

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF OCTOBER 1, 2008 AT THE MOOSE HILL**
3 **COUNCIL 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; Lynn Wiles; Laura El-
7 Azem; Chris Davies, alternate member; Melissa Nemon, alternate member; Greg
8 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 PM. A. Rugg appointed C. Davies to vote
14 for Rob Nichols and G. Warner to vote for M. Soares.
15

16 **Administrative Board Work**
17

18 A. Extension Request - Young Subdivision
19

20 T. Thompson referenced the letter from Timothy Peloquin, Promised Land
21 Survey, requesting another 6 month extension (currently set to expire
22 10/1/08). T. Thompson said staff supports a 3 month extension.
23

24 **R. Brideau made a motion to grant the extension to December 3,**
25 **2008. C. Tilgner seconded the motion.** No discussion. **Vote on the**
26 **motion: 8-0-0.** Extension to December 3, 2008 granted.
27

28 [J. Farrell arrived at 7:07PM]
29

30 B. Extension Request – Church of the Nazarene Site Plan
31

32 T. Thompson referenced the letter from Jason Hill, Holden Engineering &
33 Surveying, requesting a 120 day extension to February 5, 2009.
34 T. Thompson said staff supports the extension.
35

36 **R. Brideau made a motion to grant an extension to February 5, 2009.**
37 **C. Tilgner seconded the motion.** No discussion. **Vote on the motion: 9-**
38 **0-0.** Extension to February 5, 2009 granted.
39

40 C. Voluntary Merger - Coca- Cola
41

42 T. Thompson said this merger completes the rezoning of the Coca-Cola
43 parcels, and that the parcels that were subdivided last year will now be made
44 part of existing lot where Coca-Cola is located.
45

46 **R. Brideau made a motion to authorize the Chair to sign the merger.**
47 **C. Tilgner seconded the motion.** No discussion. **Vote on the motion: 9-**
48 **0-0.**
49

1 D. Approval of Minutes – September 3 & 10

2
3 **R. Brideau made a motion to approve the minutes from the**
4 **September 3 meeting. C. Tilgner seconded the motion.** No discussion.
5 **Vote on the motion: 9-0-0.**

6 Minutes are approved and will be signed at the October 8 meeting.

7
8 **R. Brideau made a motion to approve the minutes from the**
9 **September 10 meeting. C. Tilgner seconded the motion.** No discussion.
10 **Vote on the motion: 9-0-0.**

11 Minutes are approved and will be signed at the October 8 meeting.

12
13 E. Discussions with Town Staff

14
15 T. Thompson informed the Board that the Draft Planning Board schedule for
16 2009 has been placed in the read file for the Board to review. The Board said
17 they are all set with the schedule. T. Thompson also mentioned that at the
18 next Town Council meeting they will be discussing the historic overlay district
19 and conservation subdivisions.

20
21 J. Farrell said that on Monday night they gave a presentation to the Town
22 Council on Economic Development and they are moving forward with their
23 direction.

24
25 K. Wagner said that the FAA is clearing out the land by the VOR facility and
26 they are burying all the stone walls according to state regulations. She said
27 the town doesn't have jurisdiction over that area, but the contractor is going
28 to work with the historical society and they plan to give them all the stones
29 that they can for use in other areas of town.

30
31 J. Farrell said that due to his tardiness coming to the meeting tonight he
32 would like to revisit the subject of the Young subdivision extension.

33
34 **J. Farrell made a motion to reconsider the Young subdivision**
35 **extension. R. Brideau seconded the motion. Vote on the motion 9-0-0.**

36
37 J. Farrell said that based on the discussion he had at the site with the
38 applicant last month they would like a 6 month extension.

39
40 **R. Brideau made a motion for a 6 month extension. C. Tilgner**
41 **seconded the motion. Vote on the motion 9-0-0. The 6 month**
42 **extension was granted to April 6, 2009.**

43
44 T. Thompson said he cannot attend the meeting next week and A. Garron will
45 attend in his absence. He also mentioned that staff opted for a workshop vs.
46 a public hearing for the FI District, but impacted property owners have been
47 notified.

48
49 J. Farrell said Alamo Fireworks missed their deadline due to the site walk, so
50 they were allowed to turn in the plans after the deadline.

