

The Planning Board for the Town of Derry held a public meeting on Wednesday, January 3, 2024, at 7:00 p.m. The meeting was broadcast from the Derry Municipal Center, 14 Manning Street, Third Floor meeting room, with a virtual option.

Members present: David Nelson, Vice Chair, Randy Chase, Town Administrator's Representative, Dave Granese, Town Council Liaison, Bryan Fishman, Alternate, Dan Healey, Chris Feinauer, Richard Malaby, Members.

Absent: Andy Myers, Secretary, Jim MacEachern, Town Council Liaison (Alternate), John Morrison, Lisa Carvalho, Planning Clerk

Also present: John O'Connor, Chair*, George Sioras, Planning Director; Caroline Wilson, Town Planning Secretary, Mark L'Heureux, Town Engineering Coordinator.

*Indicates virtual attendance.

Mr. Nelson opened the meeting at 7:00 p.m. The meeting began with a salute to the flag.

Mr. Nelson stated that Bryan Fishman is seated for Mark Connors and that he is seated as Chair Pro Tem this evening. Mr. Nelson stated that Mr. O'Connor will recuse himself on the Ashleigh Drive plan as Mr. O'Connor is a direct abutter. Mr. Malaby will serve as Secretary in Mr. Myers' absence.

Escrow

#24-01

Project Name: Bridgeway Christian Church

Developer: Same

Escrow Account: Same

Escrow Type: Letter of Credit

Parcel ID/Location: 03117-025, 148 Rockingham Road

The request is to renew Letter of Credit #49719-3, drawn on Enterprise Bank, in the amount \$7,387.20 for the above noted project. The expiration date shall be December 12, 2024. The staff recommends approval.

Motion by Granese, seconded by Malaby to approve as presented.

All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes. Mr. O'Connor abstained.

The motion passed.

#24-02**Project Name: Hyla Brook Wedding Venue****Developer: Hyla Brook Land Holdings****Escrow Account: Same****Escrow Type: Performance Bond****Parcel ID/Location: PID 3110, 140 Rockingham Road**

The request is to amend and renew Performance Bond #0826665, issued by IFIC Surety for the above noted project in the amount of \$259,070.40. The expiration date shall be October 31, 2024. Staff recommends approval.

Motion by Granese, seconded by Malaby to approve as presented.

All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, O'Connor, Nelson, vote Yes.
The motion passed.

#24-03**Project Name: Birch Street Subdivision****Developer: 71 Birch Street, LLC.****Escrow Account: Same****Escrow Type: Letter of Credit****Parcel ID/Location: 28-001 & 002, 3 Eden Street/71 Birch Street**

The request is to establish a Performance Bond #66803256, issued by Western Surety Company for the above noted project in the amount of \$34,764.50. The expiration date shall be November 2, 2024.

The request is to renew Letter of Credit #82410756, drawn on Haverhill Bank in the amount \$40,911.25 for the above project. The expiration date will be December 14, 2024. The staff recommends approval.

Motion by Granese, seconded by Malaby to approve as presented.

All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, O'Connor, Nelson, vote Yes.
The motion passed.

Minutes

The Board reviewed the minutes of the December 6, 2023, meeting.

Motion by Granese seconded by Malaby to approve the minutes of the December 6, 2023, meeting. Roll Call vote: Chase, Healey, Granese, Fishman, Feinauer, Nelson, vote Yes. Malaby and O'Connor abstained.
The motion passed.

Correspondence

There is no Correspondence.

Other Business

Mr. Sioras welcomed Caroline Wilson to the position of Town Planning Secretary.

Planning Director/Chairman Updates

Mr. Nelson stated that there is a joint meeting of the Zoning Board, the Planning Board and the Conservation Commission on Thursday, January 5, 2024, to act on an application for special exception to encroach on the 75 foot wetland buffers in order to complete a project. State statute requires that the Board be notified. Mr. Nelson will Chair the section that has to do with the wetland. All members of the Planning Board are welcome to attend and participate. Mr. Feinauer will make efforts to attend.

Mr. Sioras stated that the meeting is for a house lot on Collette's Grove Road that is on the prime wetland buffer. When working within the 150 foot outer buffer, these three Boards are required to give input. The ZBA will vote on the application.

