

LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF AUGUST 3, 2016 AT THE MOOSE HILL COUNCIL CHAMBERS

I. Call to Order

Members Present: Art Rugg, Chair; Rick Brideau, CNHA, Ex-Officio; Giovanni Verani, Ex-Officio; Jim Butler, Ex-Officio; Leitha Reilly, member; Al Sypek, member; Ann Chiampa (alternate member); Ted Combes (alternate member)

Also Present:

Colleen Mailloux, Town Planner; John R. Trottier, P.E., Assistant Director of Public Works and Engineering; Laura Gandia, Associate Planner (TEMP)

Chairman Rugg called the meeting to order at 7:00 PM, and began with the Pledge of Allegiance. Chairman Rugg appointed alternate member, Ted Combes, to vote for Mary Soares and alternate member, Ann Chiampa to vote for Chris Davies.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES

Member R. Brideau made a motion to approve the minutes of July 13, 2016, as presented. T. Combes seconded the motion. The motion was granted, 6-0-1 with A. Chiampa abstaining. **The Chair voted in the affirmative.**

B. REGIONAL IMPACT DETERMINATIONS: N/A

C. DISCUSSIONS WITH TOWN STAFF:

1. J. Trottier stated that the EVCO Corporation received Planning Board approval in January 1996 for a self-storage facility located at 20 Auburn Road, and at that time an impact fee of \$10,000 was assessed. In lieu of paying that impact fee, EVCO offered to donate a certain portion of land along Auburn Road from Liberty Drive to the self-storage facility to the Town. The donated land would allow for future alignment and widening of Auburn Road. Town Council accepted this offer in April 1997 but the street dedication plan was never signed and recorded. J. Trottier stated that he has current plans before him at the request of EVCO, and would need a motion from the Board to allow to the Chair to sign the plans to finalize the transaction. J. Trottier stated that he has the final plans with him tonight ready for signature.

Member A. Sypek made a motion to allow the Planning Board and/or Art Rugg, Chairman to sign the plan.

R. Brideau seconded the motion.

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

2. Colleen Mailloux informed the Board that the Planning Department received a formal application for a minor site plan review for 3 Symmes Drive. The applicant, Reliable Equipment, is requesting a change of use which falls under the minor site plan provision allowing the project to proceed with the Administrative Review Committee (ARC) for a public hearing with notices to the abutters, as an expedited review process. She stated that the site contains a 36,000 square foot warehouse and the use is being converted to 5,000 square feet of retail, 3,300 square feet of office space, and 27,700 square feet of remaining warehouse. She recommended that the plan proceed under the minor site plan/ARC process. No action is required by the Board, and she wanted to inform the Board of the application. She confirmed that this was the old Herrington building, and there are no physical improvements proposed. She stated that there were no major concerns during the design review process and if the Board had a concern, the application could move forward with a full public hearing in front of the Board. R. Brideau asked about outside storage, and C. Mailloux explained that the applicant identified an outside storage area at the rear of the parking lot – there will be no physical containment but additional screenage will be provided at the request of the Conservation Commission. The Board concluded that the application could be treated as a minor site plan/ARC.
3. Chairman Rugg reminded the Board of the public hearing next week on the site plan amendments.

III. NEW PLANS

- A. Application Acceptance and Public Hearing for a formal review of a Site Plan for a 1,200 square foot building addition, parking lot expansion and associated site improvements at 32 Industrial Drive, Map 28, Lot 18-4, Freudenberg Real Estate LP (Owner)

Chairman Rugg read the case into the record. J. Trottier stated that there are no outstanding checklist items, and recommended that the application be accepted as complete.

R. Brideau made a motion to accept the application as complete per Staff's Recommendation memorandum dated August 3, 2016.

A. Sypek seconded the motion.

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

The Chair noted that this starts the 65 day time frame to render a decision on the application.

Tucker McCarthy, Project Engineer, TF Moran, 48 Constitution Drive presented for Freudenberg, a German company and the parent company of Kluber Lubrication, located at 32 Industrial Drive. He explained Kluber Lubrication which shares a driveway with the recently constructed Milton CAT facility manufactures and distributes specialized lubricants for aircrafts. He stated that there are 37 existing parking spaces at this site and the calculations require 90 spaces. He stated that the application is broken down into three phases to help control costs and noted that the plan includes a small building addition to the front of the building and improvements to the front entrance. He explained that the first phase will add 29 parking spaces, and the second phase will add additional parking spaces for a total of 114 spaces (108 required). As part of phase 1, the existing detention basin will be expanded to accommodate all three phases. He concluded his presentation.

