

1 **LONDONDERRY, NH PLANNING BOARD**  
2 **MINUTES OF THE MEETING OF MARCH 5, 2014 AT THE MOOSE HILL**  
3 **COUNCIL CHAMBERS**  
4

5 Members Present: Art Rugg; Mary Soares; Laura El-Azem; Chris Davies; Tom  
6 Freda, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; John Laferriere, Ex-Officio;  
7 Leitha Reilly, alternate member; and Maria Newman, alternate member  
8

9 Also Present: Cynthia May, ASLA, Town Planner and Planning and Economic  
10 Development Department Manager; John R. Trottier, P.E., Assistant Director of  
11 Public Works and Engineering; and Jaye Trottier, Associate Planner  
12

13 A. Rugg called the meeting to order at 7:00 PM. He appointed M. Newman to vote  
14 for Lynn Wiles. L. Reilly arrived at 7:01 and A. Rugg appointed her to vote for  
15 Scott Benson.  
16

17 **Administrative Board Work**  
18

19 A. Approval of Minutes – February 12, 2014  
20

21 **M. Soares made a motion to approve and sign the minutes from the**  
22 **February 12, 2014 meeting. R. Brideau seconded the motion.** No  
23 discussion. **Vote on the motion: 7-0-2.** (C. Davies & J. Laferriere abstained  
24 as they were absent from the February 12, 2014 meeting).  
25

26 Minutes for February 12, 2014 were approved and signed at the conclusion of  
27 the meeting.  
28

29 B. Plans to Sign – Hickory Woods (Owner and Applicant) Site Plan, Map 2 Lot 27,  
30 Phase II.  
31

32 A. Rugg stated that these plans were not ready yet for signature, therefore no  
33 action was taken.  
34

35 C. Regional Impact Determination – Workplace Systems Lot Line Adjustment,  
36 Map 15 Lots 235 & 239  
37

38 C. May stated staff recommends this project is not a development of regional  
39 impact, as it does not meet any of the regional impact guidelines suggested by  
40 Southern NH Planning Commission.  
41

42 **M. Soares made a motion to accept Staff's recommendation that this**  
43 **project is determined not to be of regional impact under RSA 36:56.**  
44 **R. Brideau seconded the motion.** No discussion. **Vote on the motion:**  
45 **9-0-0.**  
46

47 D. Discussions with Town Staff  
48

49 Staff had no topics to bring to the Board.

1  
2 A. Rugg noted that the second meeting of the Master Plan Implementation  
3 Committee did not take place on February 26. C. May stated that since a  
4 number of members were unable to attend, the meeting was postponed until  
5 March 26.

6  
7 M. Soares offered a reminder that Town Meeting takes place on March 11.  
8

9 **Public Hearings/Workshops/Conceptual Discussions**

10  
11 A. Ballinger Properties, LLC and Five-N-Associates General Partnership (Owners  
12 and Applicants), Map 14, Lots 45, 45-2 and 46 - Application Acceptance and  
13 Public Hearing for formal review of a subdivision plan to extend the Industrial  
14 Drive right of way and construct a new road terminating in a cul-de-sac; and to  
15 consolidate and subdivide three existing lots into four new lots, at 51, 61, and  
16 63 Pettengill Road, Zoned GB.

17  
18 J. R. Trottier stated there are four outstanding checklist items, all of which  
19 have associated waiver requests. Assuming the Board grants the waivers,  
20 Staff recommends the application be accepted as complete.

21  
22 J. R. Trottier read the waivers into the record from the Staff Recommendation  
23 memo:

24  
25 1. The Applicant has requested a waiver to Section 4.16.E of the Subdivision  
26 Regulations and Item IX of the Subdivision Application Checklist requiring  
27 the submission of roadway cross sections. Staff supports **granting** the  
28 waiver for **Acceptance Purposes Only**. This is intended to be dedicated as  
29 a Town road, and requires acceptable detail to determine whether or not  
30 the design meets Town standards. Submission of cross sections is a  
31 condition of approval as part of Staff/Stantec's technical review comments.  
32

33 2. The Applicant has requested a waiver to Section 3.14 of the Subdivision  
34 Regulations and Section X.4 of the Subdivision Checklist requiring the  
35 submission of a traffic impact analysis. Staff supports **granting** the waiver  
36 for **Acceptance Purposes Only**. The Traffic Study shall either be  
37 completed as part of the FedEx site plan application, or this subdivision plan  
38 prior to final approval.

39  
40 3. The Applicant has requested a waiver to Section 4.12.C.18 of the  
41 Subdivision Regulations and Section V.18 of the Subdivision Checklist  
42 requiring that setbacks be shown on the plan. Staff supports **granting** the  
43 waiver because setbacks are associated with specific site plan proposals.  
44

45 4. The Applicant has requested a waiver to Section 4.12C.19.vi of the  
46 Subdivision Plan Regulations requiring that gravel drives be shown on the  
47 boundary plan. Staff supports **granting** the waiver because this is an active  
48 gravel pit.  
49

50 **M. Soares made a motion to approve the Applicant's request for**  
51 **checklist waivers numbered 1 through 4 as outlined in Staff's**

1 **Recommendation Memorandum Dated March 5, 2014. R. Brideau**  
2 **seconded the motion.** M. Soares asked that the minutes reflect that the  
3 Board was granting approval of waivers numbered 1 and 2 for acceptance  
4 purposes only. No further discussion. **Vote on the motion: 9-0-0.**

5  
6 **M. Soares made a motion to accept the application as complete.**  
7 **R. Brideau seconded the motion.** No discussion. **Vote on the motion:**  
8 **9-0-0. The application was accepted as complete.**

9  
10 A. Rugg stated that completeness of the associated site plan, i.e. the second  
11 agenda item under "New Plans," would be considered next by the Board.

- 12  
13 B. Ballinger Properties, LLC and Five-N-Associates General Partnership (Owner)  
14 and Scannell Properties (Applicant), Map 14 Proposed Lot 45-2 - Application  
15 Acceptance and Public Hearing for formal review of a site plan to construct a  
16 proposed 1-story warehouse/distribution facility for FedEx with associated  
17 improvements at 44 Industrial Drive, Zoned GB.

18  
19 J. R. Trottier stated that there were no checklist items, and that Staff  
20 recommended the application be accepted as complete.

21  
22 **M. Soares made a motion to accept the application as complete.**  
23 **R. Brideau seconded the motion.** No discussion. **Vote on the motion:**  
24 **9-0-0. The application was accepted as complete.**

25  
26 A. Rugg noted the start of the 65 day time frame for both applications under  
27 RSA 676:4.

28  
29 Attorney Morgan Hollis presented on behalf of the owners/applicants for the  
30 Industrial Drive Extension/Consolidation plan. He explained that the  
31 reconfiguration of the lots involved was necessitated by the need to create  
32 sufficient area for the aforementioned Fed Ex Ground warehouse/distribution  
33 facility. Approximately 500 feet of roadway terminating in a cul de sac would  
34 be created as part of the project to provide access to the Fed Ex Ground lot.  
35 While Lot 45 is currently a preexisting nonconforming lot because it has no  
36 frontage on a Class V or better road, the change being proposed would  
37 eliminate its grandfathered status, necessitating a variance from the Zoning  
38 Board of Adjustment. An application before that Board is pending.

39  
40 M. Hollis noted that of the five additional waivers being requested, one is not  
41 supported by Staff, that being the requirement in the subdivision regulations  
42 for all utilities to be placed underground. He cited the reasons for the request  
43 in order to establish hardship. Several overhead poles and wires currently  
44 exist on Pettengill and Harvey Roads, as they do on adjacent lots, and M. Hollis  
45 explained that as those individual lots are developed, the decision to place  
46 those utilities underground can be made at that time. For this project,  
47 however, only three poles would need to be added. In contrast, it was  
48 estimated by project engineer John O'Neil that that the cost to place the  
49 electrical lines underground alone would be approximately \$20,000, while it  
50 could cost as much as \$75,000 for all utilities. An additional difficulty is posed  
51 by a State-established wildlife corridor that runs across the proposed roadway  
52 and includes specific restrictions on what can and cannot be done on that land.  
53 Relief was sought from the State regarding the use of the corridor but was  
54 ultimately denied. Because it includes a wetland, drilling underneath the  
55 corridor complicates the process even further. M. Hollis added that the

1 applicant has learned through the development of other industrial parks that  
2 the cost of burying utilities is exacerbated by the fact that the frequent  
3 changes in technology necessitates that utilities must be dug up, replaced and  
4 the area repaved a number of times. He noted later on that Staff's concern for  
5 the disruption of power caused by overhead utilities during storm events does  
6 not apply in this instance because of the lack of trees on the site.  
7

