfully Submitted,

26
27
28
29 Paul DiMarco, Secretary
30

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF JULY 5, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Tom Freda (arrived at 7:15 PM);
6 Lynn Wiles, alternate member; Rob Nichols, Mary Soares; John Farrell

7
8 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Eric Dyer, Intern; Cathy Dirsra,
9 Planning Department Secretary

10
11 A. Rugg called the meeting to order at 7:00 PM and appointed L.Wiles to vote for T.
12 Freda (until T. Freda arrived at 7:15 PM).

13
14
15 **Administrative Board Work**

16
17 **A. Regional Impact Determinations**

18 T. Thompson summarized the 4 projects in the Staff memo. He recommended that
19 the Fillion Site Plan is recommended to be a development of regional impact, and the
20 remaining 3 were not.

21 **J. Farrell made a motion to accept staff recommendation. M. Soares seconded**
22 **the motion.** No discussion. **Vote on the motion: 6-0-0.** See attached.

23 J. Farrell questioned whether the Cross Subdivision from the regional impact memo
24 was slated for conservation. T. Thompson clarified the location of the protected land,
25 across Adams Road from the proposed Cross Subdivision.

26
27 **B. Approval of Minutes from June 7 and 14 meetings**

28
29 **J. Farrell made a motion to approve minutes from the June 7 meeting. P.**
30 **DiMarco seconded the motion.** No discussion. **Vote on the Motion: 4-0-2** (M.
31 Soares & R. Nichols abstained as they were not present at that meeting)

32
33 **J. Farrell made a motion to approve minutes from the June 14 meeting. P.**
34 **DiMarco seconded the motion.** No discussion. **Vote on the Motion: 5-0-1** (P.
35 Dimarco abstained as he was not present at that meeting)

36
37 **C. Discussions with Town Staff**

38
39 T. Thompson summarized the Historic Properties Preservation Task Force meeting
40 last week. Continued discussion about how to move forward. The Task Force has
41 agreed on what criteria to use to define historic structures and historic sites. He also
42 mentioned the July 27 Heritage/Historic District Commission public hearing on school
43 walking path project at 7PM in the Sunnycrest conference room. July 21 is the
44 deadline for CIP projects to be submitted to the Planning Department. The next CIP
45 meeting is Aug 10 at 5:30 PM and also the following Thursday. CIP Workshop or
46 public hearing with the Planning Board will be in September.

47
48 M. Soares asked if the historic value changes when windows are replaced on historic
49 homes. T. Thompson stated that only properties within the existing Historic District

1 have restrictions on exterior renovations, requiring Historic District Commission
2 approval.

3
4 T. Freda arrived (7:15 PM). L. Wiles no longer voting for T. Freda from this point
5 forward.

6
7 T. Thompson introduced Eric Dyer, intern. Eric will be assisting on the Zoning
8 Ordinance project this summer, focusing on the sign and parking chapters. He then
9 mentioned to the Board about the Northern New England Chapter of the American
10 Planning Association's (NNECAPA) Fall Conference to be held September 21-22 in
11 Meredith. He said that Planning Board members are able to attend for the rate of
12 \$35.

13
14 M. Soares asked if there is a date for signage. T. Thompson said that next week he
15 and Eric would be updating the Board on progress and strategy on the project.

16
17 **Public Hearings**

18
19 **A. Lonrock Realty, LLC, Map 15, Lot 68 – Public Hearing for an amendment**
20 **to a previously approved site plan for Dunkin' Donuts.**

21
22 Nicole Duquette from TFM presented plan. Framework is up, but applicant has
23 suggested some changes. Applicant would like to relocate the proposed wall
24 between properties with a landscaping screen. Applicant needs a variance because
25 proposed walls are considered structures and are within the building setbacks. The
26 ZBA granted the variance in April. Applicant asked if they could provide more parking
27 spaces and safe walking areas for patrons. Applicant proposes adding 1500 sq ft of
28 pavement to accommodate 9 more parking spaces, for a total of 25 spaces. If
29 adjacent parcel is developed as planned, the wall could be unburied by the new
30 owner.

31
32 J. Trottier read the comments from the DPW/Vollmer memo regarding the
33 outstanding issues related to the plans. T. Thompson referred to the Staff Memo,
34 recommending conditional approval with the suggested conditions of approval.

35
36 T. Freda asked if there will still be two-way traffic between the drive-up and additional
37 parking spaces. J. Trottier said the parking spaces allow for two-way traffic with
38 additional parking spaces. J. Farrell mentioned that the last time the Planning Board
39 discussed the plans, parking was a major issue. He asked if this issue still exists.
40 Staff assured him that the parking and traffic lanes are acceptable. P. DiMarco and
41 M. Soares also voiced concern about parking and traffic. R. Nichols said he doesn't
42 like to see green space substituted with parking, but he is ok with it. L. Wiles is all
43 set with it. M. Soares asked the applicant to consider sidewalks for access to
44 adjacent business. No public discussion. **J. Farrell made a motion to approve**
45 **with the following conditions (as stated in the memo of recommendations from**
46 **the staff):**

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

50

1 **PRECEDENT CONDITIONS**
2

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

- 8 1. The Applicant shall address the following relative to the submitted drainage
9 report:
- 10 A. The revised report now includes four proposed swales (and reaches) in
11 the analysis, however, a summary table for each swale and channel per
12 section 3.07.b.5 of the regulations is not provided in the report. Please
13 note it appears another swale is to be constructed within the riprap on lot
14 67, which is not included in the analysis. The applicant shall provide a
15 summary table for each swale and channel to be constructed in
16 accordance with the regulations. In addition, the applicant shall review
17 the analysis and report to be consistent with the proposed design and
18 revise as necessary.
 - 19 B. The report does not include riprap design calculations to clarify and
20 support the proposed riprap for the swales is adequate. The applicant
21 shall update the report to include riprap design information for each
22 swale.
 - 23 C. Post development reaches SW1 and SW3 are noted as parabolic swales,
24 which are inconsistent with the riprap swale detail in the plan set that
25 indicates a trapezoidal channel. In addition, the lengths for the swales in
26 the analysis appear to be longer than indicated on the plans. The
27 applicant shall revise the analysis consistent with the proposed design
28 and detail.
 - 29 D. Post development reaches SW2 and SW4 are noted as grass swales with
30 the calculations indicating velocities of more than 3 fps (SW2= 3.12 fps &
31 SW4= 4.24 fps). We are concerned that proper erosion control
32 measures, such as riprap, are not provided along the swales. In addition,
33 the lengths for the swales in the analysis appear to be longer than
34 indicated on the plans. Please note the plans indicate riprap is to be
35 provided at SW4 which is not consistent with the analysis. The applicant
36 shall revise the design and analysis accordingly and provide appropriate
37 erosion control as applicable.
 - 38 E. The amount of riprap indicated in subcatchment 1S and CB32 in the
39 analysis appears to be significantly less than the amount shown on the
40 plans. The applicant shall update the analysis to include all riprap areas
41 consistent with the design. In addition, please verify compliance with the
42 regulations (no increase in runoff).
 - 43 F. The revised analysis indicates post subcatchment 1 is routed through
44 new reaches SW1 and SW2 to the detention basin. However, new
45 reaches SW1 and SW2 are located completely within the subcatchment,
46 which is not consistent with standard practice for analysis of a
47 subcatchment. We would anticipate a separate subcatchment for the
48 pond and swales based on the submitted analysis with the new reaches.
49 In addition, the Tc for the revised subcatchment indicates shallow
50 concentrated flow over grass with a velocity of 11.38 fps. It appears that
51 additional erosion control measures are necessary to address the post

- 1 development flow of this subcatchment. The applicant shall review and
2 revise the analysis to properly represent the design.
- 3 G. Subcatchment CB31 delineation appears to include the grass area
4 adjacent to the pavement. However, it is unclear if this area would drain
5 to the catch basin or to the swale along the property line (reach SW4).
6 The applicant shall provide spot elevations to clarify the grading intent on
7 the grading plan and revise the subcatchment delineation and analysis as
8 necessary.
9
- 10 2. The Applicant shall correct the well note reference (located in the building)
11 from 32 to 33 consistent with the intent on the site plan – sheet 3. In addition,
12 the applicant shall update note 38 to clarify approval of the retaining walls is
13 necessary prior to construction as typically requested by the Town. Also, the
14 applicant shall update the plan to indicate the parapet wall consistent with the
15 legend for clarity and correct the fence height to 6' in the legend consistent
16 with the plan. The applicant shall update all appropriate sheets in the plan
17 set accordingly.
18
- 19 3. The Applicant shall address the following relative to the grading plan:
20 A. The grading along the top of the retaining wall adjacent to the new
21 parking area appears to indicate the swale will be along the edge of the
22 riprap (vs. the center of the riprap) and is not consistent with the detail in
23 the plan set. In addition, the riprap swale draining toward CB100 is not
24 indicated consistent with the detail. The applicant shall revise the grading
25 to properly represent the proposed swale. In addition, the applicant shall
26 revise the details to clarify the swale side slope is 2H:1V maximum and
27 indicate the minimum depth of swale for proper construction.
28 B. It appears the 3H:1V side slope for the swale along the westerly lot line to
29 CB#32 is not properly represented on the plans. It appears an
30 embankment is necessary for construction of the swale which is not
31 represented in the parapet wall detail on sheet 14. The Town typically
32 requires a 1-foot minimum embankment width (fill embankment) along a
33 swale be provided for proper construction. The applicant shall clarify the
34 swale can be properly constructed in this location. The applicant shall
35 update the plans and details accordingly. In addition, the applicant shall
36 correct the landscape plan in this area consistent with the latest design,
37 which notes to loam and seed this area.
38
- 39 4. The Applicant shall address the following relative to the details:
40 A. The detention basin cross section detail on sheet 13 indicates elevations
41 (elev. =205) inconsistent with the elevations on the grading plan for the
42 pond (elev. =306). In addition the pond liner detail elevations are not
43 consistent with the design grading. The applicant shall review and revise
44 as necessary consistent with the proposed design elevations for proper
45 construction.
46 B. The applicant shall update the riprap outlet apron to include a table for the
47 outlet from CB100 for proper construction.
48 C. The applicant shall clarify in the riprap swale and grass lined swale detail
49 that a minimum 1-foot wide embankment in fill is provided along the swale
50 as typically required by the Town.
51

- 1 5. Outside consultant's fees shall be paid within 30 days of approval of plan.
- 2
- 3 6. Note all waivers and the conditional use permit granted on the plan.
- 4
- 5 7. The Applicant shall provide a digital (electronic) copy of the complete final
- 6 plan sent to the Town at the time of signature by the Board in accordance
- 7 with Section 2.05.n of the regulations.
- 8
- 9 8. Financial guaranty if necessary.
- 10
- 11 9. Final engineering review
- 12

13 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
14 certified the approval is considered final. If these conditions are not met within 120
15 days to the day of the meeting at which the Planning Board grants conditional
16 approval the board's approval will be considered to have lapsed and re-submission
17 of the application will be required. See RSA 674:39 on vesting.
18

19 **GENERAL AND SUBSEQUENT CONDITIONS**

20 All of the conditions below are attached to this approval.
21

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

1 guaranty to contract out the work to complete the improvements as stipulated
2 in the agreement to complete landscaping improvements. **No other**
3 **improvements shall be permitted to use a financial guaranty for their**
4 **completion for purposes of receiving a certificate of occupancy.**
5

- 6 5. As built site plans must to be submitted to the Public Works Department prior
7 to the release of the applicant's financial guaranty.
8
9 6. All required Police Facility and Traffic impact fees must be paid prior to the
10 issuance of a Certificate of Occupancy.
11
12 7. It is the responsibility of the applicant to obtain all other local, state, and
13 federal permits, licenses, and approvals which may be required as part of this
14 project (that were not received prior to certification of the plans). Contact the
15 Building Department at extension 115 regarding building permits.
16

17 **M. Soares seconded the motion.** No discussion. **Vote on the Motion: 6-0-0.**
18 Amended site plan is conditionally approved.
19

20 **B. Town of Londonderry & Charles George Sr. 2004 Revocable Trust – Map**
21 **5, Lots 10-23 & 12 and Map 8 Lot 19 – Application Acceptance & Public**
22 **Hearing for a lot line adjustment, lot consolidation, and 2 lot subdivision.**
23

24 T. Thompson stated that staff recommends application be accepted as complete, as
25 all checklist items have been addressed.
26

27 **J. Farrell made a motion to accept application as complete. P. DiMarco**
28 **seconded the motion.** No discussion. **Vote on the Motion: 6-0-0.** Application
29 accepted as complete.
30

31 Marc Vanson, from TF Moran presented the reasons for waiver requests.
32 Applicant is requesting the waivers to consolidate lots and retain existing house/barn
33 on Wiley Rd with 12 acres, and the remaining 150+ acre parcel to be designated as
34 conservation land.

35 D. Levins, Conservation Commission spoke about the plans. The parcel has good
36 wetland areas and is a good conservation area.

37 M. Vanson welcomed questions from the Board.
38

39 J. Trottier and T. Thompson referred to the Staff Memo, recommending the waivers
40 and also recommending conditional approval with the suggested conditions of
41 approval.
42

43 L. Wiles asked about roadway or trail and wanted to know if it would be discontinued.
44 M. Vanson said they plan to leave it alone and use as a trail, not roadway. R. Nichols
45 all set. M. Soares asking about parking/access to area. T. Thompson stated that
46 improvements for access would come back to the Board separately. P. DiMarco
47 asked if it would touch Musquash. He also asked about a piece of the lot on Tanager
48 Way and whether that could be conveyed to an adjacent lot to keep it on the tax rolls.
49 Deb Levin mentioned that the town also owned conservation land to the west of this
50 lot so this piece was needed to connect it all together. She said it doesn't touch
51 Musquash, but there have been discussions with adjacent owner about possible

1 access across property to Musquash. She said the Conservation Commission would
2 like to see access to Tanager Way, maybe parking/access. J. Farrell all set. T. Freda
3 said we need to be consistent with applicants and asked about a different resident
4 who had requested that his lot be considered for conservation land. T. Thompson
5 said this applicant has submitted sufficient information to verify that the lots meet the
6 minimum requirements of the zoning ordinance and regulations. Both T. Thompson
7 and J. Trottier stated that this is consistent with how any applicant would be treated.
8 In the instance T. Freda recalled, the applicant had not provided any topography or
9 HISS to verify the lot met the ordinance and regulation requirements. No public
10 discussion. **J. Farrell made a motion to grant the waivers for Sections 3.04, 3.02,
11 3.10, 4.01, and 3.05 of the regulations as requested in the applicant's letter, and
12 according to the memo with recommendations from the staff.**

13
14 **M. Soares seconded the motion.** No discussion. **Vote on the Motion: 6-0-0.**
15 Waivers are granted.

16
17 **J. Farrell made a motion to grant conditional approval of the subdivision with
18 the following conditions of approval (as recommended in the Staff Memo):**

19
20 **PRECEDENT CONDITIONS**

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

- 26
27 1. The applicant shall provide a copy of the "drainage letter" stamped by a PE,
28 as required by the regulations.
29
30 2. The applicant shall revise the Tax Map Sketch/Locus Plan to indicate the
31 proposed lot configuration rather than the existing lot configuration.
32 Additionally, the applicant shall correct the "Colonial Drive" road label, which
33 is missing several letters.
34
35 3. The applicant shall clarify the lot number as indicated under the owners on
36 sheet 1, and shall also clarify the source of municipal water supply as listed
37 on sheet 1.
38
39 4. The applicant shall provide all required signatures and professional
40 endorsements on the plans.
41
42 5. The applicant shall revise the overall plan on sheet 2, labeling the proposed
43 new lot line and the lot line to be eliminated.
44
45 6. The applicant shall verify that the proposed roadway widening and
46 maintenance easement is at least 25' from the centerline of Wiley Hill Road.
47
48 7. The applicant shall clarify the lot sizing table on sheet 2, and the lot size
49 calculations submitted with the application. The table does not appear to
50 indicate the proper lot area for lot 12 after subdivision. The lot size
51 calculations submitted for lot 12-1 do not appear to account for all of the soil

1 types shown on the plans (approx. 17,000 square feet are missing).
2

- 3 8. The existing home on proposed lot 12-1 is located within the front setback
4 area. The applicant shall verify if relief is necessary (equitable waiver or
5 variance) from the Zoning Ordinance with the Zoning Officer, and obtain any
6 appropriate relief from the Zoning Ordinance from the ZBA as is necessary.
7
- 8 9. The applicant shall provide the missing monument at the property corner
9 adjacent to Map 5, Lot 14. Additionally, the applicant shall provide a concrete
10 bound at one of the 2 lot corners of proposed lot 12-1 in accordance with
11 Section 3.02.B.2 of the regulations.
12
- 13 10. The applicant shall indicate the required CO District Signs on the plans for
14 new lot 12-1 and provide appropriate details as required by section 3.02.C of
15 the regulations.
16
- 17 11. The applicant shall revise the sight distance plan/profile for lot 12 on sheet
18 14, eliminating what is shown as "existing grade" and re-labeling "proposed
19 grade" to "existing grade," consistent with actual site conditions. (Plan/profile
20 shown is from the Tanager Landing Subdivision, and the road is now in
21 place) Also, the applicant shall clarify the visibility easement as shown on lots
22 5-10-15 & 5-10-14.
23
- 24 12. The applicant shall address all DRC Comments as applicable.
25
- 26 13. Note all waivers granted on the plan.
27
- 28 14. The Applicant shall provide a digital (electronic) copy of the complete final
29 plan sent to the Town at the time of signature by the Board in accordance
30 with Section 2.06.N of the regulations.
31
- 32 15. Financial guaranty if necessary.
33
- 34 16. Final engineering review
35

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

43 **GENERAL AND SUBSEQUENT CONDITIONS**
44

45 All of the conditions below are attached to this approval.

- 46
47
48 1. The project must be built and executed exactly as specified in the approved
49 application package unless modifications are approved by the Planning
50 Department & Department of Public Works, or if staff deems applicable, the
51 Planning Board.
52

1 2. All of the documentation submitted in the application package by the
2 applicant and any requirements imposed by other agencies are part of this
3 approval unless otherwise updated, revised, clarified in some manner, or
4 superseded in full or in part. In the case of conflicting information between
5 documents, the most recent documentation and this notice herein shall
6 generally be determining.

7
8 It is the responsibility of the applicant to obtain all other local, state, and federal
9 permits, licenses, and approvals which may be required as part of this project (that
10 were not received prior to certification of the plans). Contact the Building Department
11 at extension 115 regarding building permits.

12
13 **M. Soares seconded the motion.** No discussion. **Vote on the Motion: 6-0-0.** Plan
14 is conditionally approved.

15
16 **Other Business**

17
18 None.

19
20 **Adjournment:**

21
22 **P. DiMarco made a motion to adjourn. J. Farrell seconded the motion.** Meeting
23 adjourned at 8:14 PM.

24
25
26 These minutes prepared by Cathy Dirsa, Planning Department Secretary.

27
28
29
30 Respectfully Submitted,

31
32
33
34 Paul DiMarco, Secretary

MEMORANDUM

To: Planning Board

Date: July 5, 2006

From: Timothy J. Thompson, AICP
Town Planner

Re: Regional Impact Determinations

As discussed by the Planning Board at the September 14, 2005 Meeting, please find the following memo outlining projects received by the Planning Department for Design Review or Formal Application for the Board's consideration of making a determination of Regional Impact under RSA 36:56. This type of memo will be presented as projects are received for Board consideration at the next available meeting after the application is received. Should the Board determine that any project is a project of regional impact, the process for notifying the impacted communities and Regional Planning Commissions will be undertaken by Staff.

Subdivisions:

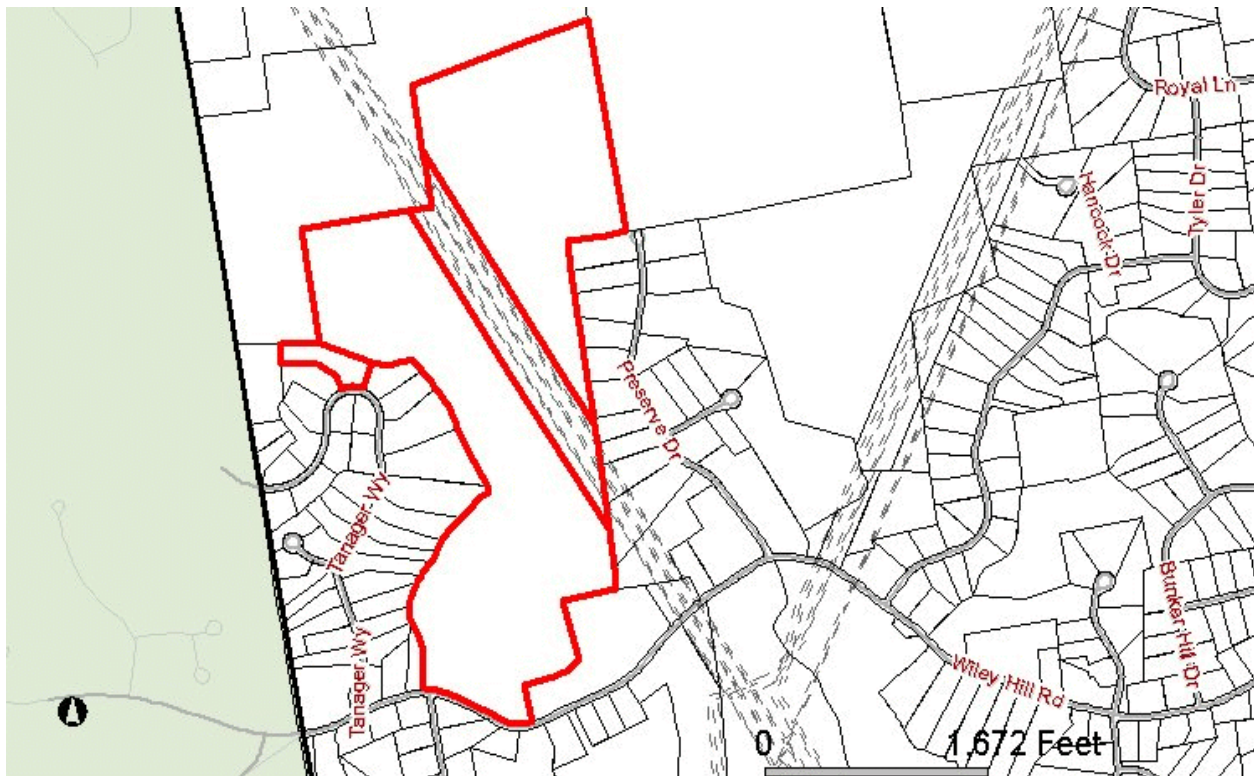
Map 5, Lots 10-23 & 12 and Map 8 Lot 19

Applicant: Town of Londonderry, George Family Trust

Date Submitted: 6/19/06 (Formal Application)

Project Description: Lot Consolidation, Lot Line Adjustment, 2 lot subdivision.

Project Location Map:



Staff Recommendation: The staff recommends that the project is not a development of regional impact, as it does not meet any of the regional impact guidelines suggested by Southern NH Planning Commission (SNHPC).

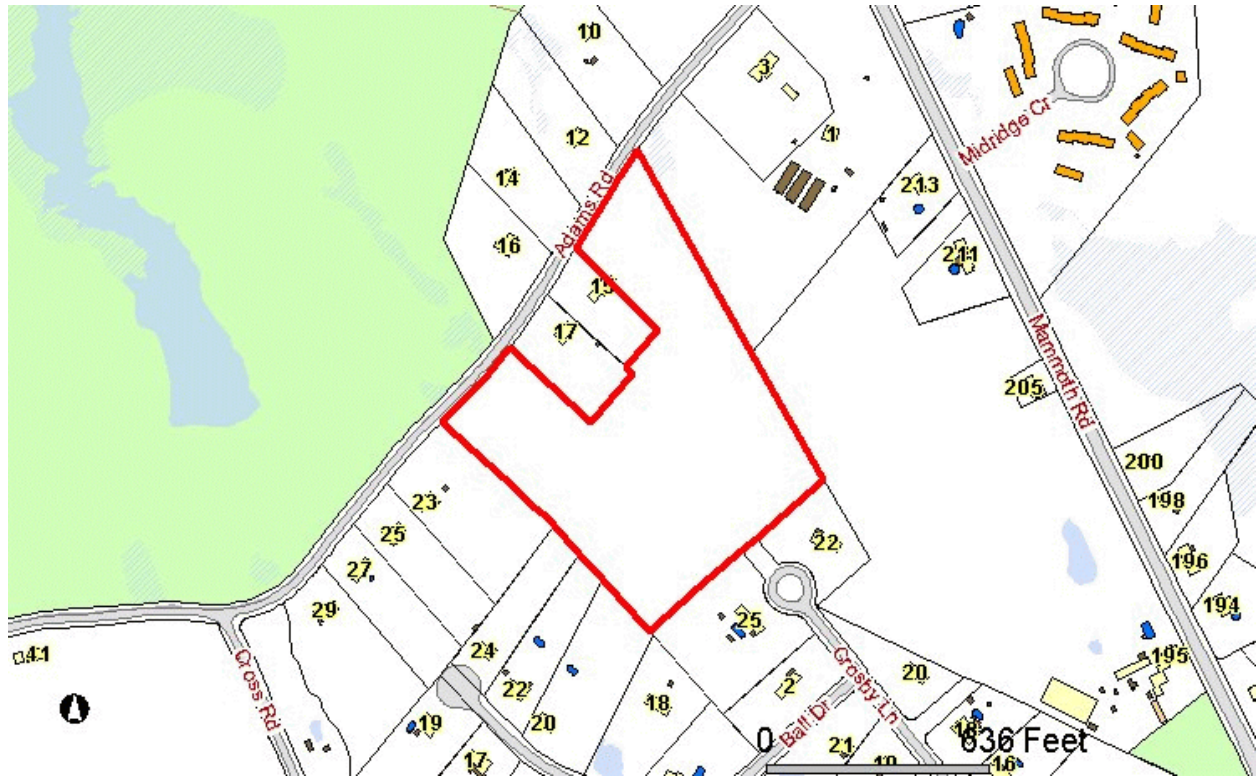
Map 6, Lot 79

Applicant: Arthur Cross

Date Submitted: 6/20/06 (Design Review)

Project Description: 7 lot subdivision.

Project Location Map:



Staff Recommendation: The staff recommends that the project is not a development of regional impact, as it does not meet any of the regional impact guidelines suggested by Southern NH Planning Commission (SNHPC).

Site Plans:

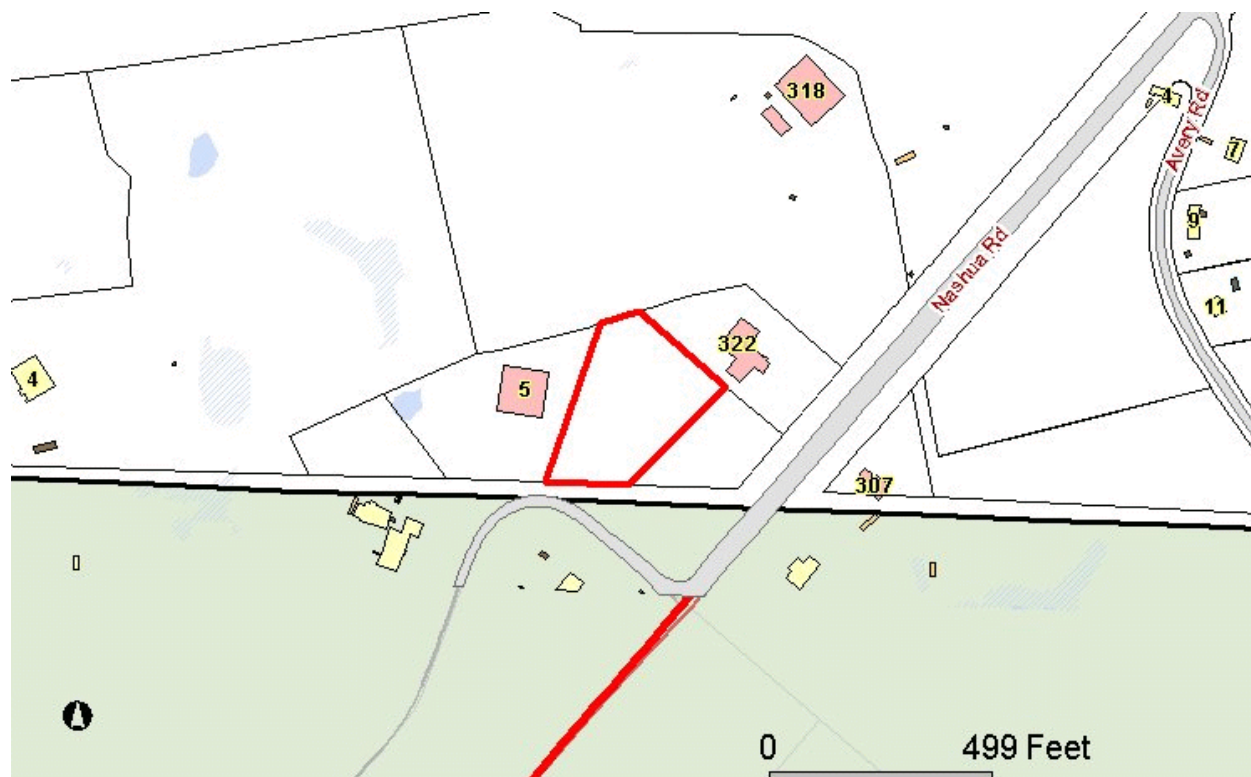
Map 2, Lot 34-3

Applicant: Bernard Fillion

Date Submitted: 5/22/06 (Design Review)

Project Description: Construction of a 9600 square foot office/warehouse building on Tracy Lane (lot is in both Londonderry & Hudson)

Project Location Map:



Staff Recommendation: The staff recommends that the project **IS** a development of regional impact, as it does meet portions of the regional impact guidelines suggested by Southern NH Planning Commission (SNHPC). The project is located within both the Town of Hudson and Londonderry. Appropriate Regional Impact notices should be prepared and sent to Hudson and SNHPC.

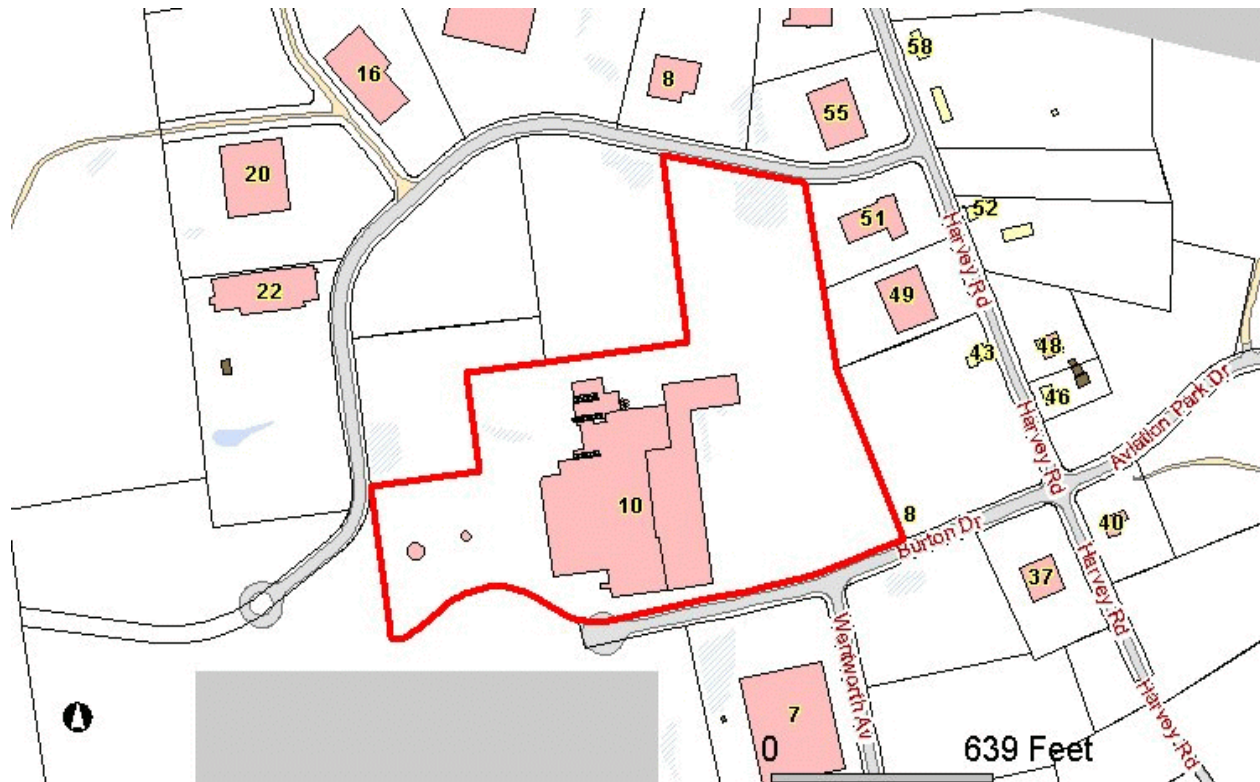
Map 14, Lot 44-13

Applicant: Stonyfield Farms

Date Submitted: 6/30/06 (Design Review)

Project Description: Construction of expanded parking lot in advance of future phases of building additions.

Project Location Map:



Staff Recommendation: The staff recommends that the project is not a development of regional impact, as it does not meet any of the regional impact guidelines suggested by Southern NH Planning Commission (SNHPC).

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF July 12, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; Tom Freda; Lynn Wiles,
6 alternate member; Joe Paradis, Ex-Officio; Paul DiMarco; Rob Nichols
7

8 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Eric Dyer,
9 Intern; Cathy Dirsra, Planning Department Secretary
10

11 A. Rugg called the meeting to order at 7:01pm.
12

13 **Administrative Board Work**
14

15 **A. Governmental Land Use Request - Manchester Airport Salt & Sand Storage**
16 **Facility & Glycol Stormwater Line**
17

18 T. Thompson referred to the memos from Airport representatives. A. Garron stated
19 that (given the work completed by the Environmental Baseline Committee, a public
20 hearing on the Glycol Stormwater Line may be a good opportunity for the committee
21 to hear the project) all Town or public issues related to the airport project must be
22 submitted in writing, also, the hearing would be a good way to keep the public
23 informed as well. The Board determined that they would like to hold public hearing
24 for the 2 projects in accordance with RSA 674:54.
25

26 **B. Signing of Minutes - June 7 & 14**
27

28 A. Rugg stated Paul DiMarco would sign the minutes at the conclusion of the
29 meeting.
30

31 **C. Discussions with Town Staff - Unicast Expansion, Update from Intern Eric**
32 **Dyer on Parking & Signs chapters of the Zoning Ordinance**
33

34 1) T. Thompson referred to a memo from Unicast, looking at a small (17x29)
35 addition on an existing concrete pad. T. Thompson asked the board what level of
36 review they deemed necessary. The Board determined that they would be
37 comfortable with Planning & DPW waiving most engineering requirements, and
38 having staff review the project.
39

40 2) E. Dyer presented his work on parking & signs chapters of the zoning ordinance
41 and asked the Planning Board for their input on all issues. (See attachment)

42 a. Sign regulation – T. Thompson mentioned political signs. T. Freda asked
43 which town had the simplest ordinance and Eric said Bedford, which can be
44 good/bad. T. Thompson said this can be bad because it ends up being
45 narrowly tailored to that town's needs. Eric said he's doing his best to
46 structure the ordinance. L. Wiles addressed real estate signs. A. Rugg
47 mentioned temporary signage.