Chairman Rugg asked for Staff comments. J. Trottier reviewed the design review items as outlined in the Stantec memo dated August 3, 2016 which is attached hereto. C. Mailloux stated that the application was reviewed by the Heritage Commission which provided a favorable impression, and requested if the architectural design/renderings of the building changes, that the applicant present those changes to it for further comment and review. She noted that the Heritage Commission also requested additional purple lilacs be added to the plan.

Chairman Rugg asked for comments from the Board. The Board expressed appreciation to the applicant for being a good neighbor, and for the detail in the architectural drawings. Chairman Rugg asked for public input and there was none.

Member A. Sypek made a motion to grant approval of the site plan amendment to construct a 1,200 square foot office addition, parking lot expansion and associated site improvements, Tax Map 28 Lot 18-4 at 32 Industrial Drive, Zoned Ind-II, Freudenberg Real Estate LP (Owner), in accordance with the plans prepared by TF Moran, Inc., dated June 3, 2016, and last revised July 14, 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 August 3, 2016.

R. Brideau seconded the motion.

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

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

PRECEDENT CONDITIONS

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

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

1. The Applicant shall address all appropriate items from the Planning & Economic Development/Public Works & Engineering/Stantec review memo dated August 3, 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 sent to the Town at the time of signature by the Board in accordance with Section 2.05.n of the regulations.
4. Outstanding third party review fees shall be paid within 30 days of conditional site plan approval.
5. Financial guaranty for proposed improvements to the satisfaction of the Department of Public Works.
6. 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 conditional approval the board's approval will be considered to have lapsed and re-submission of the application will be required. See RSA 674:39 on vesting.

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work for the 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.
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.

IV. Other Business

- A. Extension Request: Telescope Investments, LLC, subdivision approval, Map 28, Lot 31 – 9 Akira Way

Chairman Rugg read the request into the record, and stated that this project previously received a two year extension. Attorney John Cronin, Cronin, Bisson & Zalinsky, P.C., 722 Chestnut Street, Manchester, NH presented for the applicant, and explained that this project came before the Board as a subdivision application in 2012. He stated that the real starting point with the subdivision plan is the building of the road, and there has not been a need to construct an additional building. He explained that his client, due to costs and other concerns, is anxious about constructing a road for the sake of just constructing the road but would still like to have the ability to do so. He explained the legislative purpose behind the timelines and the changes of zoning ordinance. He stated that he believes that there have not been any substantive changes in the zoning ordinance. He stated that they have surety posted in the form of a line of credit, and would extend that if the request was granted tonight. He requested two years to start development and five to complete with the posting of a letter of credit. He concluded his presentation, and welcomed any questions.

Chairman Rugg asked for Staff input. C. Mailloux stated that these timelines are put into place to avoid any regulatory changes that may affect the project. She stated that there have not been any changes that would affect the project, and that Town Staff has no objection to the request.

Chairman Rugg asked the Board if they had any questions, and there were none. He asked if there was any public input and there was none.

Member A. Sypek made a motion to grant the applicant's request for a two year extension to expire on October 3, 2018

L. Reilly seconded the motion.

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

B. Pillsbury Realty Development, LLC (Applicant) – Conceptual Discussion of Woodmont Commons Phase 1 Site Plan – 34 Nashua Road, 5 Garden Lane and 15 Pillsbury Road, Map 10, Lots 41, 52 and 54-1.

Chairman Rugg read the case into the record and explained the purpose of a conceptual discussion. Ari Pollack, Esq., Gallagher, Callahan & Gartrell, 214 N. Main Street, Concord, NH, and Tom Goodwin, Terry Shook, Stan Rostas, of Shook Kelley, 2151 Hawkins Street, Suite 400, Charlotte, NC, Jeffrey Kevan, Civil Project Supervisor, TF Moran, 48 Constitution Drive, Bedford, NH presented for the applicants. Attorney Pollack explained that Michael Kettenbach, Pillsbury principal, regrets not being at the meeting tonight due to surgery. Attorney Pollack stated that the presentation tonight will focus on subareas WC-1 and WC-2. Attorney Pollack stated that the project is before the Town and the Department of Transportation for review as well as state level review with other agencies. He explained that the project consists of substantial retail and restaurant space, a local brewery, an entertainment venue, a hotel and assisted living facility, upper floor residential apartment units, active and passive greenspaces, walkable sidewalks, etc. in accordance with the master plan. He stated that the tonight's purpose is to have Jeff Kevan introduce the proposal from a conceptual view, and for Tom Goodwin to present the proposal with a design video to show the scope and scale of the buildings. He asked the Board to keep in mind that the project is in the conversation stage with Staff and others, Department of Transportation and Department of Environmental Services. He stated that he can provide the Board with their current thinking but this thinking may change based on conversation and input from Staff, Tighe and Bond, and others. He stated his plan is to come forward with a formal application in the fall.

