

**LONDONDERRY, NH PLANNING BOARD  
MINUTES OF THE MEETING OF APRIL 10, 2024  
AT THE MOOSE HILL COUNCIL CHAMBERS**

**Meeting Link:** <http://173.166.17.35/CablecastPublicSite/show/12480?channel=4>

**Members Present:** Jake Butler, Chair; Arthur Rugg, Vice Chair; Lynn Wiles, Secretary; Jeff Penta, Assistant Secretary; Ann Chiampa, member; Jason Knights, member; Shawn Faber, Town Council ex-officio; Jonathan Cruz, ex-officio; Tony DeFrancesco, alternate member; Roger Fillio, alternate member

**Also Present:** Kellie Caron, Assistant Town Manager/Director of Economic Development; J. Trottier, Director of Public Works & Engineering

**I. CALL TO ORDER**

Chair Butler called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

S. Farber was called away from the meeting.

**II. ADMINISTRATIVE BOARD WORK**

**A. APPROVAL OF MINUTES**

- **Member L. Wiles made a motion to approve the minutes of the March 6, 2024, Planning Board meeting as presented.**

**Member J. Knights seconded the motion.**

**The motion was granted, 7-0-1, with Member Faber abstaining.**

- **Member L. Wiles made a motion to approve the minutes of the March 13, 2024, Planning Board meeting as presented.**

**Member A. Rugg seconded the motion.**

**The motion was granted, 7-0-1, with Member Faber abstaining.**

**B. EXTENSION REQUESTS**

- **Member L. Wiles made a motion to approve the extension request for the Pettore site plan, Map 13, Lot 99, to June 12, 2024.**

**Member A. Rugg seconded the motion.**

**The motion was granted, 7-0-0.**

- **Member L. Wiles made a motion to approve the extension request for the Woodmont Commons Medical Office Building to July 1, 2024.**

**Member A. Rugg seconded the motion.**

**The motion was granted, 7-0-0.**

### **C. REGIONAL IMPACT DETERMINATIONS**

K. Caron reported that Staff determined the PUD before the Board is of regional impact and they have begun that process.

### **III. OLD BUSINESS**

- A. Public hearing on an application for formal review of a site plan to construct a 58,432 square foot warehouse and storage facility and associated site improvements, 88A Harvey Road (Planeview Drive), Map 14, Lot 17, Zoned IND-II, Patriot Holdings, LLC (Applicant) and VAB Properties, LLC (Owner). *Continued from January 10 and February 14, 2024.*

This item has requested continuance to May 8, 2024.

**Member L. Wiles made a motion to approve the request for continuance to May 8, 2024.**

**Member A. Rugg seconded the motion.**

**The motion was granted, 7-0-0.**

This is the only notice of this meeting.

- B. Public hearing on an application for formal review of a site plan for a 96-unit multi-family residential development and associated site improvements in the Multi-family Residential (R-III) District. 35 Gilcreast Road, Tax Map 7, Lot 118, Gilcreast Realty Holdings LLC. (Owner/Applicant). *Continued from March 6, 2024.*

This item has requested continuance to May 1, 2024.

**Member L. Wiles made a motion to approve the request for continuance to May 1, 2024.**

**Member A. Rugg seconded the motion.**

**The motion was granted, 7-0-0.**

This is the only notice of this meeting.

#### **IV. NEW PLANS/CONCEPTUAL PLANS**

- A. Public hearing on an application for a Conditional Use Permit (CUP) for 132,612 square feet of temporary wetland impacts, 10,472 square feet of permanent wetland impacts, 18,327 square feet of temporary wetland buffer impacts, and 11,422 square feet of permanent wetland buffer impacts for the replacement and maintenance of existing overhead transmission line structures located within the Conservation Overlay District in the existing T158 Transmission Line Right of Way (ROW) in the area of Page Road. Zoned AR-1 Public Service Company of New Hampshire d/b/a Eversource Energy (applicant).

**Member A. Rugg made a motion to accept the application as complete per Staff Recommendation Memorandum dated April 10, 2024.**

**Member L. Wiles seconded the motion.**

**The motion was granted, 7-0-0.**

This starts the public hearing and the 65-day time clock.

Kurt Nelson of Eversource and John Rollino of AECOM appeared before the Board to describe this project. They are replacing defective laminated wood pole structures and fiber optic communication cables. Based on DES permitting requirements, they will be conducting this project under a standard dredge and fill application.

They propose installation of permanent gravel access (rock fords) across some of the wetlands to provide unfettered access to the area around the Scobie Pond substation complex. These wetlands have suffered degradation from repeated vehicle passage or have been crossed by matting in the past. They hope to maintain the hydrology of the wetland on either side as much as possible by constructing the fords to grade.

