

LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF NOVEMBER 1, 2017 AT THE MOOSE HILL COUNCIL CHAMBERS

I. Call to Order

Members Present: Mary Wing Soares, Vice Chair; Rick Brideau, Ex-Officio – Town Employee; Leitha Reilly, member; Giovanni Verani, Ex-Officio – Town Manager Appt; Scott Benson, Assistant Secretary; Jim Butler, Town Council Ex-Officio; Ann Chiampa (alternate member); Peter Commerford (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

Vice Chair Soares called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. Vice Chair Soares appointed P. Commerford to vote for C. Davies, A. Chiampa to vote for A. Rugg and R. Fillio to vote for A. Sypek.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member L. Reilly made a motion to approve the minutes of October 4, 2017, as presented.

R. Brideau seconded the motion.

The motion was granted 6-0-2, with members R. Fillio and G. Verani abstaining.

The Vice Chair voted in the affirmative.

Member L. Reilly made a motion to approve the minutes of October 11, 2017, as amended.

R. Brideau seconded the motion.

The motion was granted 5-0-3, with members R. Fillio, G. Verani and S. Benson abstaining.

The Vice Chair voted in the affirmative.

B. REGIONAL IMPACT DETERMINATIONS: N/A

C. DISCUSSIONS WITH TOWN STAFF: N/A

III. Old Business - N/A

IV. New Plans/Conceptual/Non-binding Discussions -

A. Application for formal review of a site plan for the construction of a self-storage facility and associated site improvements, 76 Perkins Road, Map 015 Lot 52, Zoned C-II, Equity Alliance (Applicant) and Bluebird Londonderry, LLC (Owner)

Vice Chair Soares read the case into record. Town Planner Mailloux informed the Board that this project was before the Board for conceptual review in May noting a design review application was submitted to Staff on July 7, 2017 with abutter notices going out at that time. She explained that the applicant has met with the Heritage Commission several times for architectural review of the building and addressed those comments, thus submitting a formal application on September 28, 2017. J. Trottier stated that there are no outstanding checklist items and recommends that the application be accepted as complete.

L. Reilly made a motion to accept the application as complete per Staff's Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

Vice Chair Soares noted that the 65-day time clock had started.

Joel Khan, Equity Alliance, 7 Rolling Woods Drive, Bedford, NH addressed the Board for the applicant noting he was also joined by Brian Pratt, an engineer, and Brendan McNamara, an architect, and Bill Goodison who is the general manager of Bluebird. He stated that since May they have gone through an extensive review process and voiced his respect of the Town's procedures. He reviewed the climate control aspects of Bluebird storage of both temperature and humidity control with the Board. He pointed out that with these climate control features the moisture is kept out to protect the client's valuables. He noted that there was minimal impact on traffic with the traffic analysis that was performed. He stated that they have worked with the Fire Department on the second entryway for safety purposes. Brian Pratt from CLD Consulting Engineers, Inc. then addressed the Board. He went over the footprint of the building noting that it is 3 stories, has a primary access point off Perkins Road, with 13 parking spaces and 2 loading spaces along the front. He pointed out in the back there is a turn around for a fire truck and a secondary access off Perkins Road as well that will be gated for the Fire Department. He reviewed the storm water for the site noting that they have an Alteration of Terrain permit for this. He also reviewed the sight distances profiles for the driveways, landscaping, lighting and signage with the Board. He explained that they have two waiver requests for the Board tonight regarding the driveway entrances. He stated that they received an answer from New Hampshire Department of Transportation ("NHDOT") today stating

they need to amend the driveway permit where Perkins enters Rockingham and they will work with J. Trottier on this.

