

# **LONDONDERRY, NH PLANNING BOARD**

## **MINUTES OF THE MEETING OF APRIL 4, 2018 AT THE MOOSE HILL COUNCIL CHAMBERS**

### **I. CALL TO ORDER**

Members Present: Art Rugg, Chair; Mary Wing Soares, Vice Chair; Rick Brideau, Ex-Officio – Town Employee; Chris Davies, Secretary; Leitha Reilly, member; Giovanni Verani, Ex-Officio – Town Manager Appt; Ann Chiampa (alternate member) and Roger Fillio (alternate member)

Also Present: Colleen Mailloux, Town Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering, Laura Gandia, Associate Planner and Beth Morrison, Recording Secretary

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 A. Sypek and A. Chiampa to vote for S. Benson

### **II. ADMINISTRATIVE BOARD WORK**

#### **A. APPROVAL OF MINUTES:**

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

**R. Brideau seconded the motion.**

**The motion was granted 5-0-3, with members A. Chiampa, C. Davies and G. Verani abstaining. The Chair voted in the affirmative.**

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

Formal review of a minor site plan for changes to outdoor lighting to install LED accent lighting on the building façade, 27 Buttrick Road, Map 6, Lot 30, Zoned C-I. Buttrick Ventures, LLC (Owner) and Barlo Signs (Applicant)

She stated that the project does not meet the criteria set forth by the Southern New Hampshire Planning Commission ("SNHPC") for a development of regional impact.

**Member M. Soares made a motion to find that the project is not of regional impact.**

**L. Reilly seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative.**

C. DISCUSSIONS WITH TOWN STAFF: N/A

**III. OLD BUSINESS - None**

**IV. NEW PLANS**

A. Non-Binding Review and Discussion in accordance with RSA 674:54 for a governmental land use for the installation of a 3 million-gallon water tank and associated site improvements, 14 Josephine Drive, Map 15, Lot 40-3, Zoned AR-1. City of Manchester / Manchester Water Works (Owner and Applicant).

Chairman Rugg read the case into record noting this is a non-binding review and discussion.

David Miller, Deputy Director, Water Supply, Manchester Water Works, 1581 Lake Shore Road, Manchester, NH and Richard Davee, PE, Wright-Pierce, 230 Commerce Way, Portsmouth, NH addressed the Board. D. Miller informed the Board that their existing pump station is working overtime and they need more storage for the current Londonderry/Derry system. He stated they are looking to build a new 3 million-gallon tank in addition to the 2 million-gallon tank that already exists at the site. R. Davee stated that the new tank is a larger diameter than the existing tank but the exact same height. He stated that the run-off calculations have been done and they will be using the existing detention pond to mitigate the additional run-off. He also added that there are some old stone walls on the property, which will be kept on site given the current ordinance. A. Rugg asked if the new tank would be the same color. D. Miller stated that it would. R. Davee stated that the area will be completely fenced off as well. He concluded his presentation and asked if the Board had any questions.

Town Planner Mailloux informed the Board that the Heritage Commission suggested the same color to help blend in with the existing tank, and the Conservation Commission suggested limiting the tree clearing. D. Miller stated that he was glad Town Planner Mailloux brought up tree clearing and noted that this construction requires a fair amount of lay down area and they are being as conservative as they can with the tree clearing. He stated that the clearing will be done before June, as they do not want to interfere with the long-eared bat population. D. Miller stated that this project will go before the Manchester Water Commission/Planning Board in May with construction to start early June and the tank will be in service by the end of this calendar year.

Chairman Rugg asked the Board for input. A. Chiampa asked how tall the existing tank is now. D. Miller stated he thought approximately 40 feet. A. Chiampa asked when the existing tank was built. D. Miller stated it was built in the early 1980s. C. Davies asked how long in duration the project would be. D. Miller stated he would like it to be completed by the end of the calendar year and noted if there is any site

work that needs to be finished that it will spill over to next spring. C. Davies asked if access to this project would be off Josephine Drive. D. Miller stated that is would and he has a list of everyone who lives on Josephine and Noyes Road stating they will be letting them know there will be construction traffic on the roads. M. Soares stated that since D. Miller said they would have to clear a lot of land, will he plan on replanting. D. Miller stated that they are going to regrade it but given the nature of the land to be heavily wooded, he thought it would repopulate itself naturally. L. Reilly asked who the nearest beneficiary of this new water tank would be. D. Miller stated that was distribution question and he is not sure, but he thought there would be customers on Josephine and Noyes. J. Trottier noted that these tanks are there to store water. He stated that they fill at night and empty during the day. L. Reilly stated that she went through the property cards for everyone on Josephine and there are no properties on public water. D. Miller stated that he knew the apartments at Vista Ridge were on public water. L. Reilly stated she knew that and is always looking out for the Londonderry residents when projects are being done in Londonderry and the residents might not be able to benefit from it. J. Trottier stated that he thinks the property cards need to be updated. R. Davee stated that the community can benefit from the tanks as they are there for fire protection as well.

Chairman Rugg opened it up to questions from the public.

Franz Honer, 6B Josephine Drive, addressed the Board. He asked what the impact on traffic to Josephine Drive would be and if any blasting would occur. D. Miller stated that no blasting would occur with this project. He stated that there would be construction traffic and noted that when the floor is being placed for the tank there would be a number of concrete trucks travelling up Josephine Drive that day. He stated that when the wall panels are being casted there would be construction trucks travelling on Josephine Drive. He stated that he would be happy to give F. Honer his phone number and have him call with any questions. A. Rugg asked what time of day the project would be starting. D. Miller stated that he thought it was 7 a.m., as it is dictated in an ordinance.