8 A. Rugg asked for Staff input.  
9

10 J. Trottier read the five waiver requests into the record from the Staff  
11 Recommendation memo:  
12

13 1. The Applicant has requested a waiver to Section 3.0.5 of the Subdivision  
14 Plan Regulations requiring that all utilities be placed underground. The  
15 applicant has indicated that all wired utilities currently in the area are  
16 overhead, including Industrial Drive and Pettengill Road. The placement of  
17 utilities underground is constrained by the narrow width of the crossing  
18 previously approved and constructed by NH DOT. Staff does **not support**  
19 **granting** the waiver because of the aesthetic and practical concerns related  
20 to overhead wiring, including the disruption caused when power services  
21 are cut off due to the frequent damage caused by storms.  
22

23 2. The Applicant has requested a waiver to Sections 3.09.F and 4.16.C.1.xi  
24 of the Subdivision Plan Regulations requiring a driveway to be shown to the  
25 new lot. Staff supports **granting** the waiver because this is provided with  
26 the Fed-Ex site plan application, submitted concurrently.  
27

28 3. The Applicant has requested a waiver to Sections 3.02 and 4.12.C.4 of  
29 the Subdivision Plan Regulations requiring that boundary monuments be  
30 set. The applicant proposes that monuments on an internal lot line to the  
31 rear of a working gravel pit on Lot 14-45 be omitted until such time that the  
32 impacted lot is developed. Staff supports **granting** the waiver.  
33

34 4. The Applicant has requested a waiver to the typical cul-de-sac design as  
35 noted in Section Exhibit D6 and Section 3.09.R (Table) of the Subdivision  
36 Plan Regulations. Staff supports **granting** the waiver because the road  
37 terminates at the driveway to the proposed FedEx site, where the turning  
38 movements for larger truck traffic will need to be accommodated, and the  
39 island would be problematic for these vehicles.  
40

41 5. The Applicant has requested a waiver to Section 4.01.C of the  
42 Subdivision Plan Regulations requiring that the plan scale be shown at  
43 1" = 100'. Staff supports **granting** the waiver because the information can  
44 be read at the plan scale provided.  
45

46 J. R. Trottier summarized the Planning Department/Department of Public  
47 Works/Stantec memo.  
48

49 A. Rugg asked for comments and questions from the Board.  
50

1 C. Davies asked for specifics about the size of the wildlife corridor and its  
2 restricted uses. M. Hollis said he believed the crossing was 250 feet wide and  
3 that any use that would restrict wildlife from moving through the area is  
4 prohibited. J. Laferriere asked how sewer and water would be brought to the  
5 proposed Fed Ex Ground site. J. R. Trottier explained that the road would be  
6 built atop a box culvert and that water and sewer would cross beneath that  
7 culvert.

8  
9 A. Rugg asked for public input.

10  
11 Mike Speltz, 18 Sugarplum Drive, stated that he had comments related to the  
12 wildlife corridor and offered to wait until the site plan presentation, but wanted  
13 to make sure no vote would be taken on the subdivision plan before the site  
14 plan presentation. A. Rugg said there would be a chance for public comment  
15 on the site plan before any vote was taken on either plan.

16  
17 There was no further public comment.

18  
19 The public hearing for the site plan commenced. Jim Petropulos of  
20 Hayner/Swanson, Inc. introduced himself and Tim Elam of applicant Scannell  
21 Properties, the firm that intends to buy proposed Lot 45-2, build the facility on  
22 the 50+ acres, then lease it back to Fed Ex Ground. Since the conceptual  
23 presentation given to the Board on July 13, 2013, the proposed facility has  
24 grown from roughly 200,000 square feet to over 300,000 sf. The need to  
25 expand the current Fed Ex Ground operation on Kitty Hawk Landing was the  
26 genesis for this proposal. J. Petropulos gave an overview of the Fed Ex Ground  
27 business (see Attachment #1), along with illustrative renderings of the  
28 proposed facility. He then provided a summary of the site plan itself, including  
29 the main building, two ancillary structures, parking, landscaping, lighting,  
30 signage, and stormwater treatment. Operations would consist of a 24-hour  
31 schedule which begins at 10 PM, Monday through Saturday, when tractor  
32 trailers arrive to deliver incoming packages until 4 AM. From 4 AM to 8 AM,  
33 employees unload and sort those packages and from 8 AM to 4 PM, drivers  
34 take the packages and deliver them to an area covering upstate New York,  
35 New Hampshire, Massachusetts, Connecticut, and Maine. Those delivery vans  
36 return starting at 4 PM through to 6 PM, then outgoing parcels are sorted from  
37 7 PM to 11 PM and are picked up by outgoing tractor trailers that leave the site  
38 by 10 PM. While no activity takes place on Sundays, trucks gain access to the  
39 site Sunday evening to initiate the 24-hour process. The atypical hours result  
40 in a relatively low amount of traffic during peak AM and PM hours. J. Petropulos  
41 noted that improvements related to traffic will be implemented through a  
42 development agreement with the Town. Minor improvements will be made to  
43 the intersections of Harvey and Webster Roads and Webster and Grenier Field  
44 Roads, as well as to a portion of Commerce Avenue to ensure tandem trailers  
45 can access the Airport Access Road and the Everett Turnpike. The goal is to  
46 break ground in April of this year, build the building shell by November, 2014,  
47 and complete the interior by the summer of 2015. A. Rugg noted that the  
48 Heritage Commission recommended approval of the design. J. Petropulos said  
49 the Conservation Commission recommended approval of a Conditional Use

1 Permit for approximately 2,000 sf of impact to the Conservation Overlay  
2 District buffer near the northwest corner of the building.

3  
4 A. Rugg asked for Staff input.

5  
6 C. May read the ten waiver requests into the record from the Staff  
7 Recommendation memo:

8  
9 1. The applicant has requested a waiver to Section 2.7.2.5 of the  
10 Londonderry Zoning Ordinance requiring the incorporation of Transportation  
11 Demand Management techniques in the operation of the proposed facility  
12 and that the proposed development should meet the "Certified" level of  
13 LEED (Leadership in Energy and Environmental Design). The ordinance  
14 allows the Planning Board to waive both requirements of this section where  
15 it is shown that the standards impose an unreasonable burden on  
16 development of the property within the GB district. Staff supports  
17 **granting** the waiver to LEED certification because Fed Ex Ground proposes  
18 to employ a number of energy efficient and environmentally conscious  
19 features in their design. Staff finds that the waiver to Transportation  
20 Demand Management techniques is unnecessary since the traffic report  
21 attempts to address this requirement.

22  
23 2. The applicant has requested a waiver to Section 4.01.c of the Site Plan  
24 Regulations requiring a maximum plan scale of 1"=40'. The Master Site  
25 Plan utilizes a plan scale of 1"=80' and both the erosion control and site  
26 lighting plans use a scale of 1"=60'. Staff supports **granting** the waiver  
27 because the respective scales allow the entire project parcels and abutting  
28 properties to be viewed on a single sheet. All other detail sheets use the  
29 maximum 1"=40' scale.

30  
31 3. The applicant has requested a waiver to Section 3.11.g.1(i) of the Site  
32 Plan Regulations requiring a minimum of 10% of the overall interior area of  
33 the parking lot in front of the principal building to be landscaped. The  
34 applicant has proposed that 3% of the interior of the front parking lot be  
35 landscaped, because to meet both the parking and interior landscape  
36 requirements, an additional lot would need to be created. Not only would  
37 this be costly, the site layout would cause the additional lot to be located a  
38 significant distance from the building. The parking as proposed meets the  
39 Town's requirements while also allowing for adequate turning movements  
40 and snow plowing maintenance. Staff supports **granting** the waiver,  
41 because the site is designed as a distribution center requiring large trucks  
42 to maneuver through the lot, and in accordance with the regulations,  
43 additional screening is provided along the property edge facing the street.

44  
45 4. The applicant has requested a waiver to Section 3.11.g.3 of the Site Plan  
46 Regulations requiring 1 shade tree per 15 parking spaces. A total of 40  
47 shade trees are required for this site plan and 32 are proposed. Staff  
48 supports **granting** the waiver, because the addition of two full islands that  
49 would satisfy the requirement would interfere with snow plowing of the lot  
50 and because the eight shade trees will be added elsewhere on the site.

1  
2 5. The applicant has requested a waiver to Section 3.11.g.5 of the Site Plan  
3 Regulations requiring one shade tree per 20 feet of parking lot perimeter. A  
4 total of 110 shade trees are required for this plan and 87 are proposed.  
5 The shortage is caused by necessary security fencing along the west side of  
6 the proposed parking lot. Staff supports **granting** the waiver, because the  
7 site is set back a significant distance from view of the future alignment of  
8 Pettengill Road, and because the 23 trees will be added elsewhere on the  
9 site.