Vice Chair Soares opened it up to questions from the Board. J. Trottier stated that staff supports granting the two waiver requests. J. Trottier summarized the design review items for the Board. A. Chiampa voiced her concern that the building looks like a warehouse and that the roof should be a raised gable roof in keeping with the other buildings in the area. She asked if the blue canopy could be exchanged for something else to make it look more appealing to the residents. J. Khan stated that the applicant is trying to balance between corporate branding and the requirements of Londonderry. P. Commerford asked how they would monitor that explosives are not being stored there. J. Khan stated that the clients have to sign papers attesting to no explosives allowed and that the facility has state of the art sprinkler system in the event it was needed. L. Reilly stated that she is concerned for the residents across the street in looking at the three story building and wondered if the landscaping could be changed from deciduous trees to white pines. B. Pratt stated that there would be white pines there. L. Reilly also stated in her opinion she does not feel that every building should be a gabled roof, and she liked the design of the building. M. Soares asked if the applicant had anything around the security gate to prevent people from just simply going around it. B. Pratt stated that there would be trees and shrubs around it.

Vice Chairs opened it up to the public.

Janet McLaughlin, 14 Crestview Circle, addressed the Board in opposition to the application. She stated she was concerned about the variance for the driveway towards the smoke shop, as there can be a lot of traffic there already. She voiced her concern about the detention pond that runs along the length of Perkins Road stating that cars may end up in there. She asked if the handicap spaces met the ADA requirements and if there are elevators inside the building. She asked if it would be open 24 hours.

J. Khan answered that they met all the ADA requirements for parking and there were elevators in the building. He stated that this was not 24 hours and it would be restricted business hours. B. Pratt stated that there is a 15 foot separation from the edge of pavement to where the detention pond starts and thought it would be plenty of room if a car did go off the road.

L. Reilly made a motion to approve the Applicant's request for the above waivers to the Site Plan Regulations as outlined in Staff's Recommendation Memorandum dated November 1, 2017

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

L. Reilly made a motion to grant conditional approval of the site plan for a self-storage facility and associated site improvements, 76

Perkins Road, Map 15, Lot 52, Equity Alliance (Applicant), Bluebird Londonderry, LLC (Owner) in accordance with plans prepared by CLD | Fuss & O'Neil, dated July 5, 2017, last revised September 25, 2017 with the following precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated November 1, 2017

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice 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. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated November 1, 2017.
2. All required permits and approvals shall be obtained and noted on the plan, including NHDES Alteration of Terrain, and Londonderry Sewer Discharge permit. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Applicant shall note all waivers granted on the plan.
4. 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.
5. Third-party review fees shall be paid within 30 days of site plan approval.
6. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
7. Final engineering 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. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the site-restoration financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.

2. 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.

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. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

5. 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.

6. Site improvements must be completed in accordance with the approved plan 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 Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, 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.***

7. As built site plans must be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

B. Application for formal review of a conditional use permit to allow multi-family residential use in the Route 102 POD, 5, 7 And 9 Horizon Drive, and 4 & 6 Button Drive, Map 7 Lots 132 3, 132 4, 142 5, 132 6 And 132 7, Zoned C-I And Route 102 Overlay, DHB Homes (Applicant) and Team Business Development Corp. (Owner)

Vice Chair Soares read the case into record. Town Planner Mailloux informed the Board that this is a conditional use permit (CUP) to allow multi-family residential use in the performance overlay district and a site plan would be a separate process. She noted a design review application was submitted to Staff on August 23, 2017 with abutter notices going out at that time. She explained that a formal application was submitted on October 3, 2017. J. Trottier stated that there are no outstanding checklist items and recommends that the conditional use permit be accepted as complete.

R. Brideau made a motion to accept the application as complete per Staff's Recommendation Memorandum dated November 1, 2017.

L. Reilly seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

Vice Chair Soares noted that the 65-day time clock had started.

George Chadwick, Bedford Designs, 171 E Industrial Park Drive, Manchester, NH addressed the Board. He informed the Board that the proposal is for a 12 unit duplex project with water and sewer. He explained the traffic study to the Board noting that no significant traffic impact was observed. He stated that a fiscal analysis was submitted to the Town with a total of \$142, 472 of expected revenue from this site. He commented that the duplex development is a good transition between the commercial uses on Route 102 and the multi-family to the north and the duplexes to the east and south. He stated that the applicant believes the roads, water and sewer infrastructure are adequately sized to handle a development of this size. He noted that there are minimal impacts to traffic, water, air quality and will avoid noise and light pollution compared to another project that could be developed there. He concluded that the project will promote high quality diverse sustainable development that will fit well within the surrounding uses in the area.