48 b. Vehicle/parking ordinance -

49 c. Wants to make everything more streamlined and logical, while maintaining
50 flexibility. T. Thompson suggested that the Planning Board be involved in
51 the process. J. Paradis asked if cities have better regulations than towns. T.
52 Thompson said cities generally have wider variety of uses in their

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- ordinances to draw examples from. A. Garron said it also promotes incentives i.e. car pooling, etc.
- d. Stakeholders (signage) - A. Rugg said local business would be “Rotary Club”. E. Dyer also mentioned that this affects basically the same core group.
- e. Community Outreach - R. Nichols suggested reaching out via electronic means whenever possible. A. Garron voiced concern about reaching out to “all” vs. only those with computer access.

E. Discussions with Town Staff

A. Garron requested that all comments/suggestions for the open space program get submitted to John Vogl by this Friday, July 14. If there are no comments let John know so they can move on to the next level.

A. Rugg appointed L. Wiles to vote for J. Farrell.

Public Hearings

A. Conceptual Discussion – 62 Perkins Road

T. Duffy from Prudential/Verani Realty represented the Wallace family. Applicant is looking for possibly developing or rezoning the property. They are looking for the best use of the property. T. Duffy asked the Planning Board for their suggestions. The farm property has Town Sewer and Water. A. Garron read the following from his memo to the Board:

Map 16 Lot 3, is a 26 acre site owned by the Wallace Family. The site is four lots removed from the Perkins Road/Rt. 28 intersection. The Planning & Economic Development Department met with Mr. & Mrs. Wallace on May 31, 2006 to discuss development and rezoning options. The Wallace’s were represented by Tom Duffy of Verani Realty. I told them that rezoning this site would be difficult. Rezoning this site to R-3, commercial or industrial would be inconsistent with the 2004 Master Plan. At a June 28, 2001 I-93 Advisory Taskforce Meeting held in Londonderry, testimony was received by this neighborhood requesting that NHDOT not consider this site and the abutting sites a place for a park & ride. I quote” numerous offers have been made over the last 24 years, and we’ve turned down all these offers because we want the land to stay the way that it is.”

The Master Plan Committee did not look at this area for rezoning, partly due to the fact of the previous statement. Also, the Board and residents, in general, were concerned with the possibility of “commercial creep.”

Again we did not consider this area for rezoning because of statement made in the past. Now, it appears that initial viewpoint, at least for this one lot has changed. The location of this lot, at least warrants discussion. Left as is, this lot could be developed residentially (Aged restricted development included). The Board could re-examine this whole area to see what would be the best scenario for the area. Perkins Road, between Rt. 28 and Stonehenge Road, there are presently 25 residential lots on the west side of the road and 21 on the east side.

A. Garron said the “mixed use” district that T. Duffy mentioned should be viewed with caution since anything other than residential use is not in agreement with our master plan. He also said there is currently a good vegetation buffer which should remain in place. T. Thompson agrees with A. Garron. T. Freda asked how old the barn on the property is and the applicant said it’s only about 7 years old. The farmhouse was built in 1880. T. Freda referred to a past discussion on an historic home on the Litchfield line that

1 had a similar request. J. Paradis said he would suggest residential vs. commercial. P.
2 DiMarco would not support commercial in keeping with the master plan, but would
3 consider keeping the front residential and the back commercial. R. Nichols agrees with P.
4 DiMarco and said perhaps changing the master plan is a possibility. L. Wiles asked if the
5 area was rezoned recently. T. Thompson stated that the zoning in that area has been the
6 same for a number of years. L. Wiles asked for clarification on the “mixed use” term. A.
7 Garron said it involves putting both commercial and residential uses together as
8 permitted in the same zone. L. Wiles said he could not support the re-zoning without re-
9 visiting the master plan and hearing input from the abutters. A. Rugg said we should revisit the
10 master plan and then discuss how we can buffer commercial from residential, etc. T.
11 Duffy agrees that intelligent development is a smart plan. T. Duffy mentioned a possible
12 third use i.e. an institutional use; schools, medical facility, etc.

13
14 **B. MPV Trailer Sales, LLC - Map 13, Lot 65-1 - Continued Public Hearing for a site**
15 **plan for a Change In Use and a Conditional Use Permit**

16
17 A. Rugg read the letter from the applicant requesting a continuance, as the
18 Conditional Use Permit recommendation from the Conservation Commission had
19 not yet been received.

20
21 **P. DiMarco made a motion to continue the MPV Trailer Sales, LLC Site Plan to**
22 **August 9 at 7pm. J. Paradis seconded the motion. No discussion. Vote on the**
23 **motion: 7-0-0.**

24
25 **C. STG Londonderry – Map 7, Lot 40-12 – Continued Application Acceptance and**
26 **Public Hearing for a site plan for a 38,260 square foot expansion to the**
27 **Workout Club and Wellness Center.**

28
29 T. Thompson stated that there are no checklist items, and staff recommends the
30 application be accepted as complete.

31
32 **P. DiMarco made a motion to accept the application for STG Londonderry as**
33 **complete. R. Nichols seconded the motion. No discussion. Vote on the Motion:**
34 **7-0-0.**

35
36
37 Nicole Duquette and Deb Brewster from TF Moran and Ron Tringale, Workout Club
38 Owner presented an overview of the project to the Board. The site has an existing
39 septic system. The building is about 45,000 sq ft. The current drainage handles the
40 Cinema and Workout Club and goes into detention basin near Benson’s Hardware.
41 The driveway is currently graveled not paved. They already received a ZBA
42 variance to reduce parking to 4 spaces per 1,000 square feet. They are proposing
43 to; change parking spaces from 199 to 380; pave driveway; add gutter system on
44 back of current building; improve drainage system (which includes a larger culvert).
45 N. Duquette summarized the waivers that were requested.

46
47 R. Tringale said by increasing the project they will also provide more jobs and some
48 scholarships. R. Tringale asked if the Board could address any concerns they have.

49
50 J. Trottier & T. Thompson referred to the memo with staff recommendations and
51 waivers. Staff is comfortable that no waiver is required for utility clearance, and
52 recommends the following on the waivers:

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1. The Applicant is requesting a waiver to section 4.01.c of the Site Plan Regulations. The applicant requests to be allowed to show the existing conditions plan, site preparation plan, and site plan at a scale of 1"=50', rather than the 1"=40' required by the regulations. **Staff recommends granting the waiver, as it allows these plans to be shown on a single sheet each, is consistent with the scale of previously approved plans for this site, and all construction plans are at the appropriate 1"=40' scale.**

2. The Applicant is requesting a waiver to section 3.07.g of the Site Plan Regulations. The Applicant's has not provided the required 36" of cover over the drainage pipes in certain locations. **Staff recommends granting the waiver. Only 100-feet of pipe will not have the required 36" of cover (half of which will be outside the paved area of the site) and the pipe is specified as Class V reinforced concrete pipe.**

3. The Applicant is requesting a waiver to section 3.09.e and 3.07.g.7 of the Site Plan Regulations. The applicant requests to allow rip rap in the buffer area adjacent to Winding Pond Road. **Staff recommends granting the waiver, as the Zoning Board of Adjustment has granted a variance to allow the reduction of the buffer requirements of the Zoning Ordinance, including the rip rap design in the variance request.**

4. The Applicant is requesting a waiver to section 3.11.g.3 of the Site Plan Regulations. The applicant requests a reduction in the minimum interior parking lot landscaping (# of required trees). **Staff recommends granting the waiver, as the existing parking lot appears to meet the requirements of the regulations, and the placement of the septic system under the parking lot prevents larger trees to be planted with roots that would interfere with the septic design.**

5. The Applicant is requesting a waiver to section 3.11.g.5 of the Site Plan Regulations. The applicant requests a reduction in the minimum perimeter parking lot landscaping (# of required trees). **Staff recommends granting the waiver, as the variance granted by the ZBA allows for the rip rap within the perimeter area, and the applicant has provided additional shrubs and flowers in the landscaping design to approach meeting the intent of the regulations.**

6. The Applicant is requesting a waiver to section 3.13 of the Site Plan Regulations. The applicant requests waiving the illumination plan for the existing parking lot. **Staff recommends granting the waiver, as the applicant has provided documentation from the lighting designer that the existing parking area is shielded by existing landscaping, and meets the intent of the regulations.**

J. Trotter summarized the major issues from the DPW/Vollmer memo for the Board. T. Thompson stated that based upon the information available to date the Staff recommends **CONTINUANCE** of this application, until August 9, 2006 at 7PM, as

1 there are still a number of unresolved issues related to drainage, the septic design,
2 and other design issues that should be resolved before the Planning Board makes a
3 decision on the project.

4
5 A. Garron, referencing the traffic comments, said that Route 102 signal
6 synchronization was funded through a plan/grant and the NHDOT will have to
7 approve any changes concerning Route 102. R. Nichols asked about parking
8 spaces. N. Duquette said 199 now, 380 proposed and she said currently there is an
9 agreement with the Cinema to share 102 spaces. P. DiMarco agrees with staff and
10 hopes to see it move forward. A. Rugg asked how many parking spaces you lose
11 with snow storage. N. Duquette said there are plenty of areas for snow storage, so
12 parking should not be affected.

13
14 Public discussion: Elizabeth Durkin from 1 Woodhenge Circle asked about
15 handicap accessibility. R. Tringale said they are addressing those concerns. E.
16 Durkin said there are currently only 2 handicap spaces. R. Tringale said there are
17 about 7 handicap spaces, but they are not in front of the front door. R. Tringale said
18 the handicap and rehab spaces will be in front of the front door and that he would
19 be happy to designate 2 additional handicap spaces. There was no further public
20 comment.

21
22 **P. DiMarco made a motion to grant waivers 1 through 6 (referenced above) for**
23 **STG Londonderry, based on the applicant's request letter and the**
24 **recommendation of staff. R. Nichols seconded the motion. No discussion. Vote**
25 **on the Motion: 6-0-1** (L. Wiles abstained due to his Workout Club membership).

26
27 The Planning Board suggested a continuance to August 9. R. Tringale mentioned
28 the number of comments from Vollmer based on their most recent submittal. A.
29 Garron suggested a continuance to a later date so that most issues could be
30 addressed prior to continuance. R. Tringale really would like to keep the August 9
31 date. D. Brewster said sometimes they're not in sync with Vollmer's
32 comments/concerns and asked if there is any way to get Vollmer's comments
33 before the continuance. T. Thompson stated that since the application is formal,
34 the comments go directly to the Planning Board, and not to the applicant, as it
35 would in pre-application Design Review.

36
37 **P. DiMarco made a motion to continue the Site Plan for STG Londonderry to**
38 **August 9, 2006 at 7 PM. R. Nichols seconded the motion. No discussion. Vote**
39 **on the Motion: 6-0-1** (L. Wiles abstained due to his Workout Club membership).

40
41 A. Rugg stated that this would be the only public notice for this continuance.

42
43
44 **D. Thibeault Corporation of NE – Map 17, Lot 13 – Public Hearing for an**
45 **amendment to a previously approved site plan to revise overflow parking and**
46 **a retaining wall.**

47
48 T. Thompson stated that there was no application acceptance, as this is an
49 amendment to a previously approved plan. He also reminded the Board that this
50 project was approved under the "old" (pre-2001) site plan regulations, and as part of
51 a court ordered agreement.

52

1 Brian Pratt from True Engineering and Steve Dunbar from Thibeault Corporation of
2 NE presented their plans.

3 B. Pratt said the new retaining wall has been built. He said there have been
4 improvements made to the grading and drainage for the revised overflow parking
5 lot. Water will run off into the catch basin, which will be enlarged.

6
7 J. Trottier & T. Thompson referred to the memo with the staff recommendations.

8
9 P. DiMarco asked if it's still pertinent to leave in the request to construct a new
10 retaining wall, because it's already been built. T. Thompson said it should stay in
11 there. No public discussion.

12
13 **P. DiMarco made a motion to conditionally approve the amendment to a**
14 **previously approved site plan for Thibeault Corporation of NE with the**
15 **following conditions:**

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

19
20 **PRECEDENT CONDITIONS**

21
22 All of the precedent conditions below must be met by the applicant, at the expense
23 of the applicant, prior to certification of the plans by the Planning Board.

24 Certification of the plans is required prior to commencement of any site work, any
25 construction on the site or issuance of a building permit.

- 26
27 1. The applicant shall revise the submitted "drainage letter" meeting the approval
28 of the Department of Public Works.
29
30 2. The applicant shall correct the all applicable sheets referencing the abutter at
31 Map 17, Lot 5. The lot number should be Map 17, Lot 5-5, and the abutter
32 information updated accordingly.
33
34 3. The applicant shall update the waiver list on the cover sheet to indicate that
35 the waivers were granted by the Planning Board as part of the court
36 settlement on October 8, 2003. Additionally, the waiver for trees less than 12'
37 in height was denied, and shall be removed from the waiver list.
38
39 4. The applicant shall revise note 18 on sheet 5 of 11 to indicate that the
40 approved design plans for the retaining wall are on file with the Londonderry
41 Building Department (not the DPW as the note currently reads).
42
43 5. The applicant shall provide the owner's signature on all applicable sheets of
44 the plans set.
45
46 6. The Applicant shall provide a digital (electronic) copy of the complete final
47 plan sent to the Town at the time of signature by the Board in accordance with
48 Section 2.05.n of the regulations.
49
50 7. Financial guaranty if necessary.
51
52 8. Final engineering review

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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.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work for the amended site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit (if applicable) and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting.
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.
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.
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 as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.**
5. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
6. 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.

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R. Brideau seconded the motion. No discussion. Vote on the Motion: 7-0-0. Amendment is conditionally approved.

E. Conceptual Discussion – Auburn Road Landfill Site – NH Flying Tigers

Rich Bono, Flying Tigers, presented the request, which was to use the former Auburn Road Landfill site for the model airplane club, which he represents. They want to be “good” neighbors and find a location that is better suited for their needs.

He said the EPA has deemed the Superfund site as now usable, but that people are not allowed to wander into the capped areas. They would like to flatten the area a little more and grow grass or lay a matt down. They have about 50-80 members and typically have about 15 members at the most using it at one time. If there’s an event they may have 30 or so members using the location. Their hobby is flying model aircraft. He said other uses could also be considered in sync with their request. The location is about 1800 ft from the closest residence. They propose to maintain the land and are not asking for budgetary help. Parking should not be a concern because there is more than enough space.

J. Trottier is pleased with the proposed plan for this use. A. Garron said it seems to be a good plan, but he does have a concern about noise. R. Bono said all their members are required to have mufflers and sound limits on their aircraft and to be considerate to neighbors. They also have hours of operation, i.e. 10 AM to dusk.

T. Thompson said Town Council has to approve the use at this location. L. Wiles asked about signage at this location and what type of commitment are they asking for from the town. R. Bono said they would notify the emergency facilities of their location, provide signage and put a lock on the perimeter gate if requested to do so. They would also consider giving their members cards to identify themselves. He said they also allow guest passes. R. Bono said the term of commitment that the town allows them will determine how much they will invest in the location. R. Nichols asked what type of runway they typically use. R. Bono said about 300-400 ft long and the aircrafts go about 60-90 MPH. P. DiMarco likes the plan. J. Paradis asked about insurance and R. Bono said they have their own insurance. A. Rugg likes the whole idea and suggested that the group could become the focal point for all future uses of this location. He also suggested that John Vogl could help define the runway area. A. Garron suggested the group to work with the town and include these things in the agreement: the runway, securing the area, parking, and emergency access. R. Bono said they are on the agenda for the next Town Council meeting.

F. Conceptual Discussion – Nutfield YMCA

Dennis Meyers, architect, Lynn Zebrowski, Keach Nordstrom, and John O’Farrell, YMCA, presented the project for the YMCA.

Applicant proposes eliminating two above ground pools and replacing with pavement for hard surface playing. They would also like to create a recreation area on the back portion of the lot.

L. Zebrowski said the applicant would like to take both these lots out of the Performance Overlay District (POD), since the buffering requirements are much larger than in the underlying zoning. She said the paved parking area would be modified and the pool area would be changed to a green area. She said there will

1 be set back issues on the lot line and at the buffer area between the back lot and
2 the residential abutters.
3 T. Thompson stated that regardless of the POD or not, there are numerous
4 variances that will be needed. He asked how many variances the Board would be
5 comfortable with and what the tradeoffs would be for removing it from the POD and
6 still requiring several variances vs. leaving it in the POD and having a couple more
7 variances than would be needed without the POD. J. Trottier agreed with T.
8 Thompson and leaves it for the Board to decide. A. Garron suggested that we are
9 careful in the pursuit and wait to see what town counsel decides on the POD. T.
10 Thompson said he and J. Trottier will be meeting with J. Smith, Building Inspector
11 and can discuss options with him.
12 T. Thompson suggested he would report back to the Board next month, after it is
13 determined how many variances would be needed in the two different options (POD
14 or no POD). The Board members reserve their opinions until after T. Thompson
15 reports back to them.

16

17 **Other Business**

18

19 None.

20

21 **Adjournment:**

22

23 **R. Brideau made a motion to adjourn. P. DiMarco seconded the motion. Vote on the**
24 **Motion: 7-0-0. Meeting adjourned at 10:20 PM.**

25

26

27

28 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

29

30

31

32 Respectfully Submitted,

33

34

35

36 Paul DiMarco, Secretary

37

38

SIGNS AND VEHICLE ACCESS AND PARKING

**ZONING ORDINANCE REVIEW
AND REVISION**

In Brief

For both sign and vehicle access and parking regulations:

- Ordinances Reviewed
- Notable Changes (structure and content)
- Public Participation Process

SIGN REGULATION

Ordinances Reviewed

- Bedford, NH
- Burlington, VT
- Colchester, VT
- Concord, NH
- Derry, NH
- Freeport, ME
- Keene, NH
- Merrimack, NH
- Miramar, FL
- Nashua, NH
- Rochester, NH

Other Suggestions?

Notable Changes

- Revision of regulation structure (**see handout**)
- Expanded Purpose and Intent
- Clarification of dimensional requirements
- Consolidation of all relevant regulation
- Additional requirements for signs not currently addressed
- Inclusion of performance standards
- Improved content neutrality (flags, etc)

Other Suggestions?

VEHICLE ACCESS AND PARKING REGULATION

Ordinances Reviewed

- APA Parking Standards
- Arlington, VA
- Burlington, VT
- Colchester, VT
- Concord, NH
- Nashua, NH

Other Suggestions?

Notable Changes

- Revision of regulation structure (**see handout**)
- Inclusion of Purpose and Intent section
- Addition and specification of requirements in use table
- Increased flexibility through alternative parking requirements
- Inclusion of bicycle parking requirements

Other Suggestions?

PUBLIC PARTICIPATION

Goals For Public Participation

- Broad based involvement
- Clear communication of the project, its goals, and outcomes
- Efficient collection of useful information
- Integration of public knowledge and perspectives into the revision process
- Regulation that better serves the community

Stakeholders (Signage)

- Local businesses
- Greater Manchester Chamber of Commerce
- General public (residents and visitors)
- Sign industry (local / regional sign makers)
- Municipal (Code Enforcement, ZOSC, etc.)
- Key contacts within above groups

Other Suggestions?

Stakeholders (Access & Parking)

- Local businesses
- Local and regional freight companies
- Greater Manchester Chamber of Commerce
- General public (residents and visitors)
- Municipal (Code Enforcement, ZOSC, etc.)
- Londonderry Trailways
- Key contacts within above groups

Other Suggestions?

What We'd Like to Learn

In general:

- What should be the purpose and intent of regulation?
- What is the effect (and effectiveness) of current regulation?
- What are the limitations of current regulation?
- What are some potential changes or improvements?
- Response to proposed changes

Soliciting Comment & Discussion

Business:

- Round table discussions
- Key contacts

Non-Business:

- Public meetings
- Community outreach
- Key contacts

Municipal:

- Key contacts
- Internal dialogue

Community Outreach

- Staff presence at community events (concert on the common, or Old Home Day for example)
- Surveys / questionnaires sent to relevant groups and individuals

QUESTIONS & COMMENTS



1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF August 2, 2006 AT THE MOOSE HILL COUNCIL CHAMBERS**
3

4 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; Charles Tilgner, Ex-Officio; Tom
5 Freda; Lynn Wiles, alternate member, John Farrell, Joe Paradis, Ex-Officio; Mary Soares, Rob
6 Nichols

7
8 Also Present: John Trottier, P.E.; Cathy Dirsra, Planning Department Secretary
9

10 A. Rugg called the meeting to order at 7:01pm.
11

12 **Administrative Board Work**
13

14 **A. Plans to sign - Global Energy – Map 7, Lot 73-1**
15

16 J. Trotter said this plan was approved by the Planning Board 5/30/06, and reported that all
17 conditions of approval had been met.

18 **J. Farrell made a motion to sign the plan. R. Brideau seconded the motion.**

19 A. Rugg appointed L. Wiles to vote for P.DiMarco. No discussion. **Vote on the motion: 9-0-**

20 **0.** A. Rugg said the plans will be signed at the conclusion of the meeting.
21

22 **B. Enterprise Rent-A-Car – Map 28, Lot 21-16**
23

24 J. Trottier said all conditions have not been met and the plans are not ready to be signed at
25 this time. They will be brought back to the board after all conditions have been met.
26

27 **C. Approval of Minutes – July 5 & 12**
28

29 **J. Farrell made a motion to approve minutes from the July 5 meeting. R. Brideau**
30 **seconded the motion.** No discussion. **Vote on the motion: 5-0-3.** R. Brideau, J. Paradis,
31 C. Tilgner abstained because they were absent at the July 5 meeting.

32 **J. Farrell made a motion to approved minutes from the July 12 meeting. R. Brideau**
33 **seconded the motion.** No discussion. **Vote on the motion: 5-0-3.** J Farrell, C. Tilgner, M.
34 Soares abstained because they were absent at the July 12 meeting.

35 A. Rugg said the minutes will be signed by the Asst. Secy. at the August 9 meeting.
36

37 **D. Discussions with Town Staff**
38

39 J. Trottier said the Town of Derry will be replacing a sanitary sewer force main on
40 Londonderry Rd. and to expect delays.

41 J. Farrell said the CIP meeting will be Aug. 10 @ 5:30pm in the Moose Hill Conference
42 Room, where presentations of projects will be made by Department Heads and Board
43 Chairs.

44 M. Soares said there is a meeting tomorrow regarding Eric Dyer's signage and parking
45 chapter re-writes.
46
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Public Hearings

A. Sanborn Rd Salon – Map 15, Lot 158 – Application Acceptance and Public Hearing for a site plan for a change in use

This is postponed to September 6, 2006. Legal notification was not sent to abutters, applicant and engineer. State law requires notification 10 days prior to public hearing.

Other Business

None.

Adjournment

J. Farrell made a motion to adjourn. R. Brideau seconded the motion. Meeting adjourned at 7:11 PM. Vote on the motion: 9-0-0.

These minutes prepared by Cathy Dirsra, Planning Department Secretary.

Respectfully Submitted,

Paul DiMarco 9/13/06

Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF AUGUST 9, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:02 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Tom Freda; Lynn Wiles, alternate member, John Farrell (arrived 7:30), Joe
7 Paradis (arrived 7:08), Mary Soares, Rob Nichols

8
9 Also Present: André Garron, AICP (arrived 7:17); Tim Thompson, AICP; John Trottier, P.E.;
10 Eric Dyer, Intern; Cathy Dirsas, Planning Department Secretary

11
12 A. Rugg called the meeting to order at 7:02 PM. A. Rugg appointed L. Wiles to vote for J.
13 Farrell.

14
15 **Administrative Board Work**
16

17 **A. Enterprise Rent-A-Car Amended Site Plan – Map 28, Lot 21-16**
18

19 J. Trottier said all conditions have been met.

20 **P. DiMarco made a motion to approve the plans. M. Soares seconded the motion.**
21 **No discussion. Vote 8-0-0 on the motion.** Plans will be signed after the meeting.
22

23 **B. Signing of Minutes – July 5 & 12**
24

25 Minutes for July 5 and July 12 have been signed
26

27 **C. Regional Impact Determinations**
28

29 T. Thompson summarized the staff memorandum, recommending that the Hillside
30 Elderly Housing project be determined as regional impact.

31 **P. DiMarco made a motion to accept staff recommendations. M. Soares seconded**
32 **the motion.** No discussion. **Vote 8-0-0 on the motion.** Motion carries.
33

34 **D. Discussions with Town Staff – Discussion of amended RSA 676:12 – Potential**
35 **regulation amendments needed.**
36

37 T. Thompson summarized the changes to the state law governing when projects are
38 protected from ordinance and regulation changes. He said the staff recommends
39 amending our regulations to add additional fees for abutter notices for Design Review.
40 He also said projects are grandfathered under the new law as long as they submit a
41 formal application within 12 months of the start of Design review.
42

43 T. Thompson said there will be a CIP meeting August 10 at 5:30 PM in the Moose Hill
44 council chambers and that it will be televised. He said next week's CIP meeting is
45 cancelled.
46

47 Eric Dyer (intern) is working on various projects, including signage and has developed a
48 "Signs and Parking" questionnaire which is available to the public.
49

50 M. Soares mentioned the following:

51 The "Signs and Parking" questionnaire will be available at the Concerts on the Common
52 August 14th and at the town council booth August 19th.

1 Concerts in the common: August 7 - American Flyer and August 14 - Brickyard Blues
2 Old Home Day Celebration is Aug. 16-20
3 Aug. 30 and Sep. 7 community business focus group at Leach Library (same
4 presentation both days)
5 Sep. 13 public comment (this will be at the Planning Board meeting)
6 On-line questionnaire avail until Sep.7 (weblink)
7

8 A. Garron talked about the CTAP program. He said subgroups have been formed and
9 each group is putting together some one-year action items and beyond. Groups are
10 looking to reach out to other groups that weren't present for their input. They hope to
11 meet with all groups at the end to collectively share information. CTAP will be sending
12 out a survey.

13 A. Rugg noted that Vibrometer is having a grand opening this Friday (located in the
14 former PolyClad building)
15

16 **Public Hearings / Conceptual Discussions / Workshops**

17

18 **A. Manchester-Boston Regional Airport – Public Hearing under RSA 674:54 for**

19 **construction of a sand/salt storage facility and glycol stormwater drainage line.**

20

21 Richard Fixler, Assistant Airport Director for Engineering & Planning presented the
22 projects on behalf of the Airport.

23 1) Salt/Sand storage building

24 Old T building is being demolished by NHDOT. New sand/salt facility will be off
25 S.Perimeter Dr.

26 10' high wall surrounds sand/salt. Electricity is only utility at site. Fenced area on west
27 side. Inside is paved. This provides maintenance around the perimeter of the airport.
28 No board discussion. J. Trottier asked R. Fixler if we could have copies of the drainage
29 calculations. T. Thompson also asked R. Fixler for a revised set of plans.

30 R. Fixler also mentioned that the "yellow" road shown on the plans is for DOT access
31 and provides front access for business in that immediate area.

32 2) Stormwater Glycol Line – R. Fixler stated that the line begins at retention pond 12 and
33 runs along S.Perimeter Rd, through Highlander Inn lot and eventually goes to the
34 Merrimack River in Manchester. This will not change anything going into the river, but will
35 eliminate the flow of de-icing materials into Cohas Brook.

36 R. Nichols asked about the anti-freeze (propylene glycol used for de-icing) going into the
37 water and into the river (125,000 gallons/yr). R. Fixler said the river can dilute it better
38 than Cohas Brook. He said the EPA is working on new regulations and they should come
39 out by 2009. Line will be made out of reinforced PVC (sewer) pipe (36"). The system is
40 designed to handle overflow. This retention pond collects from: terminal apron, overnight
41 apron, FedEx, DHL & UPS. UPS de-ices in an area next to them, but the plan is to use
42 the same retention pond in the future.
43

44 **B. FI District Workshop**

45

46 T. Thompson summarized the conceptual plans prepared by Vollmer Associates for the
47 Town to "test" the provisions of the FI District (see attached).

48 T. Thompson said overall the staff is comfortable with continuing to work on this project.

49 A. Garron added that these scenarios don't include incentives. If applicants have a
50 greater green space or transportation management areas, they should get incentives.

51 J. Trottier said the goal is to get more green space.

52 A. Garron said the hope is to connect the green space with the protected areas (trails,

1 etc).

2 T. Freda asked if we could expedite the process. A. Garron said it's better to move
3 slowly and ensure it's done correctly. For example, if an engineering firm is thorough the
4 plans will usually move swiftly through the process. T. Thompson said the Town's
5 standards are high and it's a matter of sticking to the guidelines.

6
7 **C. MPV Trailer Sales, LLC - Map 13, Lot 65-1 - Continued Public Hearing for a site**
8 **plan for a change in use and a Conditional Use Permit**
9

10 T. Thompson said on April 5, 2006 the plan was accepted by the Planning Board.
11 Steven Keach, Civil Engineer with Keach/Nordstrom presented the plans for the
12 applicant.

13 Site is on 39 Rockingham Rd. 1.26 acres situated in C2 district. There are 2 structures
14 on site today. An office and a single family home with a garage. To be in compliance, a
15 buffer will be created by removing some pavement and this will create a stormwater
16 runoff area. S. Keach summarized the plans for the change in use and conditional use
17 permit for work in the CO District.

18
19 J. Trottier summarized the outstanding engineering issues from the Vollmer Associates
20 memo.

21
22 T. Thompson said this application was accepted as complete by the Planning Board on
23 April 5, 2006. Additionally, the applicant has waived the 65 Day clock under RSA 676:4.
24 There are no waivers requested as part of this project. Staff recommends granting the
25 Conditional Use Permit with the conditions recommended by the Conservation
26 Commission. Based upon the information available to date the Staff recommends
27 conditional approval of this application.

28
29 A. Garron asked the Board if the landscaping is adequate for screening.

30 T. Thompson said the plan started as a compliance enforcement and the staff is satisfied
31 with the current plans.

32 L. Wiles no longer is voting for J. Farrell since he arrived at 7:30

33 **J. Farrell made a motion to approve the conditional use permit for MPV Trailer**
34 **Sales based on the Conservation Commission's recommendation. R. Brideau**
35 **seconded the motion. No discussion. Vote on the motion: 9-0-0.** Conditional use
36 permit is granted..

37
38 **J. Farrell made a motion to conditionally approve the site plan for a change in use**
39 **for MPV Trailer Sales with the following conditions:**

40
41 **PRECEDENT CONDITIONS**
42

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

47
48 1. The Applicant shall address the following relative to the drainage report:

- 49 A. Please provide a summary table comparing the pre-development impacts to
50 the post development impacts in the report to clarify compliance in
51 accordance with the regulations.

