

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF MARCH 2, 2016 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 Members Present: Art Rugg, Planning Board Chair; Mary Soares; Chris Davies;
6 Giovanni Verani, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; Scott Benson; Leitha
7 Reilly; Al Sypek; Ann Chiampa (alternate member); and Ted Combes (alternate
8 member).
9

10 Also Present:
11 John Vogl, GIS Manager/Comprehensive Planner; John R. Trottier, P.E., Assistant
12 Director of Public Works and Engineering
13

14 Chairman A. Rugg called the meeting to order at 7:00 PM
15

16
17 **Administrative Board Work**
18

19 **A. REQUESTS FOR CONTINUANCES**
20

- 21 1. Application Acceptance and Public Hearing for formal review of a
22 lot line adjustment between Tax Map 2 Lot 36 at 5 Continental
23 Drive and Tax Map 2 Lot 36-6 at 1 Continental Drive, Zoned Ind-I
24 and Ind-II, Continental Paving, Inc. (Applicant and Owner).

25 **M. Soares made a motion to grant applicant's requests for**
26 **continuances to April 6, 2016. Seconded by S. Benson.**
27 **Motion was granted 8-0-0. The Chair voted in the**
28 **affirmative.**
29

- 30 2. Application Acceptance and Public Hearing for formal review of a
31 site plan amendment to construct a 2-story office addition, Tax
32 Map 2 Lot 36-6 at 1 Continental Drive and West Road, Zoned Ind-I
33 and Ind-II, Continental Paving, Inc. (Applicant and Owner).

34 **M. Soares made a motion to grant applicant's requests for**
35 **continuances to April 6, 2016. Seconded by R. Brideau.**
36 **Motion was granted 8-0-0. The Chair voted in the**
37 **affirmative.**

38 See attached letter from HIS dated February 29, 2016 requesting
39 continuances.
40

41 The Chair stated that this is the only official notice.
42
43

44 **B. APPROVAL OF MINUTES- FEBRUARY 3, 2016**
45

- 46 A. Chiampa had some minor changes to the minutes which were reflected in
47 the copy presented to the Board.

1
2 M. Soares made a motion to approve the minutes as presented. Seconded
3 by R. Brideau. Motion was granted. 8-0-0. The Chair voted in the
4 affirmative.
5

6 C. REGIONAL IMPACT DETERMINATIONS:
7

8 **F.W. Webb Distribution facility subdivision: Tap Map 14, Lots 35,**
9 **36, 38 & 45; Webb distribution facility site plan – Tax Map 14, Lot**
10 **36-1; Continental lot line adjustment & Continental site plan.**
11

12 The Chair stated that regional impact determinations are necessary
13 pursuant to New Hampshire statutes and Southern New Hampshire Planning
14 Commission regulations.
15

16 J. Vogl stated that there were a total of four plans involving two
17 projects and he addressed them together. The first one was the Webb
18 Drive subdivision plan. He stated that Webb Drive is a road to be created
19 which will run southerly from Pettengill Road opening up four lots for a
20 development prospect which is in design review. The second is the site plan
21 for the distribution facility. He recommended that these be determined to
22 not be of regional impact. He stated that they abut Manchester and the
23 development is creating two lots, only one of which is proposed for
24 development – all the traffic will be directed to the state highway system.
25

26 M. Soares made a motion that there is no regional impact with the
27 Webb Distribution facility subdivision and site plan. The motion was
28 granted. 8-0-0.
29

30 J. Vogl spoke of the regional impact to the Continental Drive
31 proposal. J. Vogl stated Continental Paving is seeking to add a small
32 addition to a building less than 2,000 square feet and relocate a lot line to
33 the north to eliminate any setback issues that may exist. Given the small
34 nature of the project and size, J. Vogl recommended that it not be
35 determined a project of regional impact.
36

37 M. Soares made a motion that there is no regional impact with the
38 Continental Paving facility lot line adjustment and site plan. The motion
39 was granted. 8-0-0
40
41

42 C. DISCUSSIONS WITH TOWN STAFF:
43

44 J. Vogl and J. Trottier had no comments.

45 Chairman Rugg stated that the Town's elections are this Tuesday, March 8,
46 2016 from 7:00 a.m. to 8:00 p.m. and he encouraged everyone to vote.
47

48 Chairman Rugg stated that the Master Plan Implementation Committee met
49 on February 24, 2016 – there was not a quorum and the meeting was on cable

1 television. He encouraged the Board to take a look at it as well as the Master Plan
2 which was developed March 6, 2013 particularly the matrix and flow chart. He
3 stated that at the next meeting on March 9, 2016, the Board will be meeting with
4 the Master Plan Implementation Committee.

