



Town of Merrimack, New Hampshire

Community Development Department
6 Baboosic Lake Road
Town Hall - Lower level - East Wing

603 424-3531
Fax 603 424-1408
www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MERRIMACK PLANNING BOARD VIRTUAL MEETING APPROVED MINUTES TUESDAY, OCTOBER 20, 2020 7:00 P.M.

Due to the COVID-19 crisis, and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Planning Board is authorized to meet electronically.

As stated on the agenda, the meeting was aired live on Merrimack TV and the Merrimack TV Facebook Live page (<http://www.facebook.com/merrimacktv>). Telephone access was available for members of the public wishing to speak during the Public Hearing or provide public comment. Also identified on the agenda was the opportunity for general public comment to be submitted leading up to the start of the meeting via email to CommDev@MerrimackNH.Gov.

Members of the Board and Town Staff were participating via Zoom. In accordance with RSA 91-A: 2 III, each member of the Board was asked to state, for the record, where they were, and who, if anyone was with them.

1. Call to Order

Robert Best called the virtual meeting to order at 7:03 p.m. and read the procedures & processes for the virtual meeting. He appointed Nelson Disco to vote for Lynn Christensen.

Roll Call:

- Robert Best (Chair) stated he was present at his office in Concord and alone in the room he was in.
- Alastair Millns (Vice Chair) stated he was present at home and alone in the room he was in.
- Paul McLaughlin stated he was present at home and alone in the room he was in.
- Neil Anketell stated he was present at home and alone in the room he was in.
- Councilor Bill Boyd (Ex-Officio) stated he was present at home and alone in the room he was in.
- Nelson Disco (Alternate) stated he was present at home and alone in the room he was in.

Members Absent:

- Lynn Christensen

Staff Present: Tim Thompson, Community Development Director (alone and participating remotely from his home in Concord)

2. Planning & Zoning Administrator's Report

The Board voted 6-0-0 by roll call vote to determine that the Executive Building Systems, Inc. site plan is not of regional impact, on a motion made by Bill Boyd and seconded by Nelson Disco.

3. Continued Public Hearing – Zoning Ordinance Amendments – The Planning Board will consider amendments to the Zoning Ordinance, pursuant to RSA 675:6 and 675:7. The general purpose of the amendments is to address repeated ordinance administration and/or enforcement tasks (Definitions, ordinance references, Home Occupations, dimensional requirement clarifications, travel trailers, references and modifications to ensure compliance with the State Building Code, signs) as well as amend the ordinance by updating and reformatting the Telecommunications Tower section (full details located in the notice of public hearing and with the Community Development Department). **This item is continued from the September 1, 2020 Planning Board meeting.**

**The minutes outline the discussion points only. The full list of proposed changes is available on the Town's website at:*

https://www.merrimacknh.gov/sites/g/files/vyhlf3456/f/news/proposed_zo_amendments_1020_20_public_hearing.pdf

Tim Thompson shared the presentation he prepared on the Zoning changes with the Board and explained that the presentation only covers the items that were questioned during the September 1, 2020 meeting. He also added that if anyone wanted to take a look at any of the changes that were not questioned, they could do so as well.

Section 2

- Section 2.02.1.A.1
 - Clarified language, adding word “not” before “permitted accessory uses.”
- Section 2.02.1.A.2.c
 - Added reference to barbers in addition to hair salons.
- Section 2.02.6.1
 - Corrected semicolon errors.

Section 11

- Previously proposed Sections 11.20 – 11.23
 - Deleted sections for the Driveways, Fire Dept. Access Roads and Fire Lanes, as the requirements for these sections appear better suited for the Site Plan (and potentially Subdivision) Regulations.
 - As such, these deleted subsections will be proposed at an upcoming meeting as amendments to the Regulations rather than to the Zoning Ordinance (which would allow the Planning Board waiver ability, which would not have existed if the sections were left in the Zoning Ordinance).
- Renumbered Section 11.23
 - Due to deletions, this section now covers House number requirements.
- Renumbered Section 11.24
 - Due to deletions, this section now covers sanitary facilities at public swimming pools.

Nelson Disco asked if the Fire Department is in agreement with the proposed changes to section 11 and Tim confirmed that they are.

Section 17

- Section 17.07.4
 - Revise the time & temperature exemption such that it can change every 15 seconds.

