

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF MARCH 5, 2008 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; John Farrell; Kathy Wagner,
6 Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Paul DiMarco; Rob Nichols; Lynn Wiles; Laura El-
7 Azem, alternate member

8
9 Also Present: Tim Thompson, AICP; John Trottier, P.E.; Cathy Dirsa, Planning Department
10 Secretary

11
12 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed L. El-Azem to vote for
13 M. Soares

14
15 **Administrative Board Work**
16

17 A. Rugg announced that we would hear the items out of order and take item D first.

18
19 D. Extension Request - Radzelovage Lot Line Adjustment (Request additional 30 days to
20 April 7)

21
22 T. Thompson referenced the letter from Timothy Peloquin, Promised Land Survey LLC,
23 requesting an additional 30 day extension to allow the staff time to review the plan and
24 its completeness relative to the Notice of Decision. T. Thompson said revised plans
25 were received today, and that the current expiration is March 7.

26
27 **P. DiMarco made a motion to grant 30-day extension to April 7, 2008. L. Wiles**
28 **seconded the motion.** No discussion. **Vote on the motion: 7-0-0.** Extension to April 7,
29 2008 granted.

30
31 A. Extension Request - Dan's Floor Store Site Plan - Request 1 year extension on final
32 approval (to Nov. 9, 2008)

33
34 T. Thompson referenced the letter from Dan Barden, Dan's Floor Store, requesting a one
35 year extension to allow them additional time to obtain a building permit and construct the
36 project. Project received an extension to March 12 last month, to allow the applicant to
37 be present to answer questions from the Board.

38
39 D. Barden said he is still trying to get his finances in line.

40
41 T. Thompson said this is the 3rd request for an extension, and that the 1 year refers to the
42 end of the previous extension from last year.

43
44 [R. Nichols arrived at 7:13PM]
45

46 **P. DiMarco made a motion to grant extension to November 9, 2008. R. Nichols**
47 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Extension to
48 November 9, 2008 granted.
49

- 1
2 B. Extension Request - Vineyards at Hillside Elderly Housing Site Plan - Request extension
3 on conditional approval (to March 7, 2009, concurrent with associated subdivision)
4

5 T. Thompson referenced the letters from Elmer Pease, PD Associates LLC and Michael
6 Lehrman, Hillside Senior Housing LLC, requesting an extension to March 9, 2009, to
7 coincide with current approvals on the subdivision. They stated that this request is made
8 due to the current state of the real estate financing market which has precluded a builder
9 from obtaining construction financing for this project at this time.

10
11 T. Thompson said staff supports the extension to March 7, 2009.

12
13 E. Pease said his contractor lost his financing and he hopes things will improve.

14
15 **P. DiMarco made a motion to grant extension to March 7, 2009. R. Nichols**
16 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Extension to March
17 7, 2009 granted.
18

- 19 C. Extension Request – Tower Hill Professional Office Site Plan (Request additional 120
20 days to August 5)
21

22 T. Thompson referenced the letter from Matthew Peterson, Woodland Design Group,
23 requesting an additional 120 days, to August 5, in order to obtain the NHDOT permit
24 from the State. T. Thompson said staff supports a 6 month extension to November 5,
25 2008.
26

27 **P. DiMarco made a motion to grant extension to November 5, 2008. R. Nichols**
28 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.** Extension to
29 November 5, 2008 granted.
30

- 31 E. Governmental Land Use Request - Police Department Firearms Range, Map 11, Lot 46
32

33 T. Thompson referenced the letter from Joseph Ryan, Chief of Police, with a request
34 under RSA 674:54 for construction of an outdoor firearms range at 24 Rear Kimball
35 Road. Chief Ryan confirmed the acceptance of the donation of work and materials for
36 this project. T. Thompson said that staff is asking the Board if they would like a public
37 hearing for this project.
38

39 The consensus of the Board was not to require a public hearing with the Planning Board
40 per the statute, which would require the Planning Board to make non-binding
41 recommendations relative to the conformance to normally applicable regulations, but to
42 have the Town Council hold a general hearing on the project and notify abutters.
43

44 **P. DiMarco made a motion to ask the Town Council to hold a Public Hearing for the**
45 **project and to notify all abutters. R. Nichols seconded the motion.** No discussion.
46 **Vote on the motion: 8-0-0.** Motion passed.
47

- 48 F. Regional Impact Determinations
49

50 T. Thompson stated that Bernard Filion is proposing a site plan for a change in use on
51 Map 3, Lot 131. He said that staff recommends this project is not a development of
52 regional impact, as it does not meet any of the regional impact guidelines suggested by
53 Southern NH Planning Commission (SNHPC).