10  
11 6. The applicant has requested a waiver to Section 3.07.g.2 of the Site Plan  
12 Regulations requiring a maximum design velocity in drainage pipes to be 10  
13 feet per second. The applicant's design would exceed 10 feet per second in  
14 5 sections of drain pipe runs. The applicant is mitigating the excess by  
15 specifying Class V reinforced concrete drain pipes for these runs and  
16 including sumps in the downstream drainage manholes to provide the  
17 necessary dissipation during peak rainfall events. In addition, a riprap  
18 forebay at the outfall of the drainage system will provide surface protection.  
19 Staff supports **granting** the waiver.

20  
21 7. The applicant has requested a waiver to Section 3.07.g.3 of the Site Plan  
22 Regulations requiring a minimum depth of cover for storm drains of 36  
23 inches from the top of the pipe. The applicant's design would provide less  
24 than 36 inches in four locations, the least being 30 inches. Staff supports  
25 **granting** the waiver because 99% of the proposed drainage lines for the  
26 project meet the requirement and it is not expected that four areas with  
27 less than 36 inches of cover but not less than 30 inches will pose any  
28 substantial complications.

29  
30 8. The applicant has requested a waiver to Section 3.11.b of the Site Plan  
31 Regulations requiring the structural section of a parking lot to include 1" of  
32 wearing course, 2" base course, 6" crushed gravel, and 12" bank run  
33 gravel. Staff supports **granting** the waiver because the applicant's  
34 alternate pavement design is based on extensive soil analysis of the site as  
35 well as the *AASHTO Guide for Design of Pavement Structures*, therefore  
36 subgrade strength, traffic, design life, drainage, and frost susceptibility  
37 have all been taken into consideration.

38  
39 9. The applicant has requested a waiver to Section 3.08.b.4 of the Site Plan  
40 Regulations requiring that the driveway structural section have a minimum  
41 gravel base depth. Staff supports **granting** the waiver because the  
42 applicant's proposed design is based on extensive soil analysis, meets  
43 *AASHTO Guide for Design of Pavement Structure*, and is certified by a  
44 geotechnical engineer.

45  
46 10. The applicant has requested a waiver to Section 3.07.h of the Site Plan  
47 Regulations requiring that drainage structures not exceed 18 feet in depth.  
48 Staff supports **granting** the waiver due to the significant difference in  
49 elevation occurring across the large proposed site development area.  
50

1 C. May read the three Conditional Use Permit (CUP) requests into the record  
2 from the Staff Recommendation memo:  
3

4 1. The Applicant has requested a Conditional Use Permit to allow a  
5 warehouse use of greater than 250,000 square feet in the GB zone. The  
6 application meets the criteria as outlined in Section 2.7.3.5.1 of the  
7 Ordinance. The proposed use is consistent with the Objectives and  
8 Characteristics of the GB zone and the facility will better serve the needs of  
9 the region while exceeding the allowed square footage by only 38,424 sf.  
10 In addition, the infrastructure needed for the development currently exists,  
11 the design poses minimal impact to the natural environment, surrounding  
12 property values will not be adversely impacted, the proposed drainage  
13 system will adequately treat stormwater runoff, and the majority of traffic  
14 will not occur during traditional AM and PM peak traffic periods. Staff agrees  
15 that the applicant has demonstrated that they meet the spirit and intent of  
16 the CUP criteria and recommends **granting** the Conditional Use Permit.  
17

18 2. The Applicant has requested a Conditional Use Permit to allow site  
19 lighting fixtures to exceed the maximum mounting height of 25-foot  
20 required under Section 3.10.13.5.3. The application meets the criteria as  
21 outlined in Section 2.7.3.5.1 of the Ordinance. Full cut-off fixtures will be  
22 used to ensure downcast lighting, there will be no spillover of lighting to  
23 abutting properties while still providing sufficient lighting needed for a  
24 facility of this size, the height increase precludes the need to add a  
25 significant number of fixtures to accommodate the site, there will be no  
26 impacts to the environment or health, safety or welfare of the Town, and  
27 none of the fixtures will exceed the height of the proposed building roofline.  
28 Staff agrees that the applicant has demonstrated that they meet the spirit  
29 and intent of the CUP criteria and recommends **granting** the Conditional  
30 Use Permit.  
31

32 3. The Applicant has requested a Conditional Use Permit to allow a  
33 permitted use in the Conservation Overlay District, i.e. a relocated gravel  
34 access drive needed to provide interim access to the remainder of lot 45.  
35 Not only was the site designed in a manner that will minimize impacts to  
36 wetlands abutting three sides of the site, the impact to this wetland buffer  
37 has been kept to a minimum, no reasonable alternative exists for relocation  
38 of the access way, and restoration work will result in a more effective  
39 wetland buffer than currently exists. Staff recommends **granting** the  
40 Conditional Use Permit because the application meets the criteria as  
41 outlined in Section 2.6.3.4.1.  
42

43 J. R. Trottier summarized the Planning Department/Department of Public  
44 Works/Stantec memo. C. May reiterated that the off-site improvements noted  
45 in the Staff memo will be addressed in a development agreement which, if  
46 found acceptable by the Planning Board, would be recommended to the Town  
47 Council for their approval.  
48

49 A. Rugg asked for Board input.  
50



1 C. Davies asked what number of truck trips are anticipated to take place during  
2 the 10PM to 4 AM portion of the facility schedule. T. Elam explained that until  
3 Pettengill Road is fully constructed, trucks will take the route currently used,  
4 i.e. taking Pettengill east to Harvey to eventually access I-93. From 10 PM to  
5 4 AM, 19 tractor trailer trucks are expected to be leaving the site when first  
6 operational. At full capacity, which is estimated could take place by 2026, 50  
7 tractor trailers would leave during the same time period. Between the same  
8 time period, the 198 delivery vans to be used when operations commence  
9 could increase to as many as 350. J. Laferriere asked what impact delivery  
10 vans would have on the center of town via Mammoth Road, but T. Elam said  
11 there would be no change from the number of vans using that route now  
12 because no local deliveries would be coming from this facility. T. Freda  
13 inquired about the number of employees inside the building. T. Elam said that  
14 +/- 100 employees would be inside the building at the time it opens and that  
15 number is expected to grow to 500-600 within five to ten years. Full time  
16 employees include office staff and service employees, while package handlers  
17 would work in morning and evening shifts. L. Reilly confirmed with T. Elam  
18 that the employees currently at the Kitty Hawk Landing facility would be moved  
19 to the new building. M. Soares asked if the fenced area between the facility  
20 and employee parking could be landscaped with trees. J. Petropulos explained  
21 there simply was not enough room in the ten foot strip between areas of  
22 curbed pavement to include trees, and shrubs typically do not do well in such  
23 areas because of plowing. M. Soares also asked if a covered walkway could be  
24 added between the building and employee parking. T. Elam said the issue  
25 could be investigated if the Board felt it was warranted.

26  
27 A. Rugg asked for public input.

28  
29 Resident Larry Stenger asked if the statistics related to traffic would be  
30 included in the minutes. A. Rugg said if they were not, the information would  
31 be available through Staff. L. Stenger asked what recourse the Town would  
32 have if Fed Ex Ground vacated the facility within the first years of operation  
33 since it would presumably be difficult to fund a tenant to occupy such a  
34 specialized facility and because of the loss of tax revenue. It was noted that  
35 taxes would be paid by the property owner regardless of whether the facility is  
36 in use. A. Rugg said there is nothing in State or local regulations that would  
37 force the owner to find an occupant for a vacant facility. T. Elam said this  
38 building is designed for 30 years of capacity and that Fed Ex Ground has  
39 signed a long term lease with the property owner to use it.

40  
41 Mike Speltz, 18 Sugarplum Lane, stated he was speaking in part as a resident  
42 and in part as a member of the Conservation Commission. He said that when  
43 the Commission considered the aforementioned CUP for the project, a report  
44 from State Fish and Game (F&G) based on the applicant's wildlife study was  
45 not available and was in fact was only forwarded to the Commission by Fish  
46 and Game within the last few days. F&G, he continued, also made known a  
47 2009 agreement resulting from the Town's Pettengill Road Alteration of Terrain  
48 permit where a wildlife survey in the subject area would be performed by the  
49 Town prior to any excavation for the road because of endangered species  
50 thought to be in the vicinity. M. Speltz indicated the intent was to establish

1 what areas would need to be preserved from development to protect those  
2 species. Areas preserved would be in addition to the wildlife corridor already  
3 created. Part of the study area is the proposed Fed Ex Ground site. Since the  
4 Town is not currently in the process of developing Pettengill Road, the wildlife  
5 study is not required. M. Speltz argued that the purpose of the wildlife survey  
6 would be defeated by the fact that a site plan could be approved and a portion  
7 of the area developed before sensitive areas are identified. M. Speltz asked  
8 the Board use their authority to request additional studies from an applicant in  
9 order to have a wildlife study performed of the proposed lot, albeit one that  
10 would not unduly delay the applicant's construction schedule. A. Rugg asked  
11 Staff what input the Conservation Commission had on this plan as a member of  
12 the Design Review Committee. C. May stated that they supported the CUP and  
13 reiterated that F&G only conveyed their comments this week. J. Petropulos  
14 said the issue regarding the agreement with the Town was only brought to the  
15 applicant's attention on February 28, therefore there was no knowledge of any  
16 interest in a wildlife study when the applicant went before the Conservation  
17 Commission. The applicant's wildlife biologist, he said, did not believe habitat  
18 for the endangered species recognized by F&G exists on the Fed Ex Ground  
19 site. He added that the Natural Heritage Bureau did not report any findings of  
20 those species in question when the applicant applied for their Alteration of  
21 Terrain permit. Staff stated that the agreement between the Town and the  
22 State to perform a wildlife study only applies if and when the Town moves  
23 forward with the construction of Pettengill Road. A discussion ensued about  
24 the agreement between the State and the Town and how this project might be  
25 related to that agreement. After some consideration, the Board did not require  
26 the applicant to perform any additional study with regard to wildlife on  
27 proposed Lot 45-2 because the 2009 agreement is associated with the  
28 construction of Pettengill Road by the Town, which has yet to take place.

