

**LONDONDERRY PLANNING – MINOR SITE PLAN REVIEW COMMITTEE (MSRC) PUBLIC HEARING – APRIL 11, 2017**

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

Town Planner Mailloux called the meeting to order at 9:00 a.m. for the following application:

**Application Acceptance and Public Hearing for a formal review of a minor site plan change of use from a four bedroom residential home to a three bedroom residential home and a separate professional office space with associated site improvements, 118 Rockingham Road, Map 16, Lot 82, Zoned C-II, JMJ Properties, LLC (Owner & Applicant)**

Town Planner Mailloux stated that no waivers were required for this project, and there were no outstanding checklist items. She recommended that the application be accepted as complete.

**Member J. Trottier made a motion that the MSRC accept the application as complete per the Staff's Recommendation memo dated April 11, 2017.**

**Member R. Canuel seconded the motion.**

**The motion was granted, 3-0-0.**

Eric Mitchell, Eric C. Mitchell & Associates, Inc., 106 South River Road, Bedford, New Hampshire, presented for the applicant and provided an overview of the project. He explained that there is an existing house located on the property and the intent is convert the existing four bedroom house to a three bedroom home with professional office space (using one bedroom as professional office space). He added that there will be two parking spaces in the front of the building to service the house, the pavement will be removed on the south side of the building and the property will tie into public sewer. He offered for the record the New Hampshire Department of Transportation driveway permit approval. He added that the building size is not changing and there will be additional landscaping performed including the addition of a tree in the front and some additional shrubbery. He pointed out the entrances to the residence and to the office.

J. Trottier asked about the public sewer connection. Jean Gagnon of JMJ Properties, LLC, stated that the existing tank is five feet underground and a manhole was put on top of it. He noted that the system is working fine according to the previous owner. R. Canuel asked if the plan is to connect to sewer. J. Gagnon stated that the plan is to connect in anticipation of future expansion. J. Trottier expressed concerns over connecting to sewer with the main line and pipe sizes, and suggested that the property be serviced by the existing septic noting the requirement of a NHDOT permit for the connection. He suggested that any reference to sanitary sewer be removed from the plans due to the complexity of that connection and the lack of information to determine if the pipes are properly sized.

Town Planner Mailloux asked for public input and there was none.

**Member J. Trottier made a motion to grant approval of the Minor Site Plan for a change of use from a four bedroom residential home to a three bedroom residential home with separate professional office and associated site improvements, Tax Map 16 Lot 82 at 118 Rockingham Road, Zoned C-II, JMJ Properties, LLC (Owner & Applicant) in accordance with the plans prepared Eric C. Mitchell & Associates, Inc., dated February 9, 2017, and last revised March 21, 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 April 11, 2017 2017 with the additional precedent condition that any reference to the sanitary sewer be removed from the plans with a note added to the plan that the property will be serviced by the existing septic, and the sewer connection and details shall be removed from the plan.**

**Member 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 NHDOT driveway permit approval number be noted on the plan.
4. 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.
5. 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.

These minutes were prepared by Laura Gandia, Associate Planner.

Respectfully submitted,



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Colleen Mailloux, AICP, Town Planner  
Londonderry Minor Site Plan Review Committee