1
2 **P. DiMarco made a motion to accept staff recommendations that this project is**
3 **determined (not) to be of regional impact under RSA 36:56. R. Nichols seconded**
4 **the motion.** No discussion. **Vote on the motion: 8-0-0.** Regional impact determinations
5 accepted.

6
7 G. Approval of Minutes – February 6 and 13

8
9 **P. DiMarco made a motion to approve the minutes from the February 6 meeting. R.**
10 **Nichols seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**
11 Minutes are approved and will be signed at the March 12 meeting.

12
13 **P. DiMarco made a motion to approve the minutes from the February 13 meeting.**
14 **R. Nichols seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**
15 Minutes are approved and will be signed at the March 12 meeting.

16
17 H. Discussions with Town Staff

18
19 T. Thompson said the Twin Gate Farm project was brought before the ZBA and their
20 variance to allow commercial office space in the AR-I district was denied. Concerns
21 have been raised by members of the Board and Town Council on speeding up the
22 implementation of the Historic Properties Task Force (HPPTF) recommendations for the
23 Zoning Ordinance.

24
25 T. Thompson asked the Board if they wanted to make this a priority, and asked which
26 projects should be shifted back in the priority if this is agreed to. The Board agreed that
27 the HPPTF Zoning changes should be made a priority, and that the Board would relax
28 the time frame for road standards and Conservation Subdivisions.

29
30 T. Thompson mentioned that on March 17 the Town Council will be holding a public
31 hearing on the Panciocco rezoning from C-IV to AR-I (corner of Meadow and Mohawk
32 Drive) and seeing that it will be a relatively simple rezoning request he asked if A. Rugg
33 could attend that hearing in his place. A. Rugg said yes he will attend.

34
35 T. Thompson stated that the Housing Task Force continues to work on their final report
36 and recommendations. They plan to meet again on March 26 and hope to finalize
37 everything by the end of this month. They will then put together a date to present to the
38 Town Council, Planning Board and other interested bodies.

39
40 [J. Farrell arrived at 7:47PM]

41
42 **Public Hearings**

43
44 A. Manchester YMCA, Map 15, Lots 25 & 26 - Application Acceptance and Public Hearing
45 for a Site Plan to construct an in-ground pool, changing area, small hard surface play
46 area and athletic field.

47
48 T. Thompson stated that There is one checklist items outstanding (traffic impact analysis),
49 for which the applicant is requesting a waiver to section 3.14. Assuming the Board
50 grants the waiver, staff recommends the application be accepted as complete.

51
52

1 T. Thompson read all waivers into the record from the Staff Recommendation memo:

- 2 1. *The applicant is requesting a waiver to Section 3.14 of the regulations. The applicant has not*
3 *provided a traffic impact analysis. Staff recommends **granting** the waiver, the proposed*
4 *improvements are designed for the existing programs offered by the YMCA, and are not*
5 *expected to impact the current traffic impact of the parcel.*
6 2. *The applicant is requesting a waiver to Section 3.11.g of the regulations. The applicant has*
7 *not provided the required amount of internal parking lot landscaping. Staff recommends*
8 ***granting** the waiver, as the proposal is for a modification of an existing site with existing*
9 *landscaping.*
10 3. *The applicant is requesting a waiver to Exhibit 3 (fee schedule) of the regulations. The*
11 *applicant has paid a fee based on the area of disturbance rather than the area of the entire*
12 *parcel. Staff recommends **granting** the waiver as it is consistent with past practice of the*
13 *Planning Board for large acreage sites when only a small portion of the lot is impacted by the*
14 *development.*

15
16 **J. Farrell made a motion to grant all 3 waivers based on the applicant's letter and**
17 **staff recommendation. R. Brideau seconded the motion. No discussion. Vote on the**
18 **motion: 9-0-0. All 3 waivers are granted.**

19
20 **J. Farrell made a motion to accept the application as complete. R. Brideau**
21 **seconded the motion. No discussion. Vote on the motion: 9-0-0. Application**
22 **accepted as complete. A. Rugg said this starts the 65-day clock per RSA 676:4.**

23
24 Lynn Zebrowski, Keach Nordstrom and Lisa Fitzgerald, Director of YMCA camping
25 services, outlined their plans. Lynn said the project consists of 2 lots. One lot is owned by
26 the YMCA and one lot is owned by the Town. They are proposing to replace 2 above
27 ground pools with one Olympic size in ground pool. They also want to make a small
28 soccer field area. A path will connect all these areas to the main building.