New Section 17.08.3

- Creation of new section dealing with temporary signage for Special Events.

- Section 17.10.10.a
 - Fixed typo, corrected language reads “10 minutes.”

There was no public comment.

The Board had no issues or concerns with the changes so Tim Thompson walked everyone through the process of accepting the changes which begins with vote by the Board to recommend the adoption of the amendments to the Town Council. From there, the Council will follow their process of 3 readings and a public hearing on the proposed amendments. The final decision on the adoption of any Zoning amendment rests with the Council in accordance with the Town Charter and State law.

The Board voted 6-0-0 by roll call vote to recommend adoption of the proposed zoning amendments to the Town Council, on a motion made by Alastair Millns and seconded by Nelson Disco.

- 4. Granger Revocable Trust (applicant/owner)** - Continued review for acceptance and consideration of final approval for a two lot subdivision. The parcel is located at 225 Naticook Road in the R-4 (Residential, by soils) District, Aquifer Conservation, and Wellhead Protection Areas. Tax Map 2B, Lot 034. Case # PB2020-11. **This item is continued from the June 16, July 21, August 18, and September 15, 2020 Planning Board meetings.**

The Board discussed the fact that this agenda item has been continued several times and Tim Thompson explained that the owners are trying to get approval from the city of Nashua to tap into their sewer system but are not getting a response. The suggestion was made that the project be tabled until the sewer problem is resolved and Chairman Best agreed that the applicant should be made aware that they eventually need to move forward with or without a response from Nashua and mentioned that the abutters have had to follow this project for almost 6 months now. Tim Thompson suggested that the applicant be advised that if they continue any further abutters will need to be re-notified at their expense, the Board was in agreement with this suggestion.

At the applicant's request, the Board voted 6-0-0 by roll call vote to continue both the application's acceptance and public hearing to November 10, 2020 (and that any further continuances will require re-notification of abutters at the applicant's expense), on a motion made by Bill Boyd and seconded by Nelson Disco.

- 5. Bowers Landing of Merrimack II, LLC. (applicant/owner)** - Continued review for consideration of final approval for a site plan to construct 72 multi-family residential units in Phase VII of the Harris Pond Planned Unit Development. The parcel is located off Bowers Landing Drive in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 1D, Lot 001-04. Case #PB2020-16. **This item is continued from the August 18, and September 15, 2020 Planning Board meetings.**

Tim Thompson explained that an abutter notification error was identified when a resident of the phase VI portion of this project reached out to staff with some questions about the development. At that point it was discovered that the residents of the latest phase (that purchased condominium units) were not notified as abutters (only the developer, as the owner of the underlying lot, and that a condominium association has not yet been formed). He further explained that the project needs to now start over which means any decisions that were already made (including the acceptance) are not valid.

This application was removed from consideration due to an abutter notice error. The project will be resubmitted and re-noticed at a future meeting.

- 6. John Flatley Company (applicant/owner)** - Continued review for acceptance and consideration of a Site Plan to construct 100,000 square feet of research & development/warehouse in 3 proposed buildings and associated site improvements, per the requirements of the Flatley Mixed Use Conditional Use Permit. The parcel is located at 685 Daniel Webster Highway in the I-1 (Industrial) district and the Aquifer Conservation and Wellhead Protection Areas. Tax Map 6E, Lot 003-04. Case #PB2020-19. **This item is continued from the September 1, and October 6, 2020 Planning Board meetings.**

Chair Robert Best Recused himself from items 6 & 7. Alastair Millns assumed the Chair.

Vice Chairman Millns reminded the Board that the last time this project was discussed it was continued because staff was awaiting feedback regarding stormwater concerns and asked Tim Thompson to provide an update to the Board. Tim Thompson explained that the town (specifically Community Development and DPW) has concerns about stormwater as it relates to the EPA MS4 permit requirements. The NH Department of Environmental Services (DES) is recommending an underground detention and treatment system that contradicts with the town's Site Plan Regulations and Chapter 167 of the Town Code. Additionally, staff just received the required building renderings and traffic impact analysis via email and has not had a chance to review them. Due to these reasons, staff is recommending that the project not be accepted as complete at this time and be continued to November or December.