1 B. The Applicant is proposing improvements to the northwesterly corner of the
2 site (pavement removal) and noted in his response letter that information is
3 provided in the report to address compliance with the regulations in this
4 area. However, the information does not appear to be provided in the
5 submitted report. The Applicant shall update the report to clarify compliance
6 with the regulations (no increase in runoff) in this area as typically requested
7 by the Town.
8

- 9 2. The Applicant shall provide complete executed documentation from PSNH that
10 the proposed use within the easement is acceptable under this application for the
11 Planning Department's file. The submitted information was not endorsed by
12 PSNH.
13
14 3. The existing wall sign located above the roof (in violation of the Zoning
15 Ordinance) shall be removed or relocated in accordance with the Zoning
16 Ordinance and shown on the plans, as requested by the Building Department.
17
18 4. The applicant shall indicate the required CO District Signs on the plans and
19 provide appropriate details as required by section 5.06 of the regulations.
20
21 5. Outside consultant's fees shall be paid within 30 days of approval of plan.
22
23 6. Note all waivers and the conditional use permit granted on the plan.
24
25 7. The Applicant shall provide a digital (electronic) copy of the complete final plan
26 sent to the Town at the time of signature by the Board in accordance with Section
27 2.05.n of the regulations.
28
29 8. Financial guaranty if necessary.
30
31 9. Final engineering review.
32

33 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified
34 the approval is considered final. If these conditions are not met within 120 days to the
35 day of the meeting at which the Planning Board grants conditional approval the board's
36 approval will be considered to have lapsed and re-submission of the application will be
37 required. See RSA 674:39 on vesting.
38

39 **GENERAL AND SUBSEQUENT CONDITIONS**

40 All of the conditions below are attached to this approval.
41

- 42
43
44 1. **No construction or site work for the amended site plan may be undertaken**
45 **until the pre-construction meeting with Town staff has taken place, filing of**
46 **an NPDES-EPA Permit (if applicable) and the site restoration financial**
47 **guaranty is in place with the Town.** Contact the Department of Public Works to
48 arrange for this meeting.
49
50 2. The project must be built and executed exactly as specified in the approved
51 application package unless modifications are approved by the Planning Department
52 & Department of Public Works, or if staff deems applicable, the Planning Board.
53

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

32 **R. Brideau seconded the motion. No discussion. Vote on the motion: 9-0-0.** Plan is
33 conditionally approved.
34

35
36 **D. STG Londonderry – Map 7, Lot 40-12 – Continued Public Hearing for a site plan for**
37 **a 38,260 square foot expansion to the Workout Club and Wellness Center.**
38

39 Nicole Duquette from TF Moran presented the same drawings as at the last Planning
40 Board meeting. She said she believes they have addressed the outstanding issues, and
41 would answer any questions.
42

43 J. Trottier summarized the outstanding engineering issues from the Vollmer Associates
44 memo.
45

46 T. Thompson said the application was accepted on July 12, 2006. Waivers were granted
47 on July 12, 2006. Based upon the information available to date the Staff recommends
48 conditional approval of this application.
49

50 M. Soares asked whether the plans included a pool. She was informed by Mr. Tringale
51 that a pool may be added; however there were also many requests for an indoor
52 basketball court and an upper floor running track above the basketball court. He said he

1 would like to add another pool; however he would have to access the costs. It is
2 possible that another smaller pool could be added for recreation and the swim teams
3 would continue to use the lap pool. He could not make a commitment to the pool.
4

5 No public comment.
6

7 **J. Farrell made a motion to conditionally approve the site plan for a 38,260 square**
8 **foot expansion to the Workout Club and Wellness Center with the following**
9 **conditions:**

10 **PRECEDENT CONDITIONS**
11

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

- 17
- 18 1. The Applicant shall address the following relative to the revised drainage report:
 - 19 A. The amount of pavement in post subcatchment 40 is less than the
20 predevelopment. The only pavement within the subcatchment (pre and
21 post) appears to be the same offsite area. We understand the basketball
22 court was not approved and can not be included in the predevelopment
23 analysis. The Applicant shall explain and revise as necessary.
 - 24 B. It appears the amount of impervious area (pavement and sidewalks) in
25 post subcatchment 60 is less than shown on the plans. The Applicant
26 shall review and revise as necessary. The Applicant shall verify
27 compliance with the regulations (no increase in runoff).
 - 28 C. The revised existing conditions drainage area plan appears to indicate
29 some post development features including proposed pavement and
30 grading. The Applicant shall review and revise to indicate the existing
31 conditions only.
 - 32 D. The plunge pool design at HW-20 is not consistent with the recommended
33 depth of the pool as discussed with the Applicant and requested by the
34 Town. Please note the pipe flow HW-20 is more than ½ the pipe diameter
35 and the pool depth should be the pipe diameter. The Applicant shall revise
36 the design accordingly and update the plans and detail as necessary.
 - 37 E. The Applicant shall update the post development hydrology in section 5 of
38 the report to properly indicate the invert at the brook consistent with the
39 latest design.
 - 40 F. The report shall be stamped and signed by a New Hampshire licensed
41 professional engineer.
42
 - 43 2. The Applicant shall clarify the bed bottom elevation (vs. bottom of pipe) in the
44 typical sections of system #1 & #2 on sheet 7 (elevation 317.00) for proper
45 construction.
46
 - 47 3. The Applicant shall address/clarify the following on the revised grading and
48 drainage plan - sheet 5:
 - 49 A. The revised grading along the fire lane appears to indicate additional tree
50 removal associated with the grading adjacent to abutting lots 51-28 and
51 51-27 located within the 50' buffer. The Applicant shall verify the

- 1 necessary buffer requirements are provided in this location with the
2 Planning Department and Zoning Officer and revise if necessary.
- 3 B. The Applicant noted in her response that the detention basin embankment
4 was raised to elevation 314.5 within the area of the 15" RCP pipe outlet
5 near CB30. However, the grading shown on the plan does not appear to
6 represent the noted revised embankment elevation to 314.5. The
7 Applicant shall provide spot elevations to clarify the location of the
8 embankment top elevation at 314.5 and minimum embankment width
9 noted in the details is maintained in this location for proper construction.
- 10 C. The Applicant has provided a spot elevation of 320.7 in the parking lot
11 corner with this latest revision and also indicates a spot elevation 320.5
12 approximately 60 feet away. The spot elevations indicate the pavement
13 slope along the curb of less than 0.004 ' / ' and we are concerned ponding
14 of runoff will occur in this location. The Applicant shall revise the design
15 as necessary to provide proper grading and drainage in this location.
- 16
- 17 4. The grading shown on the erosion control plan – sheet 6 - at the detention basin
18 near CB30 is not consistent with the latest grading shown on grading plan. In
19 addition, it appears the limit of riprap should extend toward lot 40-11 (easterly) to
20 where the 3H:1V slope begins. Please review and revise the grading as
21 necessary to be consistent with the grading plan and verify the limits of the riprap
22 meet the approval of the Town. Please update the riprap in the drainage report if
23 necessary.
- 24
- 25 5. Outside consultant's fees shall be paid within 30 days of approval of plan.
- 26
- 27 6. Note all waivers granted on the plan.
- 28
- 29 7. The Applicant shall provide a digital (electronic) copy of the complete final plan
30 sent to the Town at the time of signature by the Board in accordance with Section
31 2.05.n of the regulations.
- 32
- 33 8. Financial guaranty if necessary.
- 34
- 35 9. Final engineering review.
- 36

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

42

43 **GENERAL AND SUBSEQUENT CONDITIONS**

44

45 All of the conditions below are attached to this approval.

46

- 47
- 48 1. **No construction or site work for the amended site plan may be undertaken**
49 **until the pre-construction meeting with Town staff has taken place, filing of**
50 **an NPDES-EPA Permit (if applicable) and the site restoration financial**
51 **guaranty is in place with the Town.** Contact the Department of Public Works to
52 arrange for this meeting.
- 53

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

39 **R. Nichols seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Plan is
40 conditionally approved.

41

42

43 **E. Conceptual Discussion – Sugar Plum Hill Elderly Housing (formerly Rosecran) –**
44 **Discussion on 100% elderly occupancy.**

45

46 Philip Hastings , attorney from Cleveland, Waters, & Bass and Rick Welch, Principal for Sugar
47 Plum Hill presented to the Board.

48 P. Hastings said his applicant would like to advertise this development as needing one 55+
49 occupant, but not requiring that all occupants be 55+. He spoke of the inconsistency in the
50 documents they were given on the condition #9 regarding age restrictions of 100% occupancy
51 of those over age 55.

1 A. Garron said P. Hastings is correct about the law. He said the applicant agreed to the 100%
2 55+ condition.

3 T. Thompson explained the impacts of making changes to the approval. He stated that if the
4 Board were to amend the approval to allow those under 55 years old that the project would
5 then become subject to the Phasing Ordinance and the School Impact fees. He stated in
6 order to be exempt from these, the project must be 100% elderly, as it was approved by the
7 Planning Board and per the Zoning Ordinance. If the Board were to approve the amendment,
8 the applicant would be allowed 15 permits per 12-month period for phasing. T. Thompson said
9 if the applicant does succeed in amending the plan and doesn't want to do the phasing he will
10 need to apply for a variance.

11 A. Rugg suggested the applicant meet with the staff and then present to the Planning Board.
12

13 T. Freda said that after the Planning Board meeting requiring as a condition of approval that all
14 occupants be 55+, the original owner submitted condo documents which did not reflect the
15 55+ condition, to the Town's Attorney for his review and approval. The Town Attorney did not
16 alter or object to the submitted documents. M. Soares did not agree with that recitation of the
17 events, but Attorney Hastings confirmed that indeed that was what happened.

18 M. Soares didn't agree with T. Freda. She pointed out that there was a clear direction to the
19 owner to add the stipulation that only those over 55 may live in the subdivision. She felt this
20 should be adhered to by the new owner. She also felt this was a ZBA issue, not a Planning
21 Board issue.

22 T. Thompson said there are two options here: proceed with the plan as approved, with 100%
23 elderly occupancy or amend the plan to allow people under 55, but be subject to phasing and
24 impact fees.

25 A. Garron said the occupants are most often the ones who need to bring this to the attention of
26 those that can enforce it if people under 55 move into the neighborhood.

27 P. Hastings said it appears the only issues are: phasing, impact fees, variances

28 R. Brideau said he thinks it should go to ZBA. J. Farrell said "buyer beware".

29 T. Thompson said if the ZBA grants a change in age restriction they will need to come back
30 before the Planning Board due to condition #9 of the approval.

31 Mike Brown, from Carousel Court (member of zoning board) was on the Planning Board and at
32 the meeting that first addressed this issue. He said Joseph DeCarolis (original applicant)
33 completely understood the conditions. M. Brown said the spirit and intent was to have all
34 occupants 55+ to avoid the impact fees.

35 A. Garron said we're in the process of updating the impact fees.

36 A. Rugg said it's the applicant's decision.

37 P. Hasting said he will discuss with the staff.
38

39 **Other Business**

40 None.
41

42 **Adjournment:**

43 **J. Farrell made a motion to adjourn at 9:23 PM. C. Tilgner seconded the motion.** Meeting
44 adjourned.
45

46 These minutes prepared by Cathy Dirsra, Planning Department Secretary.
47
48

49 Respectfully Submitted,
50

51 *Paul DiMarco 9/13/06*

52 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF SEPTEMBER 6, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Tom Freda; John Farrell (out), Joe Paradis (out), Mary Soares (arrived at
7 7:30 PM), Rob Nichols; Lynn Wiles, alternate member,
8

9 Also Present: André Garron, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Department
10 Secretary
11

12 A.Rugg called the meeting to order at 7:01 PM. A.Rugg appointed L.Wiles to vote for J.Farrell.
13

14 **Administrative Board Work**
15

16 **A. Extension Request - Gilcreast House LLC, Temporary Occupancy pending Site**
17 **Plan approval , Map 6, Lot 64-1-1**
18

19 A.Garron said the board has granted 3 extensions, the latest was in Jan. 2006 (valid until Sep.
20 2006). Today we received the site plan from the applicant and this project is now in design
21 review.
22

23 Barry Mazzaglia, owner, presented the board with the timelines for the project. A.Garron
24 clarified that the site plan was submitted today, not in May 2006. P.DiMarco asked if the
25 extension was for temporary occupancy. A.Garron said if there is a continuance it should be
26 until Dec. 2006. A.Rugg said 12/31/06 should be sufficient for the extension and could be
27 heard at the Dec. 6 meeting. A.Garron said the town needs to ensure the plans are complete
28 and continue on from there with reviews, etc. He said how long the temporary permit continues
29 is up to the board. P.DiMarco asked what would happen if we extend the deadline until the
30 meeting in Dec. 2006 and the applicant is not ready. A.Rugg said if the plan is conditionally
31 approved at that time, the temporary occupancy permit could expire before the plan is finally
32 approved by the board. C.Tilgner suggested we extend the temporary occupancy permit until
33 the meeting in Dec. 2006 and go from there.

34 **P.DiMarco made a motion to extend the temporary occupancy permit pending site plan**
35 **approval until the Dec. 6 meeting. C.Tilgner seconded the motion. No discussion. Vote**
36 **on the motion 7-0-0.** Temporary occupancy permit extended through Dec. 6, 2006.
37

38 **B. Extension Request – Mike Smith Exxon, Map 10, Lot 73-2**
39

40 J.Trottier said this plan was approved Aug. 4, 2004. He said the applicant has made significant
41 off-site improvements associated with the project. T.Freda asked if the applicant needs to
42 comply with guidelines established at the time of the extension or if they must comply with the
43 guidelines at the time it's heard by the board. A.Garron explained that if there are significant
44 changes to the ordinance and/or regulations, the Board should consider that prior to making
45 the decision on the extension request. J.Trottier said an extension date of Aug. 1, 2007 is
46 being requested.

47 **P.DiMarco made a motion to grant the extension to Aug. 1, 2007. R.Nichols seconded**
48 **the motion. No discussion. Vote on the motion 7-0-0.** Extension granted through Aug. 7,
49 2007.
50

1
2 **C. Extension Request – Dans Floor Store, Map 3, Lot 136**
3

4 J.Trottier said the applicant was under the impression that his plan was approved Sep. 6,
5 2005. J.Trottier said it was approved in November 2005 and J.Trottier would contact the
6 applicant to clarify the extension request. No action by the board required at this time. A.Rugg
7 said we can hold off on this decision for now.
8

9 **D. Plans to Sign - Lonrock Realty (Amended Dunkin Donuts) Site Plan, Map 15, Lot 68**
10

11 J.Trottier said this plan was conditionally approved July 5, 2006. The staff said all conditions
12 have been met.

13 **P.DiMarco made a motion for the Chairman and Secretary to sign the plans. R.Nichols**
14 **seconded the motion.** No discussion. **Vote on the motion 7-0-0.** Plans will be signed at the
15 conclusion of the meeting.
16

17 **E. Plans to Sign - Rennie Lot Line Adjustment, Map 2, Lot 27-11 & 27-27**
18

19 J.Trottier said this plan was conditionally approved Jan. 4, 2006. The staff said all conditions
20 have been met.

21 **P.DiMarco made a motion for the Chairman and Secretary to sign the plans. R.Nichols**
22 **seconded the motion.** No discussion. **Vote on the motion 7-0-0.** Plans will be signed at the
23 conclusion of the meeting.
24

25 **F. Plans to Sign - Al & Pauline Elliott Lot Line Adjustment, Map 12, Lot 143-1**
26

27 J.Trottier said this plan was conditionally approved Dec. 7, 2005. He said all conditions have
28 been met.

29 **P.DiMarco made a motion for the Chairman and Secretary to sign the plans. R.Nichols**
30 **seconded the motion.** No discussion. **Vote on the motion 7-0-0.** Plans will be signed at the
31 conclusion of the meeting.
32

33 **G. Regional Impact Determinations (See Attached memo)**
34

35 A.Garron referenced the staff memo (see attached).

36 **P.DiMarco made a motion to accept the regional impact determinations. R.Nichols**
37 **seconded the motion.** No discussion. **Vote on the motion 8-0-0.** Regional impact
38 determinations accepted.
39

40 **H. Approval of Minutes - August 2 & 9**
41

42 **C.Tilgner made motion to approve the minutes from the Aug. 2 meeting. R.Brideau**
43 **seconded the motion.** No discussion. **Vote on the motion 7-0-1 (R.Nichols was absent at**
44 **the Aug. 2 meeting).**

45 **M.Soaes made motion to approve the amended minutes from the Aug. 9 meeting.**

46 **R.Nichols seconded the motion.** No discussion. **Vote on the motion 8-0-0.**

47 Minutes for the Aug. 2 and Aug. 9 meetings will be signed at the Sep. 13 meeting.
48

1
2 **I. Discussions with Town Staff**
3

4 A.Garron said he received a DVD from the Southern NH Planning Commission re. Regional
5 Comprehensive Plan. They will follow with another one called Future Land Use and Goals and
6 Policies. A.Garron said he will have the DVD if anyone would like to view it.
7

8 A.Rugg said the regional master plan is on their website.

9 A.Garron said he will be attending the 2nd CTAP meeting Sep. 7. He wants to get the word out
10 that they are trying to revise the numbers (i.e. local economy, downtown revitalization) basing
11 their goals on input received.

12 A.Garron said the Park N Ride is out to bid. He said the Exit 4A committee is putting together
13 a draft EIS and working with the NHDOT. They want to be ready for a public hearing in
14 Nov/Dec 06.

15 P.DiMarco attended the Town Council Meeting in which this issue was discussed. Town
16 council voted to allow the owner of the fence to keep the fence in the Town's ROW.
17

18 **Public Hearings**
19

20 **A. Sanborn Rd Salon - Map 15, Lot 158 - Application Acceptance and Public Hearing**
21 **for a site plan for a change in use.**
22

23 A.Rugg said the application has not yet been accepted as complete.

24 J.Trottier referred to the memo with staff recommendations.

25 **P.DiMarco made a motion to grant the waivers as noted in the staff memo.**
26

27 1. The Applicant is requesting a waiver to sections 3.04.a, 3.04.b, 3.04.d and 4.18
28 of the Site Plan Regulations. The Applicant=s has not provided utility clearance
29 letters for gas, telephone, & cable. ***Because this is a change of use, and the***
30 ***above utilities are existing, staff supports the waiver request, for the***
31 ***indicated utilities only.***
32

33 2. The Applicant is requesting a waiver to section 3.07 of the Site Plan
34 Regulations. The Applicant has not provided a drainage report with this
35 application, based on the consensus of the Planning Board at the December
36 12, 2005 Planning Board meeting during which this project was discussed
37 conceptually (minutes attached). ***The Planning Board consensus on waiving***
38 ***the drainage report was based on the existing conditions of the site. Staff***
39 ***supports waiver request, proposed site will entail less pavement than the***
40 ***previously approved plan (August 1992).***
41

42 3. The Applicant is requesting a waiver to sections 4.12.a, 4.12.b, and 4.12c.1 of
43 the Site Plan Regulations. The Applicant has not provided a boundary survey
44 for the existing conditions plan. ***Staff recommends granting the waiver for a***
45 ***boundary plan certified by a licensed land surveyor, as a note referencing***
46 ***the previously approved site plan for the boundary information is***
47 ***provided.***
48

49 4. The Applicant is requesting a waiver to sections 4.15 of the Site Plan
50 Regulations. The Applicant has not provided building renderings. ***Staff***
51 ***recommends granting the waiver as no new construction of structures is***
52 ***proposed, the applicant is utilizing the existing structure.***

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- 5. The Applicant is requesting a waiver to sections 4.16 of the Site Plan Regulations. The Applicant has not provided an illumination plan. **Staff recommends granting the waiver as no new construction of lighting is proposed, the applicant is utilizing the existing lighting.**
- 6. The Applicant is requesting a waiver to sections 4.17 of the Site Plan Regulations. The Applicant has not provided a traffic impact analysis. **Staff recommends granting the waiver as the applicant has provided information indicating that the proposed traffic generation is equal or less than the approved use for the site.**
- 7. The applicant is requesting a waiver to Section 3.11.g of the Site Plan Regulations. The applicant has not submitted a separate landscape plan, and the landscape design does not comply with the internal parking lot landscaping requirements. **Staff recommends granting the waiver, as the development of the lot pre-dates the adoption of the regulation, and is consistent with the previously approved site plan for the site developed under the former regulations.**
- X Completeness: The applicant has not provided several checklist items, however, the applicant has requested waivers for these items. **Assuming the Board grants the waivers for checklist items, staff would recommend the application be accepted as complete.**
- X Recommendation: Based upon the information available to date the Staff recommends **CONDITIONAL APPROVAL** of this application, with the NOTICE OF DECISION to read substantially as follows:

M.Soures seconded the motion. No discussion. Vote on the motion 8-0-0.

A.Rugg said the waivers have been granted.

P.DiMarco made a motion to accept the application as complete. M.Soures seconded the motion. No discussion. Vote on the motion 8-0-0. Application accepted as complete.

T.Connors from Sublime Consultants made the presentation with Owner, Renee Martinez. He said the zone is C-II and they are proposing a change in use. The applicant wants to open a hair salon in the existing garage. The improvements are relatively minor. They are proposing to provide sewer and water service and a change in the traffic pattern. They propose 6 parking spaces with a reduction in the square footage of pavement. They dropped the spaces from 6 to 5 but it was awkward so they did away with the steps behind the house to allow for more parking and better traffic flow. They are maintaining the handicap space. They will also offer house calls for handicap clients. They would also like to add some signs for better visibility made of wood or metal based material. Renee said she intends for the sign to appear natural and it will not contain any additional lighting. The following parking will be provided: 2 spaces for resident, 2 for employees, 2 for clients. They need 5 spaces but have provided 6 spaces.

J.Trottier referred to the memo with staff recommendations.

A.Garron concurred with the parking spaces provided for this plan and is comfortable with the plan. M.Soures asked if the handicap accommodations are adequate. T.Connors said they have made an effort to accommodate handicap clients. A.Rugg asked what the hours of operation are. T.Connors said there are no specific hours defined yet. Renee Martinez said it would most likely be 5 days a week including Saturdays. No public discussion.

1 **P.DiMarco made a motion to conditionally approve the plan for the Sanborn Rd Salon**
2 **based on the staff memo with the following conditions.**

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

6
7 **PRECEDENT CONDITIONS**

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

- 13
14
15 1. The Applicant shall coordinate with the Department of Public Works on the proposed
16 sewer design and discharge permit. The Londonderry sewer discharge permit number
17 shall be added to the plan.
18
19 2. The applicant shall verify that the 18" of all-season sight distance is achieved in the
20 sight distance plan/profile on sheet C-2.
21
22 3. The applicant shall revise the pavement detail on sheet C-2 to comply with Section
23 3.08.b.4 of the regulations.
24
25 4. The applicant shall indicate areas of pavement removal shall be loamed and seeded as
26 required by the regulations.
27
28 5. The applicant shall provide USGS Datum for the provided topography of the site in
29 accordance with the regulations.
30
31 6. The applicant shall note on the plans all applicable ZBA decisions as required by the
32 regulations.
33
34 7. Note all waivers granted on the plan.
35
36 8. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to
37 the Town at the time of signature by the Board in accordance with Section 2.05.n of the
38 regulations.
39
40 9. Financial guaranty if necessary.
41
42 10. Final engineering review

43
44 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified the
45 approval is considered final. If these conditions are not met within 120 days to the day of the
46 meeting at which the Planning Board grants conditional approval the board's approval will be
47 considered to have lapsed and re-submission of the application will be required. See RSA
48 674:39 on vesting.
49

1
2 **GENERAL AND SUBSEQUENT CONDITIONS**
3

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

6 **No construction or site work may be undertaken until the pre-construction meeting with**
7 **Town staff has taken place, filing of an NPDES-EPA Permit (if applicable) and the site**
8 **restoration financial guaranty is in place with the Town.** Contact the Department of Public
9 Works to arrange for this meeting.

10
11 The project must be built and executed exactly as specified in the approved application
12 package unless modifications are approved by the Planning Department & Department of
13 Public Works, or if staff deems applicable, the Planning Board.
14

15 All of the documentation submitted in the application package by the applicant and any
16 requirements imposed by other agencies are part of this approval unless otherwise updated,
17 revised, clarified in some manner, or superseded in full or in part. In the case of conflicting
18 information between documents, the most recent documentation and this notice herein shall
19 generally be determining.
20

21 All site improvements must be completed prior to the issuance of a certificate of occupancy. In
22 accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent
23 landscaping to be completed (due to weather conditions or other unique circumstance), the
24 Building Department may issue a certificate of occupancy prior to the completion of
25 landscaping improvements, if agreed upon by the Planning & Public Works Departments,
26 when a financial guaranty (see forms available from the Public Works Department) and
27 agreement to complete improvements are placed with the Town. The landscaping shall be
28 completed within 6 months from the issuance of the certificate of occupancy, or the Town shall
29 utilize the financial guaranty to contract out the work to complete the improvements as
30 stipulated in the agreement to complete landscaping improvements. **No other improvements**
31 **shall be permitted to use a financial guaranty for their completion for purposes of**
32 **receiving a certificate of occupancy.**
33

34 As built site plans must to be submitted to the Public Works Department prior to the release of
35 the applicant=s financial guaranty.
36

37 It is the responsibility of the applicant to obtain all other local, state, and federal permits,
38 licenses, and approvals which may be required as part of this project (that were not received
39 prior to certification of the plans). Contact the Building Department at extension 115 regarding
40 building permits.
41

42 **M.Soaes seconded the motion. No discussion. Vote on the motion 8-0-0.**
43 The Plan is conditionally approved.
44

1
2 **B. Parrish Hills Elderly Housing - Map 12, Lot 143 - Public Hearing for an amendment**
3 **to a previously approved site plan and a conditional use permit to connect the**
4 **project to municipal sewer.**
5

6 J.Trottier referred to the memo with staff recommendations. He said they have received their
7 NHDES sewer discharge permit. They are here because the board is the body which grants
8 conditional use permits.

9 T.Connors, Sublime Consult. He said the intention is to amend the plan to change to a
10 municipal sewer connection. Secondly obtain a conditional use permit due to work which will
11 be performed in the wetland buffer. He said the sewer connection follows the topography and
12 is gravity fed. Sewer line is about 1400' long and can handle about 5850 gal per day. They will
13 schedule the water interruptions to residents in the area during off hours whenever possible.

14 J.Trottier said the staff recommends granting the conditional use permit and approving the
15 amended site plan. T.Freda asked if all the units are occupied. T.Connors said yes they all are
16 occupied.

17 Abutter, Phil Spitalere from 17 Bancroft Rd said he and his wife Sue are working with Parrish
18 Hills E.H. to finalize easements. Phil also said they are the original occupants of their home.

19 A.Rugg said the board is safe in granting approval because it's based on Mr. Spitalere
20 granting the easement.

21 **P.DiMarco made a motion to grant the conditional use permit as recommended by the**
22 **staff and conservation commission. M.Soaes seconded the motion. No discussion. Vote**
23 **on the motion 8-0-0. Conditional use permit granted.**

24 **P.DiMarco made a motion to approve the amendment to the site plan. M.Soaes**
25 **seconded the motion. No discussion. Vote on the motion 8-0-0. Amendment to the site plan**
26 **approved.**

27 **P.DiMarco made a motion for the Chairman and secretary to sign the plan.**

28 **M.Soaes seconded the motion. No discussion. Vote on the motion 8-0-0. Plans will be**
29 **signed at the conclusion the meeting.**

30
31 **Other Business**

32 None.

33
34 **Adjournment:**

35 M.Soaes made a motion to adjourn. P.DiMarco seconded the motion. Meeting adjourned at
36 8:23 PM.

37
38
39 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

40
41
42
43 Respectfully Submitted,

44
45
46 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF SEPTEMBER 13, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Tom Freda; Rick Brideau, Ex-Officio; John Farrell; Joe
6 Paradis; Charles Tilgner, Ex-Officio; Paul DiMarco; Mary Soares; Rob Nichols; Lynn Wiles,
7 alternate member
8

9 Also Present: André Garron, AICP; John Trottier, P.E.; Eric Dyer, Intern; Cathy Dirsra,
10 Planning Department Secretary
11

12 A.Rugg called the meeting to order at 7:01 PM.
13

14 **Administrative Board Work**
15

16 **A. Signing of Minutes - August 2 & 9**
17

18 Minutes for August 2 and August 9 have been signed.
19

20 **B. Impact Fee and Waiver Request – George and Cecile Benson, Map 5, Lot 30 and**
21 **30-3.**
22

23 George Benson of 99 High Range Rd (since 1974) presented their plans.
24 G.Benson said they intend to build a new house for themselves and sell their existing lot with
25 house to their daughter. He said the existing vacant lot is a buildable lot and they have paid
26 taxes every year on it. A.Garron said the zoning ordinance requires an impact fee, but it is the
27 board's decision whether or not to waive the impact fee. A.Garron said a 3 bedroom home has
28 an impact fee of about \$1,800. M.Soaes asked if the lot and house could be designated as
29 55+ elderly housing. A.Garron said he thinks it may be possible, but will need to check the
30 zoning ordinance for that lot. J.Farrell said based on the fact that; G.Benson is a long time
31 resident, has paid taxes for all those years and will continue to be a resident, he personally
32 believes G.Benson has reason to bring this before the board. T.Freda asked A.Garron if the
33 impact fee would still apply even though this development is for a resident and not a
34 developer. A.Garron read the portion of the zoning ordinance, section 1.2.5, that applies.
35

36 **1.2.5 Imposition Of Public Capital Facilities Impact Fee**

37 1.2.5.1 Any person who, after March 9, 1994 seeks approval of new development within
38 the Town of Londonderry, New Hampshire, is hereby required to pay a public
39 capital facilities impact fee in the manner and amount set forth in Section
40 1.2.6.1.2.5.2.

41 1.2.5.2 A person may request, from the Planning Board, a full or partial waiver of impact
42 fee payments required in this ordinance. The amount of such waiver shall not
43 exceed the value of the land, facilities construction, or other contributions to be
44 made by that person toward public capital facilities. The value of on-site and off-
45 site improvements which are required by the Planning Board as a result of
46 subdivision or site plan review, and which would have to be completed by the
47 developer, regardless of the impact fee provisions, shall not be considered
48 eligible for waiver or credit under Section 1.2.11 of this Ordinance.
49
50

1 T.Freda asked the applicant when he applied for the building permit. G.Benson said he applied
2 in Jan. 2006. J.Paradis said he needs to disagree with waiving the impact fee because it might
3 set a precedent. C.Tilgner said if we're going to waive the impact fee for this resident, we
4 should instead revisit the whole issue and possibly change the ordinance. M.Soares feels it
5 would be best to designate this lot as 55+ elderly housing until some point that it may be sold.
6 A.Garron said he believes this ordinance applies to developers and residents. R.Nichols feels
7 it would be difficult to grant a total waiver, and asked A.Garron for the definition of the impact
8 fee. A.Garron said the ordinance states that if the property is designated as 55+ it must remain
9 so for at least 20 years. He said if it were possible, and the home owner was willing, to put a
10 restriction on the lot for 55+, he would entertain waiving the school portion of the impact fee,
11 which would most likely be a large percentage of the total impact fee. That being said, the
12 board members would have to discuss the long-term effects of a decision in this type of
13 scenario, in detail, to understand the town-wide implications. L.Wiles asked if the board's
14 decision would impact the resident's certificate of occupancy. G.Benson said they would not
15 obtain the certificate of occupancy for a few weeks. L.Wiles is in favor of waiving some fees,
16 but asked if there is a way to collect the fees in the future if they sell the lot/home. J.Farrell
17 asked if the board turned down the request would the resident appeal his case to the Town
18 Council. A.Rugg said it's a possibility and the board would like to grant the waiver, but they
19 need to discuss this issue and continue it at the October 11 meeting. G.Benson said that to
20 continue this issue for one month would be acceptable. He also said he wouldn't mind paying
21 partial impact fees.

22 **J.Farrell made a motion to continue this issue to the October 11 meeting. R.Brideau**
23 **seconded the motion.** No discussion. **Vote on the motion 9-0-0.** This issue is continued to
24 the October 11 meeting.

25
26 **C. Extension – Tate subdivision, Map 2, Lot 28-10**

27
28 J.Trottier referenced the memo from Hayner/Swanson Inc. dated 9/12/06 requesting an
29 extension to the 120-day timeframe due to delays by PSNH (copy of letter in project file).

30
31 J.Trottier said the staff recommends the extension.

32 Bob Davison, P.E. from Hayner/Swanson Inc. is present for any questions. B.Davison said
33 PSNH has been working with them during the last 30 days. P.Dimarco suggested a 6-month
34 extension.

35 **J.Farrell made a motion to grant an extension for 180 days to April 7, 2007. R.Brideau**
36 **seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Extension granted.

37
38 **D. Plans to Sign – Christopher Dunn & Timothy Trombley Lot Line Adjustment and 4-**
39 **lot Subdivision, Map 10, Lot 38 & 39 (Hovey Rd)**

40
41 J.Trottier referred to the Notice of Decision for the Dunn/Trombley lot line adjustment and he
42 said all conditions for approval have been met and the staff recommends signing the plans.

43 **J.Farrell made a motion to sign the plans. R.Brideau seconded the motion.** No
44 discussion. **Vote on the motion: 9-0-0.** A. Rugg said the plans will be signed at the
45 conclusion of the meeting.

46
47 **E. Discussions with Town Staff**

48
49 None.

1 **Public Hearings**

2
3 **A. CIP Workshop**

4
5 A.Garron presented an update of the CIP for 2008 – 2013.

6
7 J.Farrell gave an overview of the participants and the process involved with the proposed plan.
8 J.Farrell said they also reviewed the Open Space plan and whether or not the town is getting
9 worth from the plan. J.Farrell said they determined a savings of about \$700 per home per year
10 for taxes. He said they also had discussions about roads in the town and why Public Works
11 has requested funds for maintaining the roads. He personally credited Janusz Czyzowski and
12 all of Public Works with doing an excellent job in working with the current funds available to
13 them for maintaining the roads.

14
15 A.Garron gave an overview of the Pettengill airport access road project. He said this will open
16 up other available land for the town (about 1,000 acres) and would have a positive tax impact
17 for the town. The Pettengill road construction is destined to start in 2009-2010.

18
19 Janusz Czyzowski, Pubic Works, said Pettengill road will connect with the 1,000 acre parcel.

20
21 J.Farrell said the CIP committee is looking to relocate the school offices, possibly on the
22 school campus. He said the committee wants to streamline the process and only act on what
23 is necessary.

24
25 L.Wiles asked A.Garron about the TIFF funding on Pettengill road. A.Garron said there may be
26 enough funds to pay off the bond. He also said it's difficult to determine if what they expect it to
27 cost will equal what it will actually cost. He said the more that projects get pushed out to the
28 future the more it will actually cost for the projects, because the cost is based on current
29 prices.

30
31 M.Soaes asked if the huge spike in the tax rate for 2009 is due to the Pettengill road project.
32 Sue Hickey, Finance, said yes it's due to that project. A.Garron said to check the gross project
33 analysis. S.Hickey said to reference net cost at the bottom of page 15 of the CIP presentation.
34 J.Farrell said the goal of the CIP committee was to stabilize everything.

35
36 Ron Campo, school board member & resident gave an overview of the options for the school
37 board projects. He feels that the Open Space program is not getting enough credit. He said
38 that program has consequently reduced the number of residents/students utilizing the school
39 system and therefore the buildings didn't need to be enlarged to accommodate that extra
40 growth. A.Garron said we're in the process of updating the impact fee process.

41
42 Brian Farmer, town council (former board member) asked if Exit 4A is a separate project
43 because he didn't see it listed. S.Hickey said that projects which have already been approved
44 by the voters are not included on the CIP Plan. B.Farmer said the footnotes should be
45 changed because a lot of the projects, even though they've been approved, seem to be
46 transparent in the tables of this plan. J.Farrell asked A.Garron to note throughout the CIP
47 documents the Exit 4A project. J.Farrell asked A.Garron what direction was given to him re.
48 the CIP presentation. A.Garron said the Town Manager, Dave Caron, sent the Planning
49 Department an email stating how the Exit 4A project should be represented in the plan.
50 B.Farmer feels that we need to include these projects in the CIP Plan. T.Freda said historical
51 comparisons would be acceptable in his opinion.

1 A.Garron said staff was following direction and he will discuss the suggestions made by
2 B.Farmer with the Town Manager. S.Hickey said the footnotes came directly from D.Caron.
3 Mike Brown, former board member & resident, said he also would like to see the approved
4 projects in the CIP plan and not just in the footnotes. He concurs with everything B.Farmer
5 said. He thinks the Open Space is a physical conservative project. L.Wiles said there are still a
6 lot of questions about whether or not the Exit 4A project will continue. A.Garron said a lot of
7 issues exist re. the Exit 4A project. B.Farmer said the Exit 4A project was to be "married" to
8 the I93 widening because it would cost the town less to do it in conjunction with the I93 project.
9 P.DiMarco asked if other projects are similar to the Exit 4A project. A.Garron said the Litchfield
10 Rd project is similar. B.Farmer said the town voted to approve Exit 4A, but the town hasn't
11 appropriated the cash.

12
13 **B. Public Hearing – Site Plan & Subdivision Regulation Amendments – Fee Schedule**
14 **Amendments for changed notice requirements resulting from Amended RSA**
15 **676:4, II**

16
17 A.Rugg referenced the Town memo regarding the change to the site plan and subdivision
18 regulations and referred the proposed changes to A.Garron.

19
20 A.Garron referenced RSA memo and regulations. He gave an overview of the process for
21 notices to abutters and local newspapers.

22 Mike Brown from Carousel Court asked who filed the bill for change. A.Garron said Patten and
23 Corr. M.Brown said he believes this was done in the interest of the developers. M.Soaes said
24 it also notifies abutters much earlier than they would be otherwise. No public discussion.

25 **P.DiMarco made a motion to amend the site plan regulations to change the fee**
26 **schedules.**

27 **M.Soaes seconded the motion.** No discussion. **Vote on the motion 8-0-0 (J.Farrell was**
28 **not in the room during the vote).** Amendment approved.