29  
30 In response to A. Rugg's questions about input from the Conservation  
31 Commission, M. Speltz relayed the Commission's request for the use of  
32 pervious pavement in the employee parking lot, adding that he had not heard a  
33 reply to the request. T. Elam said that the applicant finds pervious pavement  
34 to be an added expense and maintenance issue, noting that the Town does not  
35 recognize the use of pervious pavement in an applicant's stormwater analysis  
36 calculations.

37  
38 M. Speltz also noted that part of the justification used to support CUP number  
39 1 of 3 (to allow a warehouse use of greater than 250,000 square feet in the GB  
40 zone) was that "the design poses minimal impact to the natural environment."  
41 He again pointed to the potential for impacts to wildlife raised by F&G and  
42 asked the Board to reconsider the rationale. He also advised the Board not  
43 waive the requirement for "Certified" level of LEED in waiver request number 1  
44 of 10. Since the applicant is able to comply with a majority of those  
45 requirements, he asked that the Board simply necessitate the applicant meet  
46 all of the requirements. He also suggested the use of solar panels on the roof  
47 of the facility. T. Elam explained that Fed Ex Ground has a division dedicated  
48 to making their facilities energy efficient and J. Petropulos listed the number of  
49 efforts that will lower the environmental impact of this facility. Achieving the  
50 Certified level of LEED, T. Elam said, can add upwards of 3% to the

1 construction cost (in this case, \$500,000) in order to receive the endorsement  
2 of an outside entity.

3  
4 Bob Merrill, 563 Mammoth Road, abutter to the existing Fed Ex Ground facility  
5 on Kitty Hawk Landing, asked if it would be difficult for another business to  
6 occupy that building. T. Elam said that with a more conventional warehouse  
7 design, that facility could be reused without the need to make many changes.  
8 B. Merrill noted that the lighting at the Kitty Hawk Landing building infringes on  
9 abutters and stated that his apple orchard was trespassed upon because of  
10 snow plowing as well as by debris and sand associated with its construction.  
11 He therefore asked that those issues he considered regarding this new site. He  
12 also asked that the Conservation Commission review wetlands on the new site  
13 since he believed some on the existing site may have been overly impacted by  
14 the development.

15  
16 There was no further public comment.

17  
18 A. Rugg said the Board would next consider the waiver requests numbered 1  
19 through 5 in the Staff Recommendation Memorandum pertaining to the  
20 *subdivision plan*.

21  
22 **M. Soares made a motion to not grant waiver request number 1 in the**  
23 **Staff Recommendation memo dated March 5, 2014 for the proposed**  
24 **subdivision plan** (i.e. 1.from Section 3.0.5 of the Subdivision Plan  
25 Regulations requiring that all utilities be placed underground), **based on**  
26 **Staff's recommendation and to avoid setting a precedent allowing**  
27 **overhead utilities along Pettengill Road. L. El-Azem seconded for**  
28 **discussion purposes.** The Board discussed the possibility of precedence  
29 being set, along with the fact that the Board has granted waivers in the past on  
30 the same issue, and that overhead lines already exist in the area. Following  
31 this discussion, M. Soares withdrew her motion and L. El-Azem withdrew her  
32 second.

33  
34 **M. Soares made a motion to grant waiver request number 1 in the Staff**  
35 **Recommendation memo dated March 5, 2014 for the proposed**  
36 **subdivision plan. L. El-Azem seconded the motion. No discussion. Vote**  
37 **on the motion: 8-1-0 with M. Soares in opposition.**

38  
39 Waiver request number 1 for the subdivision plan was granted.

40  
41 **M. Soares made a motion to grant the remaining four waivers for the**  
42 **proposed subdivision plan as outlined in Staff's Recommendation**  
43 **memo dated March 5, 2014. J. Laferriere seconded the motion. No**  
44 **discussion. Vote on the motion: 9-0-0.**

45  
46 The four additional waivers for the subdivision plan were granted.

47  
48 **M. Soares made a motion to Conditionally Approve the Ballinger**  
49 **Properties, LLC and Five-N-Associates General Partnership (Owners**  
50 **and Applicants), Map 14, Lots 45, 45-2 and 46 proposed site plan to**

1 **extend the Industrial Drive right of way and construct a new road**  
 2 **terminating in a cul-de-sac; and to consolidate and subdivide three**  
 3 **existing lots into four new lots, at 51, 61, and 63 Pettengill Road,**  
 4 **Zoned GB, subject to all of the Precedent Conditions and General and**  
 5 **Subsequent Conditions as outlined in Staff’s Recommendations**  
 6 **Memorandum dated March 5, 2014. J. Laferriere seconded the motion.**  
 7 **No discussion. Vote on the motion, 9-0-0.**

8  
 9 The subdivision plan was conditionally approved.

10  
 11 The Board next considered the waiver and CUP requests related to the *site*  
 12 *plan*.

13  
 14 **M. Soares made a motion to grant waiver request number 1 for the**  
 15 **proposed site plan as outlined in the Staff Recommendation memo**  
 16 **dated March 5, 2014 (i.e. from Section 2.7.2.5 of the Londonderry**  
 17 **Zoning Ordinance). J. Laferriere seconded the motion. No discussion.**  
 18 **Vote on the motion: 9-0-0.**

19  
 20 Waiver request number 1 for the site plan from the Londonderry Zoning  
 21 Ordinance was granted.

22  
 23 **M. Soares made a motion to grant waiver requests 1 through 9 for the**  
 24 **proposed site plan in the Staff Recommendation memo dated March 5,**  
 25 **2014 (i.e. from the site plan regulations). J. Laferriere seconded the**  
 26 **motion. No discussion. Vote on the motion: 9-0-0.**

27  
 28 Waiver requests 1 through 9 for the site plan from the site plan regulations  
 29 were granted

30  
 31 **M. Soares made a motion that the Planning Board Grant the three**  
 32 **Conditional Use Permit requests as outlined in Staff’s Recommendation**  
 33 **Memorandum Dated March 5, 2014 for the proposed site plan. J.**  
 34 **Laferriere seconded the motion. No discussion. Vote on the motion:**  
 35 **9-0-0.**

36  
 37 The three Conditional Use Permits for the site plan were granted.

38  
 39 **M. Soares made a motion to Conditionally Approve the Ballinger**  
 40 **Properties, LLC and Five-N-Associates General Partnership (Owner)**  
 41 **and Scannell Properties (Applicant) site plan to construct a 1-story**  
 42 **warehouse/distribution facility for FedEx with associated**  
 43 **improvements at 44 Industrial Drive, Zoned GB, subject to all of the**  
 44 **Precedent Conditions and General and Subsequent Conditions as**  
 45 **outlined in Staff’s Recommendations Memorandum dated March 5,**  
 46 **2014. J. Laferriere seconded the motion. No discussion. Vote on the**  
 47 **motion, 9-0-0.**

48  
 49 The site plan was conditionally approved.

50  
 51 C. Workplace Systems, Inc. (Owner and Applicant), Map 15 Lots 235 and 239 –

1 Application Acceptance and Public Hearing for formal review of a subdivision  
2 plan to adjust the lot line between lots 235 and 239 at 3 Page Road, Zoned C-  
3 II, and 562 Mammoth Road, Zoned I-II.

4  
5 J. R. trottier stated there are two outstanding checklist items, both of which  
6 have associated waiver requests. Assuming the Board grants the waivers,  
7 Staff recommends the application be accepted as complete.