Nelson Disco stated that he agrees with the recommendation to not accept the project at this time as he does not see a resolution of the stormwater issues any time soon. Councilor Boyd asked for clarification on what DES was requesting. Tim Thompson explained that due to the PFAS contamination, the State does not want to see any surface drainage storage and treatment and are requesting it to be underground. Since the proposed design will not maintain or decrease the peak rate of runoff from the property this type of design does not meet the several of the Town's regulations and would require waivers and staff is not comfortable making recommendations on any waivers until they know the impacts to the MS4 permit.

Chad Branon, (Fieldstone Land Consultants) spoke on behalf of the applicant regarding the project. Mr. Branon stated that they worked with DES, and the Hazardous Waste and Alteration of Terrain Bureaus on the stormwater design before submitting the application to ensure it meets State standards. Mr. Branon continued to explain that after reviewing the design with Town staff they learned that there are concerns with the design not meeting the EPA MS4 standards. The applicant is currently in the process of working with the EPA to get documentation to show that the site is not included in the Town's MS4 permit since it is a privately owned parcel and will not be discharging to any of the Town's MS4 infrastructures. Mr. Branon further explained that they cannot proceed with their Federal and State approvals until they receive feedback from the Planning Board regarding the layout and design features. Mr. Branon went onto explain that due to PFAS, DES does not want anything being filtered back into the ground which is why the underground system was designed to flow into the brook.

Tim Thompson thanked Mr. Branon for his update on the project and remarked that although he does agree that the Public Hearing needs to happen soon, he feels it cannot be done until the staff has had the opportunity to review the traffic analysis and building renderings. Councilor Boyd asked for clarification on the need for Planning Board feedback prior to requesting the State and Federal approvals and asked if this is something DES requested. Mr. Branon clarified that DES did not request that Planning Board feedback be received prior to applying for the necessary permits. That decision was made by the applicant to avoid having to alter any of the permits after the fact if recommendations were made by the Board that impact the layout. Councilor Boyd stated he also has questions on how ground contaminates are going to be handled on the site and Mr. Branon responded by sharing a couple of the discussions that have taken place during the planning phase of the project but ultimately concluded that all of the details will be shared once the application is accepted.

Due to the complexity of this project, Councilor Boyd asked if an implementation matrix could be used to help track the project from start to finish. Tim Thompson stated that he would work with DPW to put together a project timeline.

Discussions continued about the specifics of the stormwater system and then Councilor Boyd suggested that the Board hear comments from the public. Tim Thompson interjected and explained that procedurally the Board should not solicit public feedback until the application has been accepted as complete.

The Board voted 5-0-0 by roll call vote to continue both the application's acceptance and public hearing to November 10, 2020, on a motion made by Neil Anketell and seconded by Bill Boyd.

7. **John Flatley Company (applicant/owner)** - Review for acceptance and consideration of a Site Plan to construct a 120,000 sq.ft. warehouse/distribution building. The parcel is located at 703 Daniel Webster Highway in the I-1 (Industrial) District and Aquifer Conservation area. Tax Map 6E, Lot 003-05. Case #PB2020-25.

Withdrawn by the Applicant.

Robert Best resumed as Chair.

8. **10 Henry Clay Drive, LLC (applicant/owner)** - Review for consideration of an amendment to a previous approved Site Plan regarding sidewalks and lighting. The parcel is located at 10 Henry Clay Drive in the I-1 (Industrial) District. Tax Map 2D, Lot 041-13. Case #PB2020-24.

Tim Thompson provided an overview of the project by explaining that this site is home to a crematorium that was last in front of the Planning Board in 2012 with a site plan to expand the building. Since that time, several administrative approvals have been granted to alter the existing building; however the latest request (to alter the lighting plan and eliminate a sidewalk) requires a waiver from the Board so it was not able to be done administratively. Tim Thompson concluded by reminding that Board that the matter of completeness does not need to be taken up for this project because it is an approved plan that the applicant is seeking to amend.

Chad Branon, (Fieldstone Land Consultants) outlined the changes being requested starting with the lighting plan. Mr. Branon explained that the approved plan calls for pole lighting throughout the site and the applicant is now requesting that wall mounted lights be allowed instead. Mr. Branon referenced the new lighting plan that was submitted with the application and conveyed that the new plan will allow for sufficient lighting in the parking lots. Mr. Branon went on to explain that the majority of the site work has been completed and the curbing along Henry Clay

Drive was added, however they are seeking a waiver for construction of the sidewalk that was originally required. The sidewalk would offer little in the way of functionality given the use and activity of the dead end road and the vegetation strip would also be difficult to maintain.