Vice Chair Soares opened it up to questions from the Board. J. Trottier went over the conditional use permit request with the Board. He explained that the applicant has provided documentation to demonstrate compliance with most of the performance standards identified in the applicable sections of the Zoning Ordinance, however, in order to support the proposed project density, a sewer connection is required. There is no municipal sewer available to the proposed development. The sewer system in the vicinity of the proposed development is a private, two party system currently

being used by the All American and Calamar developments. The Sewer Division has expressed concern because there has been significant subsidence of the ground surface along portions of the private sewer system. As such, Staff has concerns regarding the structural integrity and flow capacity of this system. The Sewer Division cannot support additional discharge to this system until receiving the results of appropriate investigation activities to determine the condition of the sewer system. Proper maintenance agreements between all parties and easements/other access agreements would need to be in place. To date, no supporting documentation has been presented. He stated because the applicant has not provided appropriate documentation to demonstrate that the proposed use will comply with Section 2.6.1.7.H.2, relating to sewage disposal performance standards, Staff recommends that the Board continue the public hearing to allow the applicant to complete the recommended analysis and provide documentation of the current condition of the sewer system and all appropriate agreements and easements to demonstrate compliance with the Zoning Ordinance. He explained that they have run a camera through the line, but have yet to see the final report. S. Benson asked what the time frame would be to get the results. G. Chadwick stated the report was being performed by Kaplan and they have no control over when the results will be made available, noting it was done a week and a half ago. He stated that all indications verbally are that the line is in good working condition. J. Trottier stated that along with the report, a geotechnical analysis should be performed regarding the subsidence to understand why it happened and if it will happen again. G. Chadwick expressed his frustration in the process, noting that he first met with the Town in March and it has taken this long to get here at no fault to the applicant. He asked the Board for this to move forward and start the design at the applicant's risk. L. Reilly stated that she liked the use, but would like the results of the report back before making a decision. R. Fillio stated he wanted clarification on whether the pipe was bent or not. G. Chadwick stated that all of his discussions with Kaplan pointed to the direction of the pipe not being bent. P. Commerford stated that he needs to know what is going on with that sewer line before he can decide on the conditional use permit.

A. Chiampa stated that the problem should be determined and fixed before putting a new development on it. L. Reilly asked if a rush could be put on the report. J. Trottier explained that it was not under their control and it has been an issue since March. L. Reilly asked who was working on the report. G. Chadwick stated a geotechnical engineer by Kaplan, which is the assisted living facility. L. Reilly asked if there is a point when the Town steps in. J. Trottier stated that the Town will only step in if there is infiltration, which there is not. G. Chadwick added that if sewer is not available, the project could be put on septic and the density would be much different, but the residential use would still be the same. J. Trottier informed the Board that he received a phone call on October 23, 2017, from Bob Panciocco, the owner of Map 7 lot 32-27, indicating a concern about the buffer and storm water.

Vice Chair Soares opened it up to the public.

Janet McLaughlin, 14 Crestview Circle asked if there was public water to this site or well water. G. Chadwick answered that the water would be from Pennichuck.

Tiffany Richardson, 10 Raintree Drive, stated a concern about the traffic onto 102 with people cutting through Crossroads.

L. Reilly made a motion to continue the applicant's request for a Conditional Use Permit to December 13, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

C. Application for formal review of a five lot subdivision, 152 South Road, Map 7 Lot 109, Zoned AR-1, Garabedian Properties (Applicant) and Charles P. Garabedian Trust (Owner)

Vice Chair Soares read the case into record. Town Planner Mailloux informed the Board that this formal application was submitted on October 4, 2017 with abutters being notified and public hearing posted. J. Trottier stated that there are no outstanding checklist items and recommends that the application be accepted as complete.