Public Hearing

Mr. Sioras stated that the following are a unique situation. Th Board had seen this Plan in the spring of 2023. The three are all the same development but must be taken in three applications as they are three separate parcels. The first Plan is regarding the subdivision. The approval that was given by the Board in the spring of 2023 has lapsed and is being resubmitted to do the two lots at the end of Ashleigh Drive. One lot will have a frontage on Ashleigh Drive and the second lot will have a frontage on Scobie Pond Road. This is the first Plan.

The second application will be an actual Site Plan for the warehouse building on Ashleigh Drive and the third application will be for the warehouse building on Scobie Pond Road.

There are three Staff Reports and the Board will vote on each.

A public hearing to discuss Ashleigh Development, LLC, PID 08017, 37 Scobie Pond Road, Acceptance/Review, 2 lot Subdivision Plan, Extension of cul de sac and associated drainage.

Mr. Sioras stated that the Planning Board approved the Plan on May 3, 2023. The approval expired and the applicant has resubmitted the Plan. Two Site Plans will follow this application. All Town departments have reviewed and signed the Plan. There are no waiver requests. Staff would recommend approval on the Subdivision. The Developer is Chris McCarthy, who is present. Tim LaPorte is on the engineering team on the project and is also in attendance.

Mr. Sioras recognized Chris McCarthy.

Chris McCarthy with Ashleigh Development LLC is joined by his wife, Sharon McCarthy. He stated that they are joined by Carl and Tim of the Dubay Group available to answer questions.

Mr. Nelson asked if there are any changes to the Plan since it was last approved.

Mr. McCarthy stated there are no changes to the Subdivision Plan.

Accept Jurisdiction

Motion by Granese, seconded by Malaby to accept jurisdiction of the site plan before the Board for Ashleigh Development, LLC, PID 08017, 37 Scobie Pond Road.
Roll Call vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

Determination of Regional Impact

Motion by Granese, seconded by Malaby, pursuant to RSA 36:56, the Board finds the proposal as presented at this time meets the definition of a development of regional impact.
Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote No, as this development DOES NOT meet the definition of a development of regional impact.

Motion to open the public hearing by Granese, seconded by Malaby.
All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

The **Public Hearing** is now open.

Two participants via phone were recognized and raised no comment and there were no online requests.

Motion to close the public hearing by Granese, seconded by Malaby.
All in favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

The **Public Hearing** is now closed.

Finding of Facts

The Board finds the proposed plan provides safe and efficient vehicular access in the design and construction of the cul de sac extension and meets the Town Regulatory standards.

Motion to agree with the above noted findings of fact by Granese, seconded by Malaby.
Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

Approve pursuant to

Motion by Granese, seconded by Malaby, to approve pursuant to RSA 676:4 III – Expedited Review, with the following conditions:

1. Comply with the Vanasse Hangen Brustlin report (VHB).
2. Subject to owner's signature.
3. Subject to on-site inspection by the Town Engineer.
4. Establish escrow for the setting of the bounds and certify the bounds have been set.
5. Establish appropriate escrow as required to complete the project.
6. Submission of an 11x17 sheet, confirming fire prevention and the Assessing Department have assigned parcel IDs and addresses.
7. Obtain written approval from the Planning Director/designee that the GIS disk is received and is operable and it complies with LDCR Section 170-24-C.
8. Confirmation from Eversource Energy that they do not consider the extension of the cul de sac to be a permanent structure located in their easement area.
9. Remove the Planning Board signature block from all sheets with the exception of sheet 3.
10. Subject to the receipt of applicable State and local permits related to the project.
11. Conditions precedent shall be met within six months.
12. Submission of the appropriate recording fees payable to the Rockingham County Registry of Deeds. This includes the \$25.00 LChip fee, recording fees for the mylar and Notice of Decision.

Mr. Nelson asked Mr. McCarthy if 6 months is reasonable to complete this project.

Mr. McCarthy replied in the affirmative.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

A public hearing to discuss Ashleigh Development, LLC, PID 08017, 41 Ashleigh Drive, Acceptance/Review, Site Plan, 400,000 SF warehouse/office building.

Mr. Sioras stated the purpose of the Site Plan is for a 400,000 SF warehouse/office building with associated parking, loading areas and landscaping. The parcel is located in the Industrial 3 District. All Town departments have reviewed and signed the Plan. There are no waiver requests. NH DES Alteration of Terrain application has been submitted with a copy in the file. Staff would recommend approval of the Site Plan application.