Jeff Kevan introduced himself to the Board, and described the 62 acre configuration of the lot north of the Market Basket Plaza with a connector road with a single lane in each direction, a bike path and parallel parking from Garden Lane to Pillsbury Road with two roundabouts. He explained that the design of the road is to keep speeds low, and there is a four acre drainage/detention pond with a walking trail about 8/10 of a mile long consisting of approximately 10 acres. He explained that this phase will consist of 164,000 square feet of retail space (restaurants, brewery, and music hall), 108,000 square feet of office space, 260

residential dwelling units (townhouse – some above the retail shops), 135 room hotel, and assisted living facility consisting of two four story buildings with parking underneath (250 beds). He stated that behind the assisted living facility is another small pond which will serve as detention and storm water treatment. He explained the road configurations and widths, and the purpose of keeping the pavement narrow to keep the traffic speeds low – the two way roads pavement is 22 feet where 24 feet is normally required. He described the width of one way roads as 20 feet to keep in line with NFPA regulations.

He explained the parking on the site as described in blocks in using the Urban Land Institute mixed use calculations. He noted that the lighter gray areas are parking decks, and serve the residents above retail offices (upper for residents and lower for businesses). The calculations show that 2025 spaces are needed, and they are providing 2075 spaces along with ADA spaces in front of the buildings.

For sewer improvements, J. Kevan explained that the flow was metered down by Gilcreast for more accurate readings, and they are working with Staff on offsite improvements as well as on-site treatments and design. He informed the Board that they met with Pennichuck to discuss the on-site sizing of potable water pipe, and the placement of the water tower, and they also met with Eversource and the other utility companies. He stated that they will be presenting a conditional use application for work within the area of Duck Swamp, and are trying to limit the area of 0-50 feet of impact. He stated that they are seeking 5,000 square feet of impact to the 0-50 feet of buffer, and a little under an acre of the 50-100 feet of impact to construct and do work along the pond for the trail and other improvements. He stated that the project will be phased – initial phase will be the construction of drainage and the ponds, the second phase will be to construct the roadway from Market Basket to the second roundabout with two lanes from that roundabout to Pillsbury to allow for another access to the site (construction to start this fall and start improvements to Route 102 in the spring). He noted that the initial construction phase will also include residential buildings, the construction of the brewery and the assisted living facility along with the development of Main Street. Tom Goodwin explained the conceptual models consist of more buildings than what will be constructed at the first phase, and the purpose of showing them is to demonstrate a complete feel to the project. He noted that the market will be a determining factor in dictating the number of residential and office space. He then showed the video of the site describing the buildings, roads and design features, performing arts center with music hall with outdoor space available for events (movie nights, concerts, food trucks, possible drive-in movie nights), the brewery with an outdoor area, parking lots with bays, outdoor seating area, outdoor green space connecting the retail and residential back to Duck Pond, 1,2,3 and 4 story buildings and their scales, white boxes which are anticipated to be townhouses, and civic type buildings by the roundabout.

Chairman Rugg asked for Staff input. Staff stated the project is a work in progress, and they are undergoing their own design review. Chairman Rugg asked the Board for questions. A. Chiampa commented about honoring Attorney John Michels with the naming of the street, and asked about having one name for the road from Route 102 to Pillsbury. Town Staff stated that is something they

are looking at as well and will have further discussions about it especially from a public safety perspective. A. Chiampa asked about the Michels Way and Pillsbury Road intersection, and the clearance for the existing driveways on Pillsbury Road. J. Kevan stated that he would look at that. She also commented about the nice feature area near the roundabout. She also pointed out a concern about a parcel and deed description issue on the plan and lack of title. A. Pollack stated that there is a discrepancy that they are working on, and it will be resolved before the final plan is submitted. R. Brideau asked about snow removal. He learned that most of the snow will be removed but there is a flat area, 30-40 feet that may be designated for snow removal. T. Combes asked about the change of the number of lanes in the main throughway. He was told that the change was made to keep speeds low, and the pavement width has not changed. T. Combes asked about the parking for the hotel. J. Kevan stated there is not a parking garage specifically designated for the hotel. He asked about details of the hotel, and was informed that they are still in the concept stage. He also asked about the park and ride and associated traffic. He learned that there are various options being explored. He asked if there would be a sidewalk along the park area, and learned that there is no sidewalk anticipated there. He asked about the width of the wide greenway. He was informed that it is 60 feet with a total area of 1/3 of an acre. G. Verani asked when the office and retail would be available for occupancy. A. Pollack responded that he anticipates a four to five year buildout with retail opportunity available in 18 months after approval with the rest of the opportunities being phased. T. Combes asked if the property will be available for sale. Attorney Pollack stated that the intent right now is for the property to be leased. L. Reilly expressed concern over the lack of parking attributed to the hotel. J. Kevan stated there is on-street parking and parking close by the hotel. She also expressed concern about school enrollment, and asked for the applicant to keep a dialogue with the Town about this issue. A. Sypek asked about the other two roads on the northern portion of the property and their relative proximity to each other. J. Kevan responded that there may be extensions but nothing is set in stone right now, and discussed the distance between the roads. J. Kevan stated that they will take a closer look at the access points. J. Butler asked about the special events building and the possibility of having a conversation with the school district about meaningful use for the school system. A. Chiampa asked about the drainage pond and run-offs. J. Kevan stated that part of the property will have run-off to the basins near Duck Pond, and the other area to the pond in the back, and he noted that there is an outlet to the pond that was built for the Market Basket project. Chairman Rugg asked if there will be a stop sign on Pillsbury or a light. J. Kevan stated there will be a stop sign. Chairman Rugg stated that they will need to meet with Heritage Commission. J. Kevan informed the Board that the applicant is meeting with the Heritage Commission and Conservation Committee in September. T. Combes asked about the possibility of restaurants and a bank in front of Market Basket. J. Kevan stated that no tenants have been signed up at this point. A. Chiampa asked about changes to the intersection at Garden Lane and Michels Way. J. Kevan stated that still is being looked at, and Town Staff stated that there are changes being discussed but it is still a work in progress.

