

LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF JANUARY 4, 2023, AT THE MOOSE HILL COUNCIL CHAMBERS

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Jake Butler, Secretary; Giovanni Verani, Ex-Officio – Town Manager; Deb Paul, Ex-Officio – Town Council; Jeff Penta, member; Jason Knights, alternate member; Roger Fillio, alternate member; and Ted Combes, alternate member

Also Present: Kellie Caron, Assistant Town Manager/Director of PED; John Trottier, Director of Public Works and Engineering; Laura Gandia, Associate Planner; and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. He appointed T. Combes to vote for A. Sypek, R. Fillio for L. Wiles and J. Knights for A. Chiampa.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member J. Butler made a motion to approve the minutes of December 7, 2022, as presented.

T. Combes seconded the motion.

The motion was granted, 7-0-1, with J. Penta abstaining. The Chair voted in the affirmative.

Member J. Butler made a motion to approve the minutes of December 14, 2022, as presented.

J. Penta seconded the motion.

The motion was granted, 7-0-1, with R. Fillio abstaining. The Chair voted in the affirmative.

B. REGIONAL IMPACT DETERMINATIONS: Town Planner Walsh informed the Board that she had four projects for their consideration this evening.

1. Application for design review of a site plan for the proposed development of a 264 dwelling unit multi-family residential development with associated parking and amenities, Michels Way (Map 10 Lot 41, Zoned AR-1 &

Woodmont Planned Unit Development (PUD)), Pillsbury Realty Development, LLC (Owner) and WP East Acquisitions, LLC (Applicant)

2. Application for design review of a site plan amendment for the construction of a proposed 3,116 SF bank with drive thru, associated parking and site improvements, 66 Gilcreast Road (Map 7 Lot 66, Zoned C-I), Chase Bank (Applicant) and Gilcreast Road Realty Trust (Owner)

3. Application for a Conditional Use Permit (CUP) for 1,800 SF of temporary wetland impact and 3,996 SF (wet) and 4,331 SF (stream) of temporary wetland buffer impact for the proposed Scobie Substation T30, T90, N124 and B172 Structure Replacement Project for work within the Conservation Overlay District for the proposed replacement of existing optical ground wire along the existing Transmission Line Right of Way (ROW), Five Brewster Road (Map 13 Lot 110, Zoned AR-1) Public Service Company of New Hampshire d/b/a Eversource Energy (Owner & Applicant)

4. Application for design review of a subdivision plan for a proposed 19 lot subdivision consisting of five (5) single family residential lots and a conservation subdivision consisting of thirteen (13) single family residential lots and one (1) open space lot, 116 South Road into (Map 4 Lot 57, Zoned AR-1), Brook Hollow Corp. (Owner & Applicant)

Member J. Butler made a motion that these projects are not of developmental impact.

T. Combes seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

C. Discussion with Town Staff:

Chairman Rugg asked how the culvert by the airport was going. J. Trottier replied that it is done for the season and will start up again in the spring time. K. Caron informed the Board that she is working on putting together a review of the design review process to have as a future workshop session with the Board. L. Gandia thanked A. Rugg for his work on the Town Report.

III. Old Business

A. Public hearing on an application for formal review of a lot line adjustment plan to adjust the lot line between Seven Chartwell Court, Map 3 Lot 45-61, Zoned AR-1 and 11 Greeley Road, Map 3 Lot 165-1, Zoned AR-1, Diana F. Wolters Rev. Trust (Owner & Applicant) – continued from the December 14, 2022 meeting

Chairman Rugg read the case into the record noting that the applicant has requested the case be continued until March 8, 2023.

J. Butler made a motion to continue the public hearing on an application for formal review of a lot line adjustment plan to adjust the lot line between Seven Chartwell Court, Map 3 Lot 45-61, Zoned AR-1 and 11 Greeley Road, Map 3 Lot 165-1, Zoned AR-1, Diana F. Wolters Rev. Trust (Owner & Applicant) until March 8, 2023

J. Knights seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the application is continued until March 8, 2023, at 7 p.m., and this would be the only formal public notice.

IV. New Plans

A. Public hearing on an application for formal review of a subdivision of Tax Map 28, Lots 010-0, 014-0, 014-009 and 004-1, creating a total of four lots. One Highlander Way (Map 28 Lots 10, Zoned C-II, IND-II and Airport Overlay District) and Four Sparkes Ave (Map 28 Lot 14, Zoned IND-II and Airport Overlay District), City of Manchester (Owner) and Benton Family Trust (Applicant)

Chairman Rugg read the case into the record. J. Trottier informed the Board that there are no outstanding checklist items and staff recommends that the application be accepted as complete.

