

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

4
5 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; John Farrell;
6 Kathy Wagner, Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Mary Soares; Lynn
7 Wiles; Laura El-Azem; Melissa Nemon, alternate member; Chris Davies, alternate
8 member; Greg Warner, alternate member

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

12
13 A. Rugg called the meeting to order at 7:09 PM. A. Rugg appointed M. Nemon to
14 vote for R. Nichols.

15
16 **Administrative Board Work**

17
18 A. Plans to Sign - MPV Trailer Sales Site Plan - Map 13, Lot 65-1

19
20 J. Trottier said all precedent conditions for approval have been met and the
21 staff recommends signing the plans.

22
23 **J. Farrell made a motion to authorize the Chair and Secretary to sign**
24 **the plans. R. Brideau seconded the motion. No discussion. Vote on the**
25 **motion: 8-0-0** (M. Soares was absent from the room during the vote).

26 A. Rugg said the plans will be signed at the conclusion of the meeting.

27
28 B. Plans to Sign - Ravenna Amended Site Plan - Map 7, Lot 40-5

29
30 J. Trottier said all precedent conditions for approval have been met and the
31 staff recommends signing the plans.

32
33 **J. Farrell made a motion to authorize the Chair and Secretary to sign**
34 **the plans. R. Brideau seconded the motion. No discussion. Vote on the**
35 **motion: 8-0-0** (M. Soares was absent from the room during the vote).

36 A. Rugg said the plans will be signed at the conclusion of the meeting.

37
38 C. Voluntary Merger - NHDOT Park & Ride Lots

39
40 T. Thompson said this is to consolidate the two NHDOT Park & Ride Lots.

41
42 **J. Farrell made a motion to authorize the Chair to sign the merger. R.**
43 **Brideau seconded the motion. No discussion. Vote on the motion: 9-0-**
44 **0.**

1
2 D. Approval of Minutes – June 4 & 11
3

4 **J. Farrell made a motion to approve the minutes from the June 4**
5 **meeting. R. Brideau seconded the motion.** No discussion. **Vote on the**
6 **motion: 9-0-0.**
7

8 **J. Farrell made a motion to approve the minutes from the June 11**
9 **meeting. R. Brideau seconded the motion.** No discussion. **Vote on the**
10 **motion: 7-0-2.** (M. Soares & M. Nemon abstained because they were absent
11 at the June 11 meeting). Minutes are approved and will be signed at the July
12 9 meeting.
13

14 E. Discussions with Town Staff
15

16 1. Stonyfield Patio
17

18 T. Thompson said that Stonyfield wants to construct a patio and outdoor
19 seating area over a portion of their existing parking lot, close to the silo.
20 This would be eliminated once the manufacturing phase of their
21 expansion is constructed. Site has more than sufficient parking to
22 account for the lost spaces. Question for the Board was whether this
23 needs site plan approval, or if the staff can handle administratively.
24

25 Consensus of the Board was for staff to handle this.
26

27 2. Hepworth Memorials Driveway
28

29 T. Thompson said they want to modify their existing driveway. He read
30 into the record a letter from Jason Blanchette, Hepworth Memorials. The
31 new driveway would be further away from route 102 and would be safer
32 to use. T. Thompson stated that unfortunately, due to the zoning, all of
33 the proposed changes would be in the green area setbacks, requiring
34 variances. Also, staff cannot see any way to avoid requiring site plan
35 approval for this change. Consensus of the Board was for staff to ask
36 Jason Blanchette to come before the Board for a discussion. T.
37 Thompson said he would ask J. Blanchette to come to a meeting in
38 August.
39

40 A. Rugg said next week the Board will have a discussion on the TIF (Tax
41 Increment Financing) districts. He also informed everyone that on July 14 at
42 St. Anslem's College there will be a discussion regarding "Commuter Rail as
43 the Economic Engine for NH" starting at 6pm.
44

45 **Public Hearings**
46

47 A. Francis & Jean Milne and Joseph & Linda Ryan, Map 12, Lot 127 & Map 13,
48 Lot 21-7 - Application Acceptance and Public Hearing for a 2 lot subdivision
49 and lot line adjustment.
50

1 T. Thompson stated that there were no checklist items, and staff
2 recommended the application be accepted as complete.