K. Nelson noted the totals should be 132,612 temporary wetlands impact, 10,472 permanent wetlands impact, 18,327 temporary buffer impact, and 114,222 permanent buffer impact. K. Caron said the application was incorrect and confirmed these are the correct figures.

K. Nelson reported the Conservation Commission requested a plan showing where gates might be installed, which they will provide.

A member of the Commission also suggested paying into the Town's Conservation fund as mitigation for the disturbance in the right-of-way corridor. K. Nelson asked for guidance from the Town regarding a mechanism by which this could be done. K. Caron said her understanding was that this was the beginning of a conversation; the Board did not have to act on it at this point. She said the Commission recommended approval of the CUP.

Chair Butler asked for Board comment.

The Board asked about the life expectancy of the new poles and were told approximately 70 years. The old poles will be removed.

The Board commended Eversource on the quality of their work.

Chair Butler asked for public comment.

Ray Breslin, 3 Gary Drive, said this project will have a lot of impact on the Town, affecting vistas and wetlands. He said the suggestion to contribute to the Conservation fund should be considered. He said it would be reasonable to provide mitigation to the Town.

A. Rugg asked what he recommended for mitigation. R. Breslin said money or perhaps setting aside land. He said it is up to the Town to make this determination.

Chair Butler closed public comment.

Chair Butler asked what mitigation will be done to areas of temporary impact to restore them. J. Rollino said timber matting and seeding would be applied; the native vegetation usually reclaims the area relatively quickly.

Chair Butler supported establishing the condition of putting in gates per the recommendation of the Conservation Commission. He said there is merit in the discussion of the financial contribution; however, this is not the appropriate time to do this. He suggested Staff should look into creating a metric, if this is a direction the Town wants to move in.

T. DeFrancesco suggested seeding the gravel pads to speed the revegetation process.

**Member L. Wiles made a motion to grant approval of the Conditional Use Permit (CUP) with the added conditions as discussed for 132,612 square feet of temporary wetland impacts, 10,472 square feet of permanent wetland impacts, 18,327 square feet of temporary wetland buffer impacts, and 11,422 square feet of permanent wetland buffer impacts for**

193 **the replacement and maintenance of existing overhead**  
194 **transmission line structures located within the Conservation**  
195 **Overlay District in the existing T158 Transmission Line Right**  
196 **of Way (ROW) in the area of Page Road. Zoned AR-1 Public**  
197 **Service Company of New Hampshire d/b/a Eversource**  
198 **Energy (applicant).**  
199

200 **Member A. Rugg seconded the motion.**  
201

202 **The motion was granted, 7-0-0. Chair votes in the**  
203 **affirmative.**  
204

- 205 B. Public hearing on an application for formal review of the Village on  
206 Technology Hill Planned Unit Development (PUD) Master Plan.  
207 Londonderry Holdings, LLC (owner & applicant) Map 28 Lots 31-6, 29-2  
208 and Map 17 Lots 2, 5-3, 5-4, 5-5.  
209

210 **Member L. Wiles made a motion to accept the application as**  
211 **complete per Staff Recommendation Memorandum dated**  
212 **April 10, 2024.**  
213

214 **Member A. Rugg seconded the motion.**  
215

216 **The motion was granted, 7-0-0.**  
217

218 This starts the public hearing and the 65-day time clock.  
219

220 S. Farber returned to the meeting.  
221

222 Dick Anagnost, co-developer, and Nick Golon, TFMoran, appeared before  
223 the Board. D. Anagnost provided background on the project, which is a  
224 mixed-use development. He noted all infrastructure will be installed at  
225 one time up front. The tenants will primarily be clean manufacturing  
226 businesses owned by Ken and Grace Solinsky, including Envision  
227 Technology and OnPoint Systems. There will also be a residential  
228 component of 439 housing units, which will primarily service their  
229 employees. They plan to provide a childcare facility and a commercial  
230 building that would house neighborhood retail.  
231

232 Chair Butler asked for Staff input.  
233

234 K. Caron explained the PUD process and how this project has followed it  
235 to this point. She noted the steps still needed to be completed for this  
236 project to move forward.  
237

238 N. Golon thanked K. Caron and J. Trottier for their guidance through this  
239 process. He reviewed the project objectives, noting that they are striving  
240 to minimize their environmental impact on the property and create a

sustainable community. He described the proposed layout of the project and reviewed the stormwater management system. A traffic study has been done.

D. Anagnost said they appeared before the Heritage Commission and have incorporated elements that were recommended. They plan to utilize solar power on the site and have cleared this with the airport, to avoid potential issues with flight paths.