29 J. Farrell suggested gating the area so that no one can access it during hours when the
30 facility is closed. The applicant agreed that they can add a gate.

31
32 J. Trottier referenced the DPW/Stantec memo with the design review comments.
33 T. Thompson said staff recommends conditional approval as outlined in the staff
34 recommendation memo. He said that staff is pleased with the possibility of having an
35 Olympic size pool in town that residents could utilize, which helps to implement one of
36 the items from the 2004 Master Plan for the Town to examine a pool for residents. P.
37 DiMarco suggested putting restrictions on motor vehicles using the pathway to park on.
38 J. Farrell suggested putting up a sign that says, no motorized vehicles or emergency
39 vehicles only, etc.

40
41 A.Rugg asked for public input.

42
43 Steve Martel owns lot 72 and said that he, his family, and his neighbors would like to see
44 a privacy stockade fence constructed. He said there is already a substantial amount of
45 noise and they are concerned that it will get worse, unless a fence is constructed.

46 J. Farrell asked Hal Jordan, YMCA Director, if he could work with staff and the abutters
47 to come up with a solution that would make for a better living environment for the
48 abutters. H. Jordan said he is willing to do that. S. Martel said he was asked by all the
49 abutters to represent them tonight. J.Farrell told Mr. Martel that what the abutters need to
50 do is to provide some proof that they have concerns. They can submit letters, come in to
51 the town hall, or be present at the public hearing(s). J. Farrell asked S. Martel if he is
52 willing to meet with the YMCA management to try and reach a compromise that is
53 acceptable by the YMCA and the abutters. S. Martel agreed. There was no further public
54 input when requested.

1
2 **J. Farrell made a motion to continue this plan to April 9, 2008 at 7PM. R. Brideau**
3 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** A.Rugg said this
4 public hearing is continued to April 9, 2008 and this is the only public notice.
5

- 6 B. Penske Truck Leasing Co., Map 15, Lot 103-3 - Application Acceptance and Public
7 Hearing for a Site Plan and Conditional Use Permit to construct a 17,100 square foot
8 truck leasing/service facility and associated vehicle fueling facility.
9

10 T.Thompson stated that the applicant has not obtained the underground storage tank
11 permit from NHDES and therefore the application is not complete at this time.
12

13 T. Thompson stated that based upon the information available to date, and since all
14 checklist items are not complete, Staff recommends 3 options:
15

- 16 1. The application be found to be incomplete; or
17 2. The applicant can withdraw to Pre-Application Design Review; or
18 3. The applicant can request the board continue the application acceptance and the
19 public hearing to April 2, 2008 at 7PM.
20

21 He continued, reading from the Staff Recommendation memo:

22 *The applicant was made aware that the project was incomplete, and staff recommended that*
23 *a letter for a continuance be submitted. The applicant opted not to do so, and wished to*
24 *appear before the Board tonight. The applicant has forwarded copies of e-mails to and from*
25 *NHDES relative to the permit. The DES reviewer stated that he has not yet reviewed revised*
26 *plans for the permit. Staff strongly recommended that the Board not vary from the established*
27 *acceptance procedure (meaning all checklist items complete for an application to be found*
28 *complete) for this project, which would be breaking with the precedent of the Board, and could*
29 *impact the integrity of the acceptance procedure in the future if the Board moved forward with*
30 *the acceptance.*
31

32 Sean Yentsch, Penske Truck Leasing, and Bob Davison, Hayner Swanson, requested
33 the board continue the application acceptance and the public hearing to April 2, 2008 at
34 7PM, and expressed concerns about their construction timeframe. T. Thompson stated
35 that perhaps a special meeting could be scheduled with the Planning Board to have the
36 plans signed after conditional approval is gained.
37