3
4 **J. Farrell made a motion to accept the application as complete. R.
5 Brideau seconded the motion. No discussion. Vote on the motion: 9-0-
6 O.** Application accepted as complete.

7
8 L. Wiles recused himself. A. Rugg appointed C. Davies to vote for L. Wiles

9
10 Wes Aspinwall, Surveyor, presented their plans. The existing parcel on map
11 12, lot 127, which is 6.09 acres on Stonehenge Road, was initially short on
12 frontage, but they were granted a variance from the ZBA. As they proceeded
13 with the design work on the subdivision they had a driveway sight distance
14 problem on the new lot they were creating for the new subdivision. The
15 applicants talked with their neighbors and made an arrangement with the
16 neighbors for a lot line adjustment that would solve both the frontage and
17 sight distance issues. The proposed lot 127 will be 2 acres. By gaining the
18 frontage, both of the Milne lots will have 150' of frontage and the Ryan lot
19 will have 200' of frontage. They will need to remove some trees for better
20 driveway sight distance for all 3 lots. J. Farrell said there are substantial
21 drainage issues with this plan, but staff will work with the applicant. J.
22 Trottier said the drainage issues can be resolved.

23
24 J. Trottier summarized the design review items from the DPW/Stantec memo
25 and read the waiver request into the record.

26
27 The Applicant is requesting a waiver to Section 3.05 of the regulations.
28 The Applicant is proposing overhead utilities to the new lot, which does
29 not comply with the Regulations. **Staff recommends granting the**
30 **waiver**, as all other lots in the area are already serviced by overhead
31 utilities, and in these types of situations, the Board has granted such
32 waiver requests.

33
34 T. Thompson mentioned the proposed precedent condition relative to the \$25
35 LCHIP fee now in effect (became law on July 1). This is separate from the
36 escrow check that staff currently utilizes for recording plans. He stated that
37 staff recommends conditional approval as outlined in the staff
38 recommendation memo.

39
40 A. Rugg asked about the section of stonewall. W. Aspinwall said the wall will
41 be modified when the driveway is moved. He said about 100' will be
42 removed. A. Rugg asked if the removed section could be placed along the
43 new lot line. W. Aspinwall said they could place the removed stones
44 elsewhere on the site. T. Thompson suggested they could be placed along the
45 lower boundary line.

46
47 A.Rugg asked for public input, but there was none.

48
49 **J. Farrell made a motion to grant the waiver to section 3.05 based on**
50 **the applicant's letter and staff recommendation. R. Brideau seconded**

1 **the motion.** No discussion. **Vote on the motion: 9-0-0.** The waiver was
2 granted.

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

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

10
11 **PRECEDENT CONDITIONS**

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

- 17
18 1. The Applicant shall address the following relative to the submitted
19 drainage report:
- 20 A. The post development analysis and plan do not address the
21 proposed driveway impacts to Stonehenge Road that are shown
22 beyond post subcatchment P2 on the plan. In addition, it
23 appears a larger portion of the proposed driveway may
24 contribute to Stonehenge Road. The Applicant shall review and
25 revise to address all areas impacted by the proposed
26 development. The Applicant shall clarify compliance with the
27 regulation (no increase in runoff).
 - 28 B. The Applicant shall review and verify the P1 and P2 labels on the
29 post development plan that appear to be backwards when
30 compared to the analysis. The Applicant shall update plans and
31 analysis to be consistent.
 - 32 C. The Applicant shall provide a USGS map of the site in the report
33 per section 3.08.b.6.
 - 34 D. The Applicant shall include a summary table indicating the pre-
35 and post development impacts to each abutter as typically
36 requested by the Town.
 - 37 E. The Applicant shall provide a summary table in the report
38 relative to the proposed swale per section 3.08.b.5.
 - 39 F. The Applicant shall provide a summary table in the report
40 relative to the proposed culvert per section 3.08.b.4.
- 41
42 2. The Applicant shall address the following on the improvement plan:
- 43 A. The Applicant shall label the proposed contours at the proposed
44 swale for clarity
 - 45 B. The Applicant shall label the size, type, slope and inverts of the
46 proposed driveway culvert for proper construction. In addition,
47 the Applicant shall update sheet 10 accordingly, indicate the
48 culvert in the profile and the Applicant shall clarify the proposed
49 filling of the driveway, as noted in the profile on sheet 10, will
50 not impact the wetlands to the west.