Chairman Rugg asked for public input and there was none. Attorney Pollack stated his appreciation to the Board and thanked the Board for its patience. He

stressed that that the questions that were asked are great questions but they are still being fully vetted with many opinions being discussed. He noted that discussions are on-going and to presume certain things at this point would be out of turn.

V. ADJOURNMENT:

R. Brideau made a motion to adjourn the meeting at 8:10 p.m. Seconded by L. Reilly. Motion was granted, 8-0-0. The Chair voted in the affirmative.

The meeting adjourned at 8:20 PM.

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

Respectfully Submitted,



Chris Davies, Secretary

These minutes were accepted and approved on August 10, 2016 by a motion made by

A. Sypek and seconded by R. Brideau.

NOTE

THE PURPOSE OF THIS PLAN IS TO SHOW THE EXTENTS OF THE WOODMONT COMMONS PHASE 1 PLANNED UNIT DEVELOPMENT.

PHASE 1 - SUMMARY OF USES

Building Number	Retail (s.f.)	Office (s.f.)	Residential (D.U.)	Restaurant (seats)	Hotel (rooms)	Production (s.f.)	Assembly (seats)	Ind. Elderly Lvg (units)
1.01a	8,250			50 seats				
1.01b	5,700	35,200		1,800 s.f.				
1.02	1,200							
1.03	7,800							
1.04	7,800							
2.01	3,900			50 seats				
2.02	7,000			1,700 s.f.				
2.03			7					
2.04			7					
3.01a	13,629							
3.01b	3,530		50	193 seats				
3.01c				5,000 s.f.				
3.03	6,060							
4.01a	6,470							
4.01b	11,500		51					
4.02	2,250							
4.03			20					
4.05a	12,600		47					
4.05b	4,400							
4.06			9					
4.07	5,920							
4.08			10					
4.09			5					
5.01 (Brewery)				140 seats		11,400 sf		
5.02	9,100	3,100						
5.03 (Music Hall)							350 seats	
5.04	1,500						14,170 s.f.	
6.01	2,000			135 seats				
6.02a	6,770			3,493 s.f.				
6.02b					135			
6.03	14,140							
6.04	7,533							
6.05			5					
6.06			6					
7.01		66,000						
9.01	15,775							
9.02			9					
9.03			10					
9.04			8					
P1.01	484							
P3.01 Boardwalk Bldg	1,080							
70C	700							
1A.01								250
9B			5					
9C			5					
Subtotal	163611	107800	260	568 seats	135	11,400	350	250



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Bedford, NH 03110
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Fax: (603) 472-9747
www.tfm.com



REV	DATE	DESCRIPTION

TAX MAP 10 LOT 41, 52 & 54-1
WOODMONT COMMONS - PHASE 1 DEVELOPMENT
GARDEN LANE AND PILLSBURY ROAD, LONDONDERRY, NH
OWNED BY
PILLSBURY REALTY DEVELOPMENT LLC
DEMOULAS SUPER MARKETS, INC. AND ROBERT D. & STEPHEN R. JEVENS, C/O NAA ASSOC. JOANNE JOYCE

PREPARED FOR
PILLSBURY REALTY DEVELOPMENTS LLC

OVERALL SITE PLAN

17686.03
DR: AAA CK JK
CADFILE: 17686.03-Site
1"=100'
7/15/2016

C1.0

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FOR APPROVAL ONLY
NOT FOR CONSTRUCTION
7/15/2016