The Board expressed approval of the architectural design of the structures. A. Chiampa asked why they mixed Colonial and Contemporary designs. D. Anagnost said they were trying to pick up the Colonial history of the town, while providing a contemporary look.

The commercial building will be the first one built, to be utilized as a construction office and warehouse.

N. Golon reviewed the requested waivers from the Londonderry Zoning Ordinance:

1. Section 5.1.3.F: Provide up to 200 housing units per calendar year instead of 20. D. Anagnost explained the buildings would be built in sequence, coming online 8-10 weeks apart. They plan to provide housing for employees as the businesses are established. T. DeFrancesco noted phasing was originally instituted to protect the School District and the taxpayers from a sudden influx of children, but the year of site work will allow for planning. J. Knights said he expects more children than projected, due to the availability of childcare. J. Penta further discussed the impact of this PUD and schools and inquired about the results of the comparison study conducted by applicants of similar and recent Londonderry properties. D. Anagnost noted the project is tax positive. K. Caron said she and the Town Manager have been in contact with the School District regarding this project.
2. Section 6: Remove the formal CUP process with the Conservation Commission relating to the wetland impact buffers and Conservation Overlay District. They have developed the project to avoid wetland impacts and allow large blocks of land to remain in a vegetative state. In the approximately 110 acres, there is 950 square feet of wetland impact. The Conservation Commission has provided a letter of support.
3. Section 4.6.1: Modification of the Conservation Overlay District to construct a retaining wall as close as 5 feet to the edge of a jurisdictional wetland to preserve as much of the wetlands as possible.
4. Section 5.2.6: Waiver from identifying applicable zoning district use tables due to being a mixed-use development.
5. Section 5.1.7: Vehicle access and parking. Propose use of the ITE

Parking Generation Manual to calculate parking. J. Trottier noted these numbers are typically less than the Town requirements. D. Anagnost said there is parking overlap, as there are not workers and employees parking simultaneously.

6. Section 7.5: Request to utilize Section 2.9.B.19 of the PUD Master Plan to establish signage, which clarifies and expands the Town zoning ordinance.

7. Section 2: Request to utilize the PUD Master Plan definition regarding building height to permit a 50-foot tall building to include the parapet, solar panels, and stairwell roof access.

N. Golon reviewed the requested waivers from the Londonderry Site Plan Regulations:

1. Eliminate request to waive Design Standards and Requirements for Improvements, Sections 3.01a and 3.01c.
2. Modify Storm Drain System, Sections 3.07a.1, 3.07b.10, 3.07g.1, and 3.07h. They propose to meet state standards instead of Town standards. J. Trottier said further discussion is needed with N. Golon regarding these requests, as he believes the Town standards are appropriate.
3. Section 3.09, Vehicle Circulation, Parking, and Loading Standards: Use the ITE Parking Generation Manual to calculate parking. T. DeFrancesco noted the largest fire vehicle will be accessing this site. N. Golon said turning radius studies have been conducted and the roads are of an adequate size.
4. Section 3.10g, Mitigating the Impacts of Parking Lots, waive standards where they are in conflict with what has been proposed.
5. Section 3.12, Building and General Appearance Design Standards, remove future ambiguity from Town regulations.
6. Section 6.01c, Assurances for Completion and Maintenance of Improvements, Onsite Improvements, change wearing course to binder course.
7. Section 7.06d.3(ii), change wearing course to binder course.
8. Land Use Fee/Site Plan Fee: Staff recommended this.

N. Golon reviewed the requested waivers from the Londonderry Subdivision Regulations:

1. Strike items 1 and 2.
2. Regurgitation of the stormwater drain requirements.
3. Waive high intensity soil study.

N. Golon said they request using the total 110 acres to calculate the allowable number of residential units. J. Trottier noted seeing the calculation would be beneficial and the Board agreed.

J. Trottier asked that they ensure the proposed building height is in

conformance with the IBC.

N. Golon said, regarding the project meeting the performance standards, they feel the PUD was submitted in strict compliance with Section 5.2 of the zoning ordinance. He addressed concerns regarding vibration, noise, air pollution, and waste handling.

Chair Butler asked for Staff comment. J. Trottier asked for the opportunity to review N. Golon's revisions. K. Caron said they are in a better position to provide formal recommendations at the next meeting.

Chair Butler asked for Board comment. J. Knights asked if a sidewalk will run along Kitty Hawk Road. N. Golon said they will provide ease of access to the rail trail, but there are no offsite improvements.

