

1
2 **LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF**
3 **June 14, 2023, AT THE MOOSE HILL COUNCIL CHAMBERS**
4

5 **I. CALL TO ORDER**
6

7 **Members Present:** Art Rugg, Chair; Al Sypek, Vice Chair; Jake Butler, Secretary;
8 Lynn Wiles, Assistant Secretary; Ann Chiampa, member; Giovanni Verani, Ex-
9 Officio; Bruce Hallowell, Ex-Officio; Ted Combes, Ex-Officio – Town Council; Jason
10 Knights, alternate member; Tony DeFrancesco, alternate member; Roger Fillio,
11 alternate member.
12

13 **Also Present:** Kellie Caron, Assistant Town Manager/Director of Economic
14 Development; Mike Malaguti, Town Manager
15

16 Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and
17 emergency procedures, and began with the Pledge of Allegiance. He appointed R.
18 Fillio to vote for J. Penta.
19

20 **II. ADMINISTRATIVE BOARD WORK**
21

22 **A. APPROVAL OF MINUTES:**
23

24 There were no minutes to be approved.
25

26 **B. REGIONAL IMPACT DETERMINATIONS:**
27

28 There were no regional impact determinations.
29

30 **C. DISCUSSION WITH TOWN STAFF:**
31

32 K. Caron noted there will be a regular meeting on July 5. The July 12
33 meeting is a combined meeting with the Heritage Commission to discuss the
34 Look Book. Chairman Rugg asked the members to email pictures to K.
35 Caron.
36

37 **III. Old Business – n/a**
38

39 **IV. New/Conceptual Plans**
40

41 **A.** Public hearing on an on waiver requests to sections 3.09A, 6.04, 3.05,
42 3.07.A, 3.09.B, and 3.09.F of the Londonderry Subdivision Regulations
43 relating to traffic study, utility clearance letters, and utility service connection
44 location for a conditionally approved subdivision plan, 55 Pettengill Road,
45 Map 14 Lot 49-3, Zoned Gateway Business District, One Pettengill Road
46 Realty, LLC (Owners & Applicant).
47

48 Chairman Rugg read the application into the record. He noted that at a previous

49 meeting, there was an oversight and the wavers were not accepted, so this will be
50 corrected this evening. There is a conditionally approved subdivision plan.

51
52 Consultant Kevin Smith addressed the Board. He said at the April 5th meeting, a
53 number of outstanding checklist items were waived for acceptance purposes only.
54 He previously informed the Board that subdivision approval was needed prior to site
55 plan approval to accommodate a large manufacturer. This manufacturer is New
56 Balance.

57
58 Bob Duval of TFMoran, engineer of record, addressed the Board. He presented
59 three waivers:

60 1. Waiver from Section 3.09A (Checklist item X.4) of the Subdivision
61 Regulations relative to a study of traffic impacts for future lots 49-3 and 49-
62 6 to be created by this subdivision application.

63 B. Duval said this is intended to be a subdivision of two vacant lots. Lot 49-3 is
64 intended for development as a large manufacturing facility. Lot 49-6 has an
65 indeterminant use at this point. A traffic study has been submitted to the Town for lot
66 49-3 and is under review. A traffic study cannot be done for lot 49-6 without knowing
67 the specific use for the parcel; at this time, there is none. A traffic study will be
68 submitted once a use for the parcel is determined.

69 2. Waiver from Section 6.04 and (Checklist item X.7) of the Subdivision
70 Regulations for utility clearance letters for future lots 49-3 and 49-6 to be
71 created by this subdivision application.

72 B. Duval noted for lot 49-3, letters for power and telecommunications services have
73 been received. Natural gas service is not needed. They expect sewer and water
74 service clearance to be provided shortly. For lot 49-6, there is no anticipated use for
75 the parcel, so no letters will be issued. There are existing service stubs for utility
76 services to lot 49-6.

77
78 3. Waiver from Subdivision Regulations 3.05 and 3.07.A, relative to showing
79 utility service connections, and from 3.09.B, and 3.09.F (Checklist item
80 VII.2) relative to showing a proposed driveway for future lot 49-3 created
81 by this subdivision application.