38 **J. Farrell made a motion to continue the application acceptance and the public**
39 **hearing to April 2, 2008 at 7PM. R. Brideau seconded the motion.** No discussion.
40 **Vote on the motion: 9-0-0.** A.Rugg said this application acceptance and public hearing
41 is continued to April 2, 2008 and this is the only public notice.
42

- 43 C. Insight Technology Inc., Map 28, Lot 31 - Application Acceptance and Public Hearing for
44 a Site Plan to construct a 50,000 square foot building addition.
45

46 T. Thompson said there is one checklist items outstanding (FAA Permit), for which the
47 applicant is requesting a waiver for acceptance purposes. Assuming the Board grants
48 the waiver, staff recommends the application be accepted as complete.
49

50 T. Thompson read all waivers into the record from the Staff Recommendation memo:

- 51 1. *The applicant is requesting a waiver to Section 4.13 of the regulations. The applicant has not*
52 *provided an updated FAA Permit. Staff recommends granting the waiver for acceptance*
53 *purposes, as explained by the applicant, there was an error made by Insight with the previous*

- 1 *FAA permit, which the applicant is in the process of addressing. Receipt of the permit should*
2 *be made a precedent condition of the approval.*
3 2. *The applicant is requesting a waiver to Section 4.05 of the regulations. The applicant has not*
4 *provided the required number of benchmarks. Staff recommends granting the waiver, as the*
5 *sufficient information has been provided for the area impacted by the project.*
6 3. *The applicant is requesting a waiver to Exhibit 3 (fee schedule) of the regulations. The*
7 *applicant has paid a fee based on the area of disturbance rather than the area of the entire*
8 *parcel. Staff recommends granting the waiver as it is consistent with past practice of the*
9 *Planning Board for large acreage sites when only a small portion of the lot is impacted by the*
10 *development.*

11
12 **J. Farrell made a motion to grant all 3 waivers based on the applicant's letter and**
13 **staff recommendation. R. Brideau seconded the motion. No discussion. Vote on the**
14 **motion: 9-0-0. All 3 waivers are granted.**

15
16 **J. Farrell made a motion to accept application as complete. R. Brideau seconded**
17 **the motion. No discussion. Vote on the motion: 9-0-0. Application accepted as**
18 **complete. A. Rugg said this starts the 65-day clock per RSA 676:4.**

19
20 Keith Coviello, Sublime Civil Consultants, and Mark Bullard, Insight Technology,
21 presented their plans. Keith said they propose a building (manufacturing and office
22 space) and parking addition. They want to do this in 2 phases, with the building first and
23 then if they do need the additional parking, they increase to 620 parking spaces total.
24 They might need to do a slight extension of the detention pond. They will use existing
25 water and sewer lines.

26
27 J. Trottier referenced the DPW/Stantec memo with the design review comments.
28 T. Thompson said there are a number of outstanding design review comments which
29 staff feels confident that they can be resolved. He said that staff recommends conditional
30 approval as outlined in the staff recommendation memo, and stated that the Heritage
31 Commission has recommended the architectural design.

32
33 A. Rugg asked for public input, but there was none.

34
35 **J. Farrell made a motion to conditionally approve the site plan with the following**
36 **conditions:**

37
38 "Applicant", herein, refers to the property owner, business owner, or organization
39 submitting this application and to his/its agents, successors, and assigns.

40
41 **PRECEDENT CONDITIONS**

42
43 All of the precedent conditions below must be met by the Applicant, at the expense of the
44 Applicant, prior to certification of the plans by the Planning Board. Certification of the
45 plans is required prior to commencement of any site work, any construction on the site or
46 issuance of a building permit.