5
6 E. ELECTIONS OF OFFICERS AND APPOINTMENT OF LIAISONS OT THE CIP
7 COMMITTEE AND HERITAGE COMMISSION:

8
9 R. Brideau made a motion to retain the same officers for next year as they
10 have this year. Seconded by A. Sypek. Motion was granted. 8-0-0. The Chair
11 voted in the affirmative.

12
13 The Chair stated that Mary and Rick have been members of the CIP
14 committee and he is the only Heritage Commission member that is on the board.
15 A. Sypek made a motion to retain the same members for the CIP committee and
16 Heritage Commission as they have now. R. Brideau seconded. Motion was
17 granted. 8-0-0. The Chair voted in the affirmative.

18
19
20
21 **Public Hearings/Workshops/Conceptual Discussions**

22
23 **A. Public Hearing pursuant to RSA 231:158 to discuss Application**
24 **Acceptance and Public Hearing for an amendment of the approval,**
25 **granted January 6, 2016 of a lot line adjustment between Tax Map 5**
26 **Lot 50-4 at 77 High Range Road (Ronald E. Lawrence, c/o Lorraine**
27 **Elwood, Owner) and Tax Map 5 Lot 50-5 at 71 High Range Road**
28 **(Lorraine M. Brooks, Owner), and a subsequent subdivision of Lot**
29 **50-5 into 6 lots, to grant separate approvals for the lot line**
30 **adjustment plan and the subdivision plan; Zoned AR-1 (Jon D.**
31 **Weigler, Applicant).**

32
33 Members L. Reilly and G. Verani recused themselves from this hearing. A.
34 Chiampa was appointed to vote for L. Reilly and no member was appointed to vote
35 for G. Verani as he is an ex-officio.

36 J. Trottier stated that there were no outstanding checklist items and
37 recommended that the plan be accepted as complete.

38 Motion was made by M. Soares to accept the application as complete and
39 seconded by R. Brideau. Motion was granted. 7-0-0. The Chair voted in the
40 affirmative and noted the 65 day window to render a decision on the plan.

41
42 Eric Mitchell, President of Eric C. Mitchell & Associates, Inc. spoke and
43 stated that the project was conditionally approved in the beginning of January for
44 a lot line adjustment and a subsequent subdivision of six lots. He stated that he
45 viewed the request as housekeeping and there are two properties involved owned
46 by two different people. The house that is on lot 50-4 is being retained by the
47 current owner. The balance of the land is being sold. He stated that the current

1 owner cannot sell that land to the applicant without having a plan recorded. This
2 action will separate the two plans so that the lot line adjustment can be recorded,
3 and the remainder land can be transferred. He stated that nothing has changed
4 since the conditional approval.
5

6 J. Trottier stated that Eric summarized the facts well and the Staff agrees
7 that it is a housekeeping issue. J. Trottier noted that in the Staff
8 Recommendation memo (See attached) there are two items required – a motion
9 granting final approval of the lot line adjustment plan and a motion granting the
10 final approval of the subdivision plan.
11

12 There were no comments from the public.
13

14 **The Board GRANTED final approval to the lot line adjustment plan – Phase**
15 **I originally granted on January 6, 2016 between Tax Map 5 Lot 50-4 at 77**
16 **High Range Road (Ronald E. Lawrence, c/o Lorraine Elwood, Owner) and**
17 **Tax Map 5 Lot 50-5 at 71 High Range Road (Lorraine M. Brooks, Owner),**
18 **(Jon D. Weigler, Applicant), in accordance with the plans prepared by Eric**
19 **C. Mitchell and Associates dated October 15, 2015 last revised February**
20 **11, 2016 with the precedent conditions applicable to the lot line**
21 **adjustment to be fulfilled within two (2) years of the approval and prior**
22 **to plan signature, and the general and subsequent conditions of approval**
23 **applicable to the lot line adjustment to be fulfilled as noted in the Staff**
24 **Recommendation Memo, dated March 2, 2016.**
25