8  
9 J. R. Trottier read the waivers into the record from the Staff Recommendation  
10 memo:

11  
12 1. The applicant has requested a waiver to Section 309.F.2 of the  
13 Subdivision Plan Regulations and Item III.34 of the Lot Line Adjustment  
14 Application & Checklist requiring the submission of driveway sight distance  
15 plans/profiles. Planning Staff supports **granting** the waiver because the  
16 proposal does not include any development plans. DPW Staff recommends  
17 **denial** of the waiver.

18  
19 2. The applicant has requested a waiver to Section 4.17.A.32.iii of the  
20 Subdivision Plan Regulations and Item III.24.c of the Lot Line Adjustment  
21 Application & Checklist requiring that HISS mapping be shown over all  
22 subject parcels. Staff supports **granting** the waiver because the intent is  
23 only to demonstrate the viability of proposed lot 235 and Parcel A, not of  
24 existing lot 239.

25  
26 With regard to the first waiver request, M. Soares asked how deficient the sight  
27 distance currently is. J. R. Trottier said that is unknown because no sight  
28 distance plan was submitted, but said that DPW Staff recommends denying the  
29 waiver in order to take the opportunity to correct any deficiency if one exists.  
30 C. May said Planning Staff recommends granting the waiver since no  
31 improvements are proposed on the lots themselves, making the requirement is  
32 unwarranted.

33  
34 **M. Soares made a motion to approve the Applicant's request for**  
35 **checklist waivers numbered 1 through 2 as outlined in Staff's**  
36 **Recommendation Memorandum Dated March 5, 2014. J. Laferriere**  
37 **seconded the motion. No discussion. Vote on the motion: 9-0-0.**

38  
39 **M. Soares made a motion to accept the application as complete. J.**  
40 **Laferriere seconded the motion. No discussion. Vote on the motion:**  
41 **9-0-0. The application was accepted as complete.**

42  
43 A. Rugg noted the start of the 65 day time frame under RSA 676:4.

44  
45 Attorney Jonathan Boutin stated that the industrial business owned by  
46 Workplace Systems, Inc. on Lot 239 has been in existence since 1971 and  
47 utilizes the well, leachfield and barn all found on the portion of Lot 235  
48 identified as "Parcel A" on the plan. Adjusting the lot line as requested would  
49 merge the business on Lot 239 with the infrastructure on Lot 235 that supports  
50 it. Project engineer Dan Higginson of Meridian Land Services stated that the  
51 remainder of Lot 235 would be a viable commercial lot as demonstrated by the  
52 High Intensity Soil Study performed there.

53  
54 A. Rugg asked for Staff input.  
55

1 C. May said that no additional waivers were requested. J. R. Trottier  
2 summarized the Planning Department/Department of Public Works/Stantec  
3 memo.

4  
5 A. Rugg asked for comments and questions from the Board.

6  
7 L. Reilly asked if this rezoning request was unusual and whether the rezoning  
8 request (see below) would set a precedent. C. May said the rezoning portion  
9 of the request may be unusual, but stated it would in no way set a precedent.

10  
11 A. Rugg asked for public input. There was none.

12  
13 **M. Soares made a Motion to Conditionally Approve the Workplace**  
14 **Systems, Inc. proposed subdivision plan to adjust the lot line**  
15 **between lots 235 and 239 at 3 Page Road, Zoned C-II, and 562**  
16 **Mammoth Road, Zoned I-II, subject to all of the Precedent Conditions**  
17 **and General and Subsequent Conditions as outlined in Staff's**  
18 **Recommendations Memorandum dated March 5, 2014. J. Laferriere**  
19 **seconded the motion. No discussion. Vote on the motion, 0-0-0.**

20  
21 The lot line adjustment plan was conditionally approved.

22  
23 D. Workplace Systems, Inc. (Owner and Applicant), Map 15 Proposed Lot 239 –  
24 Public Hearing to consider the applicant's request to rezone a portion of  
25 proposed lot 239 from Commercial-II (C-II) to Industrial-II (I-II) at 562  
26 Mammoth Road.

27  
28 C. May read the recommendation memo into the record. Approval of the lot  
29 line adjustment application (see above), results in a zoning district boundary  
30 running through the lot with I-II to the north and C-II to the south. Section  
31 2.1.2.3 of the Londonderry Zoning Ordinance would require the more restricted  
32 district, or C-II, to prevail which in turn would make the existing industrial  
33 operation non-conforming. Since this would conflict with the intent of making  
34 the industrial parcel a more viable business site, the applicant is requesting  
35 that the C-II portion of new Lot 239 be rezoned to I-II.

36  
37 C. May said that Staff recommends the Planning Board recommend the  
38 requested rezoning to the Town Council because the proposed rezoning is  
39 consistent with the intent of zoning in that area, would create a more regularly  
40 shaped zoning district, and would make Lot 239 a single zoning classification.

41  
42 A. Rugg asked for input from the Board. There was none.

43  
44 A. Rugg asked for public input. There was none.

45  
46 **M. Soares made a motion to recommend to the Town Council that the**  
47 **portion of Map 15 Lot 239, currently zoned C-II (Commercial II) be**  
48 **rezoned to I-II (Industrial II). J. Laferriere seconded. No discussion.**  
49 **Vote on the motion: 9-0-0.**

50

1 A. Rugg noted that the Town Council will have two readings of the proposed  
2 amendment to the zoning ordinance, the second one being a public hearing.

3  
4 **Other Business**

5  
6 A. Londonderry Fish & Game – Correction of Conditional Approval Expiration  
7 Extension Granted February 12, 2014.

8  
9 A. Rugg stated that at the February 12, 2014 Planning Board meeting, the  
10 Board granted an extension of the conditional approval of the Londonderry Fish  
11 & Game site plan to November 6, 2014. C. May stated that the new date of  
12 expiration should have been noted as March 6, 2015 (see Attachment #2).  
13 She said Staff recommends that the Board rescind their vote of February 12,  
14 2014 and instead vote on the request to extend the conditional approval to  
15 March 6, 2015.

16  
17 **M. Soares made a motion to rescind the Board's vote made on February**  
18 **12, 2014 regarding an extension of the conditional approval of the**  
19 **Londonderry Fish & Game site plan to November 6, 2014. J. Laferriere**  
20 **seconded the motion. No discussion. Vote on the motion, 9-0-0.**

21  
22 **M. Soares made a motion to grant a one year extension of the**  
23 **conditional approval of the Londonderry Fish & Game site plan to**  
24 **March 6, 2015. J. Laferriere seconded the motion. No discussion. Vote**  
25 **on the motion, 9-0-0.**

26  
27 R. Brideau thanked T. Freda for his six years of service on the Planning Board as  
28 Town Council Liaison, noting that this was his last meeting in that capacity. A.  
29 Rugg and the remaining Board members thanked him as well.

30  
31 **Adjournment:**

32  
33 **M. Soares made a motion to adjourn the meeting. R. Brideau seconded the**  
34 **motion. Vote on the motion: 9-0-0.**

35  
36 The meeting adjourned at 9:31 PM.