- 47
48 1. The Applicant shall provide a copy of the FAA Permit to the Planning Department
49 for the project file, and note the approval number on the plans.
50
51 2. The revised existing conditions plan submitted with this application indicates
52 improvements (shed and driveway) have occurred on the subject lot that were not
53 included under any previous approvals. We further note under the DRC comments

1 that a recent aerial photograph of the subject lot indicates significant site clearing
2 has occurred around the undocumented improvements. Typically, the Town
3 requires these improvements to be shown under a future (this) application as part
4 of the improvements for approval by the Board. However, these latest plans do not
5 identify the constructed (proposed) improvements, any associated utilities or the
6 significant land clearing as part of the proposed project. The Applicant shall revise
7 the plans and information to clarify and explain the constructed improvements
8 noted by the DRC as part of the project. It is unknown if the constructed
9 improvements are in compliance with the regulations (no increase in runoff). The
10 Applicant shall arrange a meeting with the Town to discuss this issue. The
11 Applicant shall update the project plans as recommended by the Town accordingly.
12

- 13 3. The Applicant is proposing modifications to the existing on-site detention basin
14 located adjacent to abutting parcel 17A that include increasing the current pond
15 elevation under the 25-year and 50-year designs. However, no information was
16 provided to indicate the existing detention basin embankment width and elevation
17 adjacent to abutting lot 17A to substantiate the minimum embankment width and
18 minimum 12 inches of freeboard above the increased 50-year elevation would be
19 provided under this revision in accordance with section 3.07.B of the regulations.
20 The Applicant shall provide additional existing information, including spot
21 elevations, to clarify the design is in compliance with the regulations. The
22 Applicant shall revise the design, if necessary, to comply with the regulations.
23
- 24 4. The Applicant shall address the following relative to the project drainage report:
25
- 26 A. The revised design does not address the constructed (proposed) shed and
27 driveway that would appear to be in a separate subcatchment from
28 subcatchment O on the site. The separate subcatchment would appear to
29 drain southerly (vs. north for subcatchment O) and include the existing
30 wetland. The Applicant shall update the analysis to indicate an undeveloped
31 subcatchment where the shed is (predevelopment condition) and provide a
32 post development subcatchment that includes the site development (i.e. shed,
33 driveway and lot clearing) and clarify the proposed development meets the
34 requirements of the regulations, especially to the southerly abutter (no
35 increase in runoff) under this project. The Applicant shall update table 5 of
36 the report accordingly to include this abutter.
- 37 B. The revised post development plan does not indicate the proposed parking lot
38 and driveway shown adjacent to the proposed building addition indicated with
39 this latest submission. The Applicant shall review and revise the post
40 development plan and analysis as necessary to be consistent with the latest
41 design.
- 42 C. The 7.02 cfs discharge at FES 9B is into a proposed steep riprap swale, but
43 the report does not include riprap design for the proposed swale (design for
44 the riprap apron is only provided). The Applicant shall review and provide
45 additional information in the report to support the indicated riprap swale is
46 adequately designed.
- 47 D. Under the post development condition, a new sidewalk is indicated along the
48 proposed building addition, but a subcatchment does not appear in the
49 analysis to address the new sidewalk. The Applicant has provided grading for
50 the building addition with this latest submission, which appears to indicate
51 runoff from the sidewalk would drain along the driveway swale toward Akira
52 Way. The Applicant notes in the response letter that the sidewalk runoff is
53 part of subcatchment O, but it is unclear how runoff would cross the crowned