1
2 **Public Hearings**

- 3
4 A. Reeds Ferry Small Buildings, Inc., Map 2, Lot 34-3 - Application Acceptance
5 and Public Hearing for a site plan to construct a 12,000 square foot
6 sales/manufacturing building.

7
8 **APPLICATION ACCEPTANCE**

9
10 T. Thompson stated that there were no checklist items, and staff
11 recommended the application be accepted as complete.

12
13 **J. Farrell made a motion to accept the application as complete. G.**
14 **Warner seconded the motion.** No discussion. **Vote on the motion: 9-0-**
15 **O.** Application accepted as complete.

16
17 **PUBLIC HEARING**

18
19 George Chadwick, Keach-Nordstrom presented their plans.

20 Mike & Tim Carlton, Reeds Ferry Small Buildings also attended.

21 G. Chadwick said the town line bisects the entrance. The access drive is in
22 Hudson and the bulk of the site is in Londonderry. Reeds Ferry makes sheds,
23 gazebos. They want to sell and manufacture their product at this location.
24 The requirements call for 20 parking spaces and they have allocated 25
25 spaces. They will have buried tanks for fire suppression. They propose a tall
26 chain link fence with vinyl slats so that you can't see into the area. He said
27 they initially requested a waiver on section 3.07.h but have decided to
28 withdraw that request.

29
30 J. Trottier summarized the design review items from the DPW/Stantec memo
31 and read the staff recommendations on the following waiver requests into the
32 record:

- 33
34 1. The applicant has requested a waiver to Section 3.08.g. The
35 applicant has not provided the minimum 3 feet of cover over the
36 proposed drainage pipes, which does not comply with the
37 regulations. **Staff recommends granting the waiver**, as the
38 pipes have been reinforced by concrete to help ensure the structural
39 integrity of the pipes.

40
41 J. Trottier noted that the applicant withdrew their second waiver request.

42
43 T. Thompson stated that based upon the information available to date the
44 Staff recommends conditional approval as outlined in the staff
45 recommendation memo, and noted that the Heritage Commission
46 recommended the architectural design.

47
48 A. Rugg asked for public input, but there was none.
49

1 **J. Farrell made a motion to grant the waiver to section 3.08.g based**
2 **on the applicant's letter and staff recommendation. R. Brideau**
3 **seconded the motion. No discussion. Vote on the motion: 9-0-0. Waiver**
4 **granted.**

5
6 **J. Farrell made a motion to conditionally approve the site plan with**
7 **the following conditions:**

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

12
13 **PRECEDENT CONDITIONS**

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

- 19
20 1. The Applicant is proposing a "Nyloplast Drain Basin" that appears to be
21 plastic and does not comply with sections 3.07.h of the regulations. In
22 addition, the proposed grate for these basins is not a Type B as typically
23 required by the Town. The applicant shall update the design of this basin
24 and grate to comply with the regulations.
25
26 2. The Applicant shall provide an Auto-Turn template for the Planning
27 Department's file to clarify the anticipated delivery vehicle can properly
28 negotiate and access the designated loading area.
29
30 3. The Applicant shall correct the bedding in the drainage trench detail to
31 ¾" crushed stone and note a minimum of 12" is required in ledge per
32 section 3.07.g of the regulations.
33
34 4. The Applicant shall address the following relative to the submitted
35 drainage report:
36 A. The Applicant shall review and update the peak depth and peak
37 velocity numbers in the summary table for the proposed swale that
38 appear to be reversed.
39 B. The Applicant shall update the areas of subcatchment 1E, 1G, and
40 3A on the post development plan that do not properly correspond
41 to the areas indicated in the calculations.
42
43 5. The Applicant shall address the DRC comments as applicable:
44 A. The Applicant shall verify the comments of the Building
45 Department have been adequately addressed with the Building
46 Department.
47 B. The Applicant shall verify the comments of the Fire Department
48 have been adequately addressed with the Fire Department.
49