29
30 **C. Stonyfield Farms Inc., Map 14, Lot 44-13 – Application Acceptance and Public**
31 **Hearing for a site plan to construct Phase 1A parking lot expansion.**

32
33 J.Trottier referenced the memo with staff recommendations in regards to the request for
34 waivers.

- 35
36 1. The Applicant is requesting a waiver to section 4.01.C of the Site Plan Regulations. The
37 majority of the Applicant's plans are at a scale of 1"=50' or 1"=100' and do not comply
38 with the regulations. Plans currently on file with the Town of Londonderry are at the
39 scales of 1"=50' and 1"=100'. STAFF SUPPORTS WAIVER REQUEST.
40
41 2. The Applicant is requesting a waiver to section 3.07.g of the Site Plan Regulations. A
42 portion of the existing and proposed drainage system located in the existing parking lot
43 does not provide the minimum three (3) feet of cover over the pipes. Those portions of
44 the drainage system without the required cover will be eliminated or reconstructed during
45 Phase 2 of the project. STAFF SUPPORTS WAIVER REQUEST.

- 46
47 • Completeness: There are no checklist items. **Assuming the Board grants the**
48 **waivers, staff would recommend the application be accepted as complete.**
49
50 • Conditional Use Permit: A Conditional Use Permit was previously granted on
51 October 12, 2005 under Phase 1. **STAFF RECOMMENDS APPROVAL OF THE**
52 **CONDITIONAL USE PERMIT.**

- Recommendation: Based upon the information available to date the Staff recommends **CONDITIONAL APPROVAL** of this application.

P.DiMarco made a motion to grant the waivers for Stonyfield Farm as itemized in the memo with staff recommendations.

M.Soaes seconded the motion. No discussion. **Vote on the motion 8-0-0** (J.Farrell was absent during this vote). Waivers granted.

P.DiMarco made a motion to accept the application for Stonyfield Farm as complete.

M.Soaes seconded the motion. No discussion. **Vote on the motion 8-0-0** (J.Farrell was absent during this vote). Application accepted as complete.

Chris Rice, TF Moran made the presentation for Stonyfield Farm.

No public discussion when asked.

P.DiMarco made a motion to conditionally approve the site plan for the Stonyfield Farm parking expansion, based on the memo with staff recommendations.

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 address the following relative to the submitted drainage report:
 - A. The revised drainage design and analysis indicates the 25-year peak pond elevation at detention basin 1 (pond 430P) is 332.19 and will completely submerge the pipes and new invert elevations at HW 5, 9 and 13 at the detention basin. The pipe at HW 33 will also be completely submerged. The pipe inverts shall be adjusted to be high as possible while maintaining the proper cover. The applicant shall revise the design as necessary meeting the approval of the Town.
 - B. The updated Phase 1 information indicates the entire building area of the Industrial Treatment Facility is part of subcatchment 16. However, it appears a portion of the Industrial Treatment Facility may drain to the north (vs. south). We understand the Applicant has conducted an as-built survey of the Industrial Treatment Facility that may clarify the actual runoff direction of the facility. The Applicant shall provide additional information to substantiate the subcatchment delineation is consistent with the actual conditions.
 - C. The building, concrete, and pavement areas for the Industrial Treatment Facility (impervious areas of subcatchment 16) scale to more than indicated in the revised calculations. The applicant shall review and revise to be representative of the actual conditions. The applicant shall include the riprap areas in the subcatchment calculation. The applicant shall verify compliance with the regulations (no increase in runoff).
 - D. The post development drainage area plan appears to indicate a subcatchment 31 located in subcatchment 47. Please clarify.
 - E. Post development subcatchment 37 indicates a runoff rate of 4.59 cfs for the 25-year storm to CB 11. A double grate catch basin shall be provided at CB 11. In addition, subcatchment 47 indicates a runoff rate of 3.10 cfs for the 25-year storm to CB 17, a double grate catch basin shall be provided for CB 17.

1 F. The post 25-year information for Phase 1A includes pages 3 and 4 from phase 1,
2 which appears to be an error. The report shall be updated to include only
3 information pertinent to the specific analysis for clarity.
4

5 2. The Applicant shall address the following relative to the project details:
6

7 a. Revise the standard duty bank run gravel thickness to a minimum of 12” per section
8 3.08.b.5 of the regulations.
9

10 b. Label the drain manhole structure as H-20 loading in accordance with the
11 regulations.
12

13 3. The Applicant shall update the Planning Board signature blocks on sheet 6 to note
14 Phase 1A in accordance with section 4.03 of the regulations.
15

16 4. Outside consultant’s fees shall be paid within 30 days of approval of plan.
17

18 5. Note all waivers and the conditional use permit granted on the plan.
19

20 6. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to
21 the Town at the time of signature by the Board in accordance with Section 2.05.n of the
22 regulations.
23

24 7. Financial guaranty if necessary.
25

26 8. Final engineering review
27

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

34 **GENERAL AND SUBSEQUENT CONDITIONS**
35

36 All of the conditions below are attached to this approval.
37

38 1. **No construction or site work may be undertaken until the pre-construction**
39 **meeting with Town staff has taken place, filing of an NPDES-EPA Permit (if**
40 **applicable) and the site restoration financial guaranty is in place with the Town.**
41 **Contact the Department of Public Works to arrange for this meeting.**
42
43

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

48 3. All of the documentation submitted in the application package by the applicant and any
49 requirements imposed by other agencies are part of this approval unless otherwise
50 updated, revised, clarified in some manner, or superseded in full or in part. In the case
51 of conflicting information between documents, the most recent documentation and this
52 notice herein shall generally be determining.
53

- 1 4. All site improvements must be completed prior to the issuance of a certificate of
2 occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in
3 circumstances that prevent landscaping to be completed (due to weather conditions or
4 other unique circumstance), the Building Department may issue a certificate of
5 occupancy prior to the completion of landscaping improvements, if agreed upon by the
6 Planning & Public Works Departments, when a financial guaranty (see forms available
7 from the Public Works Department) and agreement to complete improvements are
8 placed with the Town. The landscaping shall be completed within 6 months from the
9 issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty
10 to contract out the work to complete the improvements as stipulated in the agreement
11 to complete landscaping improvements. **No other improvements shall be permitted**
12 **to use a financial guaranty for their completion for purposes of receiving a**
13 **certificate of occupancy.**
14
15 5. As built site plans must to be submitted to the Public Works Department prior to the
16 release of the applicant's financial guaranty.
17
18 6. All required impact fees must be paid prior to the issuance of a Certificate of
19 Occupancy.
20
21 7. It is the responsibility of the applicant to obtain all other local, state, and federal
22 permits, licenses, and approvals which may be required as part of this project (that
23 were not received prior to certification of the plans). Contact the Building Department at
24 extension 115 regarding building permits.
25

26 **R.Nichols seconded the motion.** No discussion. **Vote on the motion 8-0-0** (J.Farrell was
27 absent during this vote). Plan is conditionally approved.
28

29 **D. Zoning Ordinance Workshop – Signs & Parking**
30

31 Eric Dyer, intern/planner gave his presentation re. signs and parking (attached).
32

33 E.Dyer would welcome any comments and/or suggestions from the board.

34 M.Soares suggested E.Dyer giving the board the differences from his last presentation to this
35 one. L.Wiles asked about the difference between internally or externally lit signs. E.Dyer said it
36 depends on glare and the amount of light, along with other conditions. Externally lit signs emit
37 less light outwardly. R.Nichols asked about incentives for businesses to use esthetically
38 pleasing signs (granite, etc.) and matching spaces with uses. E.Dyer said he will forward the
39 comments from all meetings to the board electronically. M.Soares was concerned about the
40 size of "for sale/rent" signs to be used for all uses. T.Freda mentioned that residents who have
41 sold/converted their land to "conservation" areas should not be allowed to place signs on the
42 property.

43 Mike Brown from Carousel Court said in his opinion Bedford NH has a good signage/parking
44 policy in place and he feels it would be great to follow some of their guidelines. He is
45 concerned about the sign heights in Londonderry. He also said Bedford doesn't allow
46 permanent off-premise signs and he thinks Londonderry should adapt that policy. The
47 Planning Board members all agreed that we should change the height sign limit to 10 feet
48 maximum for all zones.
49

50 **Other Business**
51

52 None.

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Adjournment:

J.Farrell made a motion to adjourn. R.Brideau seconded the motion. No discussion. Vote on the motion 9-0-0. Meeting adjourned at 10:34 PM

These minutes prepared by Cathy Dirsra, Planning Department Secretary.

Respectfully Submitted,

Paul DiMarco, Secretary

To: Planning Board
From: Eric Dyer
Date: September 13, 2006
Re: Zoning Revision Update

Public Participation:

Planning staff held a successful public workshop on the 30th of August to educate and gather input from the public with respect to changes in the zoning regulations for parking and signage. After a brief PowerPoint presentation approximately 16 residents gathered into 3 focus groups and discussed a number of relevant questions in detail. Thanks to those Planning Board members who participated. A second community workshop was held primarily for businesses and business interests on August 7th with 4 members of the public attending. Highly condensed results of the focus group comments are as follows:

Signs

- Maintaining the rural and agricultural character of Londonderry is important
- Monument signs are preferred over tall pole signs
- Signs of natural materials and having an historical appearance are preferred
- Neon and electric signs are very much disliked
- How signs are lit (internal v. external) is of concern
- Height limits were discussed
- Preference was shown for keeping regulations district specific
- Performance standards are perceived as a good idea in many areas
- Flexibility would help improve sign appearance

Parking

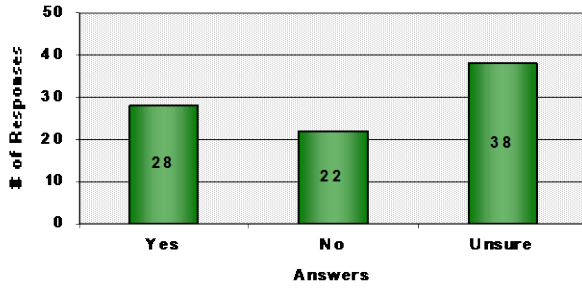
- Safety is a primary concern
- Transit possibilities should be considered
- Parking of commercial vehicles in residential neighborhoods may be an issue
- There needs to be more flexibility and less expense
- Environmentally friendly lot design is favored

Many of the questions asked of focus group participants were derived from trends and areas of interest in data collected from questionnaires. To date over 90 questionnaires have been collected and their data compiled and analyzed. Again, results are presented in highly condensed form:

- There is a good deal of uncertainty regarding regulatory changes
- Regulating signs is perceived as important however
- Londonderry signs are perceived as good, but not great
- There is plenty of parking in Londonderry, and perhaps too much
- Parking at the schools and municipal facilities is relatively difficult

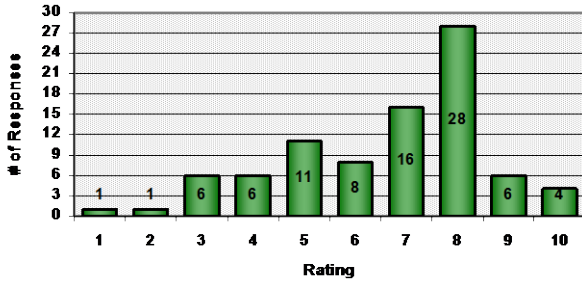
Full data, including comprehensive questionnaire and public input session results and analysis will be provided upon request and at the conclusion of the project. A number of graphs displaying the results of survey questions are presented below:

Changing Sign Regulations in Londonderry



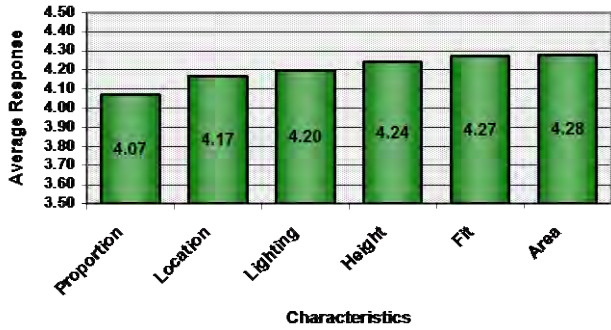
Sign Reg Change	
Yes	31.8%
No	25.0%
Unsure	43.2%

Perspectives on Sign Appearance



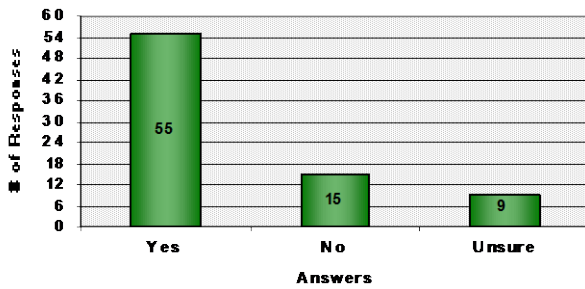
Overall Appearance	
	6.6

Importance of Regulating Sign Characteristics?



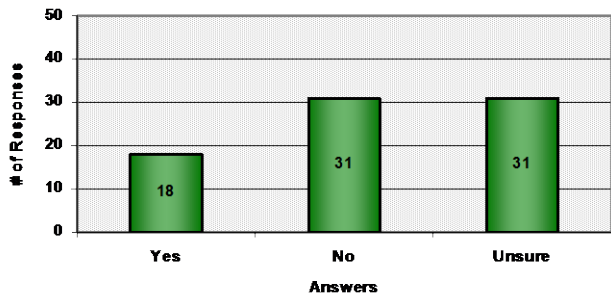
Sign Characteristics	
Proportion	4.07
Location	4.17
Lighting	4.20
Height	4.24
Fit	4.27
Area	4.28

Is There Enough Parking in Londonderry?



Park Reg Change	
Yes	22.5%
No	38.8%
Unsure	38.8%

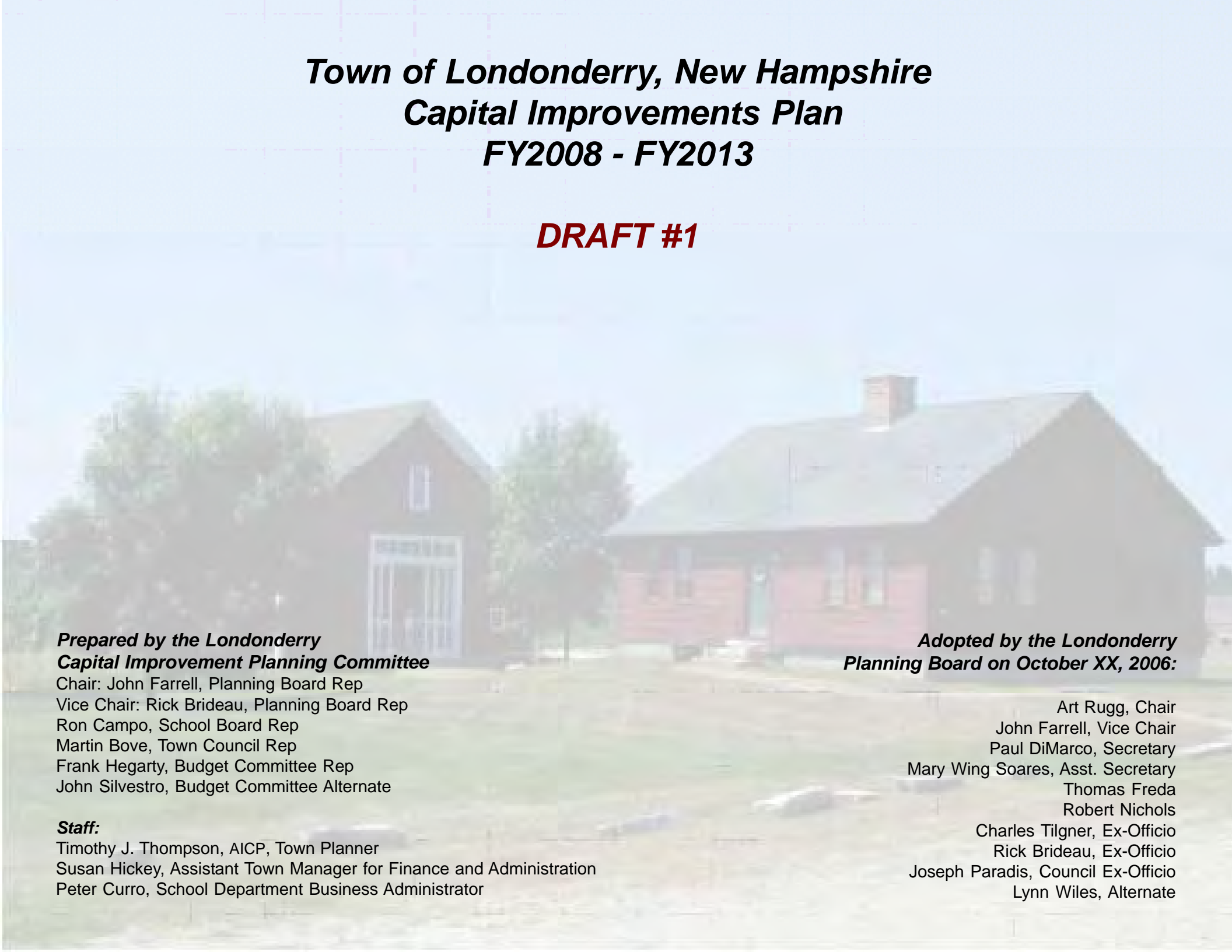
Changing Parking Regulations in Londonderry



Enough Parking	
Yes	69.6%
No	19.0%
Unsure	11.4%

The Revision Process:

The revision process has moved along well with public input being reviewed and incorporated whenever possible. Additional changes have been made to the draft regulations to ensure that consistency, clarity, and flexibility are fully present in the document. Accompanying this memo is a draft copy of the revised regulations for vehicle access and parking and signage. Planning Board comment would be best provided before the end of the month, preferably sooner.



***Town of Londonderry, New Hampshire
Capital Improvements Plan
FY2008 - FY2013***

DRAFT #1

***Prepared by the Londonderry
Capital Improvement Planning Committee***

Chair: John Farrell, Planning Board Rep
Vice Chair: Rick Brideau, Planning Board Rep
Ron Campo, School Board Rep
Martin Bove, Town Council Rep
Frank Hegarty, Budget Committee Rep
John Silvestro, Budget Committee Alternate

Staff:

Timothy J. Thompson, AICP, Town Planner
Susan Hickey, Assistant Town Manager for Finance and Administration
Peter Curro, School Department Business Administrator

***Adopted by the Londonderry
Planning Board on October XX, 2006:***

Art Rugg, Chair
John Farrell, Vice Chair
Paul DiMarco, Secretary
Mary Wing Soares, Asst. Secretary
Thomas Freda
Robert Nichols
Charles Tilgner, Ex-Officio
Rick Brideau, Ex-Officio
Joseph Paradis, Council Ex-Officio
Lynn Wiles, Alternate

Introduction

The preparation and adoption of a Capital Improvements Plan (CIP) is an important part of Londonderry's planning process. A CIP aims to recognize and resolve deficiencies in existing public facilities and anticipate and meet future demand for capital facilities. A CIP is a multi-year schedule that lays out a series of municipal projects and their associated costs. Over the six-year period considered by the CIP, it shows how the Town should plan to expand or renovate facilities and services to meet the demands of existing or new population and businesses.

A CIP is an **advisory document** that can serve a number of purposes, among them to:

- Guide the Town Council, School Board, and the Budget Committee in the annual budgeting process;
- Contribute to stabilizing the Town's real property tax rate;
- Aid the prioritization, coordination, and sequencing of various municipal improvements;
- Inform residents, business owners, and developers of planned improvements;
- Provide the necessary legal basis for ongoing administration and periodic updates of the Londonderry Growth Management Ordinance;
- Provide the necessary legal basis continued administration and periodic updates of the Londonderry Impact Fee Ordinance.

It must be emphasized that the CIP is purely advisory in nature. Ultimate funding decisions are subject to the budgeting process and the annual Town meeting. Inclusion of any given project in the CIP does not constitute an endorsement by the CIP Committee. Rather, the CIP Committee is bringing Department

project requests to the attention of the Town, along with recommended priorities, in the hope of facilitating decision making by the Town.

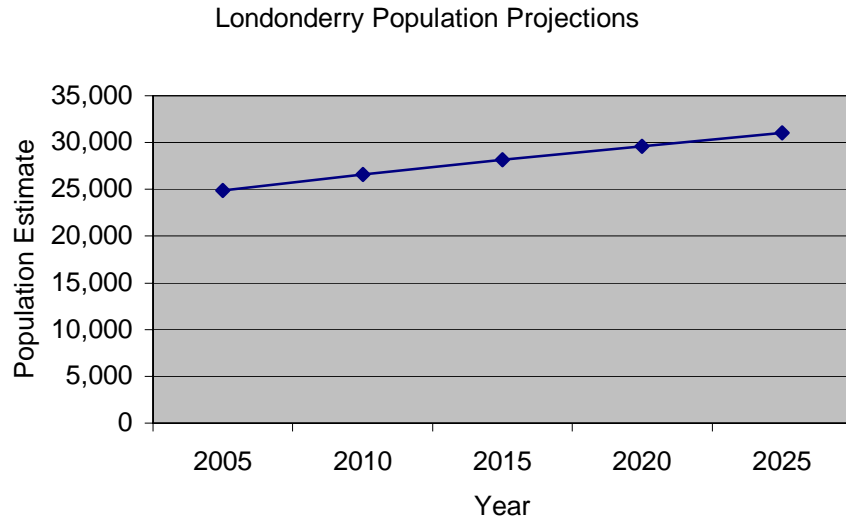
Borrowing from the 2004 Londonderry Master Plan:

Until relatively recent years, Londonderry was a lightly populated rural community with a large number of active agricultural operations (Note: See appendix for a short town history). Even as recently as 1960, when Londonderry's population was less than 2,500 persons, the majority of housing was located along rural roads or in small clusters such as North Londonderry. During the next thirty years, the town underwent a dramatic transformation from an agricultural and rural community to a popular residential town. Between 1960 and 1990, Londonderry's population grew by an astonishing 700 percent, far outpacing growth in the state and county (during the same time New Hampshire and Rockingham County grew by 83 and 148 percent, respectively).

See Chart and Table, next page:

Introduction (Continued)

Chart of Londonderry Population Growth (Source NH OEP Population Projections)



Top 10 Growing NH Communities 1990-2000 (Source: NH OEP)

Community	NH Municipalities - Rank Order by Numeric Growth						1990 - 2000	
	1960	1970	1980	1990	2000	Change	%	Rank
	census	census	census	census	census	1990	Change	Rank
Manchester	88282	87754	90936	99567	107006	7439	7.47	1
Nashua	39096	55820	67865	79662	86605	6943	8.72	2
Bedford	3636	5859	9481	12563	18274	5711	45.46	3
Concord	28991	30022	30400	36006	40687	4681	13.00	4
Derry	6987	11712	18875	29603	34021	4418	14.92	5
Londonderry	2457	5346	13598	19781	23236	3455	17.47	6
Hudson	5876	10638	14022	19530	22928	3398	17.40	7
Merrimack	2989	8595	15406	22156	25119	2963	13.37	8
Hooksett	3713	5564	7303	8767	11721	2954	33.69	9
Hampton	5379	8011	10493	12278	14937	2659	21.66	10

It is a principal goal of the CIP to increase the predictability and regularity of the Town's budget by planning for routine or anticipated major purchases of capital equipment and

determining appropriate methods for meeting the Town's capital facility needs. Possible financing mechanisms and a hypothetical bonding schedules are found at the rear of this report. This financial information is intended solely to assist decision makers in the budget process.

The Londonderry Capital Improvement Planning Committee has prepared this report under the authority of the Planning Board and RSA 674:5-8 (Appendix A). It is the Committee's intention that this report reflects the capital needs of the Town for the period between 2008-2013 and to offer recommendations to the Budget Committee, School Board, and Town Council for consideration as part of the annual budget. Information was submitted to the Committee from the various town Departments, Boards and Committees, which helped form the basis of this document. Although this Capital Improvements Plan includes a six-year period, the CIP will be updated every year to reflect changing demands, new needs, and regular assessment of priorities. This document contains those elements required by law to be included in a Capital Improvements Plan.

For purposes of the CIP, a capital project is defined as a tangible project or asset having a cost of at least \$100,000 and a useful life of at least five years. Eligible items include new buildings or additions, land purchases, studies, substantial road improvements and purchases of major vehicles and equipment. Operating expenditures for personnel and other general costs are not included. Expenditures for maintenance or repair are generally not included unless the cost or scope of the project is substantial enough to increase the level of a facility improvement. A summary of each of the projects included in the 2008 to 2013 CIP is provided in the following section.

Financing Methods

In the project summaries below, there are several different financing methods used. Four methods require appropriations, either as part of the Town's annual operating budget or as independent warrant articles at Town Meeting.

- The **1-Year Appropriation (GF)** is the most common method, and refers to those projects proposed to be funded by real property tax revenues within a single fiscal year.
- The **Capital Reserve (CRF)** method requires appropriations over more than one year, with the actual project being accomplished only when the total appropriations meet the project cost.
- **Lease/Purchase** method has been used by the fire department and other departments for the purchase of major vehicles.
- **Bonds (BD)** are generally limited to the most expensive capital projects, such as major renovations, additions, or new construction of school or municipal buildings or facilities, and allow capital facilities needs to be met immediately while spreading out the cost over many years in the future.
- **Impact fees (IF)** are collected from new development to pay for new facility capacity and placed in a fund until they are either expended within six years as part of the project finance or they are returned to the party they were collected from.
- **Grants (GR)** are also utilized to fund capital projects in Londonderry. Typically, grants will cover a portion of the overall project cost, and the Town is responsible for the remaining percentage of the project cost.
- **Tax Increment Financing (TIF)**. TIF Districts allow the Town to use increases in valuation of property to directly pay off bonds for infrastructure improvements and capital projects in the district. TIF Districts are set up and administered according to NH RSA's, Chapter 162-K.
- Lastly, the Town can take advantage of **Public/Private Partnerships**, where a private organization shares the costs of funding a capital project.

Identification of Departmental Capital Needs

The Londonderry CIP Committee uses worksheet forms that are filled-out annually and submitted by department heads and committee chairs to identify potential capital needs and explain these project requests. Forms are tailored by the CIP Committee and the Planning Department to generate information that defines the relative need and urgency for projects, and which also enables long-term monitoring of the useful life and returns from projects. The CIP submittal form is included in Appendix B. After written descriptions of potential capital projects are submitted, department heads or committee chairs are asked to come before the CIP Committee, as needed, to explain their capital needs and priorities and to explore with the CIP Committee the alternative approaches available to achieve the optimum level of capital needs and improvements.

The CIP Committee evaluates requests submitted from Department Heads, Boards & Committees, and assigns them to the 6-year schedule according to the priority of all capital requests. The following pages describe each of the requests that have been placed in the 6-year CIP program, and include: spreadsheets of the schedule, funding sources, tax impacts, and other required information.

Priority System

The Committee has established a system to assess the relative priority of projects requested by the various departments, boards, and committees. Each proposed project is individually considered by the Committee and assessed a priority rank based on the descriptions below:

- ❑ **Priority 1 – Urgent:** Cannot Be Delayed: Needed immediately for health & safety
- ❑ **Priority 2 - Necessary:** Needed within 3 years to maintain basic level & quality of community services.
- ❑ **Priority 3 - Desirable:** Needed within 4-6 years to improve quality or level of services.
- ❑ **Priority 4 - Deferrable:** Can be placed on hold until after 6 year scope of current CIP, but supports community development goals.
- ❑ **Priority 5 - Premature:** Needs more research, planning & coordination
- ❑ **Priority 6 - Inconsistent:** Contrary to land-use planning or community development goals.

Listing & Discussion of Projects by Priority

Priority 1- Urgent/Cannot Be Delayed: Needed immediately for health & safety

No Projects

Priority 2 - Necessary: Needed within 3 years to maintain basic level & quality of community services.

General Government

- **Open Space Protection - \$6,000,000 (\$1,000,000 Annually)**

Project Description: This project implements the Master Plans call for the continued protection of open space. The capital funds requested will be used to acquire conservations easements or fee simple ownership of open space lands identified in the 2006 Londonderry Open Space plan. Please see the plan for details on the natural resource values of the parcels recommended for possible addition to Londonderry's open space network. The Commission recommends a level effort of financial commitment over the 6-year plan period.

Funding Source: BD/GF/GR

Proposed Funding Year: FY 2008, 2009, 2010, 2011, 2012, 2013

Public Works & Engineering - Highway Division

- **Roadway Rehab/Reconstruction Program - \$6,000,000 (\$1,000,000 annually)**

Project Description: Implementation of a roadway rehabilitation and reconstruction program for the Town's roadway infrastructure.

Funding Source: BD/GF/GR

Proposed Funding Year: FY 2008, 2009, 2010, 2011, 2012, 2013

Priority 2 - Necessary: Needed within 3 years to maintain basic level & quality of community services.

Fire Department

- **North/West Station Replacement - \$1,500,000**

Project Description: This project will fund the construction of a new North/West Fire Station. This project has been identified in the CIP for the past number of years. Land has been acquired for the North/West Fire Station. Funds were approved at the 2006 Town meeting for site work and land purchase. The design of the station is complete and site work will be complete and the only cost to be included in the next process is the building only. North station was built in the 1956 and has reached its useful life as a volunteer station. Modern Fire Equipment cannot easily fit into station without some modifications. The land that the station currently sits on is not large enough to support on-site renovations or modifications. Building does not meet current building codes, fire codes, or life safety codes.

Funding Source: BD/IF

Proposed Funding Year: FY 2008

School Department

- **South School Renovations - \$3,600,000**

Project Description: Replace the aging portable classrooms located at the South Elementary School with permanent construction. Project will likely also include some interior renovations and improvements to the field area. Similar to the North School project funded previously, the South School portables are beginning to show significant wear and tear. If not addressed, the School District will be forced to use an increasing amount of resources for a deteriorating building.

Funding Source: BD

Proposed Funding Year: FY 2009

Listing & Discussion of Projects by Priority (Continued)

Priority 2 - Necessary: Needed within 3 years to maintain basic level & quality of community services.

Planning & Economic Development Department

- **Pettingill Road Upgrade - \$5,000,000**

Project Description: This project will fund preliminary design plans and construction of the upgrade to Pettingill Road, a Class VI roadway that once upgraded will provide access to the industrial land south of Manchester Airport and connect with the NHDOT Airport Access Road. This approximately 800 acres of land has the potential for being developed into 3.6 million square feet of commercial and industrial development. This area is one of the key focus areas of the Master Plan, and a significant future contributor to the town's tax base. In May 2003, the Town conducted a design charrette that created a vision for the development of this area. The Planning Board is currently reviewing a new zoning district called "Flexible Industrial" The proposed ordinance is an attempt to create a regulatory process that captures the major elements of the vision.

*Funding Source: TIF
Proposed Funding Year: FY 2009*

Planning & Economic Development

- **Rt. 28/128 Intersection (Phase 1 - Preliminary Engineering) - \$200,000**

Project Description: The project proposes to upgrade the Rt. 28/Rt. 128 intersection by adding lanes to the four way approach, realigning the intersection and also signalization. This is phase I (Preliminary Engineering) of a three phase project. Londonderry was successful in having this project included in the NHDOT 10 Year Transportation Improvements Plan (TIP). It was originally scheduled for implementation FY 2012, but has been moved to FY2015. The preliminary engineering begins in 2009. Given that most of the funding will be provided by the NHDOT, Londonderry has to be ready with it share of the funding.

*Funding Source: GR
Proposed Funding Year: FY 2009*

Priority 2 - Necessary: Needed within 3 years to maintain basic level & quality of community services.

Public Works & Engineering - Highway Division

- **Highway Garage Improvements - \$460,000**

Project Description: Improvements to the existing Highway Garage including construction of a shed to store sand/salt mixtures and house trucks & equipment, and construction of a 24' x 80' addition to the existing building to house a forman's office, lunchroom, and bathroom facilities.

*Funding Source: GF
Recommended Funding Year: FY 2010*

Police Department

- **Facility Communications Room – \$350,000**

Project Description: Replace and upgrade of police communications system. The base system allows for police communications within the community and throughout the state. The current system is approximately ten years old. It's previous life expectancy is ten years. While no current problems exists with the equipment it serves as the center of communications for all Emergency communications for Law enforcement within the community. The upgraded system will have a similar 10 year +/- lifespan.

*Funding Source: GF
Recommended Funding Year: FY 2010*

Listing & Discussion of Projects by Priority (Continued)

Priority 2 - Necessary: Needed within 3 years to maintain basic level & quality of community services.

School Department

- **New SAU Office - \$250,000 (A&E), \$2,500,000 (Construction)**

Project Description: This project is to build a new SAU District Office. The existing building is severely over capacity. Indoor air quality is measured daily. Readings on a good day are poor. The Current SAU office has under gone many band aid fixes to accommodate new personnel. Storage area located in the old town hall has been eliminated, all storage is now located under the high school. With the increasing population at LEEP, the DW training room may soon be eliminated. Finally, with the construction of the new Police and Town Hall, parking will be very difficult at best.

Funding Source: BD

Proposed Funding Year: FY 2010 for A&E, FY 2011 for Construction

Planning & Economic Development

- **Rt. 28/128 Intersection (Phase 2- Right-of-way Acquisition) - \$125,000**

Project Description: The project proposes to upgrade the Rt. 28/Rt. 128 intersection by adding lanes to the four way approach, realigning the intersection and also signalization. This is phase II (Right-of-way acquisition) of a three phase project. Londonderry was successful in having this project included in the NHDOT 10 Year Transportation Improvements Plan (TIP). It was originally scheduled for implementation FY 2012, but has been moved to FY2015. The preliminary engineering begins in 2009. Given that most of the funding will be provided by the NHDOT, Londonderry has to be ready with it share of the funding.

Funding Source: GR

Proposed Funding Year: FY 2012

Priority 3 - Desirable: Needed within 4-6 years to improve quality or level of services.

Finance/Administration

- **Replace Finance Software Package - \$250,000**

Project Description: This project will replace/upgrade the software used by the Finance/Administration Department. Due to the growth of the Town, many services and enhancements are being added, which the current finance software cannot accommodate. Examples include GASB34 Reporting and single entry processing.

Funding Source: Fund Balance

Proposed Funding Year: FY 2011

Public Works & Engineering - Solid Waste Division

- **Dan Hill Road Drop Off Center Improvements - \$375,000**

Project Description: Site improvements to the existing drop-off facility on Dan Hill Road.