J. Butler made a motion to accept the application as complete per Staff's Recommendation Memorandum dated January 4, 2023.

T. Combes seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

Chairman Rugg informed the applicant that the 65-day time clock has started. Robert Duval, P.E., from TF Moran, Inc., 48 Constitution Drive, Bedford, NH, as well as Michael Benton, applicant, addressed the Board. Chairman Rugg asked for background on the lots in question. M. Benton told the Board that in 1995 the property existed as one lot and two parking lots, with the larger property owned by Gael Terra Associates. He went on stating that he purchased the property from FDIC with a 100-year lease for one dollar a year, which was for the land underneath the building and referenced the rendering R. Duval brought this evening for the Board. Chairman Rugg asked if M. Benton purchased the lease. M. Benton replied that he purchased the lease and the building. Chairman Rugg asked if the land still remained the city of Manchester. M. Benton replied that the land was owned by Gael Terra Associates at that time. He added that there were two other parcels that he leased from the city of Manchester for parking at that time. He noted that this is pre-reconfiguration of the access way. He commented that in

2001 the access road development began and the two lots were reconfigured and moved, but they still maintained the lease. He said at that time they took the lease for 50 years and added additional land to the reconfiguration of the lease. He mentioned that in 2012, they put five million dollars back into the property, worked with the airport and extended the outdoor tennis court area, a pool area, and a small strip that has since gone away. He said that they have five lots that they are asking for subdivision. He explained that in 2012, they went through the complete subdivision approval, but they received leased lot approval, and did not understand the difference between the two until this year. R. Duval interjected that they received site plan approval, not subdivision approval. He went on noting that when the airport decided not to extend one of the runways, Peter Morgan and Gael Terra Associates sold their interest in his lease property in 2005, and at that point the city of Manchester acquired the lease. He remarked that about a year and a half ago, the airport director approached him, and asked if he was interested in buying the lot. He said that he told the airport director he was interested in the lot and the four other lots as well. He pointed out that the airport director had no objections to the purchase and told him that he needed FAA approval. He stated that in January of 2022, they went to the Manchester alderman Board and received their approval. He said at that time they entered a purchase and sale agreement, which required them to get subdivision approval of the leased lots. He noted that they applied in April of 2022, for the variances, but there was some confusion regarding the leased lots. He added that they applied in October of 2022 for the variances again and went before the Zoning Board of Adjustment (ZBA) last month for which they granted all the variance requests. R. Duval told the Board that in order to complete the sale, since the lots are currently leased, a subdivision has to be approved this evening. He reviewed the rendering he brought to the Board this evening pointing out that there are three parent lots, which are being subdivided to create one lot that they are calling the Executive club lot. He went on stating that they are creating a second lot, which they are calling the tennis court lot. He mentioned that the Benton family currently has the lease interest in the parcels in question, but in order to complete the sale and buy the parcels from the city of Manchester with FAA approval, he needs the subdivision to be approved. He added that FAA approval expires next month. He explained that they are not proposing any improvements, and all the conditions that exist out there today will exist in the same way in the future. He said that it is a change of ownership from the city of Manchester to the Benton family.

Chairman Rugg opened up the discussion to the Board. J. Trottier reviewed the four waiver requests as follows:

1. Waiver to section 4.12.C.15 of the subdivision regulations to allow use of existing wetland delineation shown without engaging with a wetland scientist to recertify the prior delineation. Staff supports the granting of this waiver as there is no proposed development associated with the subdivision at this time.
2. Waiver to section 4.12.C.22 of the subdivision regulations to not perform additional survey of the existing site utilities. Staff supports the granting of

this waiver as the information is provided on the topographic plan based on record plans and there is no proposed development associated with this subdivision at this time.

3. Waiver to section 4.17.A.26 of the subdivision regulations to not provide an SCS soil survey on the topographic/high intensity soil study (HISS) plan. Staff supports the granting of this waiver as partial SCS soil mapping has been included on the plans based on information available on the reference plans and there is no proposed development associated with this subdivision at this time.

4. Waiver to section 4.12.C.18 of the subdivision regulations to not show all setbacks and applicable buffers on the boundary plan. Staff supports the granting of this waiver as the setbacks are noted in the plan notes and the addition of labels on the plan would decrease legibility for recording, there is no proposed development associated with this subdivision at this time.

He noted that they support the waiver requests mostly because there are no improvements being proposed at this time. He reviewed the remaining design review items with the Board. K. Caron told the Board that they received all their variance requests last month and she will discuss the rezoning ordinance with the applicant. G. Verani asked for the frontage on the tennis court lots. R. Duval replied that this was one of the variances that was granted, noting the access is via Highlander Way. G. Verani asked if Highlander Way easement from the city of Manchester. M. Benton replied that there is a road by the old parking lot.