26 Motion was made by M. Soares and seconded by R. Brideau. Motion was granted.
27 7-0-0.
28

29 **The Board GRANTED final approval to the subdivision plan (Phase II)**
30 **originally granted on January 6, 2016, Tax Map 5 Lot 50-4 at 77 High**
31 **Range Road and Tax Map 5 Lot 50-5 at 71 High Range Road, in**
32 **accordance with the plans prepared by Eric C. Mitchell and Associates**
33 **dated October 15, 2015 last revised February 11, 2016 with the precedent**
34 **conditions to be fulfilled within two (2) years of the approval and prior to**
35 **plan signature, and the general and subsequent conditions of approval to**
36 **be fulfilled in accordance with the Staff Recommendation Memo dated**
37 **March 2, 2016 with owner's noted.**
38

39 Motion was made by M. Soares and seconded by R. Brideau. Motion was granted.
40 7-0-0.
41

42 **B. Public Hearing pursuant to RSA 231:158 to discuss Application**
43 **Acceptance and Public Hearing for formal review of a site plan to**
44 **construct a parking lot at Map 17 Lot 17A, Zoned Industrial I (Ind-**
45 **I), to service an existing business on Abby Road in Manchester, NH,**
46 **submitted by JLJ Properties, LLC, & James P. Anagnos and Harry A.**
47 **Anagnos (Owners and Applicants).**
48
49

1
2 L. Reilly and G. Verani resumed as voting members and A. Chiampa
3 returned to her alternate position.
4

5 J. Trottier stated that there are no outstanding checklist items and the staff
6 recommends that the application be accepted as complete.
7

8 Motion was made by M. Soares to accept the application as complete and
9 seconded by R. Brideau. Motion was granted. 8-0-0. The Chair voted in the
10 affirmative and noted the 65 day window to render a decision on the plan.
11

12 Tucker McCarthy, an engineer with TF Moran representing JLJ Properties,
13 stated that the project is to construct 100 parking spaces for the benefit of use of
14 a business off Abby Road in Manchester. T. McCarthy went through the requested
15 six waivers as follows:
16

- 17 1. **Section 3.07.c.1.** of the Site Plan Regulations to allow pipes to flow more
18 than full. There is some off site drainage that comes from abutting
19 properties out of an existing treatment system. This flow will not be treated
20 and no new flow will be added to this system.
- 21 2. **Section 3.11.g.1.iii.** of the Site Plan Regulations to not provide 5%
22 dedicated landscaped area within a parking lot. The parking lot is in the
23 rear of an existing building. This parking lot is going to be surrounded by
24 existing vegetation. Landscaping is provided along the exterior of the
25 parking lot.
- 26 3. **Section 3.11.g.3.** of the Site Plan Regulations to not provide 1 deciduous
27 tree for every 15 parking spaces. T. McCarthy stated the same reasons for
28 waiver request #2 were applicable here.
- 29 4. **Section 3.11.g.5.** of the Site Plan Regulations to not plant perimeter trees
30 at 1 tree for every 20 feet of perimeter. T. McCarthy stated the same
31 reasons for waiver request #2 were applicable here.
- 32 5. **Section 3.11.g.7.** of the Site Plan Regulations to not provide screening for
33 the off-street parking area to abutting residential districts. The abutting
34 residential zoning district would be to the east of this project but the project
35 is approximately 350 feet away from that lot and there is existing trees with
36 adequate screening.
- 37 6. **Section 3.13.c.3.** of the Site Plan Regulations to allow an excess of 0.2
38 foot candles to trespass across the property line between Londonderry Lot
39 17-17A and Manchester Lot 510-6. T. McCarthy stated that they have light
40 that exceeds what is allowed over the property line between the common
41 lots. The two lots function for the same use and the parcel the parking lot
42 is located on can only be accessed from the primary use on the Manchester
43 property.
44

1 To orientate the Board, J. Trottier explained that the property located to the
2 lower left is the Insight Technology building. He stated that the parking lot will
3 serve a business in Manchester with access from the existing business with no
4 direct connection to streets or properties in Londonderry. The site plan has
5 already received conditional approval from the Manchester Planning Board and
6 both municipalities are coordinating together with conditions, plan signatures,
7 construction monitoring, etc. J. Trottier summarized the waiver requests and
8 recommended that they be granted in accordance with the Staff Recommendation
9 memo (See attached) and the design review items (See attached) which he
10 summarized. He stated that the staff does recommend conditional approval.

11 L. Reilly questioned the elevation of Insight property and she stated that it
12 appears they are looking down at the lights. J. Trottier confirmed.