- 1 6. The Applicant shall address any comments received from the Southern
2 NH Planning Commission and/or the Nashua Regional Planning
3 Commission, as this project was determined to be a development of
4 regional impact.
- 5
- 6 7. Note all waivers granted on the plan.
- 7
- 8 8. The Applicant shall provide a digital (electronic) copy of the complete
9 final plan sent to the Town at the time of signature by the Board in
10 accordance with Section 2.05.n of the regulations.
- 11
- 12 9. Outside consultant's fees shall be paid within 30 days of approval of
13 plan.
- 14
- 15 10. Financial guaranty if necessary.
- 16
- 17 11. Final engineering review
- 18

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

25

26 **GENERAL AND SUBSEQUENT CONDITIONS**

27

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

29

- 30 1. The Applicant shall obtain final site plan approval from the Town of
31 Hudson prior to commencement of construction on the property.
- 32
- 33 2. **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 3. 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 4. 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 5. 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),
5 the Building Division may issue a certificate of occupancy prior to the
6 completion of landscaping improvements, if agreed upon by the
7 Planning Division & Public Works Department, when a financial
8 guaranty (see forms available from the Public Works Department) and
9 agreement to complete improvements are placed with the Town. The
10 landscaping shall be completed within 6 months from the issuance of
11 the certificate of occupancy, or the Town shall utilize the financial
12 guaranty to contract out the work to complete the improvements as
13 stipulated in the agreement to complete landscaping improvements.
14 **No other improvements shall be permitted to use a financial**
15 **guaranty for their completion for purposes of receiving a**
16 **certificate of occupancy.**
17
18 6. As built site plans must to be submitted to the Public Works
19 Department prior to the release of the Applicant's financial guaranty.
20
21 7. All required Traffic, Police and Fire impact fees must be paid prior to
22 the issuance of a Certificate of Occupancy.
23
24 8. It is the responsibility of the Applicant to obtain all other local, state,
25 and federal permits, licenses, and approvals which may be required as
26 part of this project (that were not received prior to certification of the
27 plans). Contact the Building Division at extension 115 regarding
28 building permits.
29

30 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-**
31 **0-0.** Plan is conditionally approved.
32

- 33 B. Elliot Health Systems, Map 6, Lot 73 - Public Hearing for an amendment to a
34 previously approved site plan (phases 2 and 3).
35

36 Ken Rhodes, CLD Consulting Engineers & Adam Wagner, Cube3 Studios,
37 presented their plans to make changes to Phases 2 and 3. A. Wagner said
38 that some of these changes are needed due to Dana Farber moving into their
39 facility.
40

41 Phase 2 - Add several concrete pads to be used for dumpsters, bio-hazardous
42 waste shed, transformer and generator.

43 Phase 3 – Changes to the building elevation, primarily to accommodate the
44 Phase 2 transformer and generator pad. A concrete PET/CT trailer pad has
45 been added adjacent to the Phase 3 building. A portion of the island to the
46 north of the Phase 3 building has been eliminated, the entrance to the site
47 will be widened and site lighting is shown to be relocated all to accommodate
48 the trailer movements to and from the PET/CT pad. The PET/CT pad is
49 expected to come to and from the site once a week.
50

1 K. Rhodes said that in addition to these changes to Phase 2 and 3 the
2 landscape plans have been updated to correspond with the changes described
3 above and an additional detail drawing has been added with bollard details,
4 the bio-hazardous waste shed and dumpster enclosure.
5

6 J. Trottier said there is a Design Exception: The applicant proposes to widen
7 the driveway at Buttrick Road under phase 3. The proposed widening will be
8 32', which is permitted by design exception from the Planning Board, under
9 Section 3.10.5.5 of the Zoning Ordinance. The Board will need to consider
10 this request as it acts on the amended plans.
11

12 J. Trottier referenced the memo with staff recommendations.
13

14 T. Thompson said staff is recommending conditional approval.
15

16 J. Farrell read into the record a letter from direct abutter, Richard Saulnier, 7
17 Gardner Circle.
18

19 J. Farrell suggested that the dumpsters get emptied between the hours of
20 7am-9am, before the facility opens, to avoid traffic problems. L. Wiles
21 suggested placing containers of the same type together (i.e. corrugated
22 cardboard, aluminum, trash, bio-hazardous waste).
23

24 A. Rugg asked for public input, but there were no additional comment other
25 than R. Saulnier's letter.
26

27 **J. Farrell made a motion to conditionally approve the amendments to**
28 **the approved site plan with the following conditions:**
29