- 1 driveway to get to subcatchment O as implied. The Applicant shall review
2 and provide additional information in the report to support the indicated
3 design. The Applicant shall verify compliance with the regulations (no
4 increase in runoff). The Applicant shall review and revise the analysis to
5 address all development areas under this project.
- 6 E. The existing north analysis includes CB30A located along the existing
7 driveway and we would anticipate a subcatchment draining to the catch basin,
8 but the information does not indicate a subcatchment in this area. We note
9 the existing conditions plan appears to indicate curbing along the easterly
10 edge of the driveway on sheet S1 that would likely direct the runoff to the
11 catch basin and thus the limits of subcatchment O would likely change in this
12 area. The Applicant shall review, explain and update as necessary.
- 13 F. Under this latest design, the "pond" at CB31 appears to be altered by the
14 proposed site grading shown with this latest submission, but the pond volume
15 is unchanged in the analysis. The Applicant shall review and revise to be
16 representative of the post development conditions.
- 17 G. The Applicant shall provide a 50-year pond routing analysis for the existing
18 and modified (post) development conditions of the on-site detention basin per
19 section 3.07.B of the Site Plan Regulations.
- 20
- 21 5. The revised site plan now indicates driveway and parking area adjacent to the
22 northerly side of the proposed building addition. The Applicant shall indicate snow
23 storage areas and indicate traffic patterns as typically requested by the Town.
- 24
- 25 6. The Applicant shall address/clarify the following on the Grading and Utility Plan:
- 26
- 27 A. The revised design appears to indicate a catch basin will be installed along
28 the existing drain pipe (between CB 30 and 30A) at the westerly edge of the
29 driveway to the new parking lot located adjacent to the proposed building
30 addition. We note the grading design implies runoff would be directed to this
31 location, but no design information for a catch basin is indicated (for proper
32 construction). The Applicant shall explain, clarify and update as necessary
33 consistent with the design intent and for proper construction.
- 34 B. The revised plan indicates grading along the proposed addition adjacent to
35 the existing driveway with this submission. It appears ponding may occur
36 along the driveway southeast of the proposed retaining wall. The Applicant
37 shall provide additional information, such as spot shots and/or a typical
38 section to clarify proper drainage will be provided along the driveway, and
39 especially in this area, to CB 31.
- 40 C. The design indicates a manhole (DMH 8A) will be installed on the existing
41 roof drain line and runoff to be redirected to the northerly detention basin
42 under phase 2. We would anticipate a portion of the existing pipe would be
43 removed and the downstream pipe plugged, but no information is provided.
44 The Applicant shall clarify the work to be done relative to the installation of the
45 manhole and to the existing pipe beyond DMH 8A for proper construction.
46 The Applicant shall update sheet C5 accordingly.
- 47 D. The revised drainage analysis indicates the proposed riprap swale from FES
48 9B to the detention basin has a bottom width and a depth of eight (8) feet that
49 is not properly represented on the plans. The Applicant shall update the
50 plans and/or analysis to be consistent. The Applicant shall review and update
51 the details accordingly for proper construction.
- 52 E. The revised design indicates the existing treatment swale beyond the
53 detention basin outlet will be reconstructed to provide a minimum 2 foot

1 depth. Based on the proposed design we would anticipate a 362 contour
2 would be shown along northerly side of the swale to provide the proposed
3 depth, but the proposed grading appears to be missing. Additional grading
4 would appear needed along a portion of the southerly side of the swale to
5 provide the proper swale side slope. The Applicant shall provide a minimum
6 top of swale embankment width of two (2) feet for the new swale
7 embankment as typically requested by the Town. The Applicant shall review
8 and update the plan to clarify the proposed work for proper construction
9 including proposed grades and spot elevations. In addition, the Applicant
10 shall review and update the swale detail as necessary. Also, the Applicant
11 shall clarify any changes to the treelike associated with the proposed
12 improvements and any erosion control measures to be implemented.

13 F. The proposed FES 12A appears to be placed in the middle of the existing 1
14 foot deep swale and may block the existing drainage pattern. We would
15 anticipate the FES outlet to be located adjacent to the existing swale and be
16 grading to drain into the existing swale. The Applicant shall review and
17 update accordingly.

- 18
- 19 7. We note the existing conditions plan appears to indicate curbing along the easterly
20 edge of the driveway on sheet S1 and the same type along the westerly edge of the
21 parking on the sheet. The curbing along the sidewalk appears to be a different
22 type. We note the legend does not distinguish between the different curb types as
23 shown on the plan. The Applicant shall update the legend to distinguish between
24 the different curb types on the plans for clarity.
- 25
- 26 8. The Applicant shall indicate all inverts at CB31 on the profile sheet – C5.
- 27
- 28 9. The Applicant shall provide a retaining wall detail in the plan set for proper
29 construction consistent with this latest submission.
- 30
- 31 10. The Applicant shall address the comments of the Stantec Consulting Services Inc
32 memorandum relative to traffic.
- 33
- 34 11. The Applicant shall verify the comments of the Sewer Division have been
35 adequately addressed with the Sewer Division. In addition, the Applicant shall
36 indicate the updated Londonderry Sewer Discharge Permit approval number in the
37 notes on the cover sheet.
- 38
- 39 12. Note all waivers granted on the plan.
- 40
- 41 13. The Applicant shall provide a digital (electronic) copy of the complete final plan sent
42 to the Town at the time of signature by the Board in accordance with Section 2.05.n
43 of the regulations.
- 44
- 45 14. Financial guaranty if necessary.
- 46
- 47 15. Final engineering review
- 48

49 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified
50 the approval is considered final. If these conditions are not met within 120 days to the
51 day of the meeting at which the Planning Board grants conditional approval the board's
52 approval will be considered to have lapsed and re-submission of the application will be
53 required. See RSA 674:39 on vesting.