L. Reilly made a motion to accept the application as complete per Staff's Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

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

Vice Chair Soares noted that the 65-day time clock had started.

Doug MacGuire, engineer with The Dubay Group, Inc., 84 Range Road, Windham, NH addressed the Board. He explained the proposal for 5 frontage lots, all fronting along South Road, noting all of the lots shown exceed the minimum lot size because there is no sewer or water to this area, and the lot sizing is done by soil. He stated that all the lots are double the normal size because of this. He stated that they had done all the required grading and drainage studies for this project.

Vice Chair Soares opened it up to questions from the Board. J. Trottier stated that staff supports granting the waiver request. J. Trottier summarized the design review items for the Board. A. Chiampa asked if it the project abutted a road to the south. D. MacGuire answered that their surveyor of record reviewed this and determined that the road in fact had been discontinued. He stated in their research they determined the road way accesses the rear parcel where some mitigation was done by NHDOT to enhance wetlands for impacts elsewhere, but they could not find anything official on record. He stated that they contacted NHDOT, who thought they had a temporary access easement at one point, but could not find any paperwork on it. He explained that to be proactive the applicant is proposing granting an easement to allow for that access, rather than to contest the use of this road. L.

Reilly mentioned the concern for the turtle population in this property. D. MacGuire stated that this is a low intensive use for the area with the lots closer to the road to maintain the wooded area as much as possible. G. Verani asked if the general public could travel the easement. D. MacGuire stated that the applicant would be giving the rights to the direct abutter, which would be NHDOT, and did not think it would be open to the general public. G. Verani commented that he thought the applicant should clarify who could use that area. D. MacGuire stated that they would work with NHDOT on that.

Vice Chair Soares opened it up to the public. Vice Chair Soares read a letter from an abutter, Exhibit 1, into the record.

L. Reilly made a motion to approve the applicant's request for the waiver as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

L. Reilly made a motion to grant conditional approval of the subdivision of Map 7 Lot 109 from one lot into five, South Road, Garabedian Properties (Applicant), Charles P. Garabedian Trust (Owner) in accordance with plans prepared by The Dubay Group, Inc. dated July 12, 2017, last revised September 29, 2017 with the following precedent conditions to be fulfilled within two years and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice 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. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Tighe & Bond review memo dated November 1, 2017.

2. The Applicant shall provide the Owner's signature(s) on the plans.

3. Required permits and permit approval numbers shall be noted on the plan.
4. The proposed road widening and access easements shall be provided for review and approval by the Town and shall be recorded concurrently with the final plan.
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 a check for \$25 (made payable to the Rockingham County Registry of Deeds) for LCHIP.
7. The Applicant shall note all general and subsequent conditions on the plans.
8. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional site plan approval.
9. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
10. Final engineering 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. **No construction or site work for the subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. 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.
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. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.

5. 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.

D. Application for formal review of a site plan for the construction of an affordable elderly 102-unit age restricted (62+) apartment complex consisting of two buildings, 30 Sanborn Road, Map 15 Lot 83-2, Zoned R-III, Town Of Londonderry (Owner) & Steven Lewis, Inc. (Applicant)

Vice Chair Soares read the case into record. Town Planner Mailloux informed the Board that this applicant has been working with staff for the last 18 months and this was last before the Board for a conceptual discussion in January of this year. She stated that the applicant has been before both the Heritage Commission and Conservation Commission. She noted that the Conservation Commission recommended approval of a conditional use permit in the conservation overlay district. She stated the formal application was submitted on October 12, 2017 and the public hearing was posted. J. Trottier stated that there are no outstanding checklist items and recommends that the application be accepted as complete.

L. Reilly made a motion to accept the application as complete per Staff's Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

Vice Chair Soares noted that the 65-day time clock had started.