Chairman Best asked if the requested changes comply with the Site Plan Regulations and Tim Thompson interjected to remind the Board that this project is subject to the old Site Plan Regulations and not the current ones. Mr. Branon stated that he believes the changes are compliant with the old regulations. They then walked through the lighting plan together and discussed the areas of the parking lot that do not appear to be illuminated by the proposed lights. Mr. Branon explained that the section of the plan in question is part of phase 3 and once the building is constructed, the spaces not illuminated will be used for business vehicles to park. He added that there is not a security risk because the building is not in a shopping center and there are only customers in the lot when services are taking place and they generally park in front of the building. Tim Thompson suggested that the lighting plan does not take into account any ambient lighting. Chairman Best expressed concerns with the lack of lighting and Mr. Branon expressed that the applicant would be happy to install employee only parking signs in the spots in question. After confirming the angle of the lighting (downward facing) and the type of bulbs being used (LED), the discussion turned to the sidewalk waiver.

Mr. Branon explained that the original plan called for the sidewalk to be installed right up against the curbing however, since that time, DPW's construction standards have changed and they have now requested a grass panel in-between the curbing and the sidewalk. The applicant feels that with the topography and grading of the site make it difficult to construct the sidewalk in this location and furthermore, there is not sufficient pedestrian activity to warrant the need for a sidewalk.

Chairman Best took a moment to clarify that sidewalk requirements are determined by the Planning Board through site plan review and not DPW construction standards. The Board members then shared their views on the proposed changes and Mr. Branon answered some general questions about both the lighting plan and sidewalk waiver request.

There was no public comment.

The Board voted 6-0-0 by roll call vote to grant a waiver from Section 7.04.4.r (Sidewalks) of the former regulations on a motion made by Bill Boyd and seconded by Alastair Millns, citing that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

The Board voted 6-0-0 by roll call vote to grant conditional final approval to the amended site plan, on a motion made by Bill Boyd and seconded by Alastair Millns, with the following precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:

1. Final plans to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans as applicable.
2. Any waivers granted (including Section and date granted) and/or any changes requested by the Planning Board shall be listed and fully described on the final plan, as applicable.
3. The applicant shall address the following comments from the Public Works Department, as applicable:
 - a. The driveways shall be installed per the requirements of section 4.13.1 (of the current site plan regulations).

- b. This site plan was originally approved under the previous 2010 regulations; under section 7.04 (D) (20)(c) which requires “curbing on the driveway entrances shall be curbed from the edge of the highway to at least the end of the radii at the driveway throat.”
4. The applicant shall designate (through signage) employee/company vehicle parking only for the 3 most northerly parking spaces located to the northeast of the proposed southerly building addition.
5. The applicant shall address the following Planning Staff Technical Comments:
 - a. Please revise the Planning Board signature block to comply with Section 4.03 of the regulations.
 - b. b. Please add a note to the plan stating the proposed amendments are the purpose of the plan.

The following general and subsequent condition is placed on the approval:

1. Any general and subsequent conditions from the original approvals shall apply to this amended plan.

- 9. Executive Building Systems, Inc. (applicant) and Anmi Merrimack Realty, LLC (owner)**
Review for acceptance and consideration of a Site Plan to convert an existing building to office/warehouse use. The parcel is located at 25 Craftsman Lane in the R-1 (Residential, by soils), Aquifer Conservation District and Wellhead Protections Area. Tax Map 2A, Lot 005. Case #PB2020-23

Tim Thompson introduced the project by explaining that the applicant has an existing business in Merrimack that he is trying to relocate to 25 Craftsman Lane and has already received the appropriate approvals from the Zoning Board to allow commercial use in a residential district. He went on to explain that although the parcel is zoned residential, it has a long history of commercial use. He then took a moment to provide an update on a few items that have been received since the staff memo was created and advised the Board that with the addition of the new materials (a minor traffic analysis and illumination plan waiver request, staff is now in favor or accepting the application as complete and has no objections to granting final conditional approval.

