

**LONDONDERRY PLANNING-MINORSITE PLAN REVIEW COMMITTEE PUBLIC HEARING -
FEBRUARY 21, 2017 – ELWOOD CONFERENCE ROOM**

Members present: Colleen Mailloux, AICP, Town Planner; John Trottier, P.E., Assistant Director of Public Works and Engineering; and Richard Canuel, Senior Building Inspector

Also present:

Laura Gandia, Associate Planner; Doug MacGuire, P.E., The Dubay Group

Town Planner Mailloux called the meeting to order at 9:05 a.m. for the following application:

Application Acceptance and Public Hearing for formal review of a minor site plan for a change of use to allow retail vehicle sales, 7 Rockingham Road, Map 13 Lot 97, Zoned C-II, Henry Nguyen (Owner & Applicant)

Town Planner Mailloux read the case into the record and stated there were no waivers. J. Trottier recommended that the application be accepted as complete.

J. Trottier made a motion that the MSRC accept the application as complete per Staff's Recommendation memo dated February 21, 2017.

R. Canuel seconded the motion.

The motion was granted, 3-0-0.

D. MacGuire stated that he provided Town Staff with updated plans noting the intent to clean up the site and provide appropriate pavement painting markings/stripping. He added that there is an outstanding item involving the driveway permit from New Hampshire Department of Transportation (NHDOT). He informed the Committee that he sought direction from Bill O'Donnell from NHDOT regarding whether a new driveway permit or an amended driveway permit was needed. At the request of NHDOT, D. MacGuire stated he performed deed research back to 1971. He stated that B. O'Donnell was able to locate a driveway permit using a name search for the property. D. MacGuire also informed the Committee that B. O'Donnell did not have any objection to the application. D. MacGuire stated that based on his research and conversations with NHDOT, he is in the process of obtaining an amended driveway permit. Town Planner Mailloux stated that the driveway permit approval was part of the DRC comments which is incorporated as a condition of approval.

D. MacGuire also noted that he performed a comparison study of the impervious surface on the property yielding almost identical results which are noted on the plan.

J. Trottier reviewed the requirements of the pavement striping with D. MacGuire.

J. Trottier made a motion to grant approval of the Minor Site Plan for a change of use to allow retail vehicle sales, Tax Map 13 Lot 97 at 7 Rockingham Road, Zoned C-II, Henry Nguyen (Owner & Applicant) in accordance with the plans prepared by the Dubay Group, Inc., dated December 20, 2016, and last revised January 20, 2017, with the precedent

conditions to be fulfilled within 120 days of the approval and prior to plan signature, and the general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memo, dated February 21, 2017.

R. Canuel seconded the motion.

The motion was granted, 3-0-0.

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

PRECEDENT CONDITIONS

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

1. All DRC comments shall be addressed.
2. The Applicant shall provide the Owner's signature on the plans.
3. The Applicant shall provide a digital (electronic) copy of the complete final plan sent to the Town at the time of signature by the Board in accordance with Section 2.05.n of the regulations.
4. Financial guaranty for proposed improvements to the satisfaction of the Department of Public Works.

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

GENERAL AND SUBSEQUENT CONDITIONS

All of the conditions below are attached to this approval.

1. **No construction or site work for the site plan may be undertaken until the pre-construction meeting with Town staff has taken place, filing of an NPDES-EPA Permit (if required) and the site restoration financial guaranty is in place with the Town.** Contact the Department of Public Works to arrange for this meeting.
2. The project must be built and executed exactly as specified in the approved application package unless modifications are approved by the Planning Division & Department of Public Works, or if staff deems applicable, the Planning Board.
3. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting

information between documents, the most recent documentation and this notice herein shall generally be determining.

4. All site improvements and off-site improvements must be completed prior to the issuance of a certificate of occupancy. In accordance with Section 6.01.d of the Site Plan Regulations, in circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Division may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning Division & Public Works Department, when a financial guaranty (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within six (6) months from the issuance of the certificate of occupancy, or the Town utilize the financial guaranty to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. **No other improvements shall be permitted to use a financial guaranty for their completion for purposes of receiving a certificate of occupancy without prior Planning Board approval.**
5. As built site plans must to be submitted to the Public Works Department prior to the release of the applicant's financial guaranty.
6. It is the responsibility of the Applicant to obtain all local, state, and federal permits, licenses, and approvals which may be required as part of this project (that were not received prior to certification of the plans). Contact the Building Division at extension 115 regarding building permits.

The Committee and D. MacGuire further discussed the process and requirements of the pavement striping.

J. Trottier made a motion to adjourn the meeting at 9:17 a.m.

R. Canuel seconded the motion.

The motion was granted, 3-0-0.

These minutes were prepared by Associate Planner Laura Gandia.

Respectfully submitted,



Colleen Mailloux, AICP, Town Planner