13 Chairman Rugg asked for any public input. There was none.

14 M. Soares made a motion to approve the applicant's requests to the six
15 waivers to the site plan regulations as outlined in Staff Recommendation Memo
16 dated March 2, 2016. Motion was seconded by R. Brideau. Motion passed 8-0-
17 0. The Chair voted in the affirmative.

18 **The Board GRANTED Final Approval of a Site Plan to construct a**
19 **parking lot at Map 17 Lot 17A, Zoned Industrial I (Ind-I), to service an**
20 **existing business on Abby Road in Manchester, NH, submitted by JLJ**
21 **Properties, LLC, (Owners and Applicant) & James P. Anagnos and**
22 **Harry A. Anagnos (Owners), in accordance with the plans prepared by**
23 **TF Moran, dated December 7, 2015, and last revised February 10,**
24 **2016, with the precedent conditions to be fulfilled within 120 days of**
25 **the approval and prior to plan signature, and the general and**
26 **subsequent conditions of approval to be fulfilled as noted in the Staff**
27 **Recommendation Memo, dated March 2, 2016.**

28
29 Motion was made by M. Soares and seconded by R. Brideau. Motion was
30 granted. 8-0-0.

31
32
33 **OTHER BUSINESS:**

34
35 Chairman Rugg stated that the Regional Growth Management Activity report is
36 continued to April 6, 2016 because not all the data is available (Litchfield data is
37 not available). J. Vogl stated that there is a high number of permits that were
38 issued this past year and a look at what types of permits and trends is necessary.
39 Chairman Rugg commented on the number of 55+ and workforce housing and
40 their impact for CIP committee. J. Vogl stated that Bedford was not part of this
41 analysis and the analysis only included residential activity.
42
43
44
45
46

1 **ADJOURNMENT:**
2

3 **R. Brideau made a motion to adjourn the meeting at 7:35 p.m.**
4 **Seconded by M. Soares. Motion was granted: 8-0-0.**
5

6 The meeting adjourned at 7:35 PM.
7

8
9 These minutes were prepared by Associate Planner (TEMP) Laura Gandia.
10

11
12 Respectfully Submitted,
13

14 
15 _____
16 Chris Davies, Secretary

ARTHUR RUGG, CHAIR

Town of Londonderry Planning Board
AGENDA
March 2, 2016
Regular Meeting

I. Call To Order

II. Administrative Board Work

- A. Approval of Minutes – February 3, 2016
- B. Regional Impact Determination – Webb Distribution Facility Subdivision, Map 14 Lots 35, 36, 38 and 45, Webb Distribution Facility Site Plan, Map 14 Lot 36-1, Continental Lot Line Adjustment, Map 2 Lots 36 and 36-6, and Continental Site Plan Amendment, Map 2 lot 36-6
- C. Discussions with Town Staff
- D. Appointment of Officers and Appointment of Liasons to CIP and Heritage Commission

III. New Plans

- A. Application Acceptance and Public Hearing for an amendment of the approval, granted January 6, 2016 of a lot line adjustment between Tax Map 5 Lot 50-4 at 77 High Range Road (Ronald E. Lawrence, c/o Lorraine Elwood, Owner) and Tax Map 5 Lot 50-5 at 71 High Range Road (Lorraine M. Brooks, Owner), and a subsequent subdivision of Lot 50-5 into 6 lots, to grant separate approvals for the lot line adjustment plan and the subdivision plan; Zoned AR-1 (Jon D. Weigler, Applicant).
- B. Application Acceptance and Public Hearing for formal review of a site plan to construct a parking lot at Map 17 Lot 17A, Zoned Industrial I (Ind-I), to service an existing business on Abby Road in Manchester, NH, submitted by JLJ Properties, LLC, & James P. Anagnos and Harry A. Anagnos (Owners and Applicants).
- C. Application Acceptance and Public Hearing for formal review of a lot line adjustment between Tax Map 2 Lot 36 at 5 Continental Drive and Tax Map 2 Lot 36-6 at 1 Continental Drive, Zoned Ind-I and Ind-II, Continental Paving, Inc. (Applicant and Owner).
- D. Application Acceptance and Public Hearing for formal review of a site plan amendment to construct a 2-story office addition, Tax Map 2 Lot 36-6 at 1 Continental Drive and West Road, Zoned Ind-I and Ind-II, Continental Paving, Inc. (Applicant and Owner).