Chairman Rugg asked for public input and there was none.

Chairman Rugg brought the discussion back to the Board.

J. Butler made a motion to grant the applicant's requests for four waivers from sections 4.12.C.15, 4.12.C.22, 4.17.A.26, and 4.12.C.18 per Staff Recommendation Memorandum dated January 4, 2023.

T. Combes seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

J. Butler made a motion to grant conditional approval of the subdivision of Tax Map 28, Lots 010-0, 014-0, 014-009 and 004-1, creating a total of four lots. One Highlander Way (Map 28 Lots 10, Zoned C-II, IND-II and Airport Overlay District) and Four Sparkes Ave (Map 28 Lot 14, Zoned IND-II and Airport Overlay District), City of Manchester (Owner) and Benton Family Trust (Applicant), in accordance with plans prepared by TF Moran, dated November 17, 2022, with the precedent conditions to be fulfilled within two years and prior to plan signature, and general and subsequent

conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated January 4, 2023.

T. Combes seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

"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. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works staff recommendation dated January 4, 2023 and Design Review comments dated January 4, 2023.
2. The Owner's signature shall be provided on the plans.
3. The proposed Map and Lot numbers be verified with Assessing and updated on the plan, if necessary.
4. Draft easements shall be provided to the Town, reviewed for acceptance by the Town and shall be recorded at the Rockingham County Registry of Deeds, concurrent with the recording of the plans.
5. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.06.n of the Subdivision Regulations.
6. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.
7. The Applicant shall note all general and subsequent conditions on the plan sheet to be recorded.
8. The Applicant shall note the approval of all variances and waivers on the plans including date granted.
9. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional approval.
10. Financial guarantee to be provided to the satisfaction of the Department of Engineering & Environmental Services.

11. Final planning and engineering review.

PLEASE NOTE – If these conditions are not met within two (2) years of the meeting at which the Planning Board grants 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 subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.

2. The project must be built and executed 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. 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 Division at extension 115 regarding building permits.

5. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.

V. Other

A. Public hearing on changes to the scoring criteria for the Capital Improvement Plan (CIP). The proposed criteria can be viewed online or during business hours in the Planning & Economic Development Department (continued to the January 11, 2023 meeting)

J. Penta made a motion to continue the public hearing on changes to the scoring criteria for the Capital Improvement Plan (CIP). January 11, 2023.

R. Fillio seconded the motion.

The motion was granted, 8-0-0. The Chair voted in the affirmative.

Chairman Rugg noted that the application is continued until January 11, 2023, at 7 p.m., and this would be the only formal public notice.

Chairman Rugg informed the Board that Jeff Penta and Lynn Wiles have requested reappointment to the Southern New Hampshire Planning Commission (SNHPC).

J. Butler made a recommendation to reappoint Lynn Wiles and Jeff Penta to their respective positions at the Southern New Hampshire Planning Commission.

T. Combes seconded the motion.

The motion was granted, 7-0-1, with J. Penta abstaining. The Chair voted in the affirmative.

VI. Adjournment

Member R. Fillio made a motion to adjourn the meeting at approximately 7:32 p.m. Seconded by J. Butler.

The motion was granted, 8-0-0.

The meeting adjourned at approximately 7:32 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,

Name: Jake Butler

Title: Secretary

These minutes were accepted and approved on February 8, 2023, by a motion made by A. Syper and seconded by J. Penta.

STAFF RECOMMENDATION

To: Planning Board

Date: January 4, 2023

From: Kellie Caron, Assistant TM | Director of Economic Development

John R. Trottier, PE, Director of Engineering & Environmental Services

Application: Application for formal review of a subdivision of Tax Map 28, Lots 010-0, 014-0, 014-009 and 004-1, creating a total of four lots. One Highlander Way (Map 28 Lots 10, Zoned C-II, IND-II and Airport Overlay District) and Four Sparkes Ave (Map 28 Lot 14, Zoned IND-II and Airport Overlay District), City of Manchester (Owner) and Benton Family Trust (Applicant).

- Completeness: There are no outstanding checklist items. Staff recommends that the Application be accepted as complete.

Board Action Required: Motion to accept the application as complete per Staff's Recommendation Memorandum dated January 4, 2023.