Steven Lewis, owner, addressed the Board and stated he also had Doug MacGuire from Dubai Associates and Tim Kleiner, his partner in the project with him at tonight's presentation. S. Lewis informed the Board that he was approached by the Town for affordable senior housing in Londonderry, as this is his specialty. He noted that he has been working on this project for over two years, as he has to satisfy the Town, the New Hampshire Housing Authority and the federal government requirements. He explained that the architecture tried to tie in the railroad theme from the neighborhood. He stated that he has to sign a 99-year land use restriction that maintains that all occupants be 62 years or older, which is a federal requirement. He pointed out that the project has all the state approvals, an Alteration of Terrain permit, and a dredge and fill permit. He concluded his presentation and welcomed questions from the Board.

Vice Chair Soares opened it up to questions from the Board. J. Trottier reviewed the six waiver requests for the Board and stated that Staff supports the granting of all

six waivers. He reviewed the design review items for the Board. P. Commerford asked about lighting. S. Lewis stated that all the lighting meets the requirements of the Town. L. Reilly voiced her approval of a lower price for housing for seniors and that the project is close to the schools. She stated she has received letters regarding traffic in the area. J. Trottier pointed out that within the next year, there is going to be a pedestrian hybrid beacon for crossing NH Route 128 that is part of the Rail Trail, and has requested that the applicant be in touch with NHDOT. S. Lewis stated that since he has other buildings with the same population the traffic engineer was able to perform real time analysis for the traffic study. S. Lewis stated that this population usually goes out when other people are at work, from 10 a.m. to 3 p.m., and generates low traffic impact. G. Verani stated his support of the four story building and tying the building into the Rail Trail. He voiced his concern regarding traffic as well. S. Lewis stated that the general population will not be able to even see the buildings from the main street because of the trees that are there now. M. Soares asked how the parking would work for the building. S. Lewis pointed out that this project has a huge amount of handicap parking and that the visitor parking is the farthest away from the buildings. A. Chiampa asked if there would be any changes to the access to the Rail Trail. S. Lewis stated it would not.

Vice Chair Soares opened it up to the public.

Tiffany Richardson, 10 Raintree Drive, addressed the Board in favor of the application. She voiced a concern regarding traffic and stated that she did not think being able to push a button to cross would solve the problem. M. Soares stated that this is not a town road, but a state road, and encouraged Tiffany to speak with state representatives about the issue.

Janet McLaughlin, 14 Crestview Circle, addressed the Board in favor of the application. She stated that she is a member and a volunteer at the senior center and has seen many friends or acquaintances move away to other towns due to the lack of affordable housing. She voiced her opinion that this is very important for the Board to approve.

Michelle Flavin, 14 Stokes Road, addressed the Board in favor of the application. She voiced her concern about the building being four stories and is worried that she will see a tower when she looks out the front door. S. Lewis referenced the site plan and stated that the trees along the front are mature and about the height of the building, so it should be enough to shelter it.

Kevin Smith, Town Manager, addressed the Board and stated that as a member of the Traffic Safety Committee the intersection of Sanborn and 28 continues to be an intersection they look at. He stated that they have made improvements such as putting up the flashing speed limit signs and noted that the state plans to put up caution signs as well.

L. Reilly made a motion to approve the applicant's request for the six waivers as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

L. Reilly made a motion to approve the applicant's request for a Conditional Use Permit to allow affordable elderly housing in the R-III zone as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

L. Reilly made a motion to approve the applicant's request for a Conditional Use Permit for impacts within the Conservation Overlay District as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice Chair voted in the affirmative.

L. Reilly made a motion to grant conditional approval of the Sanborn Crossing Site Plan, Map 15 Lot 83-2, 30 Sanborn Road, Town of Londonderry (Owner) & Steven Lewis, Inc. (Applicant) in accordance with plans prepared by The Dubay Group, Inc., dated March 22, 2017, last revised October 6, 2017 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 November 1, 2017.