IV. Other Business

- A. Regional Growth Management activity report

V. Adjournment



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

February 29, 2016

Job No. 4014-A

Town of Londonderry Planning Board
268B Mammoth Road
Londonderry, NH 03053

Re: Continuance Request

Lot Line Relocation Plan, Tax Map 2, Lots 36 & 36-6
Site Plan – Office Addition, Tax Map 2, Lot 36-6
West Road & Continental Drive
Londonderry, NH 03053

Dear Boardmembers:

On behalf of our client, Continental Paving, Inc., we are requesting that the applications for the above-listed plans be continued to the April 6, 2016 Planning Board meeting.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Earle D. Blatchford', written over a horizontal line.

Earle D. Blatchford.
Senior Project Manager
Hayner/Swanson, Inc.

cc: Rick Charbonneau, Continental Paving, Inc.

STAFF RECOMMENDATION

To: Planning Board **Date:** March 2, 2016
From: John Vogl, GIS Manager | Comprehensive Planner
John R. Trottier, PE, Assistant Director of Public Works

Re: 71-77 High Range Road Amended LLA & Subdivision Plan Approval

Application: Application Acceptance and Public Hearing for an amendment of the approval, granted January 6, 2016 of a lot line adjustment between Tax Map 5 Lot 50-4 at 77 High Range Road (Ronald E. Lawrence, c/o Lorraine Elwood, Owner) and Tax Map 5 Lot 50-5 at 71 High Range Road (Lorraine M. Brooks, Owner), and a subsequent subdivision of Lot 50-5 into 6 lots, to grant separate approvals for the lot line adjustment plan and the subdivision plan; Zoned AR-1 (Jon D. Weigler, Applicant).

- Completeness: ***There are no outstanding checklist items. Staff recommends the application be accepted as complete.***
 - Board Action Required: **Motion that the Planning Board Accept the Application as Complete per Staff's Recommendation memo dated March 2, 2016.**
- Waivers: There are no additional waivers requested for the amendment of the approval; however, all waivers previously approved on January 6, 2016 will remain.
- Recommendation: Based upon the information available to date, Staff recommends **FINAL APPROVAL** of this application with the NOTICE OF DECISION to read substantially as follows:
 - Board Action Required: **Motion to Grant Final Approval to the lot line adjustment plan (Phase I), originally granted on January 6, 2016, between Tax Map 5 Lot 50-4 at 77 High Range Road (Ronald E. Lawrence, c/o Lorraine Elwood, Owner) and Tax Map 5 Lot 50-5 at 71 High Range Road (Lorraine M. Brooks, Owner), (Jon Weigler, Applicant), in accordance with the plans prepared by Eric C. Mitchell & Associates, Inc., dated October 15, 2015, last revised February 11, 2016, with the precedent conditions applicable to the lot line adjustment to be fulfilled within two (2) years of the approval and prior to plan signature, and the general and subsequent conditions of approval applicable to the lot line adjustment to be fulfilled as noted in the Staff Recommendation Memo, dated March 2, 2016.**

"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/Public Works & Engineering/Tighe and Bond review memo dated January 6, 2016. In addition to those items, the Applicant shall also address the following:
 - A. Delete the second sentence of note #6 on sheet 1 of 2.
 - B. Add the following to note #9 on sheet 1 of 2 "and copies are on file in the Planning and Economic Development Department at the Town of Londonderry".
 - C. Delete notes #10 through 13 on sheet 1 of 2.
 - D. Delete the first 2 general and subsequent conditions on sheet 1 of 2.
2. The Applicant shall provide the Owner's signature on the plans.
3. The Applicant shall provide a digital (electronic) copy of the complete final plan to the Town prior to plan signature by the Board in accordance with Section 2.05.n of the regulations.
4. The Applicant shall provide a check for \$25 (made payable to the *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that became effective on recording of all plans and documents at the registry on July 1, 2008 **or** shall record the plan and submit the plan number and date of recording to the Town within one week of that submission date to the Registry of Deeds.
5. 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 plan***), per the new requirements of RSA 676:3.
6. Outside consultant's fees shall be paid within 30 days of conditional site plan approval.
7. Financial guarantee if necessary.
8. Final engineering review.