Funding Source: Reclamation Trust Fund

Proposed Funding Year: FY 2011

Fire Department

- **Central Station Renovations - \$1,000,000**

Project Description: This project has been identified in the CIP for the past number of years. This renovation will provide much needed improvements inclusive of more energy efficiencies. This station was built in 1978. There is no storage; appropriate living quarters for Firefighters and Office space is extremely limited. The training room is in need for expansion. And the communications Room is completely outdated and proper working conditions need to be addressed.

Funding Source: BD

Proposed Funding Year: FY 2012

Listing & Discussion of Projects by Priority (Continued)

Priority 3 - Desirable: Needed within 4-6 years to improve quality or level of services.

School Department

- **Auditorium - \$720,000(A&E), \$1,000,000 (Site Preparation) \$10,280,000 (Construction)**

Project Description: Construction of a new auditorium for the needs of the District's music, performing arts programs. Planning seating capacity is under 1,000. When available, the building will be open to other community programs and organizations.

Funding Source: BD

Proposed Funding Year: FY 2012 for A&E, FY 2013 for Construction

Public Works & Engineering - Sewer Division

- **South Londonderry Sewer Phase II - \$1,500,000**

Project Description: Construction of the South Londonderry Phase II sewer project, expanding service area to capture a mix of commercial and residential land uses, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

Funding Source: BD/Private Developer Contribution

Proposed Funding Year: FY 2013

Public Works & Engineering - Sewer Division

- **Mammoth Road Sewer Replacement (portion) - \$240,000**

Project Description: Replacement of a section of sewer infrastructure in the Mammoth Road near the intersection of Mammoth and Sanborn Road, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005, and the conditionally approved multi-family development plans on Sanborn Road.

Funding Source: BD/AF/Private Developer Contribution

Proposed Funding Year: FY 2013

Priority 4 - Deferrable: Can be placed on hold until after 6 year scope of current CIP, but supports community development goals.

Rec Commission:

- **Auburn Road Rec Facility - \$2,000,000**

Project Description: To develop a comprehensive recreation area at the Auburn Road Superfund site. The site would include, but not limited to, walking and hiking trails, playground, softball/ baseball field, open flat space area for family and neighborhood outings and games, an area for pets and their owners to recreate.

Funding Source: GF

Public Works & Engineering - Sewer Division

- **Plaza 28 Sewer Pump Station Replacement - \$2,000,000**

Project Description: Replacement of the existing sewer pump station at Plaza 28, enhancing service area to capture a mix of commercial and industrial land uses in the Jack's Bridge Road TIF District, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

Funding Source: TIF/AF/BD

Public Works & Engineering - Sewer Division

- **Mammoth Road (North) Sewer Extension - \$460,000**

Project Description: Extension of sewer infrastructure in the Mammoth Road area of the "North Village", consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

Funding Source: BD/AF

Listing & Discussion of Projects by Priority (Continued)

Priority 5 - Premature: Needs more research, planning & coordination

No Projects

Priority 6 - Inconsistent: Contrary to land use planning or community development goals.

No Projects

Note Regarding Previously Appropriated Exit 4A Project

The bond for Exit 4A has been approved by a prior Town Meeting, so to that extent, it is an approved project and is not included in the CIP. However, the project's debt service has not yet impacted the community. In order to provide a complete estimation of the fiscal impact of capital projects, 4A has been indicated in the Financing Plan and Net Tax Impact Analysis spreadsheets of this CIP. Currently, there is \$4.5M in un-issued debt authorization. The Town Manager's estimation at this point and that these bonds will be sold as a twenty year note in FY2009, with Principal & Interest payments beginning in FY2010.

Legend For Funding Source	
AF - Access Fee	CRF - Capital Reserve Fund
BD - Bond	IF - Impact Fee
GF - General Fund	GR - Grant
TIF - Tax Increment Financing	

Capital Reserve Project Summaries:

Public Works & Engineering - Highway Division

- **Capital Reserve Program for Highway Trucks & Equipment - See Spreadsheets for Proposed Expenditures**

Project Description: Ongoing Capital Reserve expenditure for replacement of highway trucks and equipment on a ten and seven-year cycle.

Funding Source: CRF/Lease

Fire Department

- **Capital Reserve Program for Fire Equipment/Trucks - See Spreadsheets for Proposed Expenditures**

Project Description: Ongoing Capital Reserve expenditure to replace the fleet, as changes in growth have made the 20-year replacement plan obsolete.

Funding Source: CRF/Lease

Fire Department

- **Capital Reserve Program for Ambulance - See Spreadsheets for Proposed Expenditures**

Project Description: Ongoing Capital Reserve expenditure to replace the fleet, as changes in growth have made the 20-year replacement plan obsolete.

Funding Source: CRF/Lease

Planning & Economic Development Department

- **Capital Reserve Program for Master Plan Update- See Spreadsheets for Proposed Expenditures**

Project Description: Yearly capital reserve contribution leading to FY2011 update to the Town's Master Plan, following the decennial US Census in 2010.

Funding Source: CRF

Town of Londonderry
SUMMARY OF ALL CAPITAL PROJECTS FY 2008 - 2013

Department/Project	COST	Funding Source	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	TOTAL
HIGHWAY											
Garage Improvements	\$610,000	GF	\$150,000				\$460,000				\$610,000
Roadway Reconstruction Mgt.Plan	\$6,000,000	BD			\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$6,000,000
Dan Hill Rd Drop Off Center Improvements	\$375,000	TF						\$375,000			\$375,000
Mammoth Road Sewer Replacement (portion)	\$240,000	BD								\$240,000	\$240,000
So Londonderry Sewer Phase II	\$1,500,000	BD								\$1,500,000	\$1,500,000
CRF-Hwy. Equipment/Trks	\$784,000	CRF/Lease	\$140,000	\$40,000		\$289,500	\$125,000	\$189,500			\$784,000
Highway Sub-Total	\$9,509,000		\$290,000	\$40,000	\$1,000,000	\$1,289,500	\$1,585,000	\$1,564,500	\$1,000,000	\$2,740,000	\$9,509,000
PLANNING DEPARTMENT											
CMAQ Sidewalk Project - Pillsbury & Rt.128	\$688,490	GF/GR	\$588,490								\$688,490
Planning Sub-Total	\$688,490		\$588,490	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$688,490
FIRE DEPARTMENT											
CRF-Ambulance	\$127,105	CRF/Lease		\$127,105							\$127,105
CRF-Fire Equip/Trks	\$671,218	CRF/Lease		\$309,337				\$361,881			\$671,218
Fire Improvement (South Station)	\$1,700,000	BD	\$100,000	\$1,600,000							\$1,700,000
Fire Improvement (Central)	\$1,050,000	BD							\$1,050,000		\$1,050,000
Fire Improvement (North/West Station)	\$1,600,000	GF	\$100,000		\$1,500,000						\$1,600,000
Fire Sub-Total	\$5,148,323		\$200,000	\$2,036,442	\$1,500,000	\$0	\$0	\$361,881	\$1,050,000	\$0	\$5,148,323
POLICE DEPARTMENT											
Facility Communications Room	\$350,000	GF					\$350,000				\$350,000
Police Sub-Total	\$350,000					\$0	\$350,000				\$350,000
GENERAL GOVERNMENT											
Route 28/128 Intersection - Prelim Engineering	\$200,000	GR				\$200,000					\$200,000
Route 28/128 Intersection - Right of Way Acq.	\$125,000	GR							\$125,000		\$125,000
Replace Finance Software	\$250,000	GF						\$250,000			\$250,000
Pettingill Road Upgrade	\$5,000,000	TIF				\$5,000,000					\$5,000,000
Open Space Protection	\$8,000,000	GF/GR	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$8,000,000
Sub-Total - General Gov't	\$13,575,000		\$1,000,000	\$1,000,000	\$1,000,000	\$6,200,000	\$1,000,000	\$1,250,000	\$1,125,000	\$1,000,000	\$13,575,000
Grand Total - Town Projects	\$29,270,813		\$2,078,490	\$3,076,442	\$3,500,000	\$7,489,500	\$2,935,000	\$3,176,381	\$3,175,000	\$3,740,000	\$29,270,813
Summary - ALL CAPITAL PROJECTS											
Town Projects	\$29,270,813		\$2,078,490	\$3,076,442	\$3,500,000	\$7,489,500	\$2,935,000	\$3,176,381	\$3,175,000		\$29,270,813
School Projects	\$24,250,000		\$5,500,000	\$0	\$400,000	\$3,600,000	\$275,000	\$2,475,000	\$1,000,000	\$11,000,000	\$24,250,000
New Field	\$0										\$0
TOTAL - ALL CAPITAL PROJECTS	\$53,520,813		\$7,578,490	\$3,076,442	\$3,900,000	\$11,089,500	\$3,210,000	\$5,651,381	\$4,175,000	\$11,000,000	\$53,520,813
LAND VALUATION											
			\$2,586,656,005	\$2,638,389,125	\$2,691,156,908	\$2,744,980,046	\$2,799,879,647	\$2,855,877,240	\$2,912,994,785	\$2,971,254,680	
TAX RATE IMPACT											
			\$2.93	\$1.17	\$1.45	\$4.04	\$1.15	\$1.98	\$1.43	\$3.70	

Town of Londonderry
SUMMARY OF SCHOOL CAPITAL PROJECTS FY 2008 - 2013

SCHOOL	COST	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	PLAN REMAIN
Maint Trust Fund										\$0
North/South Schools	\$9,500,000	\$5,500,000		\$400,000	\$3,600,000					\$9,500,000
School Space Needs	\$0									\$0
District Office	\$2,750,000					\$275,000	\$2,475,000			\$2,750,000
Auditorium	\$12,000,000							\$1,000,000	\$11,000,000	\$12,000,000
	\$24,250,000	\$5,500,000	\$0	\$400,000	\$3,600,000	\$275,000	\$2,475,000	\$1,000,000	\$11,000,000	\$24,250,000

Past Years of CIP

Budget Year of CIP

Program Years of CIP

Financing Plan for CIP Municipal Projects FY 2008 - 2013 (Part 1)

DEPARTMENT	CAPITAL PROJECT	COST	SOURCES OF	FY 2006	FY 2007	FY 2008	FY 2009	FY2010	FY2011	FY2012	FY2013
HIGHWAY											
	Expansion of Garage	\$610,000	Project Cost	\$150,000				\$460,000			
			Outside Revenues	\$0				\$0			
			Net Payout	\$150,000				\$460,000			
	Roadway Reconstruction Mgmt Program	\$6,000,000	Project Cost			\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
			Notes			-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000
			Net Payout			\$22,500	\$117,500	\$210,250	\$300,750	\$389,000	\$475,000
	Dan Hill Rd Drop Off Center Improvements	\$375,000	Project Cost						\$375,000		
			Revenue Applied						-\$375,000		
			Net Payout						\$0		
	Mammoth Road Sewer Replacement (portion)	\$240,000	Project Cost								\$240,000
			Revenue Applied								-\$240,000
			Net Payout								\$0
	So Londonderry Sewer Phase II	\$1,500,000	Project Cost								\$1,500,000
			Notes								-\$1,500,000
			Net Payout								\$33,750
	CRF - Highway Equipment	\$784,000	Project Cost	\$140,000	\$40,000		\$289,500	\$125,000	\$189,500		
			Capital Reserve Funds	-\$140,000	-\$40,000		-\$289,500	-\$125,000	-\$189,500		
			Net Payout				\$0	\$0	\$0		
PLANNING											
	CMAQ Sidewalk Project - Pillsbury & Rt.128	\$688,490	Project Cost	\$588,490							
	CMAQ PATHWAY PROJECT		Grant	-\$470,792							
			Net Payout	\$117,698							
FIRE DEPARTMENT											
	Ambulance - CRF	\$127,105	Project Cost		\$127,105						
			Capital Reserve Funds		-\$127,105						
			Net Payout								
	Pumper/Tanker/Ladder/CRF	\$671,218	Project Cost		\$309,337				\$361,881		
			Capital Reserve Funds	-\$155,000	-\$309,337				-\$361,881		
			Net Payout						\$0		
	Fire Improvement Project South Replace	\$1,700,000	Project Cost	\$100,000	\$2,475,000						
			Notes	\$0	-\$2,475,000						
			Net Payout	\$100,000	\$34,000						
	Fire Improvement Project Central Station	\$1,050,000	Project Cost							\$1,050,000	
			Notes							-\$1,050,000	
			Net Payout							\$23,625	\$99,750
	Fire Improvement Project North/West Replace	\$1,600,000	Project Cost	\$100,000		\$1,500,000					
			Notes	\$0		-\$1,500,000					
			Net Payout	\$100,000		\$33,750	\$142,500	\$139,125	\$132,375	\$129,000	

Financing Plan for CIP Municipal Projects FY 2008 - 2013 (Part 2)

POLICE DEPARTMENT												
	Facility Communications Room	\$350,000	Project Cost					\$350,000				
			Notes					\$0				
			Net Payout					\$350,000				
GENERAL GOVERNMENT												
	Route 28/128 Intersection - Prelim Engineering	\$200,000	Project Cost				\$200,000					
			Grant				-\$200,000					
			Net Payout				\$0					
	Route 28/128 Intersection - Right of Way Acq	\$125,000	Project Cost								\$125,000	
			Grant								-\$125,000	
			Net Payout								\$0	
	Replace Finance Software	\$250,000	Project Cost								\$250,000	
			Revenue Applied								-\$250,000	
			Net Payout								\$0	
	Pettingill Road Upgrade	\$5,000,000	Project Cost				\$5,000,000					
			Revenue Bond				-\$5,000,000					
			Net Payout				\$112,500	\$475,000	\$463,750	\$452,500	\$441,250	
	Open Space Protection	\$8,000,000	Project Cost	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
			Notes	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000
			Net Payout	\$610,000	\$695,000	\$22,500	\$117,500	\$210,250	\$300,750	\$389,000	\$475,000	
MUNICIPAL GOV'T		\$29,270,813										
			Project Cost	\$2,078,490	\$3,951,442	\$3,500,000	\$7,489,500	\$2,475,000	\$3,176,381	\$3,175,000	\$3,740,000	
			Applied Revenues	-\$1,920,792	-\$3,951,442	-\$3,500,000	-\$7,489,500	-\$2,125,000	-\$3,176,381	-\$3,175,000	-\$3,740,000	
			Net Payout	\$1,077,698	\$729,000	\$78,750	\$490,000	\$1,844,625	\$1,197,625	\$1,383,125	\$1,524,750	
			Tax Rate Impact	\$0.42	\$0.28	\$0.03	\$0.18	\$0.66	\$0.42	\$0.47	\$0.51	

Financing Plan for CIP School Projects FY 2008 - 2013

PROJECT	School	COST	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Maint. Trust Fund	Admin									
School Renov	School Renov	<u>\$9,500,000</u>	\$5,500,000		\$400,000	\$3,600,000				
	State Aid		\$0		\$0					
	Bonds/Notes		-\$5,500,000		\$0	-\$3,600,000				
	Net Impact		\$137,225		\$400,000	\$80,000	\$360,000	\$352,000	\$344,000	\$336,000
District Office Reno.	District Office	<u>\$2,750,000</u>					\$275,000	\$2,475,000		
	State Aid						\$0	\$0		
	Bonds/Notes						\$0	-\$2,475,000		
	Net Impact						\$275,000	\$49,500	\$222,750	\$217,800
Arts Center/Auditorim	General Use	<u>12,000,000</u>							1,000,000	11,000,000
	State Aid								\$0	\$0
	Bonds/Notes								\$0	-\$11,000,000
	Net Impact								1,000,000	\$240,000
GR.TOTAL-SCHOOL	Project Cost	<u>\$24,250,000</u>	\$5,500,000	\$0	\$400,000	\$3,600,000	\$275,000	\$2,475,000	\$1,000,000	\$11,000,000
	Applied Revenues		-\$5,500,000	\$0	\$0	-\$3,600,000	\$0	-\$2,475,000	\$0	-\$11,000,000
	Net Payout		\$137,225	\$0	\$400,000	\$80,000	\$635,000	\$401,500	\$1,566,750	\$793,800
Total - All School Proj.		<u>\$24,250,000</u>	<u>\$5,500,000</u>	<u>\$0</u>	<u>\$400,000</u>	<u>\$3,600,000</u>	<u>\$275,000</u>	<u>\$2,475,000</u>	<u>\$1,000,000</u>	<u>\$11,000,000</u>
TAX RATE IMPACT			\$0.05	\$0.00	\$0.15	\$0.03	\$0.23	\$0.14	\$0.54	\$0.27
LAND VALUATION			\$2,586,656,005	\$2,638,389,125	\$2,691,156,908	\$2,744,980,046	\$2,799,879,647	\$2,855,877,240	\$2,912,994,785	\$2,971,254,680

**Net Tax Impact Analysis
Municipal Government
Current Debt Schedule (Part 1)**

	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013
Municipal Government								
Principal	\$2,003,479	1,765,000	1,968,750	1,828,750	1,913,750	1,813,750	1,798,750	1,793,750
Interest	\$756,571	788,374	827,375	866,145	904,100	835,195	770,046	707,158
Total Debt Pmts	\$2,760,050	\$2,553,374	\$2,796,125	\$2,694,895	\$2,817,850	\$2,648,945	\$2,568,796	\$2,500,908
Revenues Applied to Debt								
Net Current Debt Ann.Paymts	\$2,760,050	\$2,553,374	\$2,796,125	\$2,694,895	\$2,817,850	\$2,648,945	\$2,568,796	\$2,500,908
Net Tax Impact	\$1.07	\$0.97	\$1.04	\$0.98	\$1.01	\$0.93	\$0.88	\$0.84
Debt Schedule as Proposed in CIP	\$0	\$0	\$78,750	\$490,000	\$1,034,625	\$1,197,625	\$1,383,125	\$1,524,750
Proposed Debt Schedule	\$2,760,050	\$2,553,374	\$2,874,875	\$3,184,895	\$3,852,475	\$3,846,570	\$3,951,921	\$4,025,658
Net Tax Impact	\$1.07	\$0.97	\$1.07	\$1.16	\$1.38	\$1.35	\$1.36	\$1.35
Pay As You Go Projects								
Capital Reserve Funds:								
Contributions:								
Highway	\$110,000	\$224,250	\$110,000	\$110,000	\$110,000	\$135,000	\$135,000	\$135,000
Ambulance	\$50,000	\$123,143	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Fire	\$160,000	\$0	\$160,000	\$160,000	\$160,000	\$160,000	\$160,000	\$160,000
Master Plan Update	\$0	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Total CRFs	\$320,000	\$347,393	\$340,000	\$340,000	\$340,000	\$365,000	\$365,000	\$365,000
Net Tax Impact	\$0.12	\$0.13	\$0.13	\$0.12	\$0.12	\$0.13	\$0.13	\$0.12
CIP Projects-Pay As You Go	\$467,698	\$0	\$0	\$0	\$810,000	\$0	\$0	\$0
Total Municipal Capital Outlay	\$3,547,748	\$2,900,767	\$3,214,875	\$3,524,895	\$5,002,475	\$4,211,570	\$4,316,921	\$4,390,658
Net Tax Impact	\$1.37	\$1.10	\$1.19	\$1.28	\$1.79	\$1.47	\$1.48	\$1.48

**Net Tax Impact Analysis
Municipal Government
Current Debt Schedule (Part 2)**

	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013
School District								
School Current Debt:								
Total Prin	\$1,245,000	\$1,515,000	\$1,505,000	\$1,495,000	\$1,485,000	\$1,480,000	\$1,470,000	\$1,460,000
Total Int	\$858,312	\$878,501	\$825,607	\$772,787	\$720,287	\$667,594	\$614,289	\$562,083
Total Gross Debt	\$2,103,312	\$2,393,501	\$2,330,607	\$2,267,787	\$2,205,287	\$2,147,594	\$2,084,289	\$2,022,083
Deduct State Reimb	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000
Total Net Debt	\$1,953,312	\$2,243,501	\$2,180,607	\$2,117,787	\$2,055,287	\$1,997,594	\$1,934,289	\$1,872,083
Net Tax Impact	\$0.76	\$0.85	\$0.81	\$0.77	\$0.73	\$0.70	\$0.66	\$0.63
Add:								
Proposed CIP Debt								
Add: CIP Proposed Debt Pmts	\$0	\$0	\$0	\$80,000	\$360,000	\$401,500	\$566,750	\$793,800
Tax Impact CIP Proposed Debt	\$0.00	\$0.00	\$0.00	\$0.03	\$0.13	\$0.14	\$0.19	\$0.27
Adjusted Net Debt Pmts	\$1,953,312	\$2,243,501	\$2,180,607	\$2,197,787	\$2,415,287	\$2,399,094	\$2,501,039	\$2,665,883
Adjusted Debt Schedule	\$1,953,312	\$2,243,501	\$2,180,607	\$2,197,787	\$2,415,287	\$2,399,094	\$2,501,039	\$2,665,883
Adjusted Debt Tax Impact	\$0.76	\$0.85	\$0.81	\$0.80	\$0.86	\$0.84	\$0.86	\$0.90
School District Pay As You Go Projects								
Electrical Upgrade								
New School			\$400,000					
Additional Parking District Wide								
Arch & Eng Fees							\$1,000,000	
District Office Renovations					\$275,000			
Maintenance Cap.Reserve Fund								
Kindergarten								
Total Pay As You Go	\$0	\$0	\$400,000	\$0	\$275,000	\$0	\$1,000,000	\$0
Tax Impact Pay As You Go	\$0.00	\$0.00	\$0.15	\$0.00	\$0.11	\$0.00	\$0.39	\$0.00
TOTAL SCHOOL	\$1,953,312	\$2,243,501	\$2,580,607	\$2,197,787	\$2,690,287	\$2,399,094	\$3,501,039	\$2,665,883
TAX IMPACT	\$0.76	\$0.85	\$0.96	\$0.80	\$0.96	\$0.84	\$1.20	\$0.90
COMBINED DEBT PMTS	\$5,501,060	\$5,144,268	\$5,795,482	\$5,722,682	\$7,692,762	\$6,610,664	\$7,817,960	\$7,056,541
COMBINED PAY AS YOU GO	\$787,698	\$347,393	\$740,000	\$340,000	\$1,425,000	\$365,000	\$1,365,000	\$365,000
COMBINED TAX IMPACT	\$2.43	\$2.08	\$2.43	\$2.21	\$3.26	\$2.44	\$3.15	\$2.50
Tax Base	\$2,586,656,005	\$2,638,389,125	\$2,691,156,908	\$2,744,980,046	\$2,799,879,647	\$2,855,877,240	\$2,912,994,785	\$2,971,254,680

Conclusions & Recommendations

The Program of Capital Expenditures herein provides a guide for budgeting and development of Londonderry's public facilities. The Planning Board will review and update the CIP each year prior to budget deliberations. The CIP may be modified each year based on changes in needs and priorities. As noted in the Plan, there are projects proposed where the CIP Committee has determined that there is not enough information to make a recommendation concerning a proposed capital project. These are topics in the opinion of the Committee that should be studied in further detail before funding decisions should be made.

The Capital Improvements Planning Committee has worked hard over the past 3 years to improve the effectiveness of capital facilities programming in Londonderry. It is hoped that the improvements made in the past 3 years can continue to be refined and evaluated for their effectiveness in future years. The CIP Committee believes that Londonderry has made great strides in process and format of the Capital Improvements Plan, and are hopeful that the improvements have made a difference to the Planning Board, Town Council, School Board, and Budget Committee as they prepare budgets each year.

Appendix A: Relevant State Statutes

CHAPTER 674

LOCAL LAND USE PLANNING AND REGULATORY POWERS

Capital Improvements Program

674:5 Authorization. – In a municipality where the planning board has adopted a master plan, the local legislative body may authorize the planning board to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. As an alternative, the legislative body may authorize the governing body of a municipality to appoint a capital improvement program committee, which shall include at least one member of the planning board and may include but not be limited to other members of the planning board, the budget committee, or the town or city governing body, to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least years. The capital improvements program may encompass major projects being currently undertaken or future projects to be undertaken with federal, state, county and other public funds. The sole purpose and effect of the capital improvements program shall be to aid the mayor or selectmen and the budget committee in their consideration of the annual budget.

Source. 1983, 447:1, eff. Jan. 1, 1984. 2002, 90:1, eff. July 2, 2002.

674:6 Purpose and Description. – The capital improvements program shall classify projects according to the urgency and need for realization and shall recommend a time sequence for their implementation. The program may also contain the estimated cost of each project and indicate probable operating and maintenance costs and probable revenues, if any, as well as existing sources of funds or the need for additional sources of funds for the implementation and operation of each project. The program shall be based on information submitted by the departments and agencies of the municipality and shall take into account public facility needs indicated by the prospective development shown in the master plan of the municipality or as permitted by other municipal land use controls.

Source. 1983, 447:1, eff. Jan. 1, 1984.

674:7 Preparation. –

I. In preparing the capital improvements program, the planning board or the capital improvement program committee shall confer, in a manner deemed appropriate by the board or the committee, with the mayor or the board of selectmen, or the chief fiscal officer, the budget committee, other municipal officials and agencies, the school board or boards, and shall review the recommendations of the master plan in relation to the proposed capital improvements program.

II. Whenever the planning board or the capital improvement program committee is authorized and directed to prepare a capital improvements program, every municipal department, authority or agency, and every affected school district board, department or agency, shall, upon request of the planning board or the capital improvement program committee, transmit to the board or committee a statement of all capital projects it proposes to undertake during the term of the program. The planning board or the capital improvement program committee shall study each proposed capital project, and shall advise and make recommendations to the department, authority, agency, or school district board, department or agency, concerning the relation of its project to the capital improvements program being prepared.

Source. 1983, 447:1. 1995, 43:1, eff. July 2, 1995. 2002, 90:2, eff. July 2, 2002.

674:8 Consideration by Mayor and Budget Committee. – Whenever the planning board or the capital improvement program committee has prepared a capital improvements program under RSA 674:7, it shall submit its recommendations for the current year to the mayor or selectmen and the budget committee, if one exists, for consideration as part of the annual budget.

Source. 1983, 447:1, eff. Jan. 1, 1984. 2002, 90:3, eff. July 2, 2002.

Appendix B: Capital Project Request Form



Department:	Department Priority: _____ of _____ projects
Type of Project: (check one)	Primary Effect of Project is to: <input type="checkbox"/> Replace or repair existing facilities or equipment <input type="checkbox"/> Improve quality of existing facilities or equipment <input type="checkbox"/> Expand capacity of existing service level/facility <input type="checkbox"/> Provide new facility or service capacity
Service Area of Project: (check one)	<input type="checkbox"/> Region <input type="checkbox"/> Town Center <input type="checkbox"/> Town-wide <input type="checkbox"/> Street <input type="checkbox"/> School District <input type="checkbox"/> Other Area <input type="checkbox"/> Neighborhood
Project Description:	
Rationale for Project: (check those that apply, elaborate below)	<input type="checkbox"/> Urgent Need <input type="checkbox"/> Removes imminent threat to public health or safety <input type="checkbox"/> Alleviates substandard conditions or deficiencies <input type="checkbox"/> Responds to federal or state requirement to implement <input type="checkbox"/> Improves the quality of existing services <input type="checkbox"/> Provides added capacity to serve growth <input type="checkbox"/> Reduces long term operating costs <input type="checkbox"/> Provides incentive to economic development <input type="checkbox"/> Eligible for matching funds available for a limited time
Narrative Justification:	

Appendix B: Capital Project Request Form (Continued)

<p>Cost Estimate: Capital Costs</p> <p>(Itemize as Necessary) Dollar Amount (In current \$)</p> <p>\$ _____ Planning/Feasibility Analysis</p> <p>\$ _____ Architecture & Engineering Fees</p> <p>\$ _____ Real Estate acquisition</p> <p>\$ _____ Site preparation</p> <p>\$ _____ Construction</p> <p>\$ _____ Furnishings & equipment</p> <p>\$ _____ Vehicles & capital equipment</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>Total Project Cost \$ _____</p>	<p>Impact on Operating & Maint. Costs or Personnel Needs</p> <p><input type="checkbox"/> Add Personnel</p> <p><input type="checkbox"/> Increased O&M Costs</p> <p><input type="checkbox"/> Reduce Personnel</p> <p><input type="checkbox"/> Decreased O&M Costs</p> <p>Dollar Cost of Impacts if known:</p> <p>+ \$ _____ Annually</p> <p>(-) \$ _____ Annually</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Source of Funding:

Grant From: _____ \$ _____ (show type)

Loan From: _____ \$ _____ (show type)

Donation/Bequest/private _____ \$ _____

User Fees & Charges _____ \$ _____

Capital Reserve Withdrawal _____ \$ _____

Impact Fee Account _____ \$ _____

Current Revenue _____ \$ _____

General Obligation Bond _____ \$ _____

Revenue Bond _____ \$ _____

Special Assessment _____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Project Cost: \$ _____

Form Prepared By:

Signature: _____

Title: _____

Dept./Agency: _____

Date Prepared: _____

Appendix C: Capital Project Scoring Sheet



Londonderry Capital Improvement Plan Capital Project Scoring Sheet



Department:	Project Name:
-------------	---------------

<u>Evaluation Criteria</u>	<u>Point Score</u>
• Addresses an emergency or public safety need	5 4 3 2 1 0
• Addresses a deficiency in service or facility	5 4 3 2 1 0
• Provides capacity needed to serve existing population or future growth	5 4 3 2 1 0
• Results in long-term cost savings	5 4 3 2 1 0
• Supports job development/increased tax base	5 4 3 2 1 0
• Furthers the goals of the 2004 Master Plan	5 4 3 2 1 0
• Leverages the non-property tax revenues	5 4 3 2 1 0
• Matching funds available for a limited time	5 4 3 2 1 0

Total Project Score: ____ of a possible 40 points

1 **LONDONDERRY, NH PLANNING BOARD**

2 **MINUTES OF THE MEETING OF OCTOBER 4, 2006**

3
4 6:30 PM: Members Present: Art Rugg, Chair; Paul DiMarco, Secretary; Rick Brideau,
5 Ex-Officio; Chuck Tilgner, Ex-Officio; Lynn Wiles; Mary Soares; Tom Freda.

6
7 Also Present: John Trottier, PE, Asst. Director of Public Works & Engineering

8
9 A. Rugg called the meeting to order at 6:30 PM. A. Rugg appointed L. Wiles to vote for
10 J. Farrell.

11
12 **Administrative Board Work – Plans to sign: Stonyfield Farms, Inc. – Phase 1A Site**
13 **Plan, Map 14, Lot 44-13.**

14
15 J. Trottier stated that staff and the Town’s review consultant had reviewed the plans and
16 information with the Notice of Decision, and stated that all conditions of the approval had
17 been met.

18
19 **P. DiMarco made a motion to authorize the Chairman and Secretary to sign the**
20 **plans for the Stonyfield Farms Phase 1A Site Plan seeing that all conditions of**
21 **approval have been met. Seconded by M. Soares. Discussion: None. Vote on**
22 **the motion: 7-0-0. Plans will be signed at the conclusion of the meeting.**

23
24 J. Trottier informed the Board that the Hovey Road Estates Subdivision plans had been
25 rejected at the registry. New mylar was ready for re-signing tonight.

26
27 **Adjournment:**

28
29 **R. Brideau motioned to adjourn the meeting at 6:35 PM. Seconded by M. Soares.**
30 **Vote on the Motion: 7-0-0.**

31
32 **Meeting adjourned.**

33 These minutes typed by Tim Thompson, AICP from notes by John Trottier, PE.

34 Respectfully Submitted,

35
36 *Mary Wing Soares*

37 Assistant Secretary

LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE OCTOBER 11, 2006 MEETING AT THE MOOSE HILL COUNCIL CHAMBERS

Members Present: Art Rugg; Tom Freda (arrived at 7:15 PM); Rick Brideau, Ex-Officio; John Farrell; Joe Paradis; Paul DiMarco; Mary Soares; Rob Nichols; Lynn Wiles; alternate member

Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsra, Planning Department Secretary

A. Rugg called the meeting to order at 7:00 PM. A. Rugg appointed L. Wiles to vote for T.Freda.

Administrative Board Work

A. Regional Impact Determinations

T. Thompson outlined 2 projects submitted in September. He recommended that both the Cranberry and Coca-Cola be determined not of regional impact.

J. Farrell made a motion to accept the staff report. R. Brideau seconded the motion. No discussion. **Vote on the motion: 8-0-0.**

B. Extension Request – AGITISDI Site Plan - Map 6, Lots 37 &38 - Until November 8, 2006

T. Thompson referenced the memos from AGITISDI & T. Winnings. T. Thompson said staff supports the extension to Nov. 8.

T. Winnings appeared before the board to answer any questions.

J. Farrell made a motion to grant extension to Nov. 8. R. Brideau seconded the motion. No discussion. **Vote on the motion: 8-0-0.** Extension to Nov. 8 granted.

C. Approval of Minutes – September 6 & 13

M. Soares asked if Planning Dept. can email a final draft to the Planning Board prior to the meeting. T. Thompson stated he would see that C. Dirsra does so in the future.

J. Farrell made a motion to approve the minutes from 9/6. R. Brideau seconded the motion. No discussion. **Vote on the motion: 6-0-2** (J. Farrell & J. Paradis abstained because they were absent on 9/6).

J. Farrell made a motion to approve the minutes from 9/13. R. Brideau seconded the motion. No discussion. **Vote on the motion: 8-0-0.**

Minutes for September 6 and 13 have been signed.

D. Discussions with Town Staff

1. Stonyfield Phase 1A - Porous Asphalt Test

T. Thompson explained that Stonyfield wishes to test a porous asphalt material on a portion of the Phase 1A parking lot expansion. The approved plans call for standard pavement. He said the question they have now is whether or not the Planning Board wants to hold a public hearing on this change or allow staff to handle it administratively.