- 1 C. The proposed driveway and grading to new lot 127-1 indicates
2 regrading along the Stonehenge Road right of way is necessary.
3 We understand the Town typically requires a shoulder along the
4 roadway be provided when improvements occur in the roadway
5 right of way. The Applicant shall arrange a meeting with the
6 Department of Public Works to discuss the necessary
7 improvements in the right of way of Stonehenge Road under this
8 project. The Applicant shall provide a typical shoulder
9 improvements detail in the plan set to clarify the intent of the
10 proposed work meeting approval of the Town.
- 11 D. The Applicant shall label the matching sheet numbers on the
12 plan and update sheets 1-4 accordingly. In addition, the
13 Applicant shall update sheet 1 to note the Zoning Variance
14 granted for the site (note I) and include note R per section 4.11.
- 15 E. It appears additional erosion control measures should be used
16 along the wetlands adjacent to the downstream end of the
17 proposed driveway culvert on sheet 5. The Applicant shall
18 review and revise as necessary.
- 19 F. The Applicant's proposed driveway grading appears to indicate
20 2H:1V side slopes that the Town typically requires to be riprap.
21 The Applicant shall review and revise to provide 3H:1V slopes or
22 provide riprap on slopes steeper than 3H:1V. The Applicant
23 shall update the drainage report accordingly.
24
- 25 3. The Applicant shall review the proposed driveway sight distance for
26 new lot 127-1 shown on sheet 8, which does not appear to properly
27 indicate the proposed grading in the plan view consistent with the
28 profile, and revise as necessary.
29
- 30 4. The Applicant shall provide the following detail in the plan set:
31 A. Typical driveway apron detail.
32 B. Typical cross- section of the driveway.
33
- 34 5. The Applicant shall provide a draft of the proposed private drainage
35 easement for review by the Town.
36
- 37 6. The project is located along a significant portion of Stonehenge Road.
38 The Applicant shall verify if additional off-site improvements to
39 Stonehenge Road will be necessary under this application with the
40 Department of Public Works.
41
- 42 7. The applicant shall indicate on the plan the location of the relocated
43 stonewall (along the proposed new boundary line with the Ryan parcel,
44 south of the existing stonewall) that is to be disturbed by construction
45 of the new driveway.
46
- 47 8. Note all waivers granted on the plan.
48

- 1 9. The Applicant shall provide a digital (electronic) copy of the complete
2 final plan sent to the Town at the time of signature by the Board in
3 accordance with Section 2.06.N of the regulations.
4
- 5 10. The Applicant shall provide a check for \$25 (made payable to the
6 *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that
7 became effective on recording of all plans and documents at the
8 registry on July 1.
9
- 10 11. Financial guaranty if necessary.
11
- 12 12. Final engineering review
13

14 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
15 certified the approval is considered final. If these conditions are not met
16 within 2 years to the day of the meeting at which the Planning Board grants
17 conditional approval the board's approval will be considered to have lapsed
18 and re-submission of the application will be required. See RSA 674:39 on
19 vesting.
20

21 **GENERAL AND SUBSEQUENT CONDITIONS**

22

23 All of the conditions below are attached to this approval.
24

- 25 1. **No construction or site work for the amended site plan may be**
26 **undertaken until the pre-construction meeting with Town staff**
27 **has taken place, filing of an NPDES-EPA Permit and the site**
28 **restoration financial guaranty is in place with the Town.** Contact
29 the Department of Public Works to arrange for this meeting.
30
- 31 2. The project must be built and executed exactly as specified in the
32 approved application package unless modifications are approved by the
33 Planning Department & Department of Public Works, or if staff deems
34 applicable, the Planning Board.
35
- 36 3. All of the documentation submitted in the application package by the
37 Applicant and any requirements imposed by other agencies are part of
38 this approval unless otherwise updated, revised, clarified in some
39 manner, or superseded in full or in part. In the case of conflicting
40 information between documents, the most recent documentation and
41 this notice herein shall generally be determining.
42
- 43 4. All site improvements must be completed prior to the issuance of a
44 certificate of occupancy. In accordance with Section 6.01.d of the Site
45 Plan Regulations, in circumstances that prevent landscaping to be
46 completed (due to weather conditions or other unique circumstance),
47 the Building Department may issue a certificate of occupancy prior to
48 the completion of landscaping improvements, if agreed upon by the
49 Planning & Public Works Departments, when a financial guaranty (see
50 forms available from the Public Works Department) and agreement to

