

LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF MARCH 14, 2018 AT THE MOOSE HILL COUNCIL CHAMBERS

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Mary Wing Soares, Vice Chair; Tony Defrancesco, Town Manager ex-officio designee temporary alternate; Scott Benson, Assistant Secretary and Roger Fillio (alternate member)

Also Present: Colleen Mailloux, Town Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering, Amy Kizak, GIS Manager/Comprehensive Planner, Beth Morrison, Recording Secretary and Laura Gandia, Associate Planner (arrived at 7:30 p.m.)

Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. Chairman Rugg appointed R. Fillio to vote for C. Davies.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member M Soares made a motion to approve the minutes of February 14, 2018, as presented.

T. Defrancesco seconded the motion.

The motion was granted 4-0-1, with member R. Fillio abstaining, as he was not present.

The Chair voted in the affirmative.

B. REGIONAL IMPACT DETERMINATIONS: Town Planner Mailloux informed the Board that she had two project for their consideration:

- 1. APPLICATION FOR DESIGN REVIEW OF A SUBDIVISION PLAN TO CREATE 28 RESIDENTIAL LOTS, WOODMONT COMMONS, SUB-AREAS WC-4 AND WC-5, 15 PILLSBURY ROAD & GILCREAST ROAD, MAP 10 LOT 41, ZONED PUD-1, PILLSBURY REALTY DEVELOPMENT, LLC (OWNER) AND DHB HOMES, LLC (APPLICANT)**
- 2. APPLICATION FOR DESIGN REVIEW OF A SITE PLAN FOR THE CONSTRUCTION OF A 8,300 SF ONE STORY OFFICE BUILDING AND ASSOCIATED SITE IMPROVEMENTS, TWO KITTY HAWK LANDING, MAP 17 LOT 5, ZONED IND-I, SWCE HOLDINGS, LLC (OWNER & APPLICANT)**

She stated noted that both projects do not meet the criteria set forth by the SNHPC for developments of regional impact.

Member M. Soares made a motion to find that both projects are not of regional impact.

S. Benson seconded the motion.

The motion was granted, 5-0-0.

The Chair voted in the affirmative.

- C. DISCUSSIONS WITH TOWN STAFF: Chairman Rugg commented that he was hoping for a full complement of Planning Board members tonight for the election of officers. He stated that the Secretary of State would like the election of officers before the end of March. He noted that R. Brideau would like to be on the Capital Improvement Committee (CIP). M. Soares asked if the Board could elect to keep the current officers in the same positions. A. Rugg stated that it could. He noted that he has no volunteers for the Master Plan Implementation Committee and that election will be benched until April 4, 2018.

Member M. Soares made a motion to keep the current elected officers in their current positions.

S. Benson seconded the motion.

The motion was granted, 5-0-0.

The Chair voted in the affirmative.

Member M. Soares made a motion for R. Brideau and M. Soares to be on the Capital Improvement Committee (CIP) and A. Rugg to be on the Heritage Committee.

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0.

The Chair voted in the affirmative.

A. Rugg noted that this would be T. Defrancesco's last meeting as G. Verani will be coming back to the Planning Board in April. He thanked him for his service to the town and encouraged him to come back to the Board as a member. Town Planner Mailloux stated that she had sent out an email regarding the spring conference with the Southern New Hampshire Planning Commission and if a member of the Board would like to attend, to please let either herself or L. Gandia know.

III. OLD BUSINESS

A. Application Acceptance and Public Hearing for formal review of a lot line adjustment plan between Map 28 Lot 19, Map 28 Lot 20 2-1, and two Eversource parcels, Industrial Drive & Harvey Road, City of Manchester (Applicant), City of Manchester, Eversource and BCS Real Estate Holdings, LLC (Owners) - continued from March 7, 2018

Chairman Rugg read the case into record noting the case had been continued from March 7, 2018. J. Trottier stated that there is one outstanding checklist item for which the applicant has submitted a waiver request. He stated the waiver request is from Checklist Items III.12 and Section 4.12B of the Subdivision Regulations to provide a boundary plan of the property. He stated that Staff supports this waiver request to not provide an updated boundary survey of the entire Airport property as the Applicant has provided boundary survey of the properties in the areas being adjusted, and because there are existing reference plans on file which include full boundary survey of the Airport property and abutting parcels. He stated that Staff recommends granting the waiver and accepting the application as complete.

M. Soares made a motion to approve the waiver per Staff's recommendation memorandum dated March 7, 2018.

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

M. Soares made a motion to accept the application as complete per Staff's recommendation memorandum dated March 7, 2018.

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the 65-day time clock had started.