Mr. McCarthy requested of the Board, given that these are two separate applications on one parcel and are interrelated, that he provide comments that would cover both applications.

Mr. Nelson replied in the affirmative, with the proviso that there will be detailed votes on each. Mr. McCarthy thanked the Town Staff and the Highway Safety and Conservation committees, Bev Donovan in particular who assisted in this opportunity.

This is the property at the end of the Asleigh cul de sac that goes to Scobie Pond Road. It is 62 acres of land. There has been much work done from an engineering standpoint on this land in the past 18 months. This land he believes to be extremely attractive and valuable to the development plan because of its exceptional location with proximity to Exit 4A and is the last buildable lot within the original industrial park. It has Town water, sewer, natural gas and electric infrastructure. It is in the Derry Commercial corridor and the Economic Revitalization and believe it to be a great asset for the Town of Derry. The plan is to subdivide this into 7.5 acre and 55 acre parcels. Regarding the 55 acre parcel, the Ashleigh parcel, they have worked with the abutters, both commercial and residential, to devise a plan that makes the most sense and is an overall better product. They will be putting 23 acres into a conservation easement to protect the wetlands and provide a degree of separation with the residential neighborhood, which is to the Northeast. We will build a warehouse on the Ashleigh site that has an approximately 375,000 square footprint and a mezzanine for an office area, bringing the total area to 400,000 square feet. A Class A, high bay warehouse. This is not an "Amazon distribution center" or a high traffic user such as that. That has been an issue that we addressed with TRC.

There are currently 3 existing rights-of-way connecting this parcel with the residential neighborhoods above them: Old Coach and Arrowhead and Don Mack. They will be giving up these rights-of ways. They will not require them from the conservation land. They are approximately 23 acres. They will also be more than doubling the required buffers. By zone, they are required to have a 50 foot buffer and at the narrowest will have 100 feet. Based on feedback from the closest abutters on Don Mack we have slid the building further south to provide an additional 100 feet of separation between where the building will start and the property lines. We have hired a lighting engineer and changed the lighting design. In addition to doing Dark Skys we have taken the Walmart lights off the building and put them on a pole aiming towards the building and away from the residential area. We have kept all the loading docks to one side of the building so that trucks will not be traversing behind the building in proximity to the residential area. Employees cars will be able to travel behind the building, but the 18-wheelers will be restricted from travelling behind the building. We hired VHB as our traffic engineer and they provided full traffic analysis including traffic counts and existing roadways and the pending access to Exit 4A. We are fortunate to as Ashleigh Drive was built to accommodate this capacity, as well as the light at Manchester Road and easy access to Exit 4A. We hired an economist to review the fiscal benefits to the Town. This land has sat unutilized and is currently \$13,000.00 to \$14,000.00 annual property taxes. The economist reviewed not only the property taxes but also the impact on municipal services. It is over \$630,000.00 in annual tax revenue with little impact on municipal services. There are no school impacts whatsoever. Mr. McCarthy provided the Board with copies of the economist's report.

Motion to add the Fiscal Review for the project just received in hand, by Granese, seconded by Malaby.

All in Favor: Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The materials were accepted.

Mr. McCarthy stated that this report considers other comparable industrial properties in Southern NH, by square footage, looking at Police, Fire and EMT calls and producing averages. The

report references FedEx and UPS locations with higher traffic, higher employee count so those numbers may be a bit of an outlier, but overall, the expectation of emergency use municipal services is very low.

Regarding the conservation component, the land does include some wetlands. In addition to filing our AOT application with State DES we have also had two meetings regarding the Dredge and Fill application. We have hired GOV Associates as our Environmental Consultant, an engineering firm working in partnership with the Dubai Group to help us with this Plan. Wherever there are higher quality wetlands we have made efforts to put those into the Conservation Easement. We are not touching the vernal pools. There have been several meetings with the Conservation Commission including an extended site walk. They were supportive of our plan and complimentary of the landscape design package. We have further DES meetings. If we are fortunate to receive your conditional approval, we will continue working with GOV and State DES on our Dredge and Fill application as well as any comments they have on our AOT application.

They have recently received the VHB review comments from the Town. We met with the Dubai group and ran through their issues. They believe they can come back very quickly to the Town and Dubai Group's satisfaction with those items.

Mr. Sioras stated that he had a couple of questions from abutters on the Conservation Easement and requested a quick overview from Mr. McCarthy.