1 complete improvements are placed with the Town. The landscaping
2 shall be completed within 6 months from the issuance of the certificate
3 of occupancy, or the Town shall utilize the financial guaranty to
4 contract out the work to complete the improvements as stipulated in
5 the agreement to complete landscaping improvements. **No other**
6 **improvements shall be permitted to use a financial guaranty for**
7 **their completion for purposes of receiving a certificate of**
8 **occupancy.**
9

- 10 5. As built site plans must to be submitted to the Public Works
11 Department prior to the release of the Applicant's financial guaranty.
12
13 6. All required School, Library, Recreation, Traffic, Police, and Fire impact
14 fees must be paid prior to the issuance of a Certificate of Occupancy.
15
16 7. It is the responsibility of the Applicant to obtain all other local, state,
17 and federal permits, licenses, and approvals which may be required as
18 part of this project (that were not received prior to certification of the
19 plans). Contact the Building Department at extension 115 regarding
20 building permits.
21

22 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-**
23 **0-0.** Plan is conditionally approved.
24

25 *L. Wiles returned to his PB member position. C. Davies returned to alternate*
26 *position.*
27

- 28 B. Staples, Inc., Map 7, Lot 119 - Application Acceptance and Public Hearing for
29 a site plan to construct a drive-thru at their Nashua Road store.
30

31 T. Thompson stated there are 3 outstanding checklist items, all of which are
32 waiver requests. Assuming the Board grants the waivers, staff recommends
33 the application be accepted as complete.
34

35 T. Thompson read all waivers into the record from the Staff Recommendation
36 memo:
37

- 38 1. The applicant is requesting a waiver to Section 2.04.b.4 of the
39 regulations. The applicant has paid the application fee based on the
40 area of disturbance rather than for the full site area. Staff recommends
41 **granting** the waiver, consistent with past Board practice for small
42 projects located on large acreage sites with limited areas of work.
43 2. The applicant is requesting a waiver to Section 3.14 of the regulations.
44 The applicant has not provided a traffic impact analysis. Staff
45 recommends **granting** the waiver, as there is no change to the use of
46 the property that would impact traffic generation.
47 3. The applicant is requesting a waiver to Section 4.12 of the regulations.
48 The applicant has not provided a full existing conditions plan for the
49 entirety of the site. Staff recommends **granting** the waiver, as there
50 are plans on file for the entire parcel and the area of disturbance has
been sufficiently presented.

- 1 4. The applicant is requesting a waiver to Section 3.09 and 4.14 of the
2 regulations. The applicant has not provided a separate landscape plan.
3 Staff recommends **granting** the waiver, as the landscape design is
4 sufficiently presented on the site plan.
- 5 5. The applicant is requesting a waiver to Section 3.13 and 4.16 of the
6 regulations. The applicant has not provided an illumination plan. Staff
7 recommends **granting** the waiver, as there are no proposed changes to
8 lighting.
- 9 6. The applicant is requesting a waiver to Section 4.18 of the regulations.
10 The applicant has not provided utility clearance letters. Staff
11 recommends **granting** the waiver, as no new utilities are proposed.
- 12 7. The applicant is requesting a waiver to Section 4.02 of the regulations.
13 The applicant has not provided the required titleblock on the building
14 renderings. Staff recommends **granting** the waiver, as the proper
15 titleblock is on all other sheets, and the renderings were prepared by a
16 separate design firm.

17
18 **J. Farrell made a motion to grant all 7 waivers based on the**
19 **applicant's letter and staff recommendation. R. Brideau seconded the**
20 **motion.** No discussion. **Vote on the motion: 9-0-0.** All 7 waivers are
21 granted.

22
23 **J. Farrell made a motion to accept the application as complete. R.**
24 **Brideau seconded the motion.** No discussion. **Vote on the motion: 9-0-**
25 **0.** Application accepted as complete.

26
27 Jason Brzezowski from CLD, C. Brokow presented their plans.
28 Frank Mazzuchelli & David Sarre from Staples were also present.