R. Brideau seconded the motion.

The motion was granted, 9-0-0. The Vice 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. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated November 1, 2017.
2. All required permits and approvals shall be obtained and noted on the plan, including NHDES Alteration of Terrain, NHDES Wetlands Permit, NHDES Sewer Discharge Permit, and Londonderry Sewer Discharge permit. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Applicant shall note all waivers granted on the plan.
4. The Applicant shall note all Conditional Use Permits granted on the plan.
5. The site remediation plan shall be approved by NHDES and NHDES approval of such be noted on the plan.
6. Restrictive covenants relating to the income and age restrictions shall be provided for review and approval by the Town.
7. 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.
8. The property shall be conveyed from the Town to the Applicant, with a deed reference added to the plan notes and the title block and signature blocks shall be updated accordingly.
9. The Fire Department shall approve the proposed hydrant locations on the Utility Plans & Profiles.
10. Third-party review fees shall be paid within 30 days of site plan approval.
11. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
12. Final engineering 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. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the off-site improvements and site-restoration financial guaranties with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. The Affordable Elderly Housing restrictive covenants shall be recorded at the Rockingham County Registry of Deeds prior to requesting a pre-construction meeting or commencing any work on the site.
3. 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.
4. 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.
5. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
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 Division at extension 115 regarding building permits.
7. Site improvements must be completed in accordance with the approved plan 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 Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, 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.***
8. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

V. Other Business - N/A

VI. Adjournment

Member R. Brideau made a motion to adjourn the meeting at approximately 09:20 p.m. Seconded by L. Reilly

The motion was granted, 9-0-0.

The meeting adjourned at approximately 09:20 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,



Chris Davies, Secretary

These minutes were accepted and approved on December 6, 2017 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: November 1, 2017

Application: Application Acceptance and Public Hearing for formal review of a site plan for a self-storage facility and associated site improvements; Map 15, Lot 52, 76 Perkins Road, Zoned C-II, Equity Alliance (Applicant), Bluebird Londonderry, LLC (Owner)

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

Board Action Required: **Motion to Accept the Application as Complete per Staff's Recommendation Memorandum dated November 1, 2017.**

- Waivers: The Applicant has requested the following two (2) waivers to the Site Plan Regulations.
 1. Section 3.08.b.c – Main Site Driveway to have 176 foot separation from the existing driveway on the abutting property where 200 feet is required. Staff **supports** this waiver request as the proposed driveway location provides improved access and circulation to the parcel and the proposed driveway meets driveway sight distance and other design requirements.
 2. Section 3.08.b.c – Emergency Access Driveway to have 11 foot separation from the existing driveway on the abutting property where 200 feet is required. Staff **supports** this waiver request as the driveway has been provided for emergency access purposes at the request of the Fire Department and will be gated and used for emergency use only, and the proposed driveway meets driveway sight distance and other design requirements.

Board Action Required: **Motion to approve the Applicant's request for the above waivers to the Site Plan Regulations as outlined in Staff's recommendation memorandum dated November 1, 2017**

- 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 site plan for a self storage facility and associated site improvements, 76 Perkins Road, Map 15, Lot 52, Equity Alliance (Applicant), Bluebird Londonderry, LLC (Owner) in accordance with plans prepared by CLD | Fuss & O'Neil, dated July 5, 2017, last revised September 25, 2017 with the following precedent conditions to be fulfilled within 120 days and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated November 1, 2017:**

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

PRECEDENT CONDITIONS

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

1. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated November 1, 2017.
2. All required permits and approvals shall be obtained and noted on the plan, including NHDES Alteration of Terrain, and Londonderry Sewer Discharge permit. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Applicant shall note all waivers granted on the plan.
4. 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.
5. Third-party review fees shall be paid within 30 days of site plan approval.
6. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
7. Final engineering 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. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting**

of the site-restoration financial guaranty with the Town. Contact the Department of Public Works to arrange the pre-construction meeting.

2. 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.
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. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
5. 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.
6. Site improvements must be completed in accordance with the approved plan 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 Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, 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.**
7. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.