37  
38 These minutes prepared by Associate Planner Jaye Trottier

39  
40 Respectfully Submitted,

41  
42  
43  
44 Laura El-Azem, Assistant Secretary



## Londonderry, New Hampshire

44 Industrial Drive  
Warehouse/Distribution  
Facility





## FedEx Ground Overview

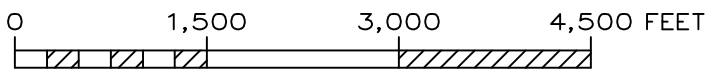
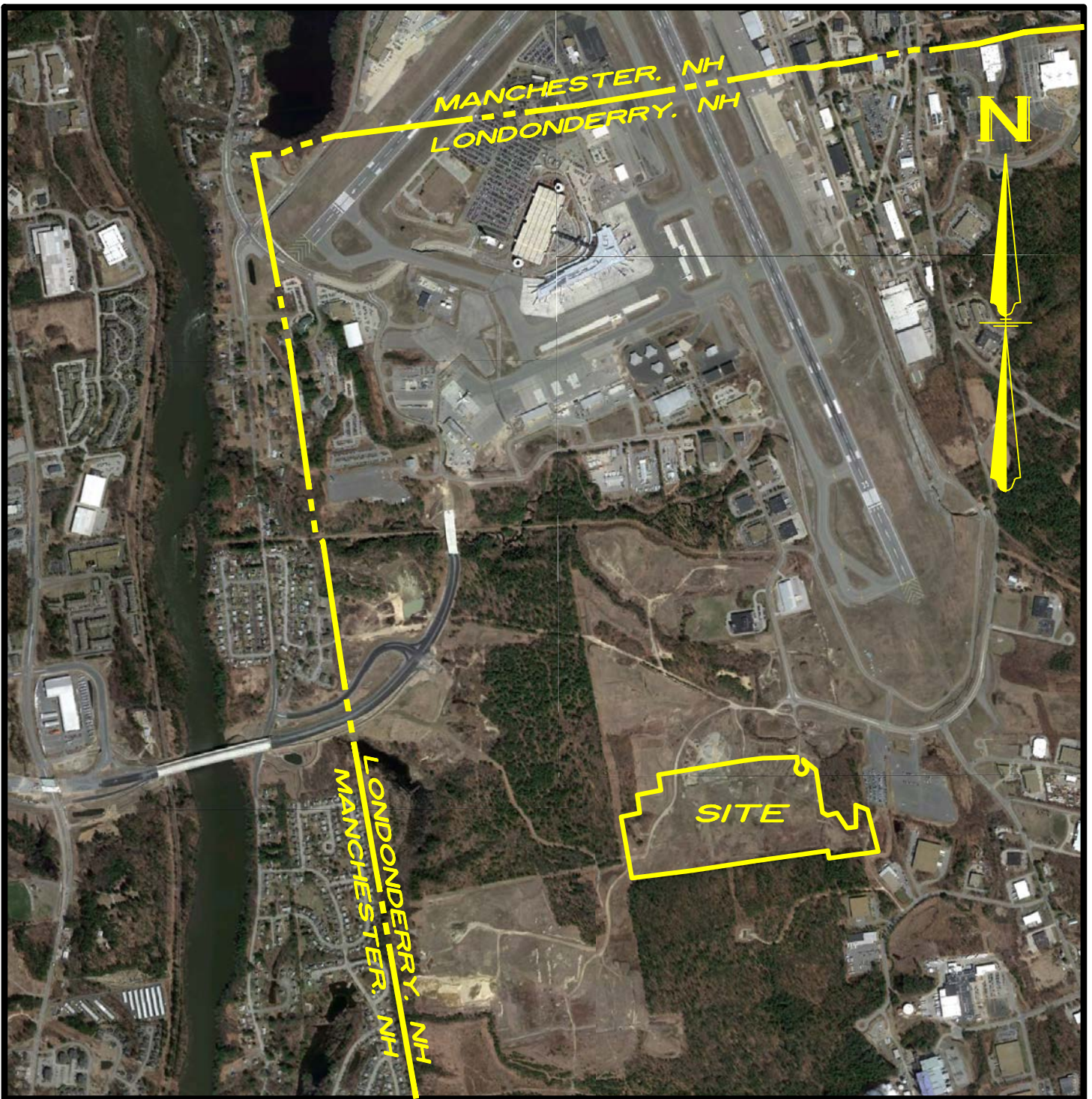
- Founded in 1985 as RPS; rebranded as FedEx Ground in 2000
- FedEx Ground specializes in cost-effective, small-package shipping, offering dependable business-to-business delivery or convenient residential services.
- More than 68,000 team members.
- Average daily volume of more than 3.5 million packages.





## Corporate Highlights

1. Fortune Magazine: #2 Ranked “World’s Most admired Companies”
2. Fortune: list of “100 Best Companies to work for in America”
3. Fortune: list of “50 Best Companies for Minorities”.
4. Business Week: “50 Best Performers”.
5. Business Ethics: “100 Best Corporate Citizens” list
6. Forbes: Platinum “400 Best Big Companies in America” list

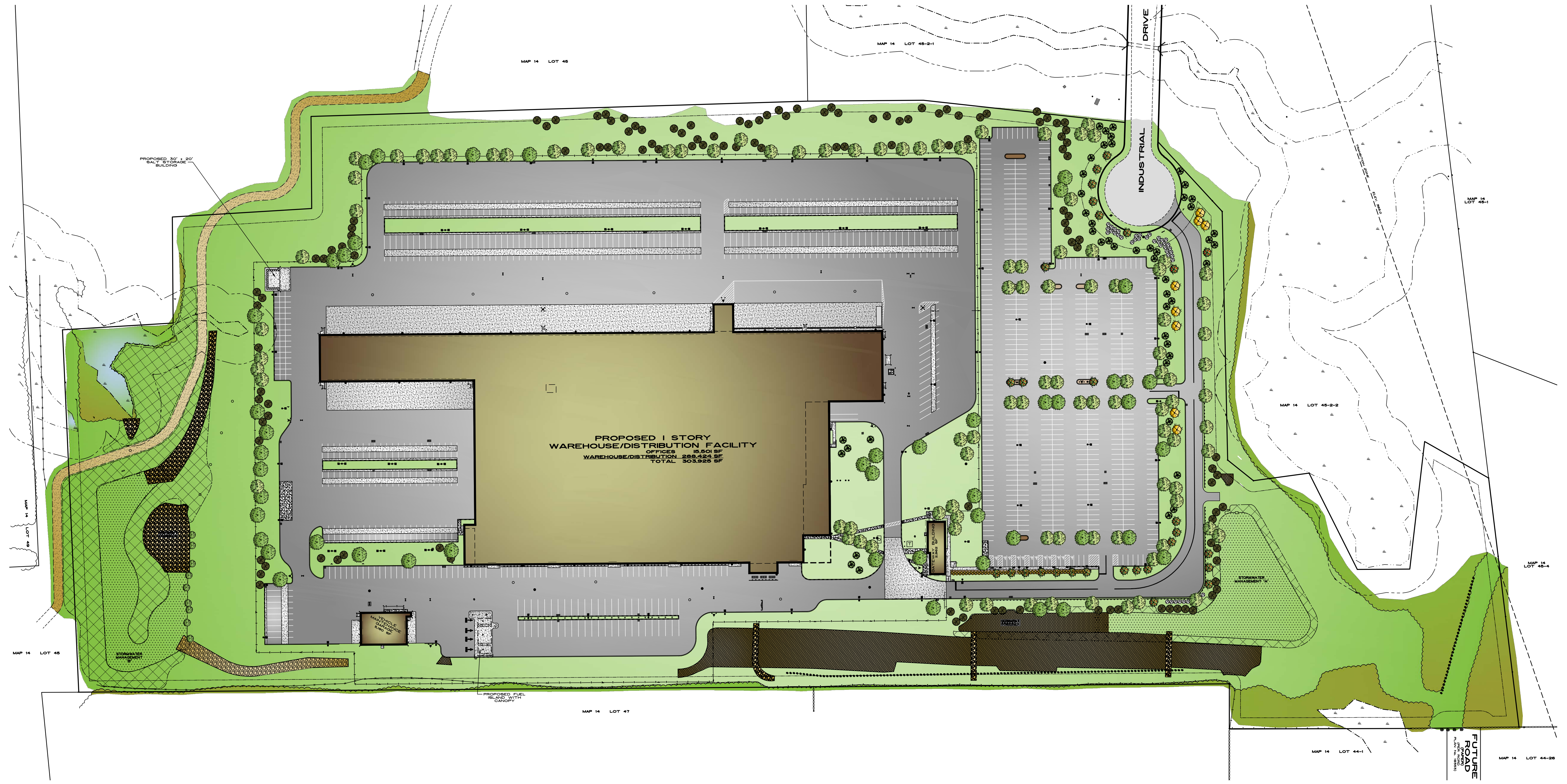
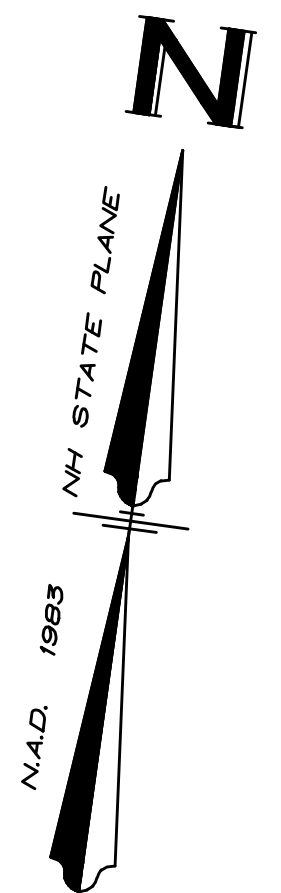


AERIAL PLAN  
**FEDEX GROUND FACILITY**  
 INDUSTRIAL DRIVE  
 LONDONDERRY. N.H.