Chris Hickey, Survey Project Manager from Eric C. Mitchell & Associates, introduced himself to the Board stating he was representing the airport, BCS holdings, and Eversource. He stated that the application was proposing a multiple lot line adjustment between the airport and BCS holdings and the airport and Eversource. He stated the reason for the adjustment was that the airport is undergoing some reconstruction of the taxi ways on the southwestern side of runway #35. He stated that the airport needs just over 3000 square feet (SF) of BCS property to align the service road. He informed the Board that in doing the lot line adjustment it was noted that the Eversource parcels are not identified on the tax map, as they are left over pieces when the airport took Eversource's property back in 1967, and had not been assigned tax map numbers. He noted that the airport is going to gain just over 3/10 of an acre. He concluded his presentation and asked if the Board had any questions.

- A. Rugg opened it up to questions from the Board and there were none.
- A. Rugg opened it up to questions from the public and there were none.

M. Soares made a motion to grant conditional approval of the lot line adjustment plan for Map 28 Lot 19, Map 28 Lot 20 2-1, and two Eversource parcels, Industrial Drive & Harvey Road, City of Manchester (Applicant), City of Manchester, Eversource and BCS Real Estate Holdings, LLC (Owners), in accordance with plans prepared by Eric C. Mitchell & Associates, Inc, dated January 15, 2018, last revised February 13, 2018, with the precedent conditions to be fulfilled within two years and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated March 7, 2018.

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

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

PRECEDENT CONDITIONS

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

1. Map and Lot numbers for the Eversource East and Eversource West parcels be added to the plan to the satisfaction of the Town Assessor.
2. The waiver, if granted, shall be noted on the plan.
3. Any outstanding DRC comments be addressed.
4. The Owner's signatures shall be provided on the plans.
5. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
6. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
7. The Applicant shall note all general and subsequent conditions on the plans (must be on a sheet to be recorded, or a separate document to be recorded with the subdivision plans).

8. Final planning review.

PLEASE NOTE – If these conditions are not met within two (2) years of the meeting at which the Planning Board grants 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. 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.

2. 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 Division at extension 115 regarding building permits

B. Application Acceptance and Public Hearing for formal review of a Minor Site Plan for a change of use to allow manufacturing, assembly, storage and motor vehicle maintenance and repair, 15 Industrial Drive, Map 28, Lot 20-1A, Zoned IND-II, SAMPO Properties, LLC (Owner & Applicant) - continued from March 7, 2018

Chairman Rugg read the case into record noting the case had been continued from March 7, 2018. J. Trottier stated that there are no outstanding checklist items and Staff recommends the Application be accepted as complete.

M. Soares made a motion to accept the application as complete per Staff’s recommendation memorandum dated March 7, 2018.

S. Benson seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the 65-day time clock had started.

George Chadwick, Bedford Designs, introduced himself to the Board and stated he was representing SAMPO Properties LLC. He stated that he also had two gentlemen from Synergy Auto, which is looking to occupy one of the bays within the existing building. He stated that the building is a manufacturing type of building, noting that Enviro-Tote occupies 3/4 of the building, and is looking to rent out a portion of the

building to Synergy Auto. He noted the rental space for Synergy Auto would be 5400 SF of bay area. He stated that during the design review process there were two areas of existing pavement that were noted to encroach on the airport property and the Town of Londonderry's right-of-way, and the applicant is looking to remove those portions of pavement. He also stated the applicant wishes to restripe 3 handicap parking spaces. He stated that there would be no new signage, lighting or landscaping. He concluded his presentation and asked if there were any questions from the Board.

A. Rugg opened it up to questions from the Board. M Soares asked if the restriping meant the parking would become handicap. G. Chadwick stated that was correct. M. Soares asked since there was no site plan for this currently, are the sight distances correct. J. Trottier stated they were. M. Soares asked how much additional traffic was to be expected. G. Chadwick stated that he believed there would be a reduction in the amount of traffic. M. Soares asked if this would be considered commercial. Joseph Russo, Synergy Auto addressed the Board. He stated that the company is the repair and maintenance of a certain type of race cars. He stated that the car count is typically anywhere from 85-100 cars at a time. R. Fillio asked how many cars are kept outside. J. Russo stated that varies each month, and stated right now there are 6 cars outside, but sometimes there are no cars outside. He stated that the current shop is much smaller than the new space and the new space will allow them to bring in more cars overnight. M. Soares asked if the race cars are registered. J. Russo stated that most of the cars are except a few race cars that are not street legal and would be trailered in by the customers. M. Soares asked if that would pose a problem with the ordinance requiring residents not have more than two unregistered cars on their property. J. Trottier stated that was beyond his scope. Jason Ashby, the owner of Synergy Auto addressed the Board. He stated that the unregistered race cars typically do not lock and would never leave them outside. M. Soares asked where the company was located now. J. Ashby stated in Auburn, NH. R. Fillio asked if he were to drive by would he see ten crushed cars waiting outside of the company. J. Ashby stated that he prides himself where he is now on having the cleanest appearance in the building and he would never do that. A. Rugg asked if they would be changing the sign. G. Chadwick stated he had not talked to his client about this, but would have to pull a sign permit if it was changed.