Mr. Nelson indicated sheets 79 and 80.

Mr. McCarthy indicated the Ashleigh Drive extended cul de sac under the power line easement with Eversource. The higher quality wetlands are on the right hand side between the lot and Old Coach Road. As part of the Conservation Easement there is an existing Eversource easement that will never be developed. It is a trail system for wildlife. The easement will extend beyond to incorporate the buffer zone on the parcel going toward Don Mack and around the back of the building going toward Scobie Pond Road, running adjacent to the Eversource power lines. There is a vernal pool there that will be under the Conservation Easement, 29.63 acres in total of the 55 acre Ashleigh lot.

Accept Jurisdiction

Motion by Granese, seconded by Malaby, to accept jurisdiction of the site plan before the Board for Ashleigh Development, LLC, PID 08017, 41 Ashleigh Drive. Roll Call vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes. The motion passed.

Determination of Regional Impact

Motion by Granese, seconded by Malaby, pursuant to RSA 36:56, the Board finds the proposal as presented at this time meets the definition of a development of regional impact.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote No, as this development DOES NOT meet the definition of a development of regional impact.

Motion to open the public hearing by Granese, seconded by Malaby.

All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

The **Public Hearing** is now open.

No one was recognized and there were no online requests.

Mr. John O'Connor of 13 Arrowhead Road, Derry NH, commended the developer for keeping his word to the abutters. There are bears, deer and other wildlife that will be impacted by this Conservation area. Mr. O'Connor is fully supportive of this project.

Motion to close the public hearing by Granese, seconded by Myers.

All in favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

The **Public Hearing** is now closed.

Architectural Design Regulations

Motion by Granese, seconded by Malaby, to find pursuant to LDCR 170-85, that the application as presented demonstrates substantial compliance with the Architectural Design Regulations. This property is located in the Industrial 3 District and meets a Medium High level of compliance as outlined in Section 170-84. The goal of this District is to enhance the quality of the Town's Industrial parks.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

Mr. Nelson asked for the hours of arrival and departure of the trucks at the site.

Mr. McCarthy replied that the facility would have staff 24 hours/day. Most of the work would be done during the first shift. They do not have exact times. Their development partner has indicated a willingness to work with the Town regarding when shifts start. A truck schedule is not available at this time.

Mr. Nelson commented that in the wintertime, these diesel powered tractor trailers tend to be left idling when the weather is very cold. Is that likely to be a practice at this facility?

Mr. McCarthy responded that the developer is willing to work with the Town on this policy but does not have a definitive answer at this point. They have been environmentally good stewards, and he is happy to revisit this issue.

Mr. Nelson recalled that there was a much smaller scale plan where this issue came up. He inquired of Mr. Sioras whether the Board put conditions on this issue in previous plans.

Mr. Sioras believes that the Town monitored the situation with the applicant working with Code Enforcement to provide data. The Walmart Superstore was likely the closest and made deliveries during the 3 shifts. The Walmart Superstore has been there approximately 15 years and we have not had issues. If the abutters have issues, they are instructed to call Code Enforcement or the Town Planning Department. We will work with the abutters whether the issue is noise, smell, or lighting.

Mr. Nelson stated that if the developer is willing to work with the Town on this issue, that is sufficient. As to the Conservation Deed, who is that in favor of?

Mr. McCarthy replied that the Conservation Easement will be drafted in favor of the Town. They discussed with Conservation regarding how they would like this to be arranged and they deferred to the time when this is approved by Town staff. The Conservation Easement would be a recorded instrument and if there is a template that the Conservation or Town Staff would like to use, that would not be an issue.

Mr. Sioras stated that in his Staff report on the motions he included Recorded Conservation Deed and Easement Plan. At that point perhaps the wording can be added, "Subject to Conservation and legal review by Town Attorney." Then they would finalize the wording and record the document.

Mr. Chase stated that any trucks that are more than 5 years old cannot idle for more than 5 minutes. This is the EPA standard unless they are an emergency or public works vehicles. This limit is built into the emissions systems of the truck.

Mr. Chase asked if the center section of the roundabout is a low curb so that semis trying to navigate to the left will not be bumping up against a rigid curb.

Mr. L'Heureux replied that it is a wider circle with some green space and a lower curb on the outside rim. It consists of completely of asphalt for future maintenance. There is not the standard 8" riser.