- Waivers: There are four waivers being requested for this project.
 1. Waiver to section 4.12.C.15 of the subdivision regulations to allow use of existing wetland delineation shown without engaging with a wetland scientist to recertify the prior delineation. Staff supports the granting of this waiver as there is no proposed development associated with the subdivision at this time.
 2. Waiver to section 4.12.C.22 of the subdivision regulations to not perform additional survey of the existing site utilities. Staff supports the granting of this waiver as the information is provided on the topographic plan based on record plans and there is no proposed development associated with this subdivision at this time.
 3. Waiver to section 4.17.A.26 of the subdivision regulations to not provide an SCS soil survey on the topographic/high intensity soil study (HISS) plan. Staff supports the granting of this waiver as partial SCS soil mapping has been included on the plans based on information available on the reference plans and there is no proposed development associated with this subdivision at this time.
 4. Waiver to section 4.12.C.18 of the subdivision regulations to not show all setbacks and applicable buffers on the boundary plan. Staff supports the granting of this waiver as the setbacks are noted in the plan notes and the addition of labels on the plan would decrease legibility for recording, there is no proposed development associated with this subdivision at this time.

Board Action Required: Motion to grant the applicant's requests for four waivers from sections 4.12.C.15, 4.12.C.22, 4.17.A.26, and 4.12.C.18 per Staff Recommendation Memorandum dated January 4, 2023.

- **Recommendation:** Based on the information available to date, Staff recommends that the Planning Board **CONDITIONALLY APPROVE** this application with the Notice of Decision to read substantially as follows:

Board Action Required: Motion to grant conditional approval of the subdivision of Tax Map 28, Lots 010-0, 014-0, 014-009 and 004-1, creating a total of four lots. One Highlander Way (Map 28 Lots 10, Zoned C-II, IND-II and Airport Overlay District) and Four Sparkes Ave (Map 28 Lot 14, Zoned IND-II and Airport Overlay District), City of Manchester (Owner) and Benton Family Trust (Applicant), in accordance with plans prepared by TF Moran, dated November 17, 2022, with the precedent conditions to be fulfilled within two years and prior to plan signature, and general and subsequent conditions of approval to be fulfilled as noted in the Staff Recommendation Memorandum, dated January 4, 2023.

“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. The Applicant shall address all appropriate items from the Planning & Economic Development Department/Department of Public Works staff recommendation dated January 4, 2023 and Design Review comments dated January 4, 2023.
2. The Owner’s signature shall be provided on the plans.
3. The proposed Map and Lot numbers be verified with Assessing and updated on the plan, if necessary.
4. Draft easements shall be provided to the Town, reviewed for acceptance by the Town and shall be recorded at the Rockingham County Registry of Deeds, concurrent with the recording of the plans.
5. The Applicant shall provide a digital copy of the complete final plan to the Town prior to plan signature by the Planning Board in accordance with Section 2.06.n of the Subdivision Regulations.
6. The Applicant shall provide checks for LCHIP and recording fees, made payable to the Rockingham County Registry of Deeds.

7. The Applicant shall note all general and subsequent conditions on the plan sheet to be recorded.
8. The Applicant shall note the approval of all variances and waivers on the plans including date granted.
9. Outstanding third-party review fees, if any, shall be paid within 30 days of conditional approval.
10. Financial guarantee to be provided to the satisfaction of the Department of Engineering & Environmental Services.
11. Final planning and engineering review.

PLEASE NOTE – If these conditions are not met within two (2) years of the meeting at which the Planning Board grants 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 subdivision may be undertaken until a pre-construction meeting with Town staff has taken place, filing of an NPDES – EPA Permit (if required), and posting of the appropriate financial guaranty with the Town.** Contact the Department of Public Works to arrange the pre-construction meeting.
2. The project must be built and executed 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. 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 Division at extension 115 regarding building permits.
5. Prior to issuance of a certificate of occupancy, all site improvements and off-site improvements, if any, shall be completed.