PLEASE NOTE - If these conditions are not met within two (2) years to the day 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.
- Recommendation: Based upon the information available to date, Staff recommends **FINAL APPROVAL** of this application with the NOTICE OF DECISION to read substantially as follows:
 - ***Board Action Required: Motion to Grant Final Approval to the subdivision plan (Phase II), originally granted on January 6, 2016, Tax Map 5 Lot 50-4 at 77 High Range Road (Ronald E. Lawrence, c/o Lorraine Elwood, Owner) and Tax Map 5 Lot 50-5 at 71 High Range Road (Lorraine M. Brooks, Owner), (Jon D. Weigler, Applicant), in accordance with the plans prepared by Eric C. Mitchell & Associates, Inc., dated October 15, 2015, last revised February 11, 2016, with the precedent conditions to be fulfilled within two (2) years of the approval and prior to plan signature, and the general and subsequent conditions of approval to be fulfilled in accordance with the Staff Recommendation Memo, dated March 2, 2016.***

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/Public Works & Engineering/Tighe and Bond review memo dated January 6, 2016.
2. The Applicant shall provide the Owner's signature on the plans.
3. The Applicant shall provide a digital (electronic) copy of the complete final plan to the Town prior to plan signature by the Board in accordance with Section 2.05.n of the regulations.

4. The Applicant shall provide a check for \$25 (made payable to the *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that became effective on recording of all plans and documents at the registry on July 1, 2008 **or** shall record the plan and submit the plan number and date of recording to the Town within one week of that submission date to the Registry of Deeds.
5. 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 plan***), per the new requirements of RSA 676:3.
6. Outside consultant's fees shall be paid within 30 days of conditional site plan approval.
7. Financial guarantee if necessary.
8. Final engineering review.

PLEASE NOTE - If these conditions are not met within two (2) years to the day 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 Subdivision Plan (Phase II) shall be recorded at the Rockingham County Registry of Deeds **AFTER** the Lot Line Adjustment Plan is recorded.
2. **No construction or site work for the subdivision may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting.
3. The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the Planning Department & Department of Public Works, or if staff deems applicable, the Planning Board.
3. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
4. 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 **Date:** March 2, 2016
From: John Vogl, GIS Manager/Comprehensive Planner
John R. Trottier, PE, Assist. Dir. Of DPW
Re: **345 Rear Mammoth Road Parking Lot Staff Recommendation**

Application: Application Acceptance and Public Hearing for formal review of a site plan to construct a parking lot at Map 17 Lot 17A, Zoned Industrial I (Ind-I), to service an existing business on Abby Road in Manchester, NH, submitted by JLJ Properties, LLC, & James P. Anagnos and Harry A. Anagnos (Owners and Applicants).

Note: The proposed parking lot will be located in Londonderry, and will serve a business in Manchester. Access to the parking lot will be from that existing business and there will be no direct connection to streets or properties in Londonderry. The site plan has already received conditional approval from the City of Manchester Planning Board, and both municipalities are coordinating site plan approvals including conditions, plan signatures, and construction monitoring to ensure that the requirements of both are met.

- Completeness: ***There are no outstanding checklist items and Staff recommends application acceptance as complete.***
 - Board Action Required: **Motion that the Planning Board Accept the Application as Complete per Staff's Recommendation memo dated March 2, 2016.**
- Waivers: The Applicant is requesting the following six (6) waivers to the Site Plan Regulations:
 1. **Section 3.07.c.1.** of the Site Plan Regulations to allow pipes to flow more than full. Staff supports **granting** the waiver because this is an isolated occurrence where the pipes are handling storm water from an abutting property and the hydraulic grade line does not indicate that the actual flows will over flow the structures.
 2. **Section 3.11.g.1.iii.** of the Site Plan Regulations to not provide 5% dedicated landscaped area within a parking lot. Staff supports **granting** the waiver because this parking lot serves an industrial use, and is surrounded by other industrially zoned properties, with the exception of the lot to the east, which is zoned R-III. Rather than requiring internal parking lot landscaping, the applicant has increased landscaping around the perimeter.
 3. **Section 3.11.g.3.** of the Site Plan Regulations to not provide 1 deciduous tree for every 15 parking spaces. Staff supports **granting** the waiver because this

lot supports an industrial use and the applicant has provided a reasonable mix of evergreen and ornamental deciduous trees along the perimeter of the lot.