29
30 J. Trottier summarized the design review items from the DPW/Stantec memo.
31 T. Thompson said staff recommends conditional approval as outlined in the
32 staff recommendation memo.

33
34 David Sarre, Staples, said the side parking spaces will be allocated for
35 employees. L. Wiles & A. Rugg said they need to provide access for the
36 employees to walk from that parking area to the front door.

37
38 A.Rugg asked for public input, but there was none.

39
40 **J. Farrell made a motion to conditionally approve the site plan with**
41 **the following conditions:**

42
43 "Applicant", herein, refers to the property owner, business owner, or
44 organization submitting this application and to his/its agents, successors, and
45 assigns.

46
47 **PRECEDENT CONDITIONS**

48
49 All of the precedent conditions below must be met by the Applicant, at the
50 expense of the Applicant, prior to certification of the plans by the Planning

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

- 3
- 4 1. The Applicant shall provide the Owner's signature on the plan.
- 5
- 6 2. The Applicant shall revise note 24 acceptable to the Planning
7 Department.
- 8
- 9 3. The applicant shall add "employee parking" signs to the site plan for the
10 parking spaces in the immediate vicinity of the proposed drive thru.
- 11
- 12 4. Note all waivers granted on the plan.
- 13
- 14 5. The Applicant shall provide a digital (electronic) copy of the complete
15 final plan sent to the Town at the time of signature by the Board in
16 accordance with Section 2.05.n of the regulations.
- 17
- 18 6. Financial guaranty if necessary.
- 19
- 20 7. Final engineering review
- 21

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

28 **GENERAL AND SUBSEQUENT CONDITIONS**

29 All of the conditions below are attached to this approval.

- 30
- 31
- 32
- 33 1. **No construction or site work for the amended site plan may be**
34 **undertaken until the pre-construction meeting with Town staff**
35 **has taken place, filing of an NPDES-EPA Permit and the site**
36 **restoration financial guaranty is in place with the Town.** Contact
37 the Department of Public Works to arrange for this meeting.
38
- 39 2. The project must be built and executed exactly as specified in the
40 approved application package unless modifications are approved by the
41 Planning Division & Department of Public Works, or if staff deems
42 applicable, the Planning Board.
- 43
- 44 3. All of the documentation submitted in the application package by the
45 Applicant and any requirements imposed by other agencies are part of
46 this approval unless otherwise updated, revised, clarified in some
47 manner, or superseded in full or in part. In the case of conflicting
48 information between documents, the most recent documentation and
49 this notice herein shall generally be determining.
- 50

- 1 4. All site improvements must be completed prior to the issuance of a
2 certificate of occupancy. In accordance with Section 6.01.d of the Site
3 Plan Regulations, in circumstances that prevent landscaping to be
4 completed (due to weather conditions or other unique circumstance), the
5 Building Division may issue a certificate of occupancy prior to the
6 completion of landscaping improvements, if agreed upon by the Planning
7 Division & Public Works Department, when a financial guaranty (see
8 forms available from the Public Works Department) and agreement to
9 complete improvements are placed with the Town. The landscaping
10 shall be completed within 6 months from the issuance of the certificate
11 of occupancy, or the Town shall utilize the financial guaranty to contract
12 out the work to complete the improvements as stipulated in the
13 agreement to complete landscaping improvements. **No other**
14 **improvements shall be permitted to use a financial guaranty for**
15 **their completion for purposes of receiving a certificate of**
16 **occupancy.**
17
18 5. As built site plans must to be submitted to the Public Works Department
19 prior to the release of the Applicant's financial guaranty.
20
21 6. It is the responsibility of the Applicant to obtain all other local, state, and
22 federal permits, licenses, and approvals which may be required as part
23 of this project (that were not received prior to certification of the plans).
24 Contact the Building Division at extension 115 regarding building
25 permits.
26

27 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-**
28 **0-0.** Plan is conditionally approved.
29

30 **Other Business**

31
32 None.

33
34 **Adjournment:**

35
36 **M. Soares made a motion to adjourn the meeting. R. Brideau seconded the**
37 **motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at 8:15
38 PM.
39
40
41

42 These minutes prepared by Cathy Dirsra, Planning Division Secretary.
43

44
45 Respectfully Submitted,
46

47
48
49 Mary Wing Soares, Secretary