DESIGN REVIEW COMMENTS

Project Name: Executive Health Club Subdivision

Location: 1 Highlander Way, Map 28 Lots 10 & 14

Date: January 4, 2023

Planning Department

1. Cover sheet, General Information – please update the ‘applicant and prepared for’ to the applicant listed on the application submitted to the Town.
2. Please correct sheet numbers and sheet titles to remove repetitive numbers and accurately reflect the sheet. For example, Proposed Subdivision, Sheet 4 – does not reflect a subdivision, should be labeled topographic plan.
3. Please update planning board signature block per section 4.03 of the regulations.
4. Please provide revision block per section 4.04 of the regulations.
5. Please provide surveyor’s certification block on appropriate sheets per section 4.17
6. Please provide a plan note stating the existing and proposed use per section 4.11 of the regulations.
7. Please provide a note and label detailing the area of the subject parcels (existing and proposed) per section 4.11 of the regulations.
8. Please provide a tax map sketch plan or detail showing proposed lot configuration per section 4.15 of the regulations.
9. Please provide boundary of entire property by metes and bounds per section 4.12.C and 4.17.A of the regulations.
10. Please provide the metes and bounds of the proposed lot configuration per section 4.12.C.3 and 4.17.A of the regulations.
11. Please provide boundary monuments per section 4.12.C.4 and 4.17.A of the regulations.
12. Please provide existing street information per section 4.12.C.6 and 4.17.A of the regulations.
13. Please provide the source and datum of topographic information per section 4.17.A.24 of the regulations.

14. Please provide at least one benchmark per sheet and per five acres of total site area per section 4.17.A.25 of the regulations.
15. Please clarify matchlines as indicated on sheets 2-7.
16. The existing lot area for parcel 28-14 does not reflect the existing total lot area according to assessing data and previous plan sets. The existing lot area is approximately 117 acres. Please clarify.
17. The proposed lot area for parcel 28-10 does not appear to be accurate. Please explain calculation and/or revise.
18. The proposed lot area for proposed parcel 10-1 does not appear to be accurate. Please explain calculation and/or revise. Additionally, this parcel will require a new ID as parcel 10-1 exists.
19. The Town of Londonderry Ordinance #2019-04 (rezoning) was intended to rezone a portion of (approximately 14 acres) parcel 28-14 on the west side of Raymond Weiczorek Drive conditioned upon approval and recording of a plan separating the westerly portion of parcel 28-14 from the easterly, airside operations parcel. This plan does not show a lot line adjustment or subdivision formally separating these areas. If the intent is to proceed with the rezoning, a revision to this plan will be required separating the areas or a separate application should be filled in the future.

Assessing Department

20. Parcel ID and Street Address will remain the same for 28-14-0, 4 Sparks Ave.
21. Assessing records have the acreage for parcel 28-14-0 as 117.971 acres.
 - a. The existing acreage on the plan is 15.498 acres and the proposed is 13.867 acres. Please clarify the discrepancy.
 - b. Where are the 1.631 acres between the existing and proposed being taken from and what parcel are they being added to?
22. Please provide a deed with book and page containing owner of record and deeded acres for parcel 28-14-0.
23. It appears parcel 28-14-0 has been affected by the development of Raymond Wiczorek Drive. Please clarify the existing shape compared to the new shape of the parcel and where it ends along Raymond Wiczorek or the airport access road.
24. Parcel ID and Street Address will remain the same for 28-10-0, 2 Highlander Way.
25. Assessing records have the acreage for parcel 28-10-0 as 30.951 acres.

26. Please provide a deed with book and page containing owner of record and deeded acres for parcel 28-10-0.
27. Parcel ID 28-10-4 is available and can be assigned to the new parcel. The developer will need to propose a street name and address.
28. The proposed acreage for parcel 28-10-4 is 2.204 acres. Please clarify where these acres are coming from.
29. Please clarify who the owner of record will be for parcel 28-10-4.
30. Parcel ID 28-10-1 (existing lot) and street address 3 Highlander Way will remain the same.
31. Assessing records have the acreage for parcel 28-10-1 as 0.777 acres.
- a. Parcel 28-10-1 does not seem to be addressed in the plans.
 - b. Measures larger than 0.777 acres. Please clarify where these acres are coming from.
32. Please clarify who the owner of record will be for parcel 28-10-1.
33. Please clarify if there are existing condominium documents for parcel 28-10-1, so the parcel can be assessed properly.
34. Proposed parcel 28-10-1/1 Highlander Way is a total of 6.183 acres. It appears to be merging parcel 28-4-1, 28-10L3, 28-14-9, 28-10C-1, 28-10-C-3, and 28-10C-4.
35. Proposed parcel 28-10-1 will require a new parcel ID as 28-10-1 exists. Assessing proposes parcel ID 28-10-2. The address will remain 1 Highlander Way.
36. Proposed acreage for 28-10-1 is 6.813.
- a. Please provide the breakdown of existing acres on each lot being merged as well as the current owners of each parcel.
 - b. Need to know if the acreage on any of the four lots being merged will affect any parcels not being merged into this parcel.
37. For proposed lot 28-10-1, who owns the land and are the condos going to remain? If the condos remain, are there existing condominium documents?

Conservation Commission

38. No comment

Fire Department

39. No objection to the proposed subdivision at this time.

Police Department

40. No concerns.

Sewer

41. Proposed changes do not involve municipal sewer.