STAFF RECOMMENDATION

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

Date: November 1, 2017

Application: Application Acceptance and Public Hearing for formal review of a subdivision of Map 7, Lot 109 into 5 residential lots, South Road, Zoned AR-1, Garabedian Properties (Applicant), Charles P. Garabedian Trust (Owner).

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

Board Action Required: **Motion to Accept the Application as Complete per Staff's Recommendation Memorandum dated November 1, 2017.**

- Waivers: The Applicant has requested the following waiver to the Subdivision Regulations:
 1. The Applicant has requested a waiver from Section 4.01c of the Subdivision 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 provided allow for the entire property to be shown on one sheet.

Board Action Required: **Motion to approve the Applicant's request for the above waiver as outlined in the Staff recommendation memorandum dated November 1, 2017.**

- 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 subdivision of Map 7 Lot 109 from one lot into five, South Road, Garabedian Properties (Applicant), Charles P. Garabedian Trust (Owner) in accordance with plans prepared by The Dubai Group, Inc. dated July 12, 2017, last revised September 29, 2017 with the following precedent conditions to be fulfilled within two years and prior to plan signature and subsequent conditions to be fulfilled as noted in the Staff Recommendation Memorandum dated November 1, 2017.**

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

PRECEDENT CONDITIONS

All of the precedent conditions below must be met by the Applicant, at the expense of the Applicant, prior to certification of the plans by the Planning Board. Certification of the plans is

required prior to commencement of any site work, any construction on the site or issuance of a building permit.

1. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Tighe & Bond review memo dated November 1, 2017.
2. The Applicant shall provide the Owner's signature(s) on the plans.
3. Required permits and permit approval numbers shall be noted on the plan.
4. The proposed road widening and access easements shall be provided for review and approval by the Town and shall be recorded concurrently with the final plan.
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 a check for \$25 (made payable to the Rockingham County Registry of Deeds) for LCHIP.
7. The Applicant shall note all general and subsequent conditions on the plans.
8. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional site plan approval.
9. Financial guarantee be provided to the satisfaction of the Department of Public Works and Engineering.
10. Final engineering 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. **No construction or site work for the subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.

2. 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.
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. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.
5. 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: November 1, 2017

Application: Application Acceptance and Public Hearing for formal review of a site plan for a 102-unit affordable elderly housing development; Map 15, Lot 83-2, 30 Sanborn Road, Zoned R-III, Town of Londonderry (Owner) Steven Lewis, Inc (Applicant).

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

Board Action Required: **Motion to Accept the Application as Complete per Staff's Recommendation Memorandum dated November 1, 2017.**

- Waivers: The Applicant has requested the following six (6) waivers to the Site Plan Regulations.
 1. The Applicant has requested a waiver from Section 3.6.4.C of the Zoning Ordinance to allow a building height of four stories. Staff **supports** granting the waiver as the Building Official has determined that the building height is acceptable under building code, and because the Heritage Commission has reviewed and approved the architectural elevations for this project.
 2. The Applicant has requested a waiver from Section 3.6.4.D of the Zoning Ordinance for a building configured with the long portion in excess of 75' along Sanborn Road. Staff **supports** granting the waiver as the Applicant has provided additional landscape screening along the building frontage, and the architectural renderings have demonstrated that the massing of the building will be in keeping with the spirit of the ordinance.
 3. The Applicant has requested a waiver from Section 3.08.c.2.iv of the Site Plan Regulations to allow a sidewalk width of 4'. Most of the sidewalks provided on site meets the regulation requiring a 6' sidewalk width, however, the Applicant is requesting a waiver in two limited areas to allow a 4' sidewalk for a service access entrance. Staff **supports** granting the waiver, as the waiver is only being requested for a service entrance, the project is in compliance with ADA requirements, and the Fire Department has no objection to the reduced sidewalk width in the requested locations.
 4. The Applicant has requested a waiver from Section 3.07.g.3 of the Site Plan Regulations to allow drainage pipes with less than 3' of cover for pipes between CB3 and CB4 and the culvert from FES4 to FES5. Staff **supports** granting the waiver, as the plan calls for Class V reinforced concrete pipe in those areas, and the elevation of the proposed detention pond limits the depth for coverage in these two areas.