1
2 **GENERAL AND SUBSEQUENT CONDITIONS**
3

4 All of the conditions below are attached to this approval.
5

- 6 1. **No construction or site work for the amended site plan may be undertaken**
7 **until the pre-construction meeting with Town staff has taken place, filing of**
8 **an NPDES-EPA Permit and the site restoration financial guaranty is in place**
9 **with the Town.** Contact the Department of Public Works to arrange for this
10 meeting.
11
12 2. The project must be built and executed exactly as specified in the approved
13 application package unless modifications are approved by the Planning
14 Department & Department of Public Works, or if staff deems applicable, the
15 Planning Board.
16
17 3. All of the documentation submitted in the application package by the Applicant and
18 any requirements imposed by other agencies are part of this approval unless
19 otherwise updated, revised, clarified in some manner, or superseded in full or in
20 part. In the case of conflicting information between documents, the most recent
21 documentation and this notice herein shall generally be determining.
22
23 4. All site improvements must be completed prior to the issuance of a certificate of
24 occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in
25 circumstances that prevent landscaping to be completed (due to weather
26 conditions or other unique circumstance), the Building Department may issue a
27 certificate of occupancy prior to the completion of landscaping improvements, if
28 agreed upon by the Planning & Public Works Departments, when a financial
29 guaranty (see forms available from the Public Works Department) and agreement
30 to complete improvements are placed with the Town. The landscaping shall be
31 completed within 6 months from the issuance of the certificate of occupancy, or the
32 Town shall utilize the financial guaranty to contract out the work to complete the
33 improvements as stipulated in the agreement to complete landscaping
34 improvements. **No other improvements shall be permitted to use a financial**
35 **guaranty for their completion for purposes of receiving a certificate of**
36 **occupancy.**
37
38 5. As built site plans must to be submitted to the Public Works Department prior to the
39 release of the Applicant's financial guaranty.
40
41 6. All required Traffic, Police, and Fire impact fees must be paid prior to the issuance
42 of a Certificate of Occupancy.
43
44 7. It is the responsibility of the Applicant to obtain all other local, state, and federal
45 permits, licenses, and approvals which may be required as part of this project (that
46 were not received prior to certification of the plans). Contact the Building
47 Department at extension 115 regarding building permits.
48

49 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Plan is
50 conditionally approved.
51

1
2 D. Verizon Wireless, Map 9, Lot 55A - Application Acceptance and Public Hearing for a Site
3 Plan to co-locate wireless communication antennae and construct an equipment shelter
4 on the approved (not yet constructed) Londonderry Fire Department Communications
5 Tower
6

7 T. Thompson said there are 5 checklist items, all of which are waiver requests.
8 Assuming the Board grants the waivers, staff recommends the application be accepted
9 as complete.
10

11 T. Thompson read all waivers into the record from the Staff Recommendation memo:

- 12 1. *The applicant is requesting 2 waivers, to Section 3.02 and 4.12 of the regulations. The*
13 *applicant has not provided a boundary survey and monumentation. Staff recommends*
14 *granting the waiver, we have a previous boundary survey on file, and it is properly referenced*
15 *in the notes on the plan.*
- 16 2. *The applicant is requesting a waiver to Section 3.09 of the regulations. The applicant has not*
17 *provided a landscape plan. Staff recommends granting the waiver, as the application deals*
18 *only with the co-location of antennae and an equipment cabinet. The landscaping for the site*
19 *was approved under the governmental land use application for the tower.*
- 20 3. *The applicant is requesting a waiver to Section 3.13 of the regulations. The applicant has not*
21 *provided an illumination plan. Staff recommends granting the waiver, as the application deals*
22 *only with the co-location of antennae and an equipment cabinet. The lighting for the site was*
23 *approved under the governmental land use application for the tower.*
- 24 4. *The applicant is requesting a waiver to Section 3.14 of the regulations. The applicant has not*
25 *provided a traffic impact analysis. Staff recommends granting the waiver, as the application*
26 *deals only with the co-location of antennae and an equipment cabinet. The site will only*
27 *generate an occasional visit from a service technician and no other traffic.*
- 28 5. *The applicant has requested a waiver to Section 3.07 of the regulations. No action is required*
29 *on this waiver, as the applicant has submitted a stamped letter from a PE addressing the*
30 *drainage for the application. The drainage for the site as a whole was approved as part of the*
31 *governmental land use application.*