PREPARED FOR: FIG. 3  
**SCANNELL PROPERTIES**  
 800 E. 96TH ST., SUITE 175, INDIANAPOLIS, IN 46240  
 DECEMBER 2013

 **Hayner/Swanson, Inc.**  
 Three Congress Street Nashua, New Hampshire 03062-3301  
 Tel (603) 883-2057 www.haynerswanson.com Fax (603) 883-5057

DRAWING: 5250 USGS	<b>5250</b>
LOCATION: Q:\5250\DWG\5250 SITE	File Number



PROPOSED 1 STORY  
WAREHOUSE/DISTRIBUTION FACILITY  
OFFICES 18,501 SF  
WAREHOUSE/DISTRIBUTION 288,954 SF  
TOTAL 307,455 SF

DISPLAY PLAN  
(MAP 14, LOT 45-2)  
**FEDEX GROUND FACILITY**  
44 INDUSTRIAL DRIVE  
LONDONDERRY, NEW HAMPSHIRE  
PREPARED FOR:  
**SCANNELL PROPERTIES**  
800 E. 96TH STREET, SUITE 175 INDIANAPOLIS, INDIANA 46240 (763) 331-8851  
RECORD OWNERS:  
**BALLINGER PROPERTIES, LLC**  
20 TRAFALGAR SQUARE, SUITE 602, NASHUA, NEW HAMPSHIRE 03063 (603) 883-2000  
**and FIVE N ASSOCIATES**  
91 AMHERST STREET NASHUA, NEW HAMPSHIRE 03064 (603) 889-3300  
SCALE: 1"=80 Feet  
1"=24.384 Meters

12 FEBRUARY 2014

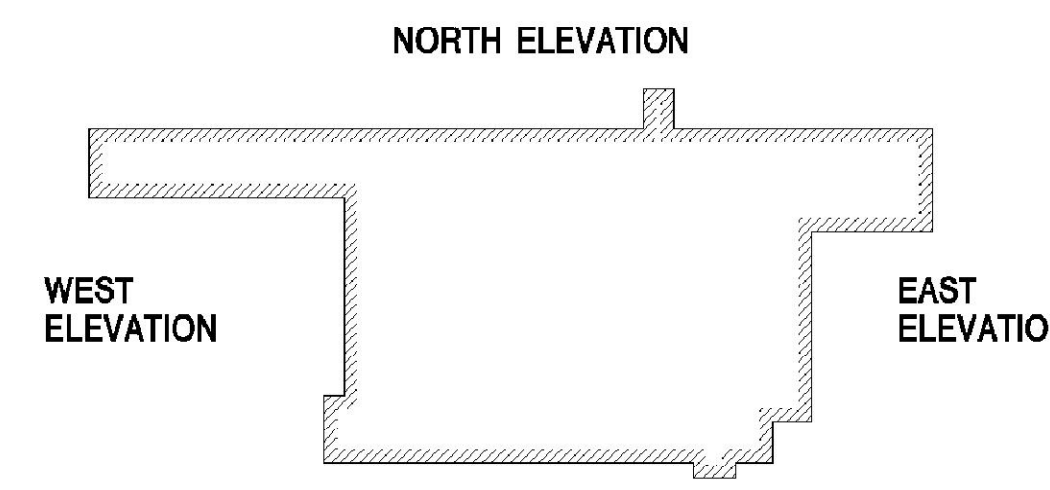
**BLACKWATER DESIGN** PHONE (603) 648-6500 FAX (603) 648-606  
Land Planning - Landscape Architecture  
83 Frost Lane - Webster, NH 03090

**BENCHMARKS**  
BENCHMARK 1  
NHDOT DISK 285-570  
ELEV. = 446.56  
(NGVD29)  
BENCHMARK 2  
NHDOT DISK 269-490  
ELEV. = 229.17  
(NGVD29)

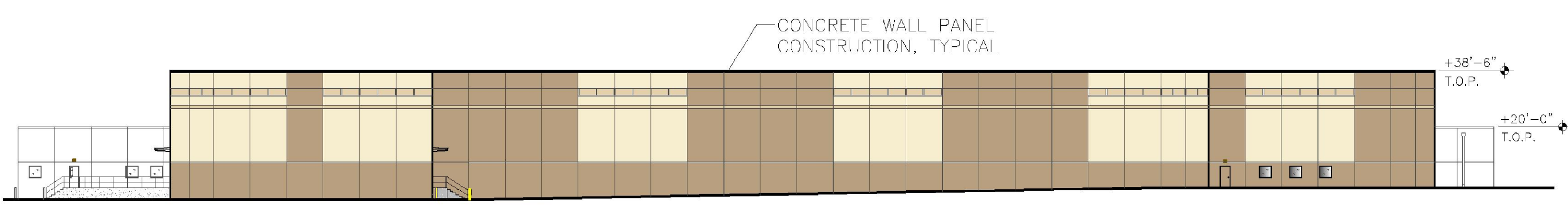
NO.	DATE	REVISION	BY



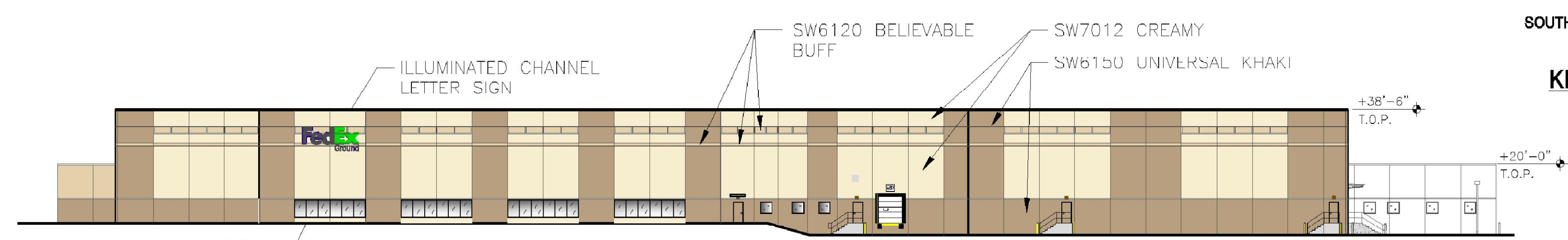
SOUTH ELEVATION



KEY PLAN

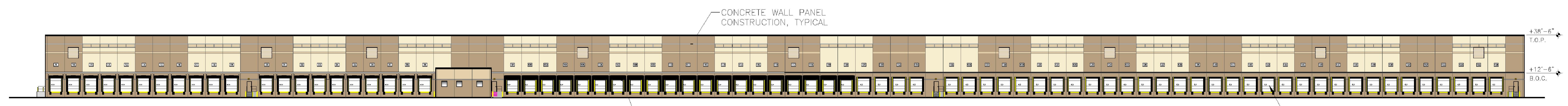


WEST ELEVATION

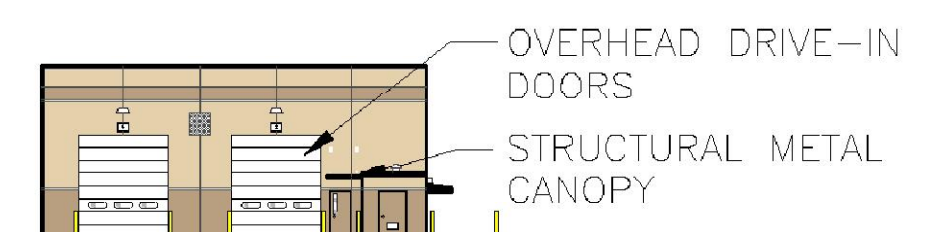
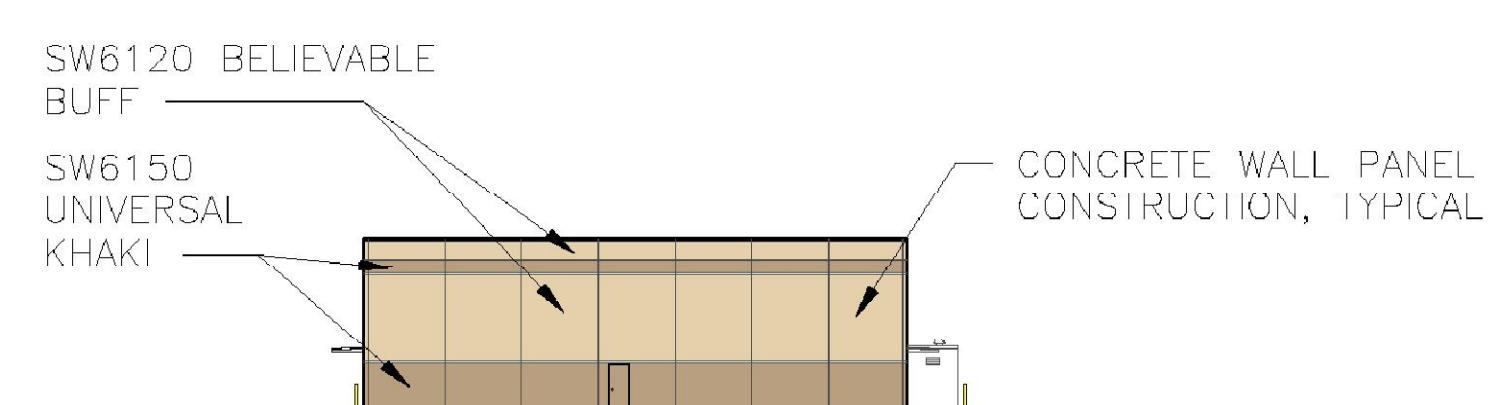


EAST ELEVATION

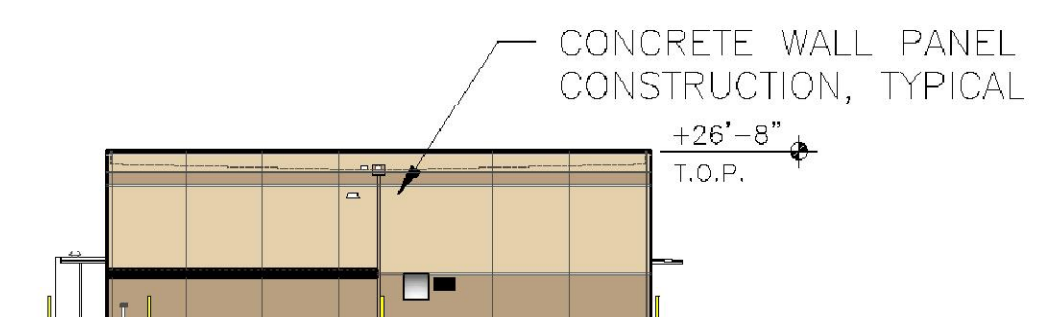
NOTE: ROOFTOP MECHANICAL EQUIPMENT TO BE SCREEN AS REQUIRED.