J. Trottier said their concern is the pavement mix design. A. Garron said they have already used this type of pavement at UNH's Stormwater Research Project in

1 Durham and it seems to be successful.
2 M. Soares asked for a definition of “porous asphalt”. T.Thompson said regular
3 asphalt is more dense and porous asphalt has more cracks/space between it to
4 allow for drainage to infiltrate. P. DiMarco expressed his concern about water in the
5 cracks freezing. J. Trottier also shared P. DiMarco’s concerns. T. Thompson said
6 they have seen less icing with the porous asphalt at UNH, but it requires more
7 maintenance. The silt, dirt, etc. needs to be vacuumed out.
8 A. Rugg said the board is comfortable with staff handling the issue.
9

10 2. Nutfield YMCA - ZBA Recommendations

11
12 T. Thompson said the applicant is now moving forward with various zoning
13 requests to the ZBA, and inquired if the Planning Board would be willing to offer
14 recommendations to the ZBA. A. Rugg, J. Farrell and M. Soares said the Planning
15 Board would like to see a site plan so they have something to review formally
16 before making recommendations. The consensus was not to make
17 recommendations to the ZBA.
18

19 A. Rugg stated that since T. Freda had arrived, L. Wiles was no longer a voting
20 member, but can participate in all discussions as an alternate.
21

22 3. Impact Fee Waiver - Benson Family

23
24 A. Garron gave an overview of the Bensons’ request and what was discussed at
25 the last meeting. The Town’s legal counsel does not recommend granting such a
26 waiver. A. Rugg would like to give Mr. Benson an opportunity to speak.
27 Mr. Benson said he has paid for that lot as a “buildable lot” since the subdivision
28 was started. A. Rugg said the town lawyers expressed concern about setting a
29 precedent on this issue. Mr. Benson said at the last month the board said he could
30 appeal the decision if he chooses to do so. A.Garron said he could do that however
31 the decision process is the board’s responsibility. T.Freda understands the board’s
32 and town’s concern, but the Bensons have the right to ask for the waiver. **J. Farrell**
33 **made a motion to deny the waiver based on the letter from the Town’s legal**
34 **counsel and the recommendations of the staff. P. DiMarco seconded the**
35 **motion.** No discussion. **Vote on the motion: 8-0-0.** Waiver denied.
36

37 **Public Hearings**

38
39 A. Derry Road Associates (Benson’s Hardware) – Map 7, Lot 40-11 – Application
40 Acceptance and Public Hearing for a Site Plan to construct a 4860 square foot millwork
41 building.
42

43 T. Thompson said there are no outstanding checklist items, and that staff recommends
44 the application be accepted as complete.
45 **P.DiMarco made a motion to accept the application. M.Soares seconded the**
46 **motion.** No discussion. **Vote on the motion: 8-0-0.** Application accepted as complete.
47

48 L. Zebrowski from Keach Nordstrom, presented the plans to build a storage building for
49 millwork supplies. As part of this plan the applicant plans to eliminate some of the
50 existing office space in the hardware store, and replace with retail space.
51 Need 109 parking spaces for this plan, they have 111 existing parking spaces.
52 In the future they plan to have a kerosene station.

1 J. Trottier read the comments from the DPW/Vollmer memo .

2 T. Thompson said this appeared before the Heritage Commission and said they
3 recommended approval of the architectural design. T. Thompson said the staff
4 recommends conditional approval of this project as outlined in the staff
5 recommendations.

6 P. DiMarco asked about the septic plans. He wanted to know if the existing scrap/trash
7 will be moved prior to installing the septic. L. Zebrowski said everything will be cleaned
8 prior to installation. M. Soares expressed concern about having to cross a travel lane to
9 get propane tanks filled. Brad Benson, President of Benson Lumber, said there is
10 nowhere to park when filling propane tanks. He did say that the trucks don't load/unload
11 on Sat/Sun which is their busiest retail days. B. Benson also said they try to maintain
12 their buffers wherever possible. L. Wiles asked if the fire dept is aware of the kerosene
13 placement. B. Benson said they are aware.
14 There was no public input when requested.

15
16 **J.Farrell made a motion to conditionally approve the plan with the following**
17 **conditions:**

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

21
22 **PRECEDENT CONDITIONS**

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

28
29 1. The Applicant shall address the following relative to the revised drainage report:

30
31 A. The Applicant has revised the analysis to include additional reaches under both
32 pre- and post development conditions. Please note predevelopment analysis at
33 subcatchment 2 and the post development analysis at subcatchments 2, 5 and 6
34 indicate subcatchments routing through the entire reach(es) of the swale located
35 along Winding Pond Road which is located wholly within the subcatchments. We
36 would anticipate the analysis to indicate the entire subcatchments contributing at
37 the end of the reach. The Applicant shall revise accordingly. In addition, the
38 Applicant shall update the reach analysis both predevelopment and post
39 development to be consistent since no improvements are proposed within the
40 swale (reaches). The Applicant shall verify compliance with the section 3.07 of the
41 regulations (no increase in runoff).

42
43 B. The Applicant has redefined the post development analysis to include two (2)
44 additional subcatchments (5 and 6) with this latest submittal. Under the revised
45 post development condition, the post development subcatchment calculations
46 appear to indicate the amount of paved parking and roofs as being less than the
47 amount scaled from the plans and thus do not appear to completely account for the
48 post development conditions shown. The Applicant shall revise the analysis as
49 necessary to properly represent the post development conditions. Please verify
50 compliance with the section 3.07 of the regulations (no increase in runoff).

51

- 1 C. The Applicant shall revise the inverts for predevelopment reach 20 (400 series) to
2 be consistent with the post development inverts and the inverts shown on the
3 existing conditions plan.
4
- 5 2. The Applicant shall address the following relative to the revised grading and utility plan:
6
7 A. The Applicant shall indicate the pavement sawcut limits for the proposed water line
8 crossing and indicate and label the location of bends, thrust blocks and valves and
9 verify the proposed hydrant location meets the approval of the Fire Department and
10 verify the comments of the Fire Department have been adequately addressed with
11 the Fire Department. The Applicant shall include the appropriate details for the
12 water line in the plan set for proper construction and provide a utility clearance
13 letter for the proposed water line and hydrant for the Planning Department's file. In
14 addition, the Applicant shall provide a detail for the proposed underground electric
15 line in the plan set for proper construction.
16
17 B. The revised grading along Winding Pond Road appears to indicate a portion of the
18 slope will be less than 3H:1V between the 306 and 308 contours. The Applicant
19 shall revise to provide 3H:1V slope. In addition, the Applicant shall revise the
20 proposed tree line to represent the proposed grading and revise the proposed tree
21 line on all appropriate plans accordingly.
22
- 23 3. The Applicant shall clarify the traffic distribution to Route 102 to the satisfaction of the
24 Planning Department and provide an updated traffic report for the Planning Department's
25 file.
26
- 27 4. Outside consultant's fees shall be paid within 30 days of approval of plan.
28
- 29 5. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to
30 the Town at the time of signature by the Board in accordance with Section 2.05.n of the
31 regulations.
32
- 33 6. Financial guaranty if necessary.
34
- 35 7. Final engineering review.
36

37 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified the
38 approval is considered final. If these conditions are not met within 120 days to the day of the
39 meeting at which the Planning Board grants conditional approval the board's approval will be
40 considered to have lapsed and re-submission of the application will be required. See RSA
41 674:39 on vesting.
42

43 **GENERAL AND SUBSEQUENT CONDITIONS**

44

45 All of the conditions below are attached to this approval.
46

- 47 1. **No construction or site work for the amended site plan may be undertaken until**
48 **the pre-construction meeting with Town staff has taken place, filing of an NPDES-**
49 **EPA Permit (if applicable) and the site restoration financial guaranty is in place**
50 **with the Town.** Contact the Department of Public Works to arrange for this meeting.
51

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

36 **R.Brideau seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Plan is
37 conditionally approved.

- 38
39
40 B. Insight Technology Inc. – Map 28, Lot 31-5 – Application Acceptance and Public Hearing
41 for a Site Plan to construct a parking lot expansion.
42

43 T. Thompson stated that the missing checklist item is a waiver request for the traffic
44 impact analysis. He stated that staff recommends granting the waiver as the proposal
45 calls for parking to serve the existing employees, and no new industrial space is
46 proposed in the buildings. He said provided the Board grants the waiver, staff
47 recommends the application be accepted as complete.

48 **J. Farrell made a motion to grant the waiver, based on the letter from the applicant**
49 **and the staff recommendation. M. Soares seconded the motion.** No discussion.

50 **Vote on the motion: 7-0-0** (R.Brideau was out of the room during the vote)

51 **J. Farrell made a motion to accept the application as complete. P. DiMarco**
52 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Application
53 accepted as complete.

1
2 Todd Connors, Sublime, presented the plans. He said the land is zoned I-II and it is part
3 of Ferrotec Park. They are proposing additional parking for Technology Dr. and Akira
4 Way. He said the 2nd waiver request addresses illumination levels having to cross the 2
5 common driveways.

6 J. Trottier read the comments from the DPW/Vollmer memo .

7 T. Thompson referenced staff recommendations and that staff recommends granting the
8 waiver, and recommends conditional approval for the project.

9 R. Nichols asked how people can get to the building from the parking lot.

10 T. Connors said they are not extending sidewalks because the traffic flow is sparse. He
11 said there are no trucks accessing the new parking area, just employees.

12 M. Soares asked how far it is for employees walking to/from the building. From the new
13 parking area to the building is about 500 feet. T. Thompson said this area has been
14 graveled for some time and they have been using it for parking. They are just seeking
15 compliance from the town.

16 Mark Bolar , Director of Maintenance from Insight, was present to answer questions.

17 J. Farrell would like to see sidewalks installed for employees. R. Brideau suggested

18 painting lines to keep traffic away from employees. T. Freda asked why they aren't

19 making the parking area bigger. T. Connors said they are doing what they need for now.

20 He said it would cost about \$40-50,000 to expand the parking area beyond what they
21 have proposed.

22 **J. Farrell made a motion to grant the waiver for the illumination levels based on**
23 **the applicant's request letter and staff recommendation. R. Nichols seconded the**
24 **motion.** No discussion. **Vote on the motion: 8-0-0.** Waiver granted.

25 T. Connors wants to address the comment regarding the sight distance plan and profile.
26 He said this is an existing driveway and it would be a burden for the applicant to go to the
27 owner and ask for a sight distance easement.

28 T. Thompson said the board could grant a waiver. T. Connors asked if they could write
29 the waiver now for the board to consider. A. Rugg said yes, they could write it now.

30 T. Connors said they understand the board's concern about the sidewalk and they want
31 to ensure the safety of the employees.

32 J.Trottier said he doesn't support the waiver. T. Thompson stated he supports the
33 waiver as the driveway exists today, and no modifications are being made to it.

34 There was no public input when requested.
35

36 **J. Farrell made a motion to grant the sight distance waiver 3.08B5 submitted from**
37 **Sublime Civil, based on the recommendation of the Planning Department. R.**
38 **Brideau seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Waiver
39 granted.
40

41 J. Farrell made a motion to conditionally approve the plan with the following conditions:

42
43 "Applicant", herein, refers to the property owner, business owner, or organization submitting
44 this application and to his/its agents, successors, and assigns.
45

46 **PRECEDENT CONDITIONS**
47

48 All of the precedent conditions below must be met by the applicant, at the expense of the
49 applicant, prior to certification of the plans by the Planning Board. Certification of the plans is
50 required prior to commencement of any site work, any construction on the site or issuance of a
51 building permit.
52

- 1 1. The Applicant shall revise the object heights in the sight distance profiles for both north
2 and south ends to 4.25 feet (vs. 4.5') and indicate the 1.5 foot all season sight distance is
3 provided per Exhibit D3 of the regulations.
4
- 5 2. The proposed driveway grading along the entrance appears to fill over the existing 15"
6 pipe outlet from the existing catch basin at invert 337.97. It appears a manhole and new
7 FES outlet would be needed. The Applicant shall revise the design as necessary to
8 properly maintain the existing pipe outlet flow.
9
- 10 3. The Applicant shall provide the professional endorsement from a Licensed Land
11 Surveyor on the existing conditions plan in accordance with the regulations.
12
- 13 4. The Applicant notes no wetlands exist on the site (note 12 on sheet S1), but has not
14 provided a letter to address the wetland delineation as typically required for the Planning
15 Department's file. The Applicant shall provide a letter prepared and endorsed by a
16 Certified Wetland Scientist addressing wetlands at the project site for the Planning
17 Department's file.
18
- 19 5. The Applicant shall address the following relative to the revised drainage calculations:
20
 - 21 A. The project description and analysis indicates a retention pond is located offsite
22 and northwesterly of the subject lot. The pond routing analysis for the retention
23 pond begins below the invert out at 338, which is typically not allowed by the Town.
24 The Applicant shall revise the retention pond analysis to begin at the invert out as
25 typically required by the Town. The Applicant shall verify compliance with the
26 regulations (no increase in runoff).
27
 - 28 B. The 25-year post development runoff to catch basin 4 is 3.39 cfs. The Applicant
29 shall provide a double grate catch basin. The Applicant shall provide a construction
30 detail for the double grate basin in the plan set. In addition, the Applicant shall
31 provide grate capacity analysis in the report to verify the single grate for catch basin
32 3 is adequate to handle the 2.29 cfs of runoff.
33
 - 34 C. The existing conditions information on the page headers is noted as "15-year"
35 which appears to be a typographical error. The Applicant shall revise accordingly.
36
- 37 6. The Applicant shall address the following on the site plan:
38
 - 39 A. The Applicant shall relocate the stop sign to the right of the sidewalk. The
40 Applicant shall update all appropriate sheets.
41
 - 42 B. The Applicant shall dimension the location of the curbing along the aisle of the
43 northerly lane in the parking area to clarify the location is outside the green area
44 setback and dimension the travel aisle width for proper construction.
45
 - 46 C. The Applicant shall a vertical granite curb (vs. sloped granite curb) be provided
47 along the sidewalk consistent with Exhibit D4 of the regulations. The Applicant
48 shall provide a detail to clarify the driveway pavement, location of the curb,
49 sidewalk, sidewalk slope etc. in the plan set for proper construction. In addition, the
50 Applicant shall revise the grading plan to clarify a one (1) foot shoulder is provided
51 behind the sidewalk consistent with Exhibit D4.
52

- 1 7. The Applicant shall provide a silt fence along the entire fill slope along Technology Drive.
2 The Applicant shall revise the grading plan accordingly.
3
- 4 8. Two light pole base details are provided in the plan set on sheets C3 and D2 which are
5 not consistent in the height above ground. The Applicant shall provide one detail
6 consistent with the design intent.
7
- 8 9. The Applicant shall provide a sidewalk connecting the proposed driveway to the new
9 parking lot with the Insight Technology building located on lot 31-3. The drainage
10 analysis for the project shall be updated accordingly, taking into account the extended
11 sidewalk, and meeting the approval of the Department of Public Works.
12
- 13 10. The Applicant shall provide the approval signature of the L.H.R.A. on the project
14 drawings.
15
- 16 11. Outside consultant's fees shall be paid within 30 days of approval of plan.
17
- 18 12. Note all waivers granted on the plan.
19
- 20 13. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to
21 the Town at the time of signature by the Board in accordance with Section 2.05.n of the
22 regulations.
23
- 24 14. Financial guaranty if necessary.
25
- 26 15. Final engineering review.
27

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

34 **GENERAL AND SUBSEQUENT CONDITIONS**

35

36 All of the conditions below are attached to this approval.
37

- 38 1. **No construction or site work for the amended site plan may be undertaken until**
39 **the pre-construction meeting with Town staff has taken place, filing of an NPDES-**
40 **EPA Permit (if applicable) and the site restoration financial guaranty is in place**
41 **with the Town.** Contact the Department of Public Works to arrange for this meeting.
42
- 43 2. The project must be built and executed exactly as specified in the approved application
44 package unless modifications are approved by the Planning Department & Department
45 of Public Works, or if staff deems applicable, the Planning Board.
46

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

30 **M. Soares seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Plan is
31 conditionally approved.
32

- 33 C. JKDD Properties, LLC (Flooring Associates) – Map 28, Lot 21-24 – Application
34 Acceptance and Public Hearing for a Site Plan to construct a 10,600 square foot
35 warehouse/office building.
36

37 T. Thompson said there are no outstanding checklist items, and that staff recommends
38 the application be accepted as complete.

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

42 N. Duquette from TF Moran presented the plans.

43 Site has 26 parking spaces. Two story 10,600 sq ft building.

44 She said DPW requested a 3 ft. wide gravel area next to the drive, which they have
45 incorporated. This site is on A soils and is like a sponge so they made sure that all
46 drainage went into the detention pond. They have included retaining walls to ensure
47 proper drainage. They have received compliance letters and utility clearances, including
48 the Fire Dept.

49 In attendance were: Jeffrey Knight, Tamposi Co landowner; David Gibson, Flooring
50 Assoc owner; Raymond Aho, Aho Construction Inc.; Jay Allen, Flooring Assoc
51 owner/managing member

52 J. Trottier read the items from the DPW/Vollmer memo.

1 T. Thompson said Heritage Commission did review and recommend approval of the
2 architectural design. He stated that staff supported the waivers for the landscaping due
3 to the lot having 3 frontages and the increased perimeter landscaping. He also stated
4 that staff recommends conditional approval based on the staff recommendations memo.
5 T. Freda asked about the ZBA decision re. the driveway. T. Thompson explained the
6 ZBA decision. J. Trottier explained that Planning & Public Works can't decide on this
7 issue, only the ZBA.
8 There was no public input when requested.
9

10 **J.Farrell made a motion to grant the two waivers, based on the applicant's request**
11 **letter and the recommendations of staff. R.Brideau seconded the motion.** No
12 discussion. **Vote on the motion: 8-0-0.** Two waivers have been granted.
13 **J.Farrell made a motion to conditionally approve the plan with the following**
14 **conditions:**
15

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

19 **PRECEDENT CONDITIONS**

20
21 All of the precedent conditions below must be met by the applicant, at the expense of the
22 applicant, prior to certification of the plans by the Planning Board. Certification of the plans is
23 required prior to commencement of any site work, any construction on the site or issuance of a
24 building permit.
25

- 26 1. The Applicant shall address the following relative to the revised and submitted project
27 drainage report:
28
 - 29 A. The Applicant has revised the detention basin design with this latest submittal that
30 includes lowering the top of embankment elevation to 204.00 (vs.205.00) The
31 revised 50-year pond routing analysis indicates the peak elevation of 203.05 and
32 revised design does not provide the minimum 12" of freeboard above the 50-year
33 elevation as required by the regulations. The Applicant shall revise the design as
34 necessary to provide the minimum elevation in accordance with the regulations.
35 The Applicant shall correct the detail in the plan set accordingly.
36
 - 37 B. The revised analysis now uses two separate points of analysis to indicate the
38 impact to abutting lot 20-1A to the south. Under the predevelopment condition, the
39 Applicant has indicated in Table 1 that two separate peak flows are summed to
40 show to total peak impact to the abutter. However, the two predevelopment peak
41 flows occur at significantly separate times and this reasoning does not properly
42 represent the peak impact to the abutter. The sum of the individual peaks by time
43 interval impact would be less than implied in Table 1. The Applicant shall note
44 under the post development condition, the same rational is used (summing of the
45 peak flows as shown in Table 2), which is representative of the post development
46 condition since the two post development peaks occur very close to the same time.
47 The Applicant shall note under the 25-year analysis, the calculations show an
48 increase would occur under the post development conditions (pre=0.99 cfs vs. post
49 = 1.00 cfs) using the Applicant's rational. The Applicant shall revise the design as
50 necessary to comply with the regulations (no increase in runoff). The Applicant
51 shall verify the analysis properly represents the pre- and post development
52 conditions to the abutters.

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- C. The Applicant shall verify the 200 elevation area used in the detention basin pond routing, which appears more than scaled from the plans, and revise as necessary. In addition, The Applicant shall verify the storage volume properly accounts for the 1.5 foot high riprap berm within the basin.
 - D. Under the post development condition, the calculations for subcatchments 10, 20 and 30 indicate all grass areas with >75% grass cover. However, portions of these post development areas are located offsite and within the ROW of the former Perimeter Road to the south. The plans provided do not show that these areas are to be improved under this project. The Applicant shall explain, clarify and revise as necessary.
2. The Applicant's proposed sign lighting is noted as 0.2 lumens per SF for the proposed 32 SF sign shown in the plan set. The Applicant shall update to clarify the entire proposed sign lighting does not exceed 0.2 foot-candles at the property line as required by the regulations.
 3. Portions of the Applicant's proposed retaining wall are located within the 50-year elevation of the on-site detention basin and does not provide the proper 3H:1V slope within the basin in accordance with the Town's typical detail and is typically not allowed by the Town. The Applicant shall revise the design as necessary meeting the approval of the Town.
 4. The Applicant shall address the following in the project details:
 - A. The Applicant shall clarify the method of attachment for the proposed steel plate on the outlet structure with appropriate details and information for proper construction.
 - B. The Applicant shall ensure the chain link fence along the retaining wall be 6 feet high (vs. four feet) as typically requested by the Town. The Applicant shall update the details accordingly.
 5. The Applicant shall note the Town of Londonderry Sewer Discharge Permit number on sheet 1.
 6. The Applicant shall provide the approval signature on the plans from LHRA with final submission of plans.
 7. Outside consultant's fees shall be paid within 30 days of approval of plan.
 8. Note all waivers granted on the plan.
 9. 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.
 10. Financial guaranty if necessary.
 11. Final engineering review.

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

6
7 **GENERAL AND SUBSEQUENT CONDITIONS**

8
9 All of the conditions below are attached to this approval.

- 10
11
12 1. **No construction or site work for the amended site plan may be undertaken until**
13 **the pre-construction meeting with Town staff has taken place, filing of an NPDES-**
14 **EPA Permit (if applicable) and the site restoration financial guaranty is in place**
15 **with the Town.** Contact the Department of Public Works to arrange for this meeting.
16
17 2. The project must be built and executed exactly as specified in the approved application
18 package unless modifications are approved by the Planning Department & Department
19 of Public Works, or if staff deems applicable, the Planning Board.
20
21 3. All of the documentation submitted in the application package by the applicant and any
22 requirements imposed by other agencies are part of this approval unless otherwise
23 updated, revised, clarified in some manner, or superseded in full or in part. In the case of
24 conflicting information between documents, the most recent documentation and this
25 notice herein shall generally be determining.
26
27 4. All site improvements must be completed prior to the issuance of a certificate of
28 occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in
29 circumstances that prevent landscaping to be completed (due to weather conditions or
30 other unique circumstance), the Building Department may issue a certificate of
31 occupancy prior to the completion of landscaping improvements, if agreed upon by the
32 Planning & Public Works Departments, when a financial guaranty (see forms available
33 from the Public Works Department) and agreement to complete improvements are
34 placed with the Town. The landscaping shall be completed within 6 months from the
35 issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to
36 contract out the work to complete the improvements as stipulated in the agreement to
37 complete landscaping improvements. **No other improvements shall be permitted to**
38 **use a financial guaranty for their completion for purposes of receiving a certificate**
39 **of occupancy.**
40
41 5. As built site plans must to be submitted to the Public Works Department prior to the
42 release of the applicant's financial guaranty.
43
44 6. All required Police Facility and Traffic impact fees must be paid prior to the issuance of a
45 Certificate of Occupancy.
46
47 7. It is the responsibility of the applicant to obtain all other local, state, and federal permits,
48 licenses, and approvals which may be required as part of this project (that were not
49 received prior to certification of the plans). Contact the Building Department at extension
50 115 regarding building permits.

51
52 **P. DiMarco seconded the motion. No discussion. Vote on the motion: 8-0-0.** Plan
53 conditionally approved.

1
2 D. Crowning Holdings, Inc – Map 15, Lot 2 – Application Acceptance and Public Hearing for
3 a Site Plan and a Conditional Use Permit to construct additional pavement and drainage
4 facilities at the existing site.

5
6 T.Thompson said there are no outstanding checklist items, and that staff recommends
7 the application be accepted as complete.

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

11 Danielle Marcoux & Tony Marcotte, of Bedford Design presented the plans.

12 J. Trottier read the comments from the DPW/Vollmer memo.

13 T. Thompson stated staff recommended the 3 waivers for plan scale and the conditional
14 use permit as outlined in the staff recommendations. Additionally, he brought up the
15 issue regarding the sign design, which by the Zoning Ordinance requires the design to
16 be approved by the Planning Board at a public hearing. He stated staff recommends
17 conditional approval based on the staff recommendations memo.

18 T. Marcotte requested for the board to set up a separate hearing for the signage.

19 A. Rugg said the board can do that.

20 There was no public input when requested.

21
22 **J.Farrell made a motion to grant the conditional use permit, based on the**
23 **recommendation of the Conservation Commission and staff. R.Brideau seconded**
24 **the motion.** No discussion. **Vote on the motion: 8-0-0.**

25 **J. Farrell made a motion to approve 3 waivers, based on the applicant's request**
26 **letter and the recommendation of staff. M. Soares seconded the motion.** No
27 discussion. **Vote on the motion: 8-0-0.** Waivers granted.

28
29 **J. Farrell made a motion to conditionally approve the plan with the following**
30 **conditions:**

31
32 "Applicant", herein, refers to the property owner, business owner, or organization submitting
33 this application and to his/its agents, successors, and assigns.

34
35 **PRECEDENT CONDITIONS**

36
37 All of the precedent conditions below must be met by the Applicant, at the expense of the
38 Applicant, prior to certification of the plans by the Planning Board. Certification of the plans is
39 required prior to commencement of any site work, any construction on the site or issuance of a
40 building permit.

41
42 1. The Applicant shall address the following on the site plan:

43
44 A. The revised grading along the curb of westerly portion of the site between spot
45 elevations 276.06 and 275.71 indicates grading of approximately 0.004 '/' and is
46 less than one percent. We are concerned the grading design is not sufficient to
47 properly drain and be properly constructed. In addition, the Applicant shall review
48 the grading between spot elevations 277.87 and 277.57 along the northerly
49 pavement edge. The Applicant shall revise the design to provide a minimum slope
50 of one percent for proper drainage and constructability.

- 1 B. The Applicant shall provide spot elevations at the pavement corners for the four
2 proposed easterly parking spaces near the proposed culvert to clarify the grading
3 and for proper construction.
4
- 5 C. The Applicant shall revise the loading area dimensions to 48' (vs. 18') consistent
6 with the size shown and minimum per Zoning Regulations.
7
- 8 D. It appears the proposed driveway shown to the east and beyond the 20' dimension
9 is larger than the existing driveway and does not following the existing driveway
10 location. The Applicant shall note portions of this driveway change are located on
11 an abutting lot Owned by NHDOT. The Applicant shall explain, clarify and provide
12 a letter from NHDOT agreeing with the driveway changes on their lot for the
13 Planning Department's file.
14
- 15 E. The Applicant shall note the Zoning Board information in the notes on sheet 5 as
16 required by the regulations.
17
- 18
- 19 F. The Applicant shall indicate the wetland permit approval number in the notes on
20 sheet 5 and provide a complete copy of the wetlands permit for the Planning
21 Department's file.
22
- 23 G. The Applicant shall provide a copy of the utility clearance letter for the proposed
24 hydrant relocation and utility pole removal for the Planning Department's file.
25
- 26 H. The Applicant shall provide a Planning Board approval block on sheet 5 and
27 remove the block from sheet 2.
28
- 29 I. The Applicant shall provide a detail for the sign and sign post in the plan set for
30 proper construction.
31
- 32 2. The Applicant shall address the following on the sight distance plan and profile:
33
- 34 A. The Applicant shall clarify the minimum 18" of all season sight is provided in the
35 northerly direction. In addition, the Applicant shall provide a north arrow on the
36 plan.
37
- 38 B. The Applicant shall place a stop sign and stop bar at the end of driveway. The
39 Applicant shall update accordingly and provide appropriate details in the plan set.
40
- 41 C. The driveway improvement detail on sheet 6 indicates a pavement rounding radius
42 of 150 feet, which appears large. The Town typically requests a 50 foot radius.
43 The Applicant shall revise the proposed rounding meets the approval of the
44 Department of Public Works.
45
- 46 3. The Applicant shall address the following relative to the submitted drainage
47 computations:
48
- 49 A. The pond routing calculations for the proposed detention basin, pond 1, indicates
50 the weir height as 1.00 foot and is not consistent with the detail or analysis (0.97
51 feet). In addition, the secondary weir (5'-0" width) with a height of 0.53 feet does
52 not extend to the top of the structure as required by the Town's standard structure,

1 Exhibit D-1 and does not comply with the Town's typical detail. The Applicant shall
2 revise the detail and analysis to be consistent and to provide an outlet structure
3 design consistent with the Town's standard structure.
4

5 B. The Applicant shall provide the 50-year pond routing calculations for both of the
6 proposed detention basins in the report.
7

8 C. The Applicant shall revise both detention basin outlet structure details to properly
9 indicate the top of embankment elevations consistent with the site plan and provide
10 the minimum 12" above the 50-year as required by the regulations.
11

12 4. The Applicant shall provide signage design and details in the plan set as required by
13 Section 3.11.2.1 of the Zoning Ordinance. This will require a public hearing for the final
14 approval of the plans, as the design of the sign must be part of the public hearing. Note
15 12 on the site plan shall be removed upon resubmission of the plans for final approval.
16 Alternatively, the Applicant may choose to remove any signage changes from the plans,
17 and submit a separate application to the Planning Board for a public hearing to change
18 the site signage.
19

20 5. Outside consultant's fees shall be paid within 30 days of approval of plan.
21

22 6. Note all waivers granted and the conditional use permit on the plan.
23

24 7. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to
25 the Town at the time of signature by the Board in accordance with Section 2.05.n of the
26 regulations.
27

28 8. Financial guaranty if necessary.
29

30 9. Final engineering review.
31

32 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified the
33 approval is considered final. If these conditions are not met within 120 days to the day of the
34 meeting at which the Planning Board grants conditional approval the board's approval will be
35 considered to have lapsed and re-submission of the application will be required. See RSA
36 674:39 on vesting.
37

38 **GENERAL AND SUBSEQUENT CONDITIONS**

39

40 All of the conditions below are attached to this approval.
41

42 1. **No construction or site work for the amended site plan may be undertaken until**
43 **the pre-construction meeting with Town staff has taken place, filing of an NPDES-**
44 **EPA Permit (if applicable) and the site restoration financial guaranty is in place**
45 **with the Town.** Contact 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 approved application
48 package unless modifications are approved by the Planning Department & Department
49 of Public Works, or if staff deems applicable, the Planning Board.
50

51 3. All of the documentation submitted in the application package by the Applicant and any
52 requirements imposed by other agencies are part of this approval unless otherwise

1 updated, revised, clarified in some manner, or superseded in full or in part. In the case of
2 conflicting information between documents, the most recent documentation and this
3 notice herein shall generally be determining.
4

- 5 4. All site improvements must be completed prior to the issuance of a certificate of
6 occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in
7 circumstances that prevent landscaping to be completed (due to weather conditions or
8 other unique circumstance), the Building Department may issue a certificate of
9 occupancy prior to the completion of landscaping improvements, if agreed upon by the
10 Planning & Public Works Departments, when a financial guaranty (see forms available
11 from the Public Works Department) and agreement to complete improvements are
12 placed with the Town. The landscaping shall be completed within 6 months from the
13 issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to
14 contract out the work to complete the improvements as stipulated in the agreement to
15 complete landscaping improvements. **No other improvements shall be permitted to**
16 **use a financial guaranty for their completion for purposes of receiving a certificate**
17 **of occupancy.**
18
19 5. As built site plans must to be submitted to the Public Works Department prior to the
20 release of the Applicant's financial guaranty.
21
22 6. All required Police Facility and Traffic impact fees must be paid prior to the issuance of a
23 Certificate of Occupancy.
24
25 7. It is the responsibility of the Applicant to obtain all other local, state, and federal permits,
26 licenses, and approvals which may be required as part of this project (that were not
27 received prior to certification of the plans). Contact the Building Department at extension
28 115 regarding building permits.
29

30 **M. Soares seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Plan is
31 conditionally approved.
32

33 T. Marcotte asked if the board would consider signing the plans prior to the scheduled
34 Nov. 1 meeting. A. Rugg said as long as everything is in place and the staff agrees
35 they can sign them before the Nov.1 meeting. T. Thompson said by the Board's Rules
36 of Procedure, 48 hours notice must be given prior to the meeting being held. T.
37 Marcotte said he appreciates the board's consideration and that they will work with
38 staff to accomplish this.
39

40 E. Public Hearing – 2008-2013 Capital Improvements Plan
41

42 T. Thompson said J. Farrell did a great job of presenting at the last meeting, which he
43 saw on replay after he returned to work from paternity leave. T. Thompson then gave a
44 presentation of the CIP plan (see attachment).
45 There was no public input when requested.
46

47 **M. Soares made a motion to adopt the CIP plan. J. Paradis seconded the motion.**
48 No discussion. **Vote on the motion: 8-0-0.** CIP adopted.
49

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Other Business

None.

Adjournment:

J. Farrell made a motion to adjourn. J. Paradis seconded the motion.
Meeting adjourned at 9:35 PM.

These minutes prepared by Cathy Dirsra, Planning Department Secretary.

Respectfully Submitted,

Mary Wing Soares
Assistant Secretary



Londonderry Capital Improvements Plan FY2008 - FY2013

***Planning Board Public Hearing
October 11, 2006***

Overview of CIP Process

A CIP is an **advisory document** that can serve a number of purposes, among them to:

- Guide the Town Council and the Budget Committee in the annual budgeting process;
- Contribute to stabilizing the Town's real property tax rate;
- Aid the prioritization, coordination, and sequencing of various municipal improvements;
- Inform residents, business owners, and developers of planned improvements;
- Provide the necessary legal basis for ongoing administration and periodic updates of the Londonderry Growth Management Ordinance;
- Provide the necessary legal basis continued administration and periodic updates of the Londonderry Impact Fee Ordinance.

Advisory Nature of CIP

- It must be emphasized that the CIP is purely advisory in nature. Ultimate funding decisions are subject to the budgeting process and the annual Town meeting. Inclusion of any given project in the CIP does not constitute an endorsement by the CIP Committee. Rather, the CIP Committee is bringing Department project requests to the attention of the Town, along with recommended priorities, in the hope of facilitating decision making by the Town.

What is a Capital Project?

- A tangible project or asset having a cost of at least \$100,000 and a useful life of at least five years.
- Eligible items include new buildings or additions, land purchases, studies, substantial road improvements and purchases of major vehicles and equipment.
- Operating expenditures for personnel and other general costs are not included.
- Expenditures for maintenance or repair are generally not included unless the cost or scope of the project is substantial enough to increase the level of a facility improvement.

Financing Methods

- **1-Year Appropriation (GF)**
- **Capital Reserve (CRF).**
- **Lease/Purchase**
- **Bonds (BD)**
- **Impact fees (IF)**
- **Grants (GR)**
- **Tax Increment Financing (TIF)**
- **Public/Private Partnerships**

Project Prioritization System

- **Priority 1 – Urgent:** Cannot Be Delayed: Needed immediately for health & safety
- **Priority 2 - Necessary:** Needed within 3 years to maintain basic level & quality of community services.
- **Priority 3 - Desirable:** Needed within 4-6 years to improve quality or level of services.

Project Prioritization System

- **Priority 4 - Deferrable:** Can be placed on hold until after 6 year scope of current CIP, but supports community development goals.
- **Priority 5 - Premature:** Needs more research, planning & coordination
- **Priority 6 - Inconsistent:** Contrary to land-use planning or community development goals.