4. **Section 3.11.g.5.** of the Site Plan Regulations to not plant perimeter trees at 1 tree for every 20 feet of perimeter. Staff supports **granting** the waiver because the lot serves an industrial use and isn't visible from any streets.
5. **Section 3.11.g.7.** of the Site Plan Regulations to not provide screening for the off-street parking area to abutting residential districts. Staff supports **granting** the waiver because the site plan shows there is a significant stand of trees on the eastern side to buffer future development on the adjacent lot.
6. **Section 3.13.c.3.** of the Site Plan Regulations to allow an excess of 0.2 foot candles to trespass across the property line between Londonderry Lot 17-17A and Manchester Lot 510-6. Staff supports **granting** the waiver because the parking lot is intended to serve the adjacent industrial site where the trespass occurs, and additional lighting across the two driveway connections should be safer.
 - ***Board Action required:* Motion to Approve the Applicant's request for the above six (6) waivers to the Site Plan Regulations as outlined in Staff's Recommendation Memo dated March 2, 2016.**

- **Recommendation:** Based upon the information available to date, Staff recommends **FINAL APPROVAL** of this application with the NOTICE OF DECISION to read substantially as follows:
 - ***Board Action Required:* Motion to Grant Final Approval of a Site Plan to construct a parking lot at Map 17 Lot 17A, Zoned Industrial I (Ind-I), to service an existing business on Abby Road in Manchester, NH, submitted by JLJ Properties, LLC, (Owners and Applicant) & James P. Anagnos and Harry A. Anagnos (Owners), in accordance with the plans prepared by TF Moran, dated December 7, 2015, and last revised February 10, 2016, with the precedent conditions to be fulfilled within 120 days of the approval and prior to plan signature, and the general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memo, dated March 2, 2016.**

"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/Public Works & Engineering/Tighe & Bond review memo dated March 2, 2016.
2. The Applicant shall note all Waivers approved by the Londonderry Planning Board on the plans.
3. The Applicant shall provide the Owner's signature on the plans.
4. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to the Town at the time of signature by the Board in accordance with Section 2.05.n of the regulations.
5. Outside consultant's fees shall be paid within 30 days of conditional site plan approval.
6. Financial guaranty where necessary.
7. Final engineering review

PLEASE NOTE - Once these precedent conditions are met and the plans are certified the approval is considered final. If these conditions are not met within **120 days** to the day of the meeting at which the Planning Board grants final 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 site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting. The pre-construction meeting will be a joint meeting with the City of Manchester in order to coordinate all construction activities and ensure that the requirements of both communities are met.
2. The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the Planning Division & Department of Public Works, or if staff deems applicable, the Planning Board.
3. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in

full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

4. All site improvements and off-site improvements must be completed prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building 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 six (6) months from the issuance of the certificate of occupancy, or the Town 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 without prior Planning Board approval.**
5. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
6. It is the responsibility of the Applicant to obtain all 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.

MEMORANDUM

To: Planning Board

Date: March 2, 2016

From: Planning and Economic Development
Department of Public Works & Engineering
Tighe & Bond, Inc.

Re: Map #: 17 Lot #: 17A
Parking Lot Expansion
Formal Site Plan Application
345 Rear Mammoth Road

Owner: James P. Anagnos

Applicant: JLJ Properties

TFMoran, Inc. submitted plans and supporting information for the above-referenced project. The DRC and the Town's engineering consultant, Tighe & Bond, Inc. reviewed the submitted plans and information, and review comments were forwarded to the Applicant's engineer. The Applicant submitted revised plans and information and we offer the following comments:

Checklist Items:

1. There are no Checklist Items.

Design Review Items:

1. The Applicant has submitted a **Waiver Request** from Section 3.07.b.3. of the Site Plan Regulations to not provide a summary table comparing pre- and post-development flows at each abutting property.
2. The Applicant has submitted a **Waiver Request** from Section 3.07.c.1. of the Site Plan Regulations to allow pipes to flow more than full.
3. The Applicant has submitted a **Waiver Request** from Section 3.07.g.2. of the Site Plan Regulations to allow a velocity less than 2 fps in a drainage pipe.
4. The Applicant has submitted a **Waiver Request** from Section 3.07g.3. of the Site Plan Regulations to allow less than 36 inches of cover over a drainage pipe.
5. The Applicant has submitted a **Waiver Request** from Section 3.10. of the Site Plan Regulations to allow NRCS soil data to be substituted for SCS soil data.
6. The Applicant has submitted a **Waiver Request** from Section 3.11.g.1.iii. of the Site Plan Regulations to not provide 5% dedicated landscaped area within a parking lot.
7. The Applicant has submitted a **Waiver Request** from Section 3.11.g.3. of the Site Plan Regulations to not provide 1 deciduous tree for every 15 parking spaces.
8. The Applicant has submitted a **Waiver Request** from Section 3.11.g.5. of the Site Plan Regulations to not plant perimeter trees at 1 tree for every 20 feet of perimeter.