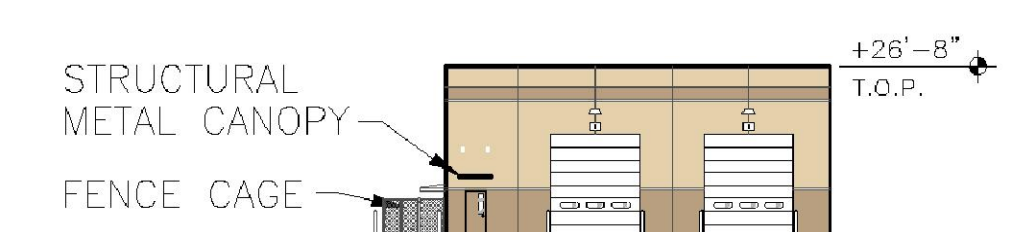
NORTH ELEVATION



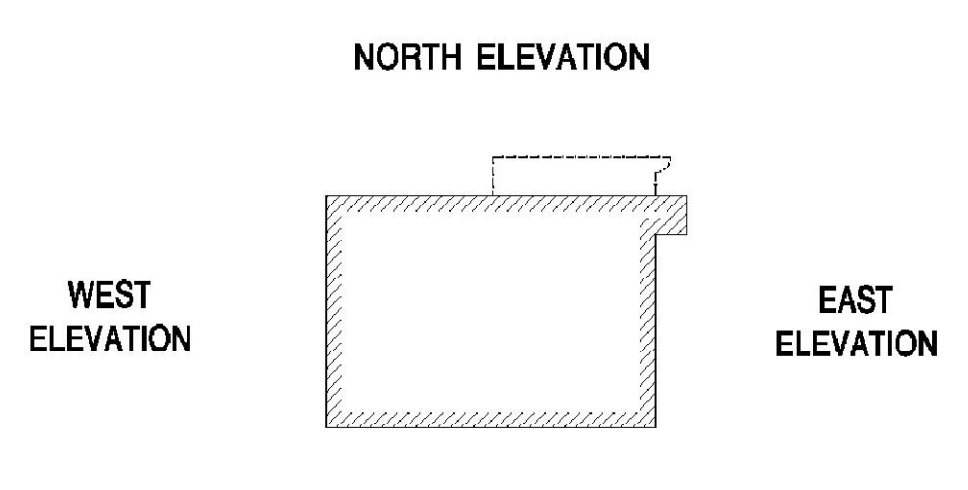
EAST ELEVATION



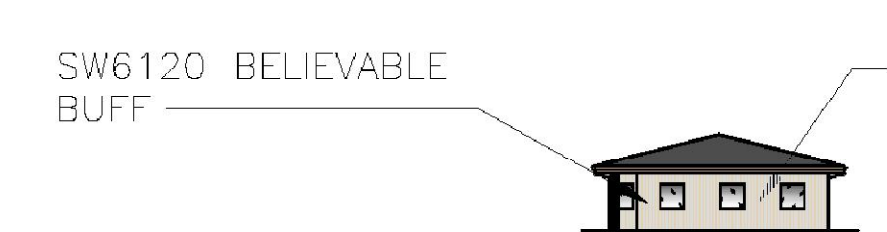
NORTH ELEVATION



WEST ELEVATION



MAINTENANCE GARAGE KEY PLAN



SOUTH ELEVATION



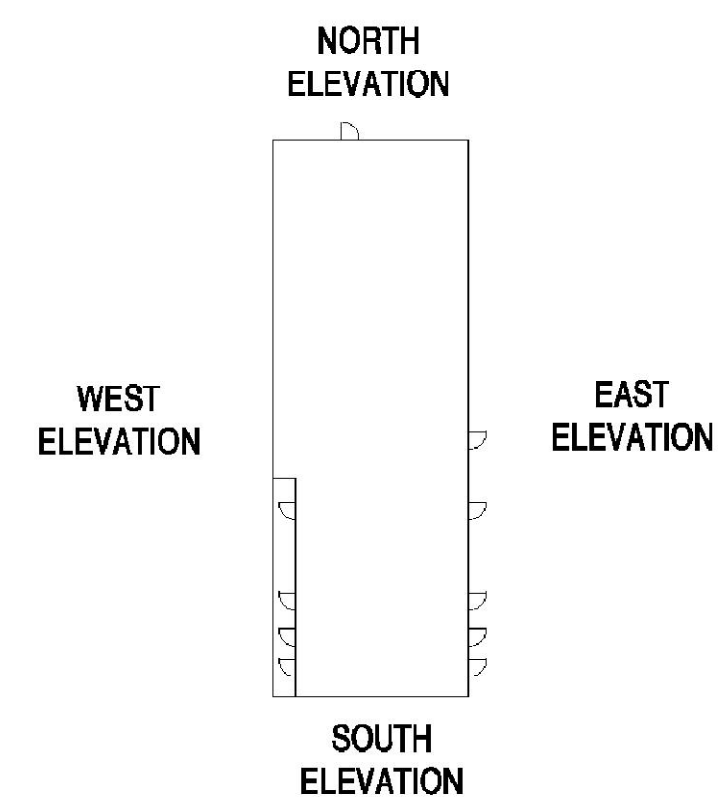
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



GATEWAY BUILDING KEY PLAN



1	02/12/14	ADDRESS TOWN, PEER REVIEW AND NHDES COMMENTS	KS
No.	DATE	REVISION	BY

BUILDING ELEVATIONS  
(MAP 14, LOT 45-2)  
**FEDEX GROUND FACILITY**  
44 INDUSTRIAL DRIVE  
LONDONDERRY, NEW HAMPSHIRE  
PREPARED FOR:  
**SCANNELL PROPERTIES**  
800 E. 96TH STREET, SUITE 175 INDIANAPOLIS, INDIANA 46240 (763) 331-8851  
RECORD OWNERS:  
**BALLINGER PROPERTIES, LLC**  
20 TRAFALGAR SQUARE, SUITE 602, NASHUA, NEW HAMPSHIRE 03063 (603) 883-2000  
**and FIVE N ASSOCIATES**  
91 AMHERST STREET NASHUA, NEW HAMPSHIRE 03064 (603) 889-3300

SCALE: 1"=30 Feet  
1"=9.144 Meters  
20 DECEMBER 2013

**SCANNELL PROPERTIES**

FIELD BOOK: DRAWING NAME: BLDG ELEVATIONS 5250 A.I  
DRAWING LOCATION: G:\5250\W05250 SITE FILE NUMBER Sheet



FedEx



**MEMORANDUM**

To: Planning Board

Date: March 5, 2014

From: Cynthia A. May, ASLA  
Town Planner

Re: Correction of Conditional Approval Expiration Extension Granted February 12, 2014 for Londonderry Fish & Game, Map 8 Lots 12 & 13.

---

On November 6, 2013, the Planning Board conditionally approved a site plan for Londonderry Fish & Game related to improvements associated with outdoor 200-yard and 400-yard shooting ranges for the exclusive use of Londonderry Fish and Game Club members. That conditional approval would expire 120 days after the date of approval, which in this case would be March 6, 2014.

Prior to the February 12, 2014 Planning Board meeting, a request for a one-year extension of this conditional approval was submitted on behalf of the applicant by Eric C. Mitchell & Associates, Inc. The letter made reference to the November 6, 2013 and the Board subsequently granted a one year extension to November 6, 2014. The extension, however, should have been granted from the date the conditional approval was set to expire, meaning the one year extension should have been granted to March 6, 2015.

Staff therefore recommends that the Board rescind their vote to extend the conditional approval of the Londonderry Fish & Game site plan to November 6, 2014 and instead vote on the request to extend the conditional approval to March 6, 2015.