Tom Burns, (TF Moran) presented the project on behalf of the applicant and began by providing an overview of the business and explaining that the applicant is seeking approval in order to expand the existing business and continue to grow within the community. Mr. Burns went on to explain that the building is being converted from the current use to office/warehouse space and talked about some of the proposed changes to the site, including the addition of parking spaces and the construction of a fence along the south and west boundaries of the property. He then addressed the two waivers that were submitted, one for parking and the other for lighting. The parking waiver is needed because although they are proposing to add 5 spaces, 10 of the 11 current parking spaces are considered off site and do not count into the 16 that are required. The waiver for the illumination plan is being requested because the applicant feels that the existing lighting is sufficient for the proposed use. The business does not operate at night and the parking is for employees only as customers do not visit the site. Mr. Burns then shared the site plan and walked the Board through the designs for the stormwater trenches that are being proposed to capture and mitigate any potential increase in stormwater run-off on the site.

The Board voted 6-0-0 by roll call vote to accept the application for review, on a motion made by Alastair Millns and seconded by Neil Anketell.

There was no public comment.

Chairman Best read the parking waiver into the record and the Board members then entered into general discussion about the waiver. The conversation was focused on the 10 parking spaces that are considered to be “offsite” and the width of Hall Ave. Tim Thompson clarified that Public Works is in favor of the waiver as there is very little traffic on Hall Ave and added that the parking spaces in question have been in existence for 50 or more years

The Board voted 5-1-0 by roll call vote to grant a waiver from Section 3.11 – Parking Standards on a motion made by Bill Boyd and seconded by Neil Anketell, citing that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations. Nelson Disco voted in opposition.

Chairman Best read the illumination waiver into the record and then opened up the discussion by stating he sees no problem with granting the waiver given the fact that the property has existed with the current lighting for years and the new use does not have a customer facing component. Councilor Boyd asked Mr. Burns for the hours of operation which he did not have on hand but confirmed that they are not open during the evening hours.

The Board voted 6-0-0 by roll call vote to grant waivers from Sections 3.13 – Outdoor Lighting Design and 4.16 – Illumination Plan on a motion made by Bill Boyd and seconded by Paul McLaughlin citing that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

The Board voted 5-1-0 by roll call vote to grant conditional final approval, on a motion made by Alastair Millns and seconded by Bill Boyd (Nelson Disco voted in opposition), with the following precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:

1. Final plans and mylars to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans and mylars.
2. The applicant shall obtain all required State approvals/permits as may be applicable (including NHDOT driveway permit updated for this proposal or verification from NHDOT that no permit amendment is necessary), note the approvals/permits on the plan and provide copies to the Community Development Department.
3. Any waivers granted (including Section and date granted) and/or any changes requested by the Planning Board shall be listed and fully described on the final plan, as applicable.
4. The applicant shall provide draft copies of any applicable legal documents for review, at the applicant’s expense, by the Town’s Legal Counsel.
5. The applicant shall address any forthcoming comments from the Fire Department as applicable.
6. The applicant shall address any forthcoming comments from Pennichuck Water, as applicable.

7. The applicant shall address the following comments from the Public Works Department, as applicable.
 - a. The driveway entrance off of Craftsman Lane shall follow Town of Merrimack's Driveway Standards under Subdivision Section 4.13.1 and an entrance detail provided. The driveway width on Craftsman Lane should be reduced to 24 feet with 25 foot radius. The grass area between the driveway entrance to the rear and the front parking spaces should be enlarged to provide more green space.
 - b. Under Section 3.08 Streets/Driveways there shall be a minimum sight distance of 400 feet in all directions along Craftsman Lane. The design engineer should contact NH DOT and review the NH Route 101A upgrading plans for changes being proposed to Craftsman Lane and Hall Avenue.
 - c. A Right of Way permit shall be obtained prior to any work being completed within the Right of Way of Craftsman Lane and Hall Avenue. This shall be noted on the plans.
 - d. Under section 3.11.k Curbing shall be added to the entrance off Craftsman Lane and the entrance to the loading dock along Hall Avenue. The entrances shall be curbed from the edge of the highway to at least the end of the radii at the driveway throat. Drainage shall not be allowed to flow into Craftsman Lane or Hall Avenue from these access points;
8. The applicant shall address the following Planning Staff Technical Comments:
 - a. Revise the Planning Board signature block to comply with Section 4.03 of the Site Plan regulations.
 - b. Revise the "Permits/Approvals" section on the Cover Sheet so that the recently approved Variances are noted.
 - c. Revise the vicinity plan on all applicable sheets so that the correct parcel is shaded in.
 - d. Correct the owner's address on the Cover Sheet and in note #1 on Sheet 3 from "316 Commerce Way" to "319 Commerce Way."
 - e. Update Fire Chief information on cover sheet to be Matthew Duke, Interim Fire Chief and delete Michael Carrier.
 - f. Revise note #3 under General Notes on Sheet C-2 from "own Planning Director" to "Community Development Department."
 - g. Revise "rightof" to "right of" under #2 in the Reference Plans section on Sheet 3.
 - h. Revise the labeling for the wood ramp and concrete loading dock on Sheet 3 so that it is more legible.
 - i. Please label the unidentified squares on the subject lot in the Existing Conditions Plan on Sheet 3.
 - j. Revise note #5 on Sheet 3 to list the R-1 (Residential, by soils) and Aquifer Conservation Districts.