A. Rugg opened it up to questions from the public and there were none.

A. Rugg brought it back to the Board for questions. T. Defrancesco asked what processes were in place for fluid containment. J. Ashby stated that all chemicals are in fire cabinets and all liquids are contained. He stated they used specialty catch pans and use a removal service for all of the hazardous waste. T. Defrancesco asked if staff knew if the building had floor drains. J. Trottier stated that dependent on the outcome of tonight's meeting, the applicant will be sent a questionnaire about 3-4 pages long and the response of the questionnaire will determine what category of an Industrial Discharge Permit (IDP) would be issued to the facility.

M. Soares made a motion to approve the waiver from Section 4.01c of the Site Plan Regulations to allow a plan scale greater than 1"=40' per Staff's recommendation memorandum dated March 7, 2018.

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

M. Soares made a motion to grant conditional approval of the Minor Site Plan for a change of use to allow manufacturing, assembly, storage and motor vehicle maintenance and repair, 15 Industrial Drive, Map 28, Lot 20-1A, Zoned IND-II, SAMPO Properties, LLC (Owner & Applicant) in accordance with plans prepared by Bedford Design Consultants, Inc., dated December 29, 2017, last revised February 12, 2018 with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated March 7, 2018

T. Defrancesco seconded the motion.

The motion was granted, 5-0-0. The Chair voted in the affirmative.

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

PRECEDENT CONDITIONS

All of the precedent conditions below must be met by the Applicant, at the expense of the Applicant, prior to certification of the plans by the Planning Board. Certification of the plans is required prior to commencement of any site work, any construction on the site or issuance of 0a building permit.

1. The waiver, if granted, shall be noted on the plan.
2. Owner's Signature shall be provided on the plan.
3. Areas where pavement is noted as to be removed should be loamed and seeded and appropriate notation be added to the plan.
4. The new parking spaces shall be dimensioned on the plan.
5. A handicap sign detail be added to the plan, and the number of required ADA parking spaces shall be indicated in the parking note.
6. The proposed asphalt walk within the Town's right of way shall be removed.

7. Any outstanding DRC comments be addressed.
8. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
9. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
10. Final planning review.

PLEASE NOTE – If these conditions are not met within 120 days of the meeting at which the Planning Board grants 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. The project must be built and executed 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.
2. 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.
3. 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 Division at extension 115 regarding building permits.
4. Site improvements must be completed prior to the issuance of a certificate of occupancy.

IV. New Plans - N/A

V. Other Business - Zoning

Town Planner Mailloux informed the Board that she had not received any input from the Board about last month's zoning workshop. She asked if the Board would like more time to review the information. T. Defrancesco stated that he did not see anything that jumped out to him when he read through it. He stated that he is

more concerned with the next step when the changes affect property owners. M. Soares stated that she thought it was much clearer to understand. Town Planner Mailloux stated that staff thought it was much more logical as well. She stated she had another map and handout defining what the Commercial Performance Zone would be changed to in the future. She stated that she has included a couple of examples, which she borrowed from Bedford's ordinances, regarding descriptors and some standards for landscaping requirements. She stated that there is a map that identifies parcels where workforce housing may be permitted with the new changes and would like the Board to review these. She stated that one area that could have workforce housing adjacent to it would be the Cross Farm property and urged the Board to review this. She noted that A. Kizak is going to work on potential development scenarios for the Board. She concluded her presentation and asked the Board if there were any questions.

M. Soares asked if each member took a section, which they had an interest in, maybe that would help move this project along. Town Planner Mailloux commented that there are some sections that she would appreciate help in more than others and could divide those sections to Board members. T. DeFrancesco offered for Town Planner Mailloux to assign him a section to look over even though his time on the Board was finished.

VI. ADJOURNMENT

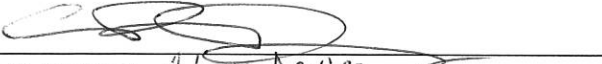
Member M. Soares made a motion to adjourn the meeting at approximately 07:52 p.m. Seconded by T. DeFrancesco.

The motion was granted, 5-0-0.

The meeting adjourned at approximately 07:52 PM.

These minutes were prepared by Beth Morrison, Recording Secretary.

Respectfully Submitted,



Print Name: Chris Davies
Title: secretary

These minutes were accepted and approved on April 4, 2018 by a motion made by M. Soares and seconded by R. Brideau.