Priority 1 Projects:

- **None**

Priority 2 Projects:

- **General Government**
 - **Open Space Protection - \$6,000,000 (\$1 Million Annually)**
 - *Project Description:* Continuing purchase of open space in accordance with the updated Open Space Preservation Plan.
 - *Funding Source:* BD/GF/GR
 - *Proposed Funding Year:* FY 2008, 2009, 2010, 2011, 2012, 2013
 - **Public Works & Engineering - Highway Division**
 - **Roadway Rehab/Reconstruction Program - \$6,000,000 (\$1 Million Annually)**
 - *Project Description:* Implementation of a roadway rehabilitation and reconstruction program for the Town's roadway infrastructure.
 - *Funding Source:* BD/GF/GR
 - *Proposed Funding Year:* FY 2008, 2009, 2010, 2011, 2012, 2013

Priority 2 Projects:

- **Fire Department**
 - **North/West Station Replacement - \$1,500,000**
 - *Project Description:* This project will fund the construction of a new North/West Fire Station.
 - *Funding Source:* BD/IF
 - *Proposed Funding Year:* FY 2008
- **School Department**
 - **South School Renovations - \$3,600,000**
 - *Project Description:* Replace the aging portable classrooms located at the South Elementary School with permanent construction.
 - *Funding Source:* BD
 - *Proposed Funding Year:* FY 2009

Priority 2 Projects:

- **Planning & Economic Development Department**
 - **Pettingill Road Upgrade - \$5,000,000**
 - *Project Description:* This project will fund preliminary design plans and construction of the upgrade to Pettingill Road, a Class VI roadway that once upgraded will provide access to the industrial land south of Manchester Airport and connect with the NHDOT Airport Access Road.
 - *Funding Source:* TIF
 - *Proposed Funding Year:* FY 2009
 - **Planning & Economic Development Department**
 - **Rt. 28/128 Intersection (Phase 1 – Preliminary Engineering) - \$200,000**
 - *Project Description:* The project proposes to upgrade the Rt. 28/Rt. 128 intersection by adding lanes to the four way approach, realigning the intersection and also signalization. This is phase I (Preliminary Engineering) of a three phase project.
 - *Funding Source:* GR
 - *Proposed Funding Year:* FY 2009

Priority 2 Projects:

- **Public Works & Engineering - Highway Division**
 - **Highway Garage Improvements - \$460,000**
 - *Project Description:* Improvements to the existing Highway Garage including construction of a shed to store sand/salt mixtures and house trucks & equipment, and construction of a 24' x 80' addition to the existing building to house a forman's office, lunchroom, and bathroom facilities.
 - *Funding Source:* GF
 - *Proposed Funding Year:* FY 2010
 - **Police Department**
 - **Facility Communications Room – \$350,000**
 - *Project Description:* Replace and upgrade of police communications system.
 - *Funding Source:* GF
 - *Proposed Funding Year:* FY 2010

Priority 2 Projects:

- **School Department**
 - **New SAU Office - \$250,000 (A&E), \$2,500,000 (Construction)**
 - *Project Description:* This project is to build a new SAU District Office.
 - *Funding Source:* BD
 - *Proposed Funding Year:* FY 2010 for A&E, FY 2011 for Construction
- **Planning & Economic Development Department**
 - **Rt. 28/128 Intersection (Phase 1 – Preliminary Engineering) - \$125,000**
 - *Project Description:* The project proposes to upgrade the Rt. 28/Rt. 128 intersection by adding lanes to the four way approach, realigning the intersection and also signalization. This is phase II (Right-of Way Acquisition) of a three phase project.
 - *Funding Source:* GR
 - *Proposed Funding Year:* FY 2012

Priority 3 Projects:

- **Finance/Administration**
 - **Replace Finance Software Package - \$250,000**
 - *Project Description:* This project will replace/upgrade the software used by the Finance/Administration Department.
 - *Funding Source:* Fund Balance
 - *Proposed Funding Year:* FY 2011
- **Public Works & Engineering - Solid Waste Division**
 - **Dan Hill Road Drop Off Center Improvements - \$375,000**
 - *Project Description:* Site improvements to the existing drop-off facility on Dan Hill Road.
 - *Funding Source:* Reclamation Trust Fund
 - *Proposed Funding Year:* FY 2011

Priority 3 Projects:

- **Fire Department**
 - **Central Station Renovations - \$1,000,000**
 - *Project Description:* General renovations to Central Station to improve efficiency of the building and fire operations.
 - *Funding Source:* BD
 - *Proposed Funding Year:* FY 2012
- **School Department**
 - **Auditorium - \$720,000(A&E), \$1,000,000 (Site Prep), \$10,280,000 (Construction)**
 - *Project Description:* Construction of a new auditorium for the needs of the District's music, performing arts programs. Planned seating capacity is under 1,000.
 - *Funding Source:* BD
 - *Proposed Funding Year:* FY 2012 for A&E, FY 2013 for Construction

Priority 3 Projects:

- **Public Works & Engineering - Sewer Division**
 - **South Londonderry Sewer Phase II - \$1,500,000**
 - *Project Description:* Construction of the South Londonderry Phase II sewer project, expanding service area to capture a mix of commercial and residential land uses, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.
 - *Funding Source:* BD/Private Developer Contribution
 - *Proposed Funding Year:* FY 2013
- **Public Works & Engineering - Sewer Division**
 - **Mammoth Road Sewer Replacement (portion) - \$240,000**
 - *Project Description:* Replacement of a section of sewer infrastructure in the Mammoth Road near the intersection of Mammoth and Sanborn Road, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005, and the conditionally approved multi-family development plans on Sanborn Road.
 - *Funding Source:* BD/AF/Private Developer Contribution
 - *Proposed Funding Year:* FY 2013

Priority 4 Projects:

- **Recreation Department**
 - **Auburn Road Rec Facility - \$2,000,000**
 - *Project Description:* To develop a comprehensive recreation area at the Auburn Road Superfund site.
 - *Funding Source:* GF
- **Public Works & Engineering - Sewer Division**
 - **Plaza 28 Sewer Pump Station Replacement - \$2,000,000**
 - *Project Description:* Replacement of the existing sewer pump station at Plaza 28, enhancing service area to capture a mix of commercial and industrial land uses in the Jack's Bridge Road TIF District, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.
 - *Funding Source:* TIF/AF/BD

Priority 4 Projects:

- **Public Works & Engineering - Sewer Division**
 - **Mammoth Road (North) Sewer Extension - \$460,000**
 - *Project Description:* Extension of sewer infrastructure in the Mammoth Road area of the "North Village", consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.
 - *Funding Source:* BD/AF

Note Regarding Previously Appropriated Exit 4A Project:

- The bond for Exit 4A has been approved by a prior Town Meeting, so to that extent, it is an approved project and is not included in the CIP. However, the project's debt service has not yet impacted the community. In order to provide a complete estimation of the fiscal impact of capital projects, 4A has been indicated in the Financing Plan and Net Tax Impact Analysis spreadsheets of the CIP. Currently, there is \$4.5M in un-issued debt authorization. The Town Manager's estimation at this point and that these bonds will be sold as a twenty year note in FY2009, with Principal & Interest payments beginning in FY2010.

Conclusion & Recommendations

- The CIP Committee has determined that there is not enough information to make a funding recommendation concerning the Priority 4 projects. These are projects in the opinion of the Committee that should be studied in further detail before funding decisions should be made.
- The CIP Committee believes that Londonderry has made great strides in process and format of the Capital Improvements Plan, and are hopeful that the improvements have made a difference to the Planning Board, Town Council, School Board, and Budget Committee as they prepare budgets each year.

THANK YOU!

- My thanks go out to the CIP Committee and Staff Members that made this project possible:
 - CIP Committee:
 - Chair John Farrell
 - Vice Chair Rick Brideau
 - School Board Rep Ron Campo
 - Town Council Rep Marty Bove
 - Budget Committee Rep Frank Hegarty
 - Staff:
 - Sue Hickey, Asst. Town Manager for Finance & Administration
 - Peter Curro, School Department Business Administrator

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF NOVEMBER 1, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Tom Freda (arrived at 7:05); John Farrell; Joe Paradis; Mary Soares; Rob
7 Nichols; Lynn Wiles, alternate member

8
9 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Department
10 Secretary

11
12 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed L. Wiles to vote for T.Freda.
13

14 **Administrative Board Work**

15
16
17 A. Regional Impact Determinations

18
19 None.

20
21 B. Extension Request – Conditionally Approved Kelcourse Site Plan - Map 15, Lot 87-1 -
22 Until July 4, 2007

23
24 T. Thompson referenced a letter from Deb Brewster at TF Moran requesting the 6-
25 month extension to July 4, 2007. T.Thompson has discussed this with Andre Garon
26 and they recommend granting the extension. J.Farrell asked if we have granted them
27 an extension before. T.Thompson said we have granted an extension twice prior to
28 this.

29 Deb Brewster, TF Moran, represented the applicant. She said they hope to submit the
30 plans on November 2. She said they have a buyer, Ron Dupont from Red Oak
31 Properties. The town was in a period of unsustainable growth and that impacted their
32 plans. They have met with the Town and made modifications to their plans. They have
33 revised their plans according to the discussions with the town. T. Thompson said if
34 everything is in place then financing would be the issue. D. Brewster said they hope to
35 wrap everything up in December. J. Farrell asked T. Thompson how much time the
36 applicant would need. T. Thompson said six months should be sufficient given the fact
37 that the submission is coming in tomorrow. If everything is fixed and revised on the
38 plans, meeting our conditions then the financing would be the one holdback in terms of
39 Public Works getting the financial guarantees in place.

40 **J. Farrell made a motion to grant the extension to July 4, 2007. J. Paradis**
41 **seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Extension is
42 granted.

43
44 C. Extension Request - Signed Dan's Floor Store Site Plan - Map 6, Lots 35-8 & 35-9 -
45 Until November 9, 2007

46
47 T. Thompson reference a memo from Dan Barden, owner of Dan's Floor Store. Staff
48 recommends granting the extension. Dan & Rebecca Barden were present.

49 **J. Farrell made a motion to grant the extension to November 9, 2007. R. Nichols**
50 **seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Extension is
51 granted.
52

1
2 D. Plans to Sign - Town of Londonderry/George Subdivision
3

4 J. Trotter said this plan was approved by the Planning Board July 5, 2006 and reported
5 that all conditions of approval had been met.

6 **J. Farrell made a motion to authorize the chair and secretary to sign the plans for**
7 **the Town of Londonderry/George. P. DiMarco seconded the motion.** No
8 discussion. **Vote on the motion 9-0-0.** Plans will be signed after the meeting.
9

10 E. Plans to Sign - Crowning Holdings Site Plan
11

12 J. Trotter said this plan was approved by the Planning Board October 11, 2006 and
13 reported that all conditions of approval had been met.

14 T. Thompson noted that signage will come in separately, through a public hearing.

15 **J. Farrell made a motion to authorize the chair and secretary to sign the**
16 **Crowning Holdings Site Plan. R. Nichols seconded the motion.** No discussion.
17 **Vote on the motion 9-0-0.** Plans will be signed at the conclusion of the meeting.
18

19 F. Approval of Minutes – October 11
20

21 **J. Farrell made a motion to approve the minutes from the October 11 meeting. R.**
22 **Nichols seconded the motion.** No discussion. **Vote on the motion 8-0-1** (C.Tilgner
23 abstained because he was absent at the October 11 meeting). Minutes are approved
24 and will be signed at the November 8 meeting.
25

26 G. Discussions with Town Staff
27

28 * Insight Technology - 12' 8" x 20' Addition to firing range
29

30 T. Thompson referenced the letter from the architect, requesting guidance if the small
31 addition required a public hearing. The addition will impact 1 parking space, but the
32 site has more than enough parking to meet the zoning requirements. The Board
33 agreed that a public hearing would not be needed.
34

35 A. Rugg said Joe Decarolis and some others will be here to discuss elderly housing at
36 the November 8 meeting. T. Thompson said that A. Rugg has decided to move that
37 item up on the agenda for that evening due to the anticipated participants.
38

39 P. DiMarco mentioned that he will be absent at the November 8 meeting.
40

41 L. Wiles discussed the Planning Board training he attended at Southern NH Planning
42 Commission. He gave a DVD of programs for training to T. Thompson in case any
43 other members wished to view them.
44
45

46 **Public Hearings**
47

48 A. DHB Homes, Inc. - Tax Map 6, Lot 34 - Application Acceptance and Public Hearing for
49 a site plan to construct 23,940 sq.ft of professional office space.
50

51 T. Thompson stated there are no checklist items, therefore staff recommends the
52 application be accepted as complete.

1 **J. Farrell made a motion to accept the application for DHB Homes, Inc. as**
2 **complete. R. Brideau seconded the motion.** No discussion. **Vote on the motion**
3 **9-0-0.** Application accepted as complete.

4 Jeff Merritt, Engineer for Keach Nordstorm & Bob Meissner, applicant, presented their
5 plans. The plan is for a 23,940 sf professional office park. The proposed plan consists
6 of 4 buildings with a total of 128 parking spaces.

7 J. Trottier referenced the memo with DPW & Vollmer comments.

8 T. Thompson referenced the Staff Recommendation Memo and said that staff
9 recommends not granting the waiver until the letter requesting the waiver is received,
10 and the waiver is clarified further with DPW. He recommended the application be
11 continued to December 13 for the significant issues still to be resolved.

12 T. Freda asked about the phasing plans. T. Thompson said the buildings are going to
13 be built in phases. J. Trottier said the drainage will be part of Phase 1. R. Brideau
14 asked about the drainage and grading. J. Trottier said the current plans do not allow for
15 proper grading. J. Merritt said the engineers aren't concerned about the grading
16 because of the concrete system being planned. J. Farrell told the Engineer and
17 Applicant they will do the drainage and grading the way J. Trottier and DPW said they
18 should be done.

19 T. Thompson said it's the parking lot structural box that is the problem, not the septic
20 systems.

21 P. DiMarco asked if the drainage was under grass would it be a problem. T. Thompson
22 said it would not be a problem.

23 J. Farrell suggested they work out all the issues before coming back before the board.

24 B. Meissner said he had met with Capt. Anstey (from the Fire Dept) regarding this plan.

25 M. Soares asked why it's ok to place the electric wires over Buttrick rather than
26 underground. T. Thompson said it's an acceptable method, and being dictated by

27 PSNH and NHDOT since it is off-site. J. Merritt said that PSNH said it could go
28 underground vs. overhead. R. Nichols asked about the handicap parking. He is

29 concerned about the number of handicap spaces planned. T. Thompson said the site is
30 currently maxed out on parking spaces. L. Wiles asked about the stockade fence. T.

31 Thompson said it satisfies the vertical landscape regulations. L. Wiles also asked about
32 the level of the parking lots. J. Merritt said the parking lot compared to the existing
33 grade is about 1' above it. The second parking lot is higher than the wetland and the
34 grading will slope down to the wetland.

35 A. Rugg told the applicant they need a waiver request. T. Thompson said they will work
36 with the applicant in regards to the waiver request and all other issues.

37 A. Rugg opened this up to public discussion.

38 Barbara Mullen (abutter), owns the dance academy. She is concerned about the
39 distance between her property and the proposed project. She said someone at the

40 Planning Dept (Andre Garon) explained to her that the regulations allow the project to
41 be 15 ft from her boundary. B. Mullen said she would like to see lots of trees vs. a

42 stockade fence. She is also concerned about possible problems with her septic system
43 because of their project. J. Trottier said that although he can't guarantee she won't

44 have a problem, they are within the guidelines for their plans for their septic system. B.
45 Mullen said when she built her dance studio they had to blast in order to build and put

46 a septic system in place. J. Trottier said the applicant would be required to do a blast
47 survey prior to starting their work. A. Rugg said the applicant should meet with all the

48 abutters to resolve issues and then come back before the board.

49 Roy Bouchard, 19 Buttrick Rd, has been there for 38 years. He said when he first
50 moved there he had his water tested and it tested perfectly. He said his water has

51 deteriorated dramatically since then. He said since Blue Seal has occupied the
52 property next to his property that his water quality has changed dramatically. He said

1 Blue Seal has decreased the lights at night and shut them off at a reasonable time. He
2 assumes that this applicant would “be a good neighbor” and also consider the lights,
3 water, etc. He is amazed at the green space that will be changed to buildings and
4 parking lots, etc. He is not satisfied with the plans.
5 Peter Aucoin, 23 Buttrick, is also concerned about the blasting. A. Rugg said they will
6 do a survey of the existing conditions and buildings of abutters prior to blasting.
7 Christopher George, 25 Buttrick Rd, was present and said he has also submitted plans
8 to the town for development of his project.
9 B. Mullen asked if her concerns could change the decision of this project. T. Thompson
10 said as long as the applicant meets the requirements for commercial development the
11 board would have to approve the plans.
12 L. Wiles asked if the stockade fence is only proposed on one side of the property. He
13 asked if there were options. T. Thompson said dense shrubbery would be a good
14 alternative. J. Merit said they will explore that possibility. He said the proposed plans
15 indicate 50% of the property is impervious surfaces and 66% is allowed according to
16 the regulations.
17 J. Merit said they would like a continuance to Dec. 13
18 **J. Farrell made a motion to continue the public hearing to December 13 at 7PM.**
19 **M. Soares seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Plan is
20 continued to Dec. 13 at 7PM.
21 A. Rugg said this is the only public notice.
22
23 B. 7-Eleven Inc. & Firetree Realty Trust - Map 7, Lot 119-1 & 119-2 - Application
24 Acceptance and Public hearing for a lot line adjustment.
25
26 T. Thompson stated there are no checklist items, therefore staff recommends the
27 application be accepted as complete.
28 **J. Farrell made a motion to accept the application for 7-Eleven Inc. & Firetree**
29 **Realty Trust as complete. R. Nichols seconded the motion.** No discussion. **Vote**
30 **on the motion 9-0-0.** Application is accepted as complete.
31
32 Randy Miron and Josh Swerling from Boehler Engineering presented the plans to the
33 Planning Board.
34
35 J. Trottier read the comments from the DPW/Vollmer memo regarding the outstanding
36 issues related to the plans. T. Thompson referred to the Staff Recommendation Memo,
37 recommending conditional approval with the suggested conditions of approval and said
38 the Applicant is requesting waivers for the site distance.
39 J. Trottier said the driveway profiles were not drawn correctly so they may not need a
40 waiver. T. Thompson recommended they grant the waivers in case they are needed.
41
42 **J. Farrell made a motion to grant the waivers for the sight distance based on the**
43 **letter from the applicant and the recommendation of the Planning Department. R.**
44 **Nichols seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Waivers
45 have been granted.
46
47 There was no public input when requested.
48

1
2 **J. Farrell made a motion to conditionally approve the plan with the following**
3 **conditions:**

4
5 "Applicant", herein, refers to the property owner, business owner, or organization
6 submitting this application and to his/its agents, successors, and assigns.
7

8 **PRECEDENT CONDITIONS**
9

10 All of the precedent conditions below must be met by the applicant, at the expense of
11 the applicant, prior to certification of the plans by the Planning Board. Certification of
12 the plans is required prior to commencement of any site work, any construction on the
13 site or issuance of a building permit.
14

- 15 1. The Applicant shall provide proper monument at the angle point along Gilcrest
16 Road located on lot 119-2 in accordance with the regulations. In addition, The
17 Applicant shall indicate the bearing along the southerly lot line.
18
- 19 2. The Applicant has provided the driveway sight distance plans, profiles and
20 certifications separately and at a scale of 1"= 100', which does not comply with
21 the 1"=40' maximum per section 4.01 of the regulations. The Applicant shall
22 provide the driveway sight distance plans and profiles at the proper scale in
23 accordance with the regulations and incorporate the plans into the project plan
24 set under this application. The Applicant shall update the plans to indicate the
25 new lot lines consistent with the application.
26
- 27 3. The Applicant shall update the notes on the plan to address the following:
28 a. The Applicant shall update the FEMA reference to the current information;
29 b. The Applicant shall add note 4.11.O, P, Q and R.
30
- 31 4. The Applicant shall verify the plan size and information meet the requirements
32 of the Rockingham County Registry of Deeds and revise as necessary.
33
- 34 5. Note all waivers granted on the plan.
35
- 36 6. Outside consultant's fees shall be paid within 30 days of approval of plan.
37
- 38 7. The Applicant shall provide a digital (electronic) copy of the complete final plan
39 sent to the Town at the time of signature by the Board in accordance with
40 Section 2.06.N of the regulations.
41
- 42 8. Financial guaranty if necessary.
43
- 44 9. Final engineering review.
45

46
47 **THE APPLICANT SHALL NOTE -** Once these precedent conditions are met and the
48 plans are certified the approval is considered final. If these conditions are not met
49 within 2 years to the day of the meeting at which the Planning Board grants conditional
50 approval the board's approval will be considered to have lapsed and re-submission of
51 the application will be required. See RSA 674:39 on vesting.
52

1
2 **GENERAL AND SUBSEQUENT CONDITIONS**
3

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

- 5
6
7 1. The project must be built and executed exactly as specified in the approved
8 application package unless modifications are approved by the Planning
9 Department & Department of Public Works, or if staff deems applicable, the
10 Planning Board.
11
12 2. All of the documentation submitted in the application package by the applicant
13 and any requirements imposed by other agencies are part of this approval
14 unless otherwise updated, revised, clarified in some manner, or superseded in
15 full or in part. In the case of conflicting information between documents, the
16 most recent documentation and this notice herein shall generally be
17 determining.
18
19 3. It is the responsibility of the applicant to obtain all other local, state, and federal
20 permits, licenses, and approvals which may be required as part of this project
21 (that were not received prior to certification of the plans). Contact the Building
22 Department at extension 115 regarding building permits.
23

24 **P. DiMarco seconded the motion.** No discussion. **Vote on the motion 9-0-0.** Plan is
25 conditionally approved.
26

27
28 **Other Business**
29

30 None.
31

32
33 **Adjournment:**
34

35 **J. Farrell made a motion to adjourn. P. DiMarco seconded the motion. Vote on the**
36 **motion 9-0-0.** Meeting adjourned at 8:45.
37

38
39 These minutes prepared by Cathy Dirsra, Planning Department Secretary.
40

41
42
43 Respectfully Submitted,
44

45
46 *Paul DiMarco*
47 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF NOVEMBER 8, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg (arrived at 7:05); Rick Brideau, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Tom Freda (arrived at 7:30); Lynn Wiles, alternate member, John Farrell,
7 Joe Paradis, Mary Soares, Rob Nichols

8
9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsa,
10 Planning Department Secretary

11
12 J. Farrell called the meeting to order at 7 PM.

13
14 **Administrative Board Work**
15

16 **A. Regional Impact Determinations**
17

18 T. Thompson referred to the staff memo, recommending that both Baron's Major
19 Brands & George Family Trust were not of regional impact.

20
21 A. Rugg appointed L. Wiles to vote for P. DiMarco.
22

23 **M. Soares made a motion to accept the staff recommendations for regional**
24 **impact. C. Tilgner seconded the motion. No discussion. Vote on the motion 9-0-0.**
25

26 **B. Extension Request – Conditionally Approved AGITISDI Site Plan - Map 6, Lot 37 & 38,**
27 **- Additional 90 days**
28

29 T. Thompson referred to the memo from TJW Survey and said Tim Winnings is here to
30 answer any questions.

31 T. Winnings said the reason for the request is that it's taking longer to address all the
32 issues than originally estimated. J. Farrell suggested a 6 month extension so that the
33 applicant does not have to keep coming back for more extensions. T. Winnings said 6
34 months is acceptable.

35 **J. Farrell made a motion to grant the extension for 6 months. M. Soares**
36 **seconded the motion. No discussion. Vote on the motion 9-0-0. Extension is**
37 **granted.**
38

39 **C. Plans to Sign - Sanborn Road Salon Site Plan – Map 15, Lot 158**
40

41 J. Trottier said all conditions for approval have been met and the staff recommends
42 signing the plans

43 **J. Farrell made a motion to authorize the Chair and Asst. Secretary to sign the**
44 **plans. J. Paradis seconded the motion. No discussion. Vote on the motion 9-0-0.**

45 A. Rugg said the plans will be signed at the conclusion of the meeting.
46

47 **D. Plans to Sign - Flooring Associates Site Plan – Map 28, Lot 21-24**
48

49 J. Trottier said all conditions for approval have been met and the staff recommends
50 signing the plans

1 **J. Farrell made a motion to authorize the Chair and Asst. Secretary to sign the**
2 **plans. J. Paradis seconded the motion. No discussion. Vote on the motion 9-0-0.**
3 A. Rugg said the plans will be signed at the conclusion of the meeting.

4
5 **E.** Meeting Request – Walgreens LLA & Site Plan – Meeting to sign plans before Dec. 6

6
7 T. Thompson said Earle Blatchford from Hayner Swanson and Paul Feinberg, the
8 developer, are here to answer any questions. E. Blatchford said the Conservation
9 Commission wants to have a meeting to review the conservation easement, which is
10 the last item to be resolved before the plans can be signed. He said they should be
11 wrapped up by Nov.17 and would like to meet with the Planning Board to sign the
12 plans before the Dec.6 meeting. A. Rugg said Mon. Nov.20 or Tue. Nov.21 would work
13 and the applicant should let T. Thompson know what date they decide on so he can
14 inform the Board.

15
16 **F.** Signing of Minutes – October 4 and 11

17
18 Minutes for October 4 and October 11 have been signed.

19
20 **G.** Discussions with Town Staff

21
22 A.Garron mentioned the CTAP meeting Dec.2 to the Planning Board.
23 He said the Town Council had established a housing task force, and the Board needs
24 to appoint a representative to the task force.

25 **J. Farrell made a motion to appoint R. Nichols to be the Planning Board**
26 **representative to the Housing Task Force and M. Soares to be an alternate. J.**
27 **Paradis seconded the motion. No discussion. Vote on the motion 9-0-0.**

28 A. Garron said there was a CTAP meeting in Bedford and he briefed the board on the
29 discussions from that meeting.

30 T. Thompson said he presented the CIP information to the Town Council Monday
31 night.

32 J. Trottier said the town will close a section of Litchfield Rd for road work on Friday
33 November 10.

34
35 **Conceptual Discussions/Workshops**

36
37 **A.** Discussion – Joe DeCarolis – Affordable Elderly Housing

38
39 J. Paradis said the Joe DeCarolis has come here on behalf of many seniors who have
40 been asking about elderly housing in Londonderry.

41
42 Joe DeCarolis said that he has abandoned the prospect of developing at the Rt. 102
43 site he had been in with previously. He said the off-site costs were above their
44 expectations. He said the site on Stonehenge Rd, which has already been through one
45 round of Design Review, would be a much better choice. He said the transportation
46 agency (Cart) would support that site. He said the site could meet all the criteria that is
47 required.

48 John Michaels, Attorney for Mr. DeCarolis, said he agrees that the Stonehenge Rd site
49 is a good choice. He said the 12 bedrooms per acre in the current draft ordinance is
50 agreeable for them, but the Planning Board should consider a higher number, for
51 possible future use. He said there is water & sewer close to that site. He asked if the
52 Planning Board could pass an ordinance for a higher density. He said the new site is

1 proposed to have 120 affordable units. He said they could not economically phase the
2 previous site. A. Rugg said we cannot choose Londonderry residents first because that
3 would be discriminatory. He said we need to ensure that the affordable housing
4 remains affordable for perpetuity. The housing must remain affordable at least for the
5 length of the mortgage.

6 George Gibson is working on financing for this project. He said it will remain affordable
7 for at least 15 years past the full term of the mortgage. He said the bonds (NH Housing
8 Finance Authority) will ensure the housing remains affordable.

9 J. Michaels said they must provide the board with documentation to ensure that the
10 housing remains affordable.

11 A. Garron asked what the median income is. G. Gibson said 40% of the project must
12 be for people with incomes of 60% of the median income.

13 Gregory Carson HUD (Housing & Urban Development) addressed the board. He said
14 the median income for Londonderry (based on HUD's region) is \$85,700/year. Under
15 80% range would qualify. A. Garron asked about when the project is completed who
16 does the ongoing monitoring. G. Carson said the NHHFA does the ongoing monitoring.
17 He said sometimes they delegate another group to do the monitoring. A. Garron asked
18 what happens when the other units are added. G. Carson said the percentage remains
19 the same.

20 T. Freda asked why you need the language in the mortgage if they are locked out and
21 cannot payoff the mortgage early. G. Gibson said even if they default on the mortgage
22 the developer needs to follow the guidelines for affordable housing.

23 J. DeCarolis said this project will restrict all occupants to be 55+ years of age.

24 T. Thompson referred to our zoning ordinance mirrors the State and Federal Fair
25 Housing Law and does not require all occupants to be 55+, but in order to be exempt
26 from the phasing requirements and school impact fees, all occupants would have to be
27 55+.

28 J. DeCarolis said there will be 3 owners and they will all put it in trust.

29 M. Soares asked if they would finance this project for less than 40 years. G. Gibson
30 said he believes the NH Housing Finance Authority doesn't offer a mortgage for less
31 than 40 years. He said the NHHFA gave them a median income of \$69,000/year.

32 Household of one person having an income of \$29,000 not greater than \$33,000. G.
33 Carson said those numbers are based on a 4 person so for the elderly housing this
34 would mean an income of \$20,000 - \$47,000 for a one or two person household.

35 Rent levels are \$864 for 1 bedroom, \$1,038 for 2 bedroom, including utilities

36 Stacy Thrall, Elder Affairs Committee Chair, asked about what the rent would be based
37 on the credits.

38 G. Gibson said most of the rent payments will be based on the subsidies. G. Carson
39 said he will get the subsidy info to A. Garron.

40 A. Rugg opened the discussion up to public discussion.

41 Delores Pino from Wagon Wheel Park said they want to ensure that Joe DeCarolis
42 doesn't hook up to their sewer system.

43 J. DeCarolis said they have no intention on hooking up to their sewer system.

44 Doris [Stevens](#) said their sewer line is gravity fed.

45 Stacy Thrall said the Elder Affairs Committee supports Joe DeCarolis' project. She
46 then read a memo on behalf of the committee.

47 Mike Brown, 5 Carousel Court, asked everyone to consider 62+ vs. 55+ to help the
48 older residents. J. DeCarolis said it will be a total of 156 bedrooms (36 are 2 bedroom
49 and the rest are 1 bedroom).

50 M. Brown suggested we check on how many residents would qualify vs. how many
51 might be people from outside Londonderry. This would help to know how many of our
52 residents would actually reside here. J. DeCarolis said 40-50 Londonderry residents

1 have already expressed an interest in these units.
2 Jennifer McCourt, McCourt Engineering Associates, said she has been in contact with
3 the wetlands bureau. She said they are further ahead than with the previous site.
4 A. Garron asked for clarification on the number of Londonderry residents that could
5 qualify for this project. M. Brown said he was looking for setting the correct
6 expectations and that we do have a good percentage of people that would qualify for
7 this project.
8 T. Thompson said the zoning on the Rt. 102 site had not been changed, as it was
9 conditioned on the approval of the housing project.
10 M. Soares asked if they could do 62+ at market rate. J. McCourt & J. DeCarolis said
11 that most people expressing an interest don't want the housing to be 62+.

12
13 **B. Conceptual Discussion - Twin Gate Farm, 195 Mammoth Road**

14
15 John Ratigan, attorney for the applicant, presented their plans. He said the town has
16 expressed an interest in preserving the front view of the property. He said they would
17 provide water, with septic on site.
18 Peter Zohdi, from Edward N. Herbert & Associates was also present to answer
19 questions.
20 A. Garron reminded the board that the town had asked the owner to take part in the
21 town's open space program and preserving the scenic view. The owner opted to go
22 with a developer for this 55+ elderly housing. He is concerned about the proposed cut
23 through to Crosby Lane. He worries that Crosby Lane might be used as a cut through
24 to avoid the lights at 128/102. T. Thompson said the parcel across from this one was
25 turned down previously as commercial use. He said that staff opposes this parcel
26 becoming commercial. He said this parcel may be considered as historical property
27 following the Historic Properties Task Force project. J. Trottier also said that staff
28 opposes this for commercial use and is concerned about the cut through to Crosby
29 Lane. T. Freda asked how we can say yes to this property when we said no to the
30 parcel across the street. T. Thompson said we might consider using an overlay district
31 that may come out from the Historic Properties Task Force. M. Soares said she would
32 prefer to see the old home and barn moved to be adjacent to the Robbie House, if it
33 were possible. R. Nichols said he doesn't like the homes being so close to Mammoth
34 Rd and would like to see some screening. A. Garron said based on the zoning
35 ordinance which states that 70% of land is required for open space, the town trying to
36 keep this as part of their open space program and the fact that the original plans
37 showed much more open space near Mammoth Rd, he doesn't feel they are achieving
38 this with the current plan.
39 The discussion was opened to the public. Janet Griffin from 211 Mammoth Rd, wants
40 to know if there has been any environmental studies done. A. Garron said nothing has
41 been submitted yet, because it's still in the conceptual stage. She said the traffic has
42 increased dramatically and she feels it will have a huge impact on the area.
43 Dennis Griffin, feels that this area cannot accommodate any more traffic in this area.
44 A. Rugg said the applicant should work with the Planning Board. J. Farrell asked if the
45 applicant will also work with the abutters like the Griffins.

46
47 **C. Conceptual Discussion - Ed Dudek - Hall Road Junkyard - NH "Green Yards" Program**

48
49 Corey Johnson from North Point Engineering & Joe Wichert, [surveyor](#) presented their
50 plans.
51 C. Johnson said the owner is currently working on some soil problems. They need a
52 variance to enclose the concrete area. The cost to do this would be the same as it

1 would to construct a wooden barn to accommodate their needs without enclosing the
2 concrete area. J. Trottier & T. Thompson said if he constructs the wooden building he
3 will need several variances prior to coming before the Planning Board. T. Thompson
4 stated that the site is adjacent to the Little Cohas swamp, which is the largest named
5 wetland in the Town. Junkyards are not a permitted use in the AR-I zone, and there is
6 a question as to whether or not this would constitute an expansion of a non-conforming
7 use. Additionally, if the project were able to move forward, the 100 foot CO District
8 buffers would encompass the vast majority of the site. Additionally, he recommended
9 the applicant meet with the Town Council about the possible licensing issues that may
10 arise before going through the ZBA and Planning Board processes. L. Wiles asked if
11 these changes are mandatory. Ed Dudek said the state wants them to enclose the
12 area, but they did not specify what type of enclosure. J. Trottier & T. Thompson have
13 asked if the storage areas will be paved. J. Wichert said they cannot afford to pave all
14 the areas, but could target the necessary areas.
15 Al Baldasaro, abutter, said currently the land surrounding the cement pad is being
16 contaminated and E. Dudek is proposing a good solution to this problem. He feels this
17 would be a positive improvement...

18
19 **D.** Conceptual Discussion - Ron McLaren, Jr. - Subdivision Plan - Hovey & Pillsbury
20 Roads

21
22 Brian DeJesus, Eric C. Mitchell & Associates presented their plans.