Mr. Granese asked for confirmation that there are 45 bays.

Mr. McCarthy replied that the total will be 50 bays with additional slips. They do not envision using most of those slips and they will be temporary snow storage.

Mr. Granese asked how many businesses will be going in.

Mr. McCarthy replied that it is designed for one, but could potentially accommodate more than one, up to three, depending on how the building is subdivided.

Mr. Granese asked if Mr. McCarthy knows who would be added.

Mr. McCarthy replied that he cannot disclose this information. It would be a Class A high bay. It is state of the art and uses automation with up to 40 foot height for stacking. Other business would come before the Town in due course. It would be a non-high volume distribution center. It would be a logistical headquarters for Northern New England getting distribution into Canada. They are not calling for refrigerant at this time.

Finding of Facts

The Board finds the proposed plan does not alter the existing conditions which would affect access to the lots, ensuring the health, safety, and welfare of the neighborhood remains unchanged as a result of the site plan. The proposed development would allow for the ongoing development and expansion of the Town's Industrial Parks as outlined in the goal in the 2020 Master Plan.

The development project would provide for an expansion of the Town's tax base, providing employment opportunities, and bring additional revenues for the Town.

Motion to agree with the above noted findings of fact by Granese, seconded by Malaby.
Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

Mr. Granese commented that he believes this is a great project and good for the tax base. The project will bring more people to Derry for employment, shopping and utilizing the Town's restaurants. This is a great use for that site.

Approve pursuant to

Motion by Granese, seconded by Malaby, to approve pursuant to RSA 674:44 – Site Plan Review, with the following conditions:

1. Subject to owner's signature.
2. Subject to on-site inspection by the Town Engineer.
3. Establish appropriate escrow as required to complete the project.
4. Submission of a recorded Conservation Deed and/or Easement Plan adding "and review by Town Attorney and Conservation Commission for the final wording for the document to be recorded."
5. Obtain written approval from the Planning Director/designee that the GIS disk is received and is operable and it complies with LDCR Section 170-24-14-C.
6. Subject to addressing comments in the VHB Engineering report.

7. Subject to conditions outlined by Mr. Mark L'Heureux, Chief Public Works Engineer, email dated November 28, 2023, to the applicant and the Planning Department Staff, addressing technical items and comments.
8. Conditions precedent shall be met within twelve months.

Mr. Nelson asked Mr. McCarthy if 6 months is reasonable to complete this project.

Mr. McCarthy replied that his only reservation is that they still have State permits with Dredge and Fill outstanding. His experience with DES has been that it tends to take a bit longer. The applications have been submitted. Respectfully, if it can be allowed to go out to 12 months with the approval, that would be significant. They will move as fast as possible, but this is out of their control.

Mr. Sioras stated that the Board gives 6 months automatically. At that time the Board would automatically give an additional 6 months. The Board may change this time frame if they wish.

Motion to remove "Conditions precedent shall be met within six months" and replace it with "Conditions precedent shall be met within twelve months." by Granese, seconded by Malaby.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

A public hearing to discuss Ashleigh Development, LLC, PID 08017-001, 37 Scobie Pond Road, Acceptance/Review, Site Plan, 60,400 SF warehouse/office building.

Mr. Sioras stated the purpose of the Site Plan is for a 60,400 SF warehouse/office building with associated parking, loading areas and landscaping. The parcel is located in the Industrial 3 District. All Town departments have reviewed and signed the Plan. There are no waiver requests. NH DES Alteration of Terrain application has been submitted with a copy in the file. Staff would recommend approval of the Site Plan application. The Board has Mr. Sirois's comments for conditions of approval.

Mr. McCarthy stated that this parcel is the 7.5 acres on Scobie Pond Road. It is cleaner in that while we do have AOT State Permit, there is no Dredge and Fill nor is there the Conservation Easement. We have identified a user in large part to the efforts of Bev Donovan and they are hoping to move forward with them. Our intention is to move forward with this property while we are waiting for and working with State permitting for the Ashleigh property.

This building is a total of 60,000 square feet. It is a 50,000 square foot footprint with offices and mezzanine above it. It was designed with a specific user in mind. They have 4 bays and some outside slips and outside storage areas. They are relatively low volume. Mr. McCarthy has worked with Highway Safety and TRC. We will be restricting 18-wheelers so they will not be going past the power lines into the residential areas. We have worked with the Fire Department to provide emergency access through this parcel to access the larger building. This is a gated access OptiCom component. This will be a locked gate separating the two parcels that can be accessed by emergency services.