STAFF RECOMMENDATION

To: Planning Board
From: Colleen P. Mailloux, AICP, Town Planner
John R. Trottier, PE, Assist. Dir. Of DPW

Date: March 7, 2018

Application: Application Acceptance and Public Hearing for formal review of a lot line adjustment plan between Map 28 Lot 19, Map 28 Lot 20 2-1, and two Eversource parcels, Industrial Drive & Harvey Road, City of Manchester (Applicant), City of Manchester, Eversource and BCS Real Estate Holdings, LLC (Owners)

- Completeness: There is one outstanding checklist item for which the Applicant has submitted a waiver request. If the Planning Board grants the waiver, Staff recommends the application be accepted as complete.
 1. The Applicant has submitted a waiver request from Checklist Items III.12 and Section 4.12B of the Subdivision Regulations to provide a boundary plan of the property. Staff supports this waiver request to not provide an updated boundary survey of the entire Airport property as the Applicant has provided boundary survey of the properties in the areas being adjusted, and because there are existing reference plans on file which include full boundary survey of the Airport property and abutting parcels.

Board Action Required: **Motion to approve the waiver per Staff's recommendation memorandum dated March 7, 2018.**

Board Action Required: **Motion to Accept the Application as Complete per Staff's recommendation memorandum dated March 7, 2018.**

- Recommendation: Based on the information available to date, Staff recommends that the Planning Board **CONDITIONALLY APPROVE** this application with the Notice of Decision to read substantially as follows:

Board Action Required: **Motion to grant conditional approval of the Lot Line Adjustment Plan for Map 28 Lot 19, Map 28 Lot 20 2-1, and two Eversource parcels, Industrial Drive & Harvey Road, City of Manchester (Applicant), City of Manchester, Eversource and BCS Real Estate Holdings, LLC (Owners), in accordance with plans prepared by Eric C. Mitchell & Associates, Inc, dated January 15, 2018, last revised February 13, 2018, with the precedent conditions to be fulfilled within two years and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated March 7, 2018.**

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1. Map and Lot numbers for the Eversource East and Eversource West parcels be added to the plan to the satisfaction of the Town Assessor.
2. The waiver, if granted, shall be noted on the plan.
3. Any outstanding DRC comments be addressed.
4. The Owner's signatures shall be provided on the plans.
5. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
6. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
7. The Applicant shall note all general and subsequent conditions on the plans (must be on a sheet to be recorded, or a separate document to be recorded with the subdivision plans).
8. Final planning review.

PLEASE NOTE – If these conditions are not met within two (2) years of the meeting at which the Planning Board grants 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. 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.
2. 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 Division at extension 115 regarding building permits.

STAFF RECOMMENDATION

To: Planning Board
From: Colleen P. Mailloux, AICP, Town Planner
John R. Trottier, PE, Assist. Dir. Of DPW

Date: March 7, 2018

Application: Application Acceptance and Public Hearing for formal review of a Minor Site Plan for a change of use to allow manufacturing, assembly, storage and motor vehicle maintenance and repair, 15 Industrial Drive, Map 28, Lot 20-1A, Zoned IND-II, SAMPO Properties, LLC (Owner & Applicant)

- Completeness: There are no outstanding checklist items and Staff recommends the Application be accepted as complete.

Board Action Required: **Motion to Accept the Application as Complete per Staff's recommendation memorandum dated March 7, 2018.**

- Waivers: The Applicant has requested one (1) waiver:
 1. The Applicant has requested a waiver from Section 4.01c of the Site Plan Regulations to allow a plan scale greater than 1"=40'. Staff **supports** granting this waiver as the plans are legible at the scale presented and the scale at which the plans are presented provides detail of the site, abutting roads, buildings and surrounding features.

Board Action Required: **Motion to approve the Applicant's request for a waiver per Staff's recommendation memorandum dated March 7, 2018.**

- Recommendation: Based on the information available to date, Staff recommends that the Planning Board **CONDITIONALLY APPROVE** this application with the Notice of Decision to read substantially as follows:

Board Action Required: **Motion to grant conditional approval of the Minor Site Plan for a change of use to allow manufacturing, assembly, storage and motor vehicle maintenance and repair, 15 Industrial Drive, Map 28, Lot 20-1A, Zoned IND-II, SAMPO Properties, LLC (Owner & Applicant) in accordance with plans prepared by Bedford Design Consultants, Inc., dated December 29, 2017, last revised February 12, 2018 with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated March 7, 2018**

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4. The new parking spaces shall be dimensioned on the plan.
5. A handicap sign detail be added to the plan, and the number of required ADA parking spaces shall be indicated in the parking note.
6. The proposed asphalt walk within the Town's right of way shall be removed.
7. Any outstanding DRC comments be addressed.
8. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.05.n of the Subdivision Regulations.
9. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
10. Final planning review.

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1. The project must be built and executed 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.

2. 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.
3. 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 Division at extension 115 regarding building permits.
4. Site improvements must be completed prior to the issuance of a certificate of occupancy.