5. The Applicant has requested a waiver from Section 3.07.g.2 of the Site Plan Regulations to allow drainage pipe velocities less than 2 feet per second for pipe from CB5 and CB6. Staff **supports** granting the waiver as the contributing area to these pipes will not generate enough flow to meet the minimum pipe velocity.
6. The Applicant has requested a waiver from Section 4.01c 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 provided allow for the entire property to be shown on one sheet.

Board Action Required: Motion to approve the Applicant's request for the above waivers as outlined in the Staff recommendation memorandum dated November 1, 2017.

- **Conditional Use Permit:** The Applicant has requested two (2) Conditional Use Permits:
 1. The Applicant has requested a Conditional Use Permit (CUP) to allow an elderly affordable housing development in the R-III zone. Elderly affordable is a use that is permitted by Conditional Use Permit under Section 3.6.5 of the Zoning Ordinance.

As the Applicant has demonstrated compliance with the compliance with the criteria of Section 3.6.5 of the Zoning Ordinance, Staff recommends that the Board approve the request for a CUP.
 2. The Applicant has requested a Conditional Use Permit (CUP) to allow work within the Conservation Overlay District. The project has 37,566 square feet of wetland buffer impact which is associated with the stormwater management on the site, and the secondary driveway access requested for emergency management purposes. The Conservation Commission has recommended approval of the Conditional Use Permit.

As the Applicant has demonstrated compliance with the criteria of Section 2.6.3.4 of the Zoning Ordinance, Staff recommends that the Board approve the request for a CUP.

Board Action Required:

Motion to approve the Applicant's request for a Conditional Use Permit to allow Affordable Elderly Housing in the R-III zone as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

Motion to approve the Applicant's request for a Conditional Use Permit for impacts within the Conservation Overlay District as outlined in the Staff Recommendation Memorandum dated November 1, 2017.

- **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 Sanborn Crossing Site Plan, Map 15 Lot 83-2, 30 Sanborn Road, Town of Londonderry (Owner) & Steven Lewis, Inc. (Applicant) in accordance with plans prepared by The Dubai Group, Inc., dated March 22, 2017, last revised October 6, 2017 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 November 1, 2017:

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

PRECEDENT CONDITIONS

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

1. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works & Engineering/Stantec review memo dated November 1, 2017.
2. All required permits and approvals shall be obtained and noted on the plan, including NHDES Alteration of Terrain, NHDES Wetlands Permit, NHDES Sewer Discharge Permit, and Londonderry Sewer Discharge permit. The Applicant shall indicate the permit approval numbers on the cover sheet and provide copies of all permits for the Planning Division files.
3. The Applicant shall note all waivers granted on the plan.
4. The Applicant shall note all Conditional Use Permits granted on the plan.
5. The site remediation plan shall be approved by NHDES and NHDES approval of such be noted on the plan.
6. Restrictive covenants relating to the income and age restrictions shall be provided for review and approval by the Town.

7. 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.
8. The property shall be conveyed from the Town to the Applicant, with a deed reference added to the plan notes and the title block and signature blocks shall be updated accordingly.
9. The Fire Department shall approve the proposed hydrant locations on the Utility Plans & Profiles.
10. Third-party review fees shall be paid within 30 days of site plan approval.
11. Financial guarantees be provided to the satisfaction of the Department of Public Works and Engineering.
12. Final engineering 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. **No construction or site work may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the off-site improvements and site-restoration financial guaranties with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. The Affordable Elderly Housing restrictive covenants shall be recorded at the Rockingham County Registry of Deeds prior to requesting a pre-construction meeting or commencing any work on the site.
3. 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.
4. 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.

5. Fire department access roads shall be provided at the start of the project and maintained throughout construction. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
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 Division at extension 115 regarding building permits.
7. Site improvements must be completed in accordance with the approved plan 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 Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, 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.**
8. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.