- k. Revise the sheet number on Sheet 3 from "Sheet 3 of 10" to "C-3" to match the rest of the plan set.
- l. Revise note #4 on Sheet C-4 with the correct dimensional requirements (250' of frontage; 300' of depth per R-1 requirements and setbacks of 30' front, 15' side & 40' rear per legal nonconforming lot requirements). Please also note that the lot and building are legal nonconforming as of the Planning Board's signature on this plan.
- m. Correct the numbering for the notes on Sheet C-4 so that the first note is labeled as #1 and so that #3 is not skipped.
- n. Add signage per Section 3.11.i.3 of the Site Plan Regulations for the two accessible parking spaces to the plan on Sheet C-4 and corresponding details to the plan set.
- o. Add a Planning Board signature block to Sheets C-4 and C-6 per Section 4.03 of the Site Plan regulations.
- p. Per Section 3.11.l.8 of the Site Plan Regulations, add a note to the Site Layout Plan on Sheet C-4 that states, "No salt or chemical de-icers are to be used for winter maintenance, and winter maintenance shall be performed by a Green Sno-Pro certified contractor."
- q. Add a note to the Landscape Plan on Sheet C-6 that states that this lot is in both the Aquifer Conservation District and the Wellhead Protection Area and that only low phosphate, slow release nitrogen fertilizers shall be used per Section 3.09.c.8 of the Site Plan Regulations.
- r. Please add a note to Sheet C-6 to the plan regarding ongoing landscaping maintenance per Section 3.09.f.1.
- s. Please add a note to Sheet C-6 to the plan regarding tolerance of plants against roadway de-icing salts per Section 3.09.c.9.
- t. Add the note as written in Section 4.11.o.
- u. Add the note as written in Section 4.11.p
- v. Revise Sheet C-4 Note 21 to match language in Section 4.11.q.
- w. Staff notes existing utilities are not shown on the plans per Section 4.14.b.3 for the water system and 4.14.b.7 for telephone/electric/cable. Please provide their locations or request waivers from these sections

The following general and subsequent conditions are placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department.
2. The applicant shall submit an As-Built Plan prepared by a qualified professional (Professional Engineer or Licensed land Surveyor, registered/licensed in New Hampshire) to the Community Development Department prior to the issuance of a Certificate of Occupancy for the apartment building;

3. 3. Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant.

10. Discussion/possible action regarding other items of concern

Councilor Boyd mentioned that the Master Plan re-write will be happening soon and asked the Board for their views on creating specific rules regarding architectural review for the town. Chairman Best and Tim Thompson shared a few of their thoughts on the topic and Tim Thompson also noted for the Board that the update is not scheduled until Fiscal year 2024-2025. Nelson commented that there are still several things that need to be addressed on the current Master Plan, including the town wide sidewalk ordinance. Chairman Best suggested that the Board take an inventory of what is left to accomplish on the current plan.

11. Approval of Minutes — October 6, 2020

The Board voted 6-0-0 by roll call vote to approve the minutes of October 6, as drafted, on a motion made by Nelson Disco and seconded by Bill Boyd.

12. Adjourn

The Board voted 6-0-0 by roll call vote to adjourn at 9:50 p.m., on a motion made by Bill Boyd and seconded by Neil Anketell.