A. Rugg clarified there was a conceptual discussion with the full Board, not the Chair as indicated. He asked for clarification regarding the traffic impact and access study performed and noted the intersections that will be impacted. The Board discussed how this study will be utilized. A. Rugg asked what role public transit will play and N. Golon said this is under consideration. A. Rugg noted the Southern New Hampshire Planning Commission will want to have input on this project.

Chair Butler asked for public comment.

Dave Robbins, 532 Mammoth Road, said this project will create a lot of traffic. He said infrastructure issues need to be addressed. He asked if the North Fire Station is adequately staffed to fight a residence fire in this industrial area. He asked about the impact on North School. He said these issues cannot be corrected in short order. He is concerned about the location of this development. He does not believe this property is conducive to supporting this development.

Ray Breslin, 3 Gary Drive, said the location of this development is of concern. He noted stormwater runoff, traffic problems, emergency service access, and delivery trucks accessing the development. He said the runoff will eventually go into the Merrimack River. He suggested more thought be put into important issues before projects like this are approved. The Board asked if there will be Town water and sewer in the development and N. Golon confirmed this. R. Breslin asked if the housing is only for employees. D. Anagnost said it is primarily to service employees, but it is market-rate housing. S. Faber asked if employees would have preference and D. Anagnost confirmed this.

Bob Merrill, 569 Mammoth Road, referred to the definition of an industrial park in the Town Master Plan. He said traffic issues need to be considered. He said the building height should be restricted to 35 feet for fire safety. He asked who owns Lot 29-29-7, which has been listed as

Town owned. He asked for clarification regarding Leonard Lane (sp). He said on 17-2, there is a hand-built stone culvert that the Heritage Commission should review. He asked if the Town wants a large residential area in the middle of an industrial park. He said blasting done on this hill will carry a long way and might create issues with the natural springs on the site. He recommended the Town repeal the 100-acre PUD in the future.

A. Chiampa asked where additional complementary uses would be located. N. Golon said in the northerly-most structure, which will hold 20,000 square feet of manufacturing.

Kevin Smith, 6 King Phillip Drive, has worked as a consultant on this project. Regarding airport noise, the Airport Director has endorsed the project. He noted the Solinskys intend to provide MTA service to the area. He credited Town staff for working with DOT regarding widening Pettengill Road to mitigate traffic issues.

Letters of support were read into the record from Envision Technology, John Nettleton, and the Thibeault Corporation of N.E.

Chair Butler closed public comment.

Chair Butler asked for Board comment.

L. Wiles asked when the Fire Department will become involved. K. Caron said all departments are involved at this stage; however, they will continue to work with the Fire Department to obtain their specific comments regarding concerns raised by the Board.

T. DeFrancesco asked about widening Pettengill Road. J. Trottier explained Staff is working with the DOT to explore this topic in light of the number of projects proposed in this area. T. DeFrancesco said the market will decide if this type of development is appropriate.

A. Chiampa said there is agricultural business and conservation easements near this development, Merrill Farms, which is why she is concerned about the type of business being conducted in this development.

A. Rugg recommended the developer work with the abutters.

Chair Butler noted that while this is a decent location for this project, there are concerns. He said the Board has work to do before a decision is made and suggested an entire meeting be held for this discussion. He said there are concerns regarding Town services, especially from the Fire Department.

**Member L. Wiles made a motion to recommend continuing the application until TBD in or about the middle of May 2024 to allow the applicant and staff additional time to clarify the waiver and modification requests.**

**Member J. Knights seconded the motion.**

Ken Solinsky addressed the Board and asked them to select a date, as the project needs to move forward as quickly as possible.

**Member L. Wiles amended his motion to hold the meeting on Thursday, May 9, 2024, at 7:00 p.m. in the Moose Hill conference room.**

**Member J. Knights seconded the motion.**

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

**V. OTHER BUSINESS**

**A. Rules of Procedure**

Chair Butler reported they met with counsel regarding the Rules of Procedure. The attorney will prepare a statement that will be announced at the beginning of each Board meeting regarding public comment and the best way to handle it. The first reading of the official Rules of Procedure should occur at the next meeting.

**VI. ADJOURNMENT**

**Member A. Rugg made a motion to adjourn the meeting.**

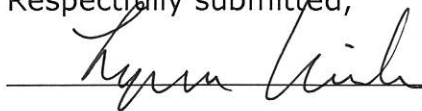
**J. Knights seconded the motion.**

**The motion was granted, 8-0-0.**

**The meeting adjourned at approximately 10:11 p.m.**

These minutes were prepared by Beth Hanggeli.

Respectfully submitted,

\_\_\_\_\_

Name: Lynn Wiles

Title: Secretary

481 These minutes were accepted and approved on 5/1/24 by a motion made by  
482 Ant Rugg and seconded by Lynn Walker