The presentation was concluded.

B. Formal review of a minor site plan for changes to outdoor lighting to install LED accent lighting on the building façade, 27 Buttrick Road, Map 6, Lot 30, Zoned C-I. Buttrick Ventures, LLC (Owner) and Barlo Signs (Applicant)

Chairman Rugg read the case into record. 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 April 4, 2018.**

**C. Davies seconded the motion.**

**The motion was granted, 8-0-0. The Chair voted in the affirmative.**

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

Robert Burke, Barlo Signs International, Inc., 158 Greeley Street, Hudson, NH introduced himself to the Board and stated he was representing the applicant. He stated that the applicant applied for an electrical permit and was denied on the basis of the lighting not meeting code. Town Planner Mailloux informed the Board that because this was an alteration of the illumination on the site, it requires approval by the Planning Board as a site plan amendment. She stated that the lighting requirement is for full cut-off lighting with no lighting to spill over on the building and this does not meet the requirement. She stated that the applicant has requested a waiver from sections 3.13.a.3 and 3.12.c.4 of the Site Plan Regulations to allow lighting that is not a full-cut off fixture and to allow a lighting installation with upward distribution of light where no upward distribution of light is allowed. She informed the Board that this went before the Heritage Commission and in general they were comfortable with the lighting change and recommended colors to go along with the change of seasons. R. Burke explained the lighting fixture to the Board. He stated that the applicant is trying to tie in the two buildings he owns on the site with the lights for people driving by on Rt. 102. He stated that the lighting fixture would go all around the buildings on the Rt. 102 and Buttrick Road sides. He stated that the intent was not to project light upward, but light can be seen from above because the fixture is open to the side. He concluded his presentation and asked if there were any questions from the Board.

Chairman Rugg opened it up to questions from the Board. A. Rugg asked if R. Burke had completed the uniformity ratio. R. Burke stated that he had not and thought he would receive guidance from this Board regarding that. A. Rugg stated that he did think the uniformity ratio should be calculated and should be a condition of approval. Town Planner Mailloux stated that she thought that would be an appropriate condition of approval. M. Soares asked if this fixture was an unshielded wall pack. R. Burke stated that it is similar enough to be called that, but a wall pack is designed to illuminate a significant portion of a wall, and this fixture is only designed to illuminate the edges of the wall, such as accent lighting. R. Burke stated that in doing the rough uniformity calculations in his head, he believed he was well within the number. A. Chiampa voiced her opinion, that this is not essential lighting and would not like to see every commercial building in town lit up like this. She stated that she did not think this lighting fits into the regulations of the town. L. Reilly asked for more of an explanation on the Heritage Commission's recommendations. A. Rugg stated that the Heritage Commission was concerned about the glare and colors. L. Reilly asked if the Heritage Commission had a problem with the aesthetics. A. Rugg stated they did not. L. Reilly stated in her opinion it looks like a neon outline around the building. M. Soares agreed with L. Reilly and stated she would rather have the applicant apply for a variance for a sign similar to the one he has now to try and tie the two buildings together, rather than this lighting. She stated that she would be voting against this tonight, as the regulations are in the site plans for a reason. A. Rugg stated he was concerned as granting this waiver would be setting a precedence. G. Verani asked if

the applicant could get more signage on the building. R. Burke stated that he thought the sign was done per the regulations and as he remembers it was the maximum amount of signage.

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

**Member M. Soares made a motion to grant the Applicant's request for two waivers from Sections 3.13.a.3 and 3.12.c.4 of the Site Plan Regulations to allow lighting that is not a full-cut off fixture and to allow a lighting installation with upward distribution of light where no upward distribution of light is allowed as outlined in the Staff's Recommendation Memorandum dated April 4, 2018.**

**Member R. Brideau seconded the motion.**

**The motion failed, 2-6-0.**

**Member M. Soares made a motion to deny the Applicant's request for two waivers from Sections 3.13.a.3 and 3.12.c.4 of the Site Plan Regulations to allow lighting that is not a full-cut off fixture and to allow a lighting installation with upward distribution of light where no upward distribution of light is allowed per the Planning Board's deliberations.**

**Member R. Brideau seconded the motion.**

**The motion passed, 6-2-0. The Applicant's request for two waivers was denied.**

**Member M. Soares made a motion to deny conditional approval of a minor site plan for changes to outdoor lighting to install LED accent lighting on the building façade, 27 Buttrick Road, Map 6, Lot 30, Zoned C-I. Buttrick Ventures, LLC (Owner) and Barlo Signs (Applicant) in accordance with the application package submitted by Barlo Signs, Inc. dated March 15, 2018, and last revised April 2, 2018.**

**Member R. Brideau seconded the motion.**

**The motion was granted, 8-0-0. The Applicant's request for conditional approval was denied for the following reasons:**

- 1. The lighting plan as presented did not meet the Town of Londonderry's site plan regulations particularly sections 3.13.a.3 and 3.12.c.4.**
- 2. The intent of sections 3.13.a.3 and 3.12.c.4 serve to protect the character and aesthetics of the Town and the lighting plan as presented violated that intent.**

**V. New Plans - N/A**

**VI. Other Business - None**

**VII. ADJOURNMENT**


**Member M. Soares made a motion to adjourn the meeting at approximately 08:05 p.m. Seconded by R. Brideau**

**The motion was granted, 8-0-0. The Chair voted in the affirmative.**

**The meeting adjourned at approximately 08:05 PM.**

These minutes were prepared by Beth Morrison

Respectfully Submitted,

  
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Name: Chris Davies  
Title: Secretary

These minutes were accepted and approved on May 2, 2018 by a motion made by M. Soares and seconded by C. Davies.