23 A. Garron asked if the owner would be opposed to presenting a viewshed at the front
24 of this property. T. Thompson said he and J. Trottier are concerned with the lot closest
25 to the intersection because of the grading and drainage on these lots.

26 L. Wiles asked about the septic design. B. DeJesus said they are working on the ledge
27 and septic concerns.

28 T. Thompson suggested shared driveways vs. long narrow strips of land for individual
29 driveways, to minimize curb cuts and for a more effective platting of the lots.

30 Overall the board would like to see a viewshed easement across the front.

31
32 **F.** Conceptual Discussion - The Nevins Elderly Housing

33
34 (The Board opted to hear this conceptual discussion out of the agenda order)

35
36 Elmer Pease, owner, presented their plans. He said that by consolidating the lots they
37 are in compliance with needing 15 acres for elderly housing. The 3 homes will be 2
38 stories and basements are questionable. They are also proposing a parking area for
39 use by all the Nevins community. They proposed a major tree buffer area in case
40 residents park RV's, boats, etc. A. Garron asked if 125 going to 128 causes a
41 discrepancy in the legal agreements between the developer and the Town regarding
42 the development rights purchase for the original project. T. Thompson echoed this
43 question as his primary concern. E. Pease said he would coordinate with the Town's
44 legal counsel on the issue.

45
46 **E.** Workshop - Zoning Ordinance Amendments & Future Land Use Updates – Affordable
47 Elderly Housing, Conservation Subdivisions, Flexible Industrial District, Excavation
48 Regulations, Parking & Vehicle Access, and Signs.

49
50 T. Thompson referred to the memo from staff concerning the Master Plan Update.

51 M. Soares suggested that in the future we discuss what caps we may want to place on
52 types of housing (i.e. elderly, apartments, single family, etc.). T. Thompson suggested

1 that the Housing Task Force would be the place to discuss this.
2 T. Thompson would like to know what the board feels are the priorities
3 A. Rugg said; elderly housing, conservation subdivision, parking/signs, flexible
4 industrial districts. T. Thompson said he would propose a schedule to be discussed at
5 the December 6 Planning Board meeting.
6
7

8 **Other Business**

9
10 None.

11
12 **Adjournment:**

13
14 **J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the**
15 **motion.** No discussion. **Vote on the motion 9-0-0.** Meeting adjourned at 10:55 PM.
16

17
18 These minutes prepared by Cathy Dirsra, Planning Department Secretary.
19

20
21
22 Respectfully Submitted,
23
24

25 *Paul DiMarco*
26 Paul DiMarco, Secretary
27

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE SPECIAL MEETING OF NOVEMBER 28, 2006 AT THE**
3 **SUNNYCREST CONFERENCE ROOM**
4

5 6:30 PM: Members Present: Arthur Rugg, Chair (Arrived at 6:33 PM); John Farrell, Vice-Chair;
6 Charles Tilgner, Ex-Officio; Paul DiMarco, Secretary; Joe Paradis, Ex-Officio (Arrived at 6:34
7 PM); Lynn Wiles, Alternate.

8
9 Also Present: Tim Thompson, AICP, Town Planner; Paul Feinberg, Mark Investments LLC; Earle
10 Blatchford, Hayner/Swanson.

11
12 J. Farrell called the meeting to order at 6:31 PM. J. Farrell appointed L. Wiles to vote for absent
13 member M. Soares.

14
15 **Administrative Board Work – Plans to sign: Mark Investments, LLC/Bank of America Lot**
16 **Line Adjustment & Roadway Discontinuance, Map 6, Lots 49, 51 & 52.**

17
18 T. Thompson stated that staff and the Town's review consultant had reviewed the plans and
19 information with the Notice of Decision, and stated that all conditions of the approval had been
20 met.

21
22 **P. DiMarco made a motion to authorize the Chairman and Secretary to sign the plans**
23 **seeing that all conditions of approval have been met. Seconded by C. Tilgner.**
24 **Discussion: None. Vote on the motion: 5-0-0. Plans will be signed at the conclusion of**
25 **the meeting.**

26
27 **Administrative Board Work – Plans to sign: Walgreens/Bank of America Site Plan, Map 6,**
28 **Lots 49, 51, & 52.**

29
30 T. Thompson stated that staff and the Town's review consultant had reviewed the plans and
31 information with the Notice of Decision, and stated that all conditions of the approval had been
32 met.

33
34 **P. DiMarco made a motion to authorize the Chairman and Secretary to sign the plans**
35 **seeing that all conditions of approval have been met. Seconded by C. Tilgner.**
36 **Discussion: None. Vote on the motion: 5-0-0. Plans will be signed at the conclusion of**
37 **the meeting.**

38
39 **Adjournment:**

40
41 **J. Paradis made a motion to adjourn the meeting at 6:35 PM. Seconded by P. Dimarco.**
42 **Vote on the motion: 6-0-0.**

43
44 **Meeting adjourned.**

45 These minutes typed by Tim Thompson, AICP.

46 Respectfully Submitted,

47
48
49
50 *Paul DiMarco*

51 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF DECEMBER 6, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles
6 Tilgner, Ex-Officio; Tom Freda; Lynn Wiles, alternate member: John Farrell: Joe Paradis, Ex-
7 Officio; Rob Nichols

8
9 Also Present: André Garron, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Department
10 Secretary

11
12 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed L. Wiles to vote for
13 M.Soares.

14
15 Administrative Board Work
16

17 A. Regional Impact Determinations on the following parcels:
18 11-102 & 102-6, 15-97, 1-62, 7-74, 12-34, 13-111

19 A. Garron said staff recommends that all 6 projects are not of regional impact.

20 **J. Farrell made a motion to accept the staff recommendations. R. Nichols**
21 **seconded the motion.**

22 A.Garron said parcel 13-111 is a PSNH pump station, is not of regional impact and
23 also, Derry would be getting a copy of the plan.

24 **Vote on the motion: 9-0-0. All 6 projects are not of regional impact.**
25

26 B. Plans to Sign - Workout Club Site Plan (Map 7, Lot 40-12)
27

28 J. Trottier said this plan was conditionally approved 8/9/06, all conditions for approval
29 have been met and the staff recommends signing the plans.

30 **J. Farrell made a motion to sign the plans. R. Brideau seconded the motion.** No
31 discussion. **Vote on the motion: 9-0-0.** A. Rugg said the plans will be signed at the
32 conclusion of the meeting.
33

34 C. Extension Request - MPV Trailer Sales Site Plan - Request additional 45 days for
35 Conditional Approval
36

37 J. Trottier read the applicant's extension request, and stated staff recommends the
38 extension.

39 **J. Farrell made a motion to grant the extension request until 4/1/2007. R. Brideau**
40 **seconded the motion.** No discussion. **Vote on the motion 9-0-0. Extension granted**
41 **until 4/1/07.**
42

43 D. Approval of Minutes – November 1, 8, & 29
44

45 **J. Farrell made a motion to approve the minutes from the November 1 meeting.**

46 **C. Tilgner seconded the motion.** No discussion. **Vote on the motion: 9-0-0.**

47 **J. Farrell made a motion to approve the minutes from the November 8 meeting. J.**
48 **Paradis seconded the motion.** No discussion. **Vote on the motion: 8-0-1** (P.DiMarco
49 abstained because he was absent at the November 8 meeting).

50 **J. Farrell made a motion to approve the minutes from the November 29 meeting.**

51 **J. Paradis seconded the motion.** No discussion. **Vote on the motion: 7-0-2** (R.

1 Nichols and R. Brideau abstained because they were absent at the November 29
2 meeting).
3 Minutes are approved and will be signed at the December 13 meeting.
4

5 E. Discussions with Town Staff
6

7 J. Trottier mentioned that the portion of Kendal Pond Road by the future Walgreen's
8 will be closed effective December 15, 2006.
9

10 A. Garron gave an overview of the ordinance schedule.
11 The Planning Board said they are comfortable with the schedule. A. Rugg requested
12 that the schedule be posted on our website.
13

14 A. Garron mentioned that construction for the Park N Ride on Route 28 near Exit 5 has
15 started.
16

17 T. Freda left at 7:17 PM to attend another meeting and returned to the Planning Board
18 meeting at 8:54 PM.
19

20 Public Hearings
21

22 A. Elmer A. Pease, II, Map 10, Lot 92 - Application Acceptance and Public Hearing for a 2
23 lot Subdivision. - **Request Continuance to January 3, 2007**
24

25 A. Rugg said the applicant has requested a continuance to Jan. 3, 2007
26 **J. Farrell made a motion to grant the continuance. R. Brideau seconded the**
27 **motion.** No discussion. **Vote on the motion: 9-0-0.** A.Rugg said this is the only public
28 notice.
29

30 B. Elmer A. Pease, II, Map 10, Lot 92 - Application Acceptance and Public Hearing for a
31 Site Plan and Conditional Use Permit for the construction of a 50 unit Elderly Housing
32 development. - **Request Continuance to January 3, 2007**
33

34 A. Rugg said the applicant has requested a continuance to Jan. 3, 2007
35 **J. Farrell made a motion to grant the continuance. R. Brideau seconded the**
36 **motion.** No discussion. **Vote on the motion: 9-0-0.** A.Rugg said this is the only public
37 notice.
38

39 C. Paul & Kimberly Martin - Map 6, Lots 83 & 81 - Application Acceptance and Public
40 Hearing for a Lot Line Adjustment.
41

42 J. Trottier stated that there are no outstanding checklist items, and that staff
43 recommends the application be accepted as complete.
44

45 **J. Farrell made a motion to accept the application as complete. R. Brideau**
46 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Application
47 accepted as complete.
48

49 Tim Peloquin, from Promised Land Survey, and Paul Martin, applicant, presented their
50 plans.
51

Mike Cross, son of Elizabeth Cross (lot 81 owner) was also present at the meeting.

1 T. Peloquin said previously there were issues that caused the application to be
2 withdrawn. Now that the issues have been resolved they are submitting their request.
3 10/2/06 they sent a letter to T.Thompson requesting the LLA.
4 T. Peloquin said they are requesting a waiver for a sliver of land on the Cross property.
5 He said the road is a scenic road.
6 J. Trottier read the memo with staff recommendations.
7 A. Garron said we don't have documentation for the boundaries, therefore they cannot
8 support the waiver for the boundary requirements.
9 J. Farrell told the surveyor and applicant that he plans to decline the waiver based on
10 the staff recommendations.
11 P. Martin asked if due to the size of the lot the land is being taken from and the size of
12 the LLA is it feasible for the board to consider the waiver.
13 A. Rugg said this is still a subdivision and needs to follow the requirements for the
14 waiver request.
15 J. Farrell suggested monumenting only the boundaries on the west side of the property
16 that affects the Martin's LLA. J.Trottier said this would still be unacceptable by staff.
17 A. Garron said perhaps they could review and replace any monuments that are missing
18 since the property was last surveyed.
19 Public Discussion:
20 Mike Cross said that during the sight distance walk they discussed that the existing
21 sight distance plan needed to be prepared and the Planning Board would need to
22 determine if a waiver to the sight distance requirement would be granted.
23 P. Martin said he feels because Mrs. Cross is not gaining anything at all from giving a
24 piece of her land to the Martin's this is a perfect example of why they should be
25 granted the waiver.
26 L. Wiles is in favor of all 3 waivers.
27 R. Nichols is in favor of waiver (not shooting existing driveway)
28 P. DiMarco's opinion on the following waivers
29 1) agrees with staff re. lot 81
30 2) agree with waiver
31 3) he thinks 1 & 3 are the same
32 C. Tilgner would like to see the surveying for 1 & 3 get done, in agreement with the
33 staff. He would grant waiver 2.
34 J. Paradis would like to see boundaries that pertain only to the LLA & he agrees with all
35 3 waivers.
36 J. Farrell said if you end up doing waivers 1 & 3 then give us the sight distance and do
37 the boundary work. He can be persuaded on the boundaries, but doesn't especially like
38 it.
39 R. Brideau agrees with J.Farrell.
40 J. Farrell asked T.Peloquin & P.Martin how they want to proceed.
41 **J. Farrell made a motion to grant the first waiver, re. section 4.12b, for a full**
42 **boundary survey of lot 81. P. DiMarco seconded the motion. No discussion. Vote**
43 **on the motion: 3-5-0. Motion fails.** (T.Freda was absent from the room during this
44 motion.)
45 **J. Farrell made a motion to grant the third waiver, re. section 3.02 of the**
46 **regulations for providing monumentation for lot 81. P. DiMarco seconded the**
47 **motion. No discussion. Vote on the motion: 3-5-0. Motion fails.** (T.Freda was absent
48 from the room during this motion.)
49 **J. Farrell made a motion to grant the second waiver, re. section 3.09.F.2 of the**
50 **regulations for providing a driveway sight distance plan/profile for lot 81. P.**
51 **DiMarco seconded the motion. No discussion. Vote on the motion: 7-1-0. Waiver**
52 **granted.** (T.Freda was absent from the room during this motion.)

1 P.Martin asked the board about keeping the existing retaining wall. A.Garron said the
2 plans, which were previously signed by the applicant and surveyor, states the retaining
3 wall is to be removed. T. Peloquin said when they submit their new plans showing the
4 boundaries they could remove the retaining wall on the plans.

5 The Planning Board said they cannot do that and they must remove the retaining wall.

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

8
9 "Applicant", herein, refers to the property owner, business owner, or organization
10 submitting this application and to his/its agents, successors, and assigns.

11
12 **PRECEDENT CONDITIONS**

13
14 All of the precedent conditions below must be met by the applicant, at the expense of
15 the applicant, prior to certification of the plans by the Planning Board. Certification of
16 the plans is required prior to commencement of any site work, any construction on the
17 site or issuance of a building permit.

- 18
19 **1. The Applicant shall provide a boundary survey of lot 81 per section 4.12**
20 **of the regulations.**
- 21
22 **2. The Applicant shall provide proper monuments along the perimeter lot**
23 **lines at the angle points in accordance with section 3.02 of the**
24 **regulations. The Applicant shall indicate all proper monumentation for**
25 **the remainder of lot 81.**
- 26
27 **3. The Applicant's topographic plan, sheet 3, indicates an existing retaining**
28 **wall and fence that extend into and are located within the Town's right of**
29 **way (ROW). The Town typically does not allow retaining walls, fences and**
30 **site improvements in the roadway ROW. It is our understanding the**
31 **Applicant was previously allowed to keep the fence in the ROW by the**
32 **Town Council in August. It is unclear if this also allowed the retaining**
33 **wall to remain in the ROW. The Applicant shall remove the retaining wall**
34 **within the Town's ROW, and restore the disturbed area with loam and**
35 **seed meeting the approval of the Department of Public Works, or provide**
36 **verification from the Town Council that the retaining wall is allowed to**
37 **remain in the ROW.**
- 38
39 **4. The Applicant has indicated a new ROW that is a minimum 25 feet from**
40 **the centerline for the portion of lot 81 that is to become part of lot 83**
41 **under this application. However, it is unclear if this is a dedication of**
42 **ROW in this location since no information is provided for the existing**
43 **ROW in this area. The Applicant shall explain and clarify.**
- 44
45 **5. The Applicant shall indicate the following on the overview plan – sheet 2:**
46 **A. The Applicant shall indicate the building setbacks and Conservation**
47 **Overlay District associated with the two lots.**
48 **B. The Applicant shall dimension the pavement width, ROW width and**
49 **status (class) of Cross Road.**
50 **C. The Applicant shall indicate the well and septic system associated**
51 **with lot 81.**

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- D. The Applicant shall indicate the location of utility poles and wires along Cross Road on the plan.
 - E. The Applicant shall indicate all abutters on the plan as required by the regulations.
 - F. The Applicant shall indicate and label the size, type, length, slope and inverts of the existing culverts along the roadways.
6. The Applicant shall provide a metes and bound description for the proposed roadway maintenance easement shown on lot 81. The Applicant should provide metes and bound description for the proposed roadway maintenance easement shown on lot 81 in accordance with the regulations.
7. The topographic plan indicates a well radius which extends off-site and onto abutting lot 83-2. The Applicant shall provide written documentation the abutter has agreed to the indicated easement for the Planning Department's file or remove the easement shown on the abutting lot. The Applicant shall update sheet 2 accordingly.
8. The Applicant shall address the following on Lot Line Adjustment Plan - sheet 4:
- A. The Applicant shall provide the existing and proposed SF lot areas for lot 81 on the plan and in the notes and update sheets 2 and 3 accordingly.
 - B. The Applicant shall indicate the existing fences, driveway, overhead utility lines, and septic system on the plan consistent with sheet 3.
 - C. The Applicant shall update note 7 to list the zoning variances on the plan as required. The Applicant shall update sheets 2 and 3 accordingly.
 - D. The Applicant shall indicate the northerly ROW for Adams Road as typically requested by the Town and update sheets 2 , 3 and 5 accordingly.
 - E. The Applicant shall provide a professional endorsement (stamp and signature) for the certification on the plan.
 - F. The Town has updated Flood Maps. The Applicant shall verify the flood information and update note 14 accordingly and sheets 2 and 3 as necessary.
9. The Applicant shall revise the tax map on sheet 1 to darken the new lot line under this application and dash the existing line for clarity as typically required by the Assessing Department.
10. Note all waivers granted on the plan (if applicable).
11. Outside consultant's fees shall be paid within 30 days of approval of plan.
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 2.06.N of the regulations.
13. Financial guaranty if necessary.

1 **14. Final engineering review.**
2

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

9 **GENERAL AND SUBSEQUENT CONDITIONS**
10

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

- 13
14 1. The project must be built and executed exactly as specified in the approved
15 application package unless modifications are approved by the Planning
16 Department & Department of Public Works, or if staff deems applicable, the
17 Planning Board.
18
19 2. All of the documentation submitted in the application package by the applicant
20 and any requirements imposed by other agencies are part of this approval
21 unless otherwise updated, revised, clarified in some manner, or superseded in
22 full or in part. In the case of conflicting information between documents, the
23 most recent documentation and this notice herein shall generally be
24 determining.
25
26 3. It is the responsibility of the applicant to obtain all other local, state, and federal
27 permits, licenses, and approvals which may be required as part of this project
28 (that were not received prior to certification of the plans). Contact the Building
29 Department at extension 115 regarding building permits.
30

31 **R.Brideau seconded the motion. No discussion. Vote on the motion: 8-0-0 (T.Freda
32 was absent during this discussion). Plan is conditionally approved.**
33

- 34 D. Sanborn Road Realty, LCC, Map 15, Lot 87-1 - Public Hearing for a waiver to Site Plan
35 Regulations for the conditionally approved 96 unit apartment project.
36

37 John Cronin from Cronin & Bisson and Deb Brewster from TF Moran presented their
38 plans for a waiver to the financial guarantee for off-site improvements, which is
39 required by the town. The applicant cannot get financing until they show the bank the
40 approved/signed plans.

41 J. Cronin said they understand that the town has that money coming to them, however,
42 they are asking for the financial guarantee to be waived until the applicant receives
43 financing from the bank, which can't happen until after they have a approved/signed
44 site plan.

45 J. Trottier said regulations require posting of financial guarantee for off-site
46 improvements, prior to Planning Board signing the plan. Staff does not have the
47 authority to grant a waiver, therefore they are here to seek relief from the Board.

48 A. Garron said we should have financial security in place. He also said this town has
49 always ensured financial guarantee for completion of a project.

50 A. Garron suggested that our legal counsel review this proposal prior to the board
51 voting on this waiver.

52 A. Rugg said we can either vote on this tonight or go to our legal counsel.

53 A. Garron asked the board if they want him to meet with our legal counsel on this.

1 A. Rugg said A. Garron can contact legal counsel. A.Garron said it most likely won't
2 happen in a week or so, but he will try to resolve this as soon as possible.

3 A. Rugg said we can continue this until January 10.

4 **J. Farrell made a motion to continue this hearing until January 10. R. Brideau**
5 **seconded the motion. No discussion. Vote on the motion: 9-0-0. This will be**
6 **continued to January 10, 2007. A. Rugg said this is the only public notice.**

7
8 E. Crowning Holdings Inc., Map 15, Lot 2 - Public Hearing for an amendment to
9 previously approved Site Plan (Sign Design).

10
11 Tony Marcotte from Bedford Design presented their plans to replace the existing sign.
12 He said the future sign will be placed in the same location.

13 J. Trottier said the applicant is requesting a wavier to the site plan fees and he said the
14 staff is supportive of the waiver. No public discussion

15 **J. Farrell made a motion to grant the waiver. R. Brideau seconded the motion. No**
16 **discussion. Vote on the motion: 9-0-0. Waiver is granted.**

17 **J. Farrell made a motion to approve the amendment. R. Brideau seconded the**
18 **motion. No discussion. Vote on the motion: 9-0-0. Amendment is granted.**

19 T.Marcotte said they will have plans for signature at the next meeting.
20

21
22 **Other Business**

23
24
25 **Adjournment:**

26
27 P. DiMarco made a motion to adjourn. R. Brideau seconded the motion. Meeting adjourned at
28 9:49PM.

29
30
31 These minutes prepared by Cathy Dirsas, Planning Department Secretary.

32
33
34
35 Respectfully Submitted,

36
37
38 *Paul DiMarco*

39 Paul DiMarco, Secretary

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF DECEMBER 13, 2006 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 Members Present: Art Rugg; Paul DiMarco; Rick Brideau, Ex-Officio; Charles Tilgner, Ex-
6 Officio; Mary Soares; Tom Freda (arrived 7:44PM); John Farrell (arrived 7:08PM, left at
7 8:30PM); Joe Paradis (arrived at 7:02PM); Rob Nichols (arrived 7:08PM)
8

9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsal,
10 Planning Department Secretary
11

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

15 **Administrative Board Work**
16

17 A. Voluntary Merger of Parcels – Massimo Hagen, Map 7, Lots 4-50 & 4-51
18

19 A.Garron said the applicant has asked that this be postponed because he needs to get
20 more information in order before going before the board.
21

22 B. Plans to Sign - DiLorenzo Site Plan (Map 14, Lot 31)
23

24 J. Trottier said all conditions for approval have been met and the staff recommends
25 signing the plans.

26 **P. DiMarco made a motion to authorize the Chair and Secretary to sign the plans.**
27 **M. Soares seconded the motion.** No discussion. **Vote on the motion: 6-0-0.** A.Rugg
28 said the plans will be signed at the conclusion of the meeting.
29

30 C. Plans to Sign - Crowning Holdings Amended Site Plan (Map 15, Lot 2)
31

32 J. Trottier said the staff recommends signing the plans. T. Thompson said there were
33 no conditions.

34 **P. DiMarco made a motion to authorize the Chair and Secretary to sign the plans.**
35 **J. Paradis seconded the motion.** No discussion. **Vote on the motion: 6-0-0.** A.Rugg
36 said the plans will be signed at the conclusion of the meeting.
37

38 D. Signing of Minutes – November 1, 8, & 29
39

40 Minutes for November 1, 8, and 29 have been signed.
41

42 E. Discussions with Town Staff
43

44 J. Trottier reminded everyone that the section of Kendall Pond Road by the new
45 Walgreens will be closed effective Dec. 15

46 T. Thompson said the Fairwinds project, located at Akira Way & Technology Dr is
47 requesting to add a 7x6 sprinkler room not shown on the approved site plan, and they
48 would like to know if the board wished to have it come back for a public hearing, or if
49 the Board is comfortable letting staff handle it administratively.

50 The board considers it minor and determined staff can handle the request
51 administratively.
52

1
2 **Cont'd Public Hearings/Conceptual Discussions/Workshops**

3
4
5 A. DHB Homes, Inc. - Tax Map 6, Lot 34 - Continued Public Hearing for a site plan to
6 construct 23,940 sq.ft of professional office space. - **Request Continuance to**
7 **January 10, 2007**

8
9 T. Thompson referenced the letter from the applicant requesting a continuance.

10 **J. Farrell made a motion to continue the DHB Homes site plan to January 10,**
11 **2007 at 7pm. R. Brideau seconded the motion. No discussion. Vote on the motion:**
12 **8-0-0.**

13 Continued to January 10, 2007 at 7PM. A. Rugg said this is the only public notice.

14
15 B. Conceptual Discussion - Coca Cola

16
17 Chris Rice from TF Moran presented their plans.

18 Lot is 64 acres, 10 acre building existing. 33,000 sf addition. The addition is to improve
19 efficiency. No new employees on-site. Coca-Cola has 164 employees at this site, on
20 different shifts. They do not need additional parking for this addition.

21 Paul Hill, plant engineer at Coca-Cola also gave an overview of their plans.

22 J. Trottier said they need direction from the board on truck traffic. In Aug '06 Town of
23 Londonderry issued a sewer discharge permit, and raised concerns about BOD levels.

24 Any expansion must take the BOD levels into account. Special Condition Item 4 in
25 Coca-Cola's Aug 2006 wastewater permit states, "An engineering study to determine
26 the required area needed for industrial pretreatment system and designation of an area
27 of the property for this purpose shall be a condition for Town approval of any expansion
28 plans of the facility." To date, Town staff or the Town's consultant has not seen a
29 pretreatment area designation. Staff expects Coca-Cola to address Special Condition
30 Item 4 in future submissions to the Town and work with the Town to address the BOD
31 issue. C. Rice said Coca-Cola has already hired a firm to work on this.

32 A. Garron said his concern is the traffic impact. He feels there has to be more
33 assurance that Coca-Cola won't add more employees, because that would affect the
34 impact fee. A. Garron suggested that when Vollmer does their review and the traffic
35 studies are done the work shifts should be considered.

36 J. Farrell asked what would happen when one of the other Coca-Cola warehouses
37 closes. P. Hill said this facility is the only production facility in NH.

38 A. Garron suggested that perhaps they should go for a variance for the future parking.

39 T. Thompson said they have already done that. He also said that future parking should
40 be fully designed from the start in case it is determined that additional parking is
41 needed on the site. He suggested 4 alternatives. 1) The Board could agree to allow the
42 future parking not be fully designed 2) Obtain a variance from the ZBA reducing the
43 parking requirement for the site 3) The Board could condition approval of the project
44 such that the future parking be fully designed and approved separately from this
45 project, but prior to occupancy of the additions, or 4) failing the variance, the Board can
46 require the future parking be fully designed as part of this project.

47 J. Farrell asked if this affects the wetland. C. Rice said they have addressed those
48 concerns, as they have met with the Conservation Commission and their application is
49 with the state.

50 The consensus of the Board was that the future parking could be designed as a
51 condition of the approval of this project (option 3 as suggested by T. Thompson) if
52 Coca-Cola is unsuccessful in obtaining a variance. Additionally, the Board consensus
53 was that they were not comfortable with the waiver for the traffic study at this time, and

1 that Coca-Cola should provide additional information to the staff to justify the numbers
2 presented in the report.

3 C. Rice asked the board, if the ZBA grants the variance, would they consider not
4 including the parking design in conjunction with this addition. The Board stated that
5 this could be discussed after the ZBA takes action on the application.
6

7 C. Affordable Elderly Housing Workshop
8

9 T. Thompson gave a summary of the changes (See attachment).

10 A. Garron said our existing residential housing stock is currently about 8400. Out of
11 those, 475 are approved/constructed Elderly units and another 500 Elderly units are
12 proposed (conceptually, Design Review, Formal Applications).

13 T. Thompson said these numbers include the affordable units being proposed by Joe
14 DeCarolis. J. Paradis asked for the meaning of "affordable". T. Thompson pointed to
15 the definition in the proposed ordinance, those that are rental units that are
16 administered by state or federal agencies. T. Thompson and A. Garron stated the 13%
17 "sample" cap is what we would currently be using in Londonderry, based on the 2000
18 census.

19 A. Garron said median income for Rockingham County it's \$60,000 and Londonderry is
20 \$70,000.

21 J. Paradis asked about the discussion of 55+ vs. 62+.

22 T. Thompson said he is still looking for information in the state and federal laws that
23 have addressed that issue.

24 A. Garron said he had a discussion with Stacy Thrall from the Elder Affairs Committee
25 and the majority shows that restricting to 62+ is more favorable for affordable elderly
26 housing.

27 J. Paradis asked if transportation for those residents should be provided.

28 T. Thompson said the Planning Board should use their discretion to decide if the
29 transportation or other services should be considered.

30 P. DiMarco asked if the Planning Board could require services.

31 M. Soares is concerned about creating districts or spot zoning based on the needs of
32 the residents in the elderly housing.

33 T. Thompson said the service (i.e. market, pharmacy, etc.) must be within the elderly
34 housing property.

35 John Michaels & Joe DeCarolis said they don't have a problem with the idea of 62+ for
36 affordable elderly housing. J. Michaels said the higher we place the median income for
37 affordability the better chance we have of Londonderry residents getting into the
38 affordable elderly housing.

39 A. Garron said that Greg Carson (HUD) referenced specific areas in NH that are
40 eligible for affordable elderly housing. T. Thompson said they may need to rewrite the
41 section that explains the guidelines from HUD, etc. A. Garron & T. Thompson said we
42 may not have a choice of the age if it's based on a government funded program.

43 M. Soares feels if we change the age requirement to 62+ there would be a greater
44 chance of getting Londonderry residents to qualify.

45 J. DeCarolis said based on the number of inquiries they have received, he doesn't
46 believe there will be a problem filling the affordable elderly units. He's knows of about
47 40 people from Londonderry that are interested.

48 J. Michaels said he doesn't feel there should be a cap limitation for affordable elderly
49 housing. A. Rugg & T. Thompson said the proposed ordinance states there is a cap,
50 but it can be exceeded for affordable Elderly projects by conditional use permit as
51 outlined in the proposed language. A. Garron said it should be shown that the
52 population of elderly in Londonderry has changed in order to exceed the cap. A.

1 Garron said the cap may not need to be lifted because the percentage constantly
2 changes with the population and building growth.

3 M. Soares asked if the elderly housing is included in the unsustainable growth. T.
4 Thompson said yes it's included, but receives priority in the scoring system.

5 J. Michaels asked if this would affect the number of units allowed. T. Thompson said
6 the number is a moving target based on the population and building growth.

7 A. Rugg asked if we can find out from the OEP and SNHPC. T. Thompson said he will
8 research it.

9 Roy Bouchard, Londonderry resident, said he feels that many Londonderry residents
10 55+ have their own homes and don't figure into the 13%. This means you will definitely
11 be bringing people in from out of town. He feels people will be aging faster than the
12 home building might be able to keep up with.

13 Mike Brown, Carousel Court, is glad to see a movement to 62+. He feels that 55+
14 doesn't fit into the elderly scenario. In his opinion going to 55+ is moving away from the
15 original intent to provide affordable housing for the elderly. He likes the idea of a cap.

16 T. Thompson said affordable elderly housing would get two points in the GMO, for
17 being both affordable and also elderly.

18 C. Tilgner said we need to keep a balance so as not to turn Londonderry into a
19 "retirement community".

20 T. Freda said we should also consider people who are the spouse of someone that
21 died and left them alone to find affordable housing and that they are not denied due to
22 the fact that they are under 62.

23 T. Thompson said he needs a consensus from the Planning Board regarding 62+ vs.
24 55+.

25 A majority of the Planning Board was in favor of 62+ for affordable elderly housing.

26 A. Rugg said there will be a public hearing on January 10, 2007 on the ordinance. T.
27 Thompson said it will be posted on the website.

28
29 **Other Business**

30
31 None.

32
33 **Adjournment:**

34
35 **P. DiMarco made a motion to adjourn the meeting. C. Tilgner seconded the motion.** No
36 discussion. **Vote on the motion: 8-0-0.** Meeting adjourned at 9:05 PM.

37
38
39 These minutes prepared by Cathy Dirsra, Planning Department Secretary.

40
41
42
43 Respectfully Submitted,

44
45
46 *Paul DiMarco*

47 Paul DiMarco, Secretary
48
49

Elderly Housing Ordinance Revisions

Planning Board Workshop
December 13, 2006

Summary of Proposed Changes

- ▶ Add Conditional Use Permit Language to permit Elderly Affordable Housing.
- ▶ Add standards and requirements for Affordable Elderly Housing.
- ▶ Amend Support Facility & Services Uses, making provision of elderly support services and/or uses a requirement for all projects.
- ▶ Introduce "cap" on total number of Elderly Housing units to be permitted within Town.

Section 3.6.1

- ▶ Add language “Affordable Elderly Housing” to Objectives and Characteristics.

Section 3.6.2

- ▶ Add new Section 3.6.2.2 – Conditional Uses
- ▶ Add Elderly Affordable Housing as a conditional use

Section 3.6.3

- ▶ Add the following definition:
- ▶ Elderly Affordable Rental Housing – Housing units that are intended for elderly leasehold residential occupancy and that are subsidized and administered by a federal or state governmental entity.

Section 3.6.4

- ▶ Section 3.6.4.5 - Revise the parking requirement to be 1.2 spaces per bedroom in each unit (replacing the current 2 spaces per unit requirement).
- ▶ Section 3.6.4.7 – Revise language regarding standard dwelling unit to address the 1 bedroom units that would be permitted in an Elderly Affordable project.

Section 3.6.4 (Cont'd)

- ▶ Section 3.6.4.8 – Revise open space requirements for market rate developments (70%) vs. affordable developments (50%).
- ▶ Section 3.6.4.9 – Amend “Allowed Support Facility Uses” to become “Required Support Facility/Service Uses.”
 - Add additional services and uses to list of permitted support/services.
 - Add language regarding Planning Board review of such uses.

Section 3.6.4 (Cont'd)

- ▶ Section 3.6.4.14 – Amend density requirements, allowing affordable projects to be a mix of 1 and 2 bedroom units, and basing density on number of bedrooms in a project vs. number of units.
 - This change will not increase the overall density on a per bedroom basis over what is permitted in today's ordinance. The main difference is that today's ordinance requires 2 bedroom units.

Section 3.6.5

- ▶ New Section dealing with Conditional Use Permit requirements, standards for review, and administration.

Section 3.6.6

- ▶ New Section, setting a cap on the total number of Elderly Housing units that will be permitted in Londonderry.
 - Based on capping the total number of elderly housing units such that any proposal which, if approved, would increase the total number of all elderly housing units in Londonderry, existing and proposed, above a number representing the percentage of units greater than the percentage of persons age 55 and older residing in Londonderry as calculated by the most recent US Census. (For example, if the percentage of persons over age 55 in Londonderry is 13%, not more than 13% of the total number of dwelling units in Londonderry may be Elderly Housing).

Section 3.6.6 (Cont'd)

- ▶ Language is proposed that would allow the Planning Board to exceed the proposed cap, by Conditional Use Permit for Affordable projects, if the proposal meets all of the criteria from Section 3.6.5.2 and also provides documentation from either the NH Office of Energy & Planning or the Southern NH Planning Commission that the percentage of elderly residents residing in Londonderry has increased more than 2% from the information available from the most recent US Census.