30 "Applicant", herein, refers to the property owner, business owner, or
31 organization submitting this application and to his/its agents, successors, and
32 assigns.
33

34 **PRECEDENT CONDITIONS**
35

36 All of the precedent conditions below must be met by the Applicant, at the
37 expense of the Applicant, prior to certification of the plans by the Planning
38 Board. Certification of the plans is required prior to commencement of any
39 site work, any construction on the site or issuance of a building permit.
40

- 41 1. The Applicant shall add a note to the cover sheet identifying which
42 sheets of the plan set are being amended under this application, and
43 note the purpose behind the proposed amendments.
44
- 45 2. The Applicant shall clarify if the dumpster in the service area to phase
46 1 will be enclosed.
47
- 48 3. The Applicant shall clarify if the concrete transformer pad and
49 generator pad will be completely enclosed by the proposed fencing,
50 and provide appropriate details in the plan set for proper construction.

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4. The Applicant shall identify the pavement markings in phase 3 (type, size, color) and add a detail to the plan set for proper construction. Additionally, the Applicant shall add details for the concrete wheel stops in phase 3 to the plan set for proper construction
5. The Applicant shall clarify the phase 3 site plan, grading plan, and landscape plan relative to the driveway widening, and also provide details for the proposed driveway widening indicating the pavement, gravels, and curbing meeting the requirements of the regulations.
6. The Applicant shall update sheet I2 to reflect the actual sign that was constructed on the site.
7. The Applicant shall clarify the dumpster pad detail on sheet D9 to indicate which pads this detail applies to and to clarify if the circle shown to the right of the gate is intended to be a bollard.
8. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to the Town at the time of signature by the Board in accordance with Section 2.05.n of the regulations.
9. Financial guaranty if necessary.
10. Final engineering review

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

33
34 **GENERAL AND SUBSEQUENT CONDITIONS**

35
36 All of the conditions below are attached to this approval.

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1. The applicant shall work with Town Staff to determine appropriate pickup hours for solid waste and recycling at the new dumpster locations.
2. **No construction or site work for the amended site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting.
3. The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the

1 Planning Division & Department of Public Works, or if staff deems
2 applicable, the Planning Board.

3
4 4. All of the documentation submitted in the application package by the
5 Applicant and any requirements imposed by other agencies are part of
6 this approval unless otherwise updated, revised, clarified in some
7 manner, or superseded in full or in part. In the case of conflicting
8 information between documents, the most recent documentation and
9 this notice herein shall generally be determining.

10
11 5. All site improvements must be completed prior to the issuance of a
12 certificate of occupancy. In accordance with Section 6.01.d of the Site
13 Plan Regulations, in circumstances that prevent landscaping to be
14 completed (due to weather conditions or other unique circumstance),
15 the Building Division may issue a certificate of occupancy prior to the
16 completion of landscaping improvements, if agreed upon by the
17 Planning Division & Public Works Department, when a financial
18 guaranty (see forms available from the Public Works Department) and
19 agreement to complete improvements are placed with the Town. The
20 landscaping shall be completed within 6 months from the issuance of
21 the certificate of occupancy, or the Town shall utilize the financial
22 guaranty to contract out the work to complete the improvements as
23 stipulated in the agreement to complete landscaping improvements.
24 **No other improvements shall be permitted to use a financial**
25 **guaranty for their completion for purposes of receiving a**
26 **certificate of occupancy.**

27
28 6. As built site plans must to be submitted to the Public Works
29 Department prior to the release of the Applicant's financial guaranty.

30
31 7. It is the responsibility of the Applicant to obtain all other local, state,
32 and federal permits, licenses, and approvals which may be required as
33 part of this project (that were not received prior to certification of the
34 plans). Contact the Building Division at extension 115 regarding
35 building permits.

36
37 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 9-**
38 **0-0.** Plan is conditionally approved.

39
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41 **Other Business**

42
43 J. Farrell notified the Board & public about an upcoming meeting on 10/2 with the
44 fire department related to the recent fire in town.

45
46 **Adjournment:**

47
48 **J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the**
49 **motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at
50 8:36PM.

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These minutes prepared by Cathy Dirsra, Planning Division Secretary.

Respectfully Submitted,

Mary Wing Soares, Secretary