32
33 **J. Farrell made a motion to grant all 5 waivers based on the applicant's letter and**
34 **staff recommendation. R. Brideau seconded the motion.** No discussion. **Vote on the**
35 **motion: 9-0-0.** All 5 waivers are granted.
36

37 **J. Farrell made a motion to accept the application as complete. R. Brideau**
38 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Application
39 accepted as complete. A. Rugg said this starts the 65-day clock per RSA 676:4.
40

41 Earl Duval, outside counsel for Verizon Wireless, David Velez, and Eamon Kernan,
42 presented their plans. E. Duval said they propose to co-locate Verizon's antennae and
43 install a 12 x 20 equipment shelter, which will contain a generator. D. Velez said these
44 will not interfere with emergency communications because they are on different
45 frequencies.
46

47 T. Thompson said staff has requested that the applicant obtain FAA approval and include
48 it on the plans.
49

50 J. Trottier referenced the DPW/Stantec memo with the design review comments.
51

52 T. Thompson said staff recommends conditional approval as outlined in the staff
53 recommendation memo.
54

1 A.Rugg asked for public input, but there was none.
2

3 **J. Farrell made a motion to conditionally approve the site plan with the following**
4 **conditions:**

5
6 "Applicant", herein, refers to the property owner, business owner, or organization
7 submitting this application and to his/its agents, successors, and assigns.
8

9 **PRECEDENT CONDITIONS**

10
11 All of the precedent conditions below must be met by the applicant, at the expense of the
12 applicant, prior to certification of the plans by the Planning Board. Certification of the
13 plans is required prior to commencement of any site work, any construction on the site or
14 issuance of a building permit.
15

- 16 1. The Applicant shall provide documentation from the FAA relative to their approval
17 for the construction of the facility (the FAA contacted the Town on March 4
18 informing the Town that Verizon's determination that the FAA review was not
19 required was incorrect). The applicant shall also note the FAA approval on the final
20 plans.
21
- 22 2. The Applicant shall provide the Owner's signature on the cover sheet and the site
23 plan sheets. In addition, the Applicant shall clarify that this plan set will be on file
24 with the Town in the notes in accordance with the regulations.
25
- 26 3. The Applicant shall label the existing contours on the existing conditions plan sheet
27 C-1.2 for clarity.
28
- 29 4. Note all waivers granted on the plan.
30
- 31 5. The Applicant shall provide a digital (electronic) copy of the complete final plan sent
32 to the Town at the time of signature by the Board in accordance with Section 2.05.n
33 of the regulations.
34
- 35 6. Financial guaranty if necessary.
36
- 37 7. Final engineering review
38

39 **PLEASE NOTE -** Once these precedent conditions are met and the plans are certified
40 the approval is considered final. If these conditions are not met within 120 days to the
41 day of the meeting at which the Planning Board grants conditional approval the board's
42 approval will be considered to have lapsed and re-submission of the application will be
43 required. See RSA 674:39 on vesting.
44

45 **GENERAL AND SUBSEQUENT CONDITIONS**

46
47 All of the conditions below are attached to this approval.
48

- 49 1. **No construction or site work for the amended site plan may be undertaken**
50 **until the pre-construction meeting with Town staff has taken place, filing of**
51 **an NPDES-EPA Permit and the site restoration financial guaranty is in place**
52 **with the Town.** Contact the Department of Public Works to arrange for this
53 meeting.

2. 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. All 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 Department may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning & Public Works Departments, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy.**
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 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 Department at extension 115 regarding building permits.

R. Brideau seconded the motion. No discussion. **Vote on the motion: 9-0-0.** Plan is conditionally approved.

Other Business

None

Adjournment:

J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the motion. No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at 9:17 PM.

These minutes prepared by Cathy Dirs, Planning Department Secretary.

Respectfully Submitted,

Paul DiMarco, Secretary