Accept Jurisdiction

Motion by Granese, seconded by Malaby, to accept jurisdiction of the site plan before the Board for Ashleigh Development, LLC, PID 08017-001, 37 Scobie Pond Road.

Roll Call vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

Determination of Regional Impact

Motion by Granese, seconded by Malaby, pursuant to RSA 36:56, the Board finds the proposal as presented at this time meets the definition of a development of regional impact.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote No, as this development DOES NOT meet the definition of a development of regional impact.

Motion to open the public hearing by Granese, seconded by Malaby.

All in Favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

The **Public Hearing** is now open.

No one was recognized and there were no online requests.

Motion to close the public hearing by Granese, seconded by Malaby.

All in favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

The **Public Hearing** is now closed.

Architectural Design Regulations

Motion by Granese, seconded by Malaby, to find pursuant to LDCR 170-85, that the application as presented demonstrates substantial compliance with the Architectural Design Regulations. This property is located in the Industrial 3 District and meets a Medium High level of compliance as outlined in Section 170-84. The goal of this District is to enhance the quality of the Town's Industrial parks.

Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.

The motion passed.

Mr. Nelson believes there is a Zoning District element to this package.

Mr. Sioras responded that these 2 properties are District 3 Zoning District. The power lines separate District 4 from District 3.

Mr. Nelson inquired as to what is across Scobie Pond from number 37.

Mr. Sioras stated that it is District 4. District 4 is everything from the Police Station, up Manchester Road to Walmart and Ocean State Job Lot to the Londonderry line. Scobie Pond Road is District 4. It is zoned as District 3 from the power lines to the cul de sac. There are some different uses in those two zones.

Mr. Granese noted page 78 of 80. What is the office side made of?

Mr. McCarthy replied that has the appearance of granite. The building is a structural steel frame with insulated metal wall panels. They are quite creative with the overall design. The idea is to dress up the front entrance of the office area.

Finding of Facts

The Board finds the proposed plan does not alter the existing conditions which would affect access to the lots, ensuring the health, safety, and welfare of the neighborhood remains unchanged as a result of the site plan. The proposed development would allow for the ongoing development and expansion of the Town's Industrial Parks as outlined in the goal in the 2020 Master Plan.

The development project would provide for an expansion of the Town's tax base, providing employment opportunities, and bring additional revenues for the Town.

Motion to agree with the above noted findings of fact by Granese, seconded by Malaby.
Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

Mr. Nelson asked Mr. McCarthy if 6 months is reasonable to complete this project.

Mr. McCarthy replied in the affirmative.

Approve pursuant to

Motion by Granese, seconded by Malaby, to approve pursuant to RSA 674:44 – Site Plan Review, with the following conditions:

9. Subject to owner's signature.
10. Subject to on-site inspection by the Town Engineer.
11. Establish appropriate escrow as required to complete the project.
12. Subject to conditions outlined by Mr. Mark L'Heureux, Chief Public Works Engineer, email dated November 28, 2023, to the applicant and the Planning Department Staff, addressing technical items and comments.
13. Subject to addressing comments in the VHB Engineering report.
14. Obtain written approval from the Planning Director/designee that the GIS disk is received and is operable and it complies with LDCR Section 170-24-14-C.
15. Conditions precedent shall be met within six months.

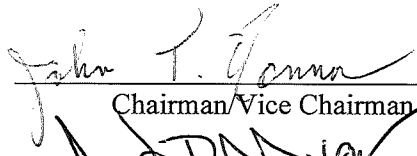
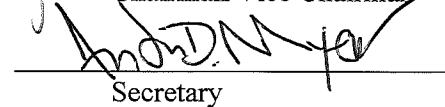
Roll Call Vote: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed.

Mr. McCarthy asked if they will be required to have Conditional Use Permit Authorization as well for these two plans.

Mr. Sioras responded they will not.

Motion by Granese, seconded by Myers, to adjourn.
All in favor: Chase, Healey, Granese, Fishman, Feinauer, Malaby, Nelson, vote Yes.
The motion passed and the meeting was adjourned at 8:04 p.m.

Approved by:


Chairman/Vice Chairman

Secretary

Approval date: 2-07-2021 1-17-2024
Date signed Approval Date