9. The Applicant has submitted a **Waiver Request** from Section 3.11.g.7. of the Site Plan Regulations to not provide screening for the off-street parking area to abutting residential districts.
10. The Applicant has submitted a **Waiver Request** from Section 3.13.c.3. of the Site Plan Regulations to allow an excess of 0.2 footcandles to trespass across the property line between Londonderry Lot 17-17A and Manchester Lot 510-6.
11. The Applicant should ensure that all plans and technical documents are stamped, signed and certified as required.
12. The Applicant should address the following comments relative to the Grading & Drainage Plan:
 - a. It appears that there is not enough room between the curb and the slope for the swale at the southwest corner of the proposed parking lot to be constructed per the provided detail. The grading should be revised to allow for the swale to be graded effectively;
 - b. The grading for the swale along the southeast corner of the proposed parking lot should be clarified. It appears that the bottom of the swale is higher than the top of the curb which acts as the side slope of the swale;
 - c. A detail should be provided for the rip-rap aprons as well as rip-rap apron sizing calculations;
 - d. It appears that water is being detained at the headwall on the south side of the proposed parking lot which makes this area a pond, but the proper detention basin outlet structure consistent with Exhibit D108 of the Typical Details for Site and Roadway Infrastructure – Town of Londonderry is not provided. We recommend the headwall be revised to an outlet structure consistent with the Town's typical detail. The Applicant should provide a detail for this pond. The Applicant should confirm that there is no water backing up into the adjacent property from this pond;
 - e. The project stormwater design includes a detention basin, but the proper detention basin outlet structure consistent with Exhibit D108 of the Typical Details for Site and Roadway Infrastructure – Town of Londonderry is not provided. We recommend the outlet structure be revised consistent with the Town's typical detail.
13. The Applicant should address the following comments relative to the Detail Sheets:
 - a. The pond elevations shown on the outlet structure detail indicate the pond is 95' deep. The elevations should be revised to match the plans and the HydroCAD model.
 - b. The dimensions on the plan view of the outlet structure detail should be clarified. It appears that there are two different labels for the same dimension;

- c. The hydraulic grade line for the 50-year storm should be shown on the detention pond detail;
 - d. The top of pond, bottom of pond, top of berm and outlet structure top grate elevations should be shown on the detention pond detail;
 - e. The weir dimensions shown on the outlet structure detail do not match what is modeled in HydroCAD;
 - f. The bottom of the 1" weir elevation, the outlet pipe invert elevation, and the top of berm elevations do not match the plans or HydroCAD. This should be revised to match.
14. The Applicant should address the following comments relative to the Stormwater Management Report:
- a. The hydraulic grade line in the 25-year storm should be provided for all proposed swales;
 - b. The depth of flow in the 25-year storm should be provided for all proposed pipes;
 - c. The hydraulic grade line in the 50-year storm should be provided for all proposed detention basins;
 - d. In the proposed detention pond (Pond 3P), storage below the lowest invert in the outlet structure is being taken into account in the storage calculation. The model should be revised so there is no storage being accounted for below the lowest invert (currently, the elevation is 448.50);
 - e. The Applicant should provide an off-site drainage plan;
 - f. The Applicant should verify that Discharge Point B is necessary. Based on the grades, it appears that if the catch basins in this area (Ponds 4P and 5P) overflow, the water would pond in this area and not flow off-site to a separate discharge point.
15. The Applicant should verify that the following comments of the Planning & Economic Development Division have been adequately addressed:
- a. Please include the list of all Londonderry zoning decisions, or a note stating there have been no Town of Londonderry Zoning Board decisions associated with this parcel as of the current date, whichever is applicable;
 - b. Please add a plan signature block for the City of Manchester;
 - c. Please note that as a condition of approval, both the City of Manchester and the Town of Londonderry shall confirm that the plans are approved and all conditions met prior to the

plan being signed. Londonderry has no requirement to record site plans, so coordinate that process with Manchester if applicable.

16. The Applicant should verify that all conditions of the City of Manchester Planning Board have been met.

Board Action Items:

1. The Applicant is requesting **Ten (10) Waivers** to the Site Plan Regulations as noted in their letter dated February 10, 2016. The Board will need to consider each waiver under this application.