82
83 B. Duval noted for lot 49-3, the proposed locations are shown on the site plan being
84 reviewed by the Town. Service stubs are present on lot 49-6.

85
86 K. Caron reiterated this is a conditionally approved subdivision plan. The applicant
87 wishes to waive these items. Relating to lot 49-3, this information has been
88 provided through the site plan process and is under review. For lot 49-6, Town
89 regulations require this information for vacant lots with no intended development,
90 so a waiver has been requested. It will be provided if/when a site plan comes
91 forward.

92

93 There were no questions from the Board.

94

95 There was no public input.

96

97 **Member J. Butler made a motion to grant the applicant's request**
98 **for three waivers, as they can be granted without substantial**
99 **detriment to the public good. These waivers are outlined in the**
100 **Staff Recommendation Memorandum dated June 14, 2023.**

101

102

T. Combes seconded the motion.

103

104

The motion was granted, 9-0-0. The Chair voted in the affirmative.

105

106 B. Conceptual review and non-binding discussion of a 96-unit multi-family
107 residential development and associated site improvements in the Multi-family
108 Residential (R-III) District. 35 Gilcreast Road, Tax Map 7, Lot 118, Gilcreast
109 Realty Holdings LLC (Owner/Applicant).

110

111 Joe Maynard of Benchmark, LLC, appeared before the Board representing Gilcreast
112 Holdings. The property is approximately 20 acres and was previously an orchard,
113 but has not been maintained. There are wetlands on the western side of the
114 property. The development will be a town house-type project comprised of 96
115 three-bedroom units of roughly 2,000 square feet each, with two-car garages.
116 There will be three access roads into the development. They will tie into municipal
117 services, although a private pump station might be needed. There will be a fence
118 dividing the development from the Nevins, as requested by the Nevins residents.
119 He listed the waivers they will most likely request, including exemption from
120 phasing, requiring interior sidewalks, and select road standards.

121

122 K. Caron reiterated that as this is conceptual, the staff has not conducted a full
123 review. As such, it may be subject to additional committee and Board review,
124 including ZBA. The density calculation needs to be vetted through the engineering
125 department in terms of what is appropriate for capacity of the site.

126

127 J. Butler asked about maintenance of the fence. J. Maynard clarified it is intended
128 as a deterrent as opposed to providing privacy, so could be a chain link fence. J.
129 Butler questioned the aesthetics and the length of the driveways and the ability to
130 maintain them, especially in the winter. R. Fillio concurred.

131

132 B. Hallowell asked about the price point and expressed his hope that the
133 development would attract younger homeowners. J. Maynard was unable to quote
134 pricing at the time, due to changing costs. B. Hallowell noted an old New England
135 row-house look would play favorably to this Board and J. Knights concurred.

136

137 J. Knights felt this project fills a gap in the Town's current housing mix.

138

139 T. Combes questioned the rationale for these being private vs. public roads and the
140 length of the roads, which would require children to walk a long way to catch the

141 school bus. He suggested including a playground or community area in the design.
142 J. Butler and Chairman Rugg concurred. T. Combes suggested adding stairs from
143 the decks to the ground and walkouts for the ground units.
144

145 A. Sypek suggested adding shelters for children to wait for the school bus and J.
146 Butler concurred. A. Sypek asked if soil mitigation would be required. J. Maynard
147 said there is a pollutant in the soil, an insecticide that was used when row crops
148 were present; however, it is at the bottom of the plow layer. Any contaminated soil
149 found above the plow layer can be used in the detention pond as fill.
150

151 L. Wiles asked if the price point would be market rate and J. Maynard verified this is
152 the case.
153

154 G. Verani agreed he would like to see housing for younger families and the
155 landscaping plan should be reviewed. Chairman Rugg agreed.
156

157 T. DeFrancesco asked staff if the roads could be public. K. Caron said generally, the
158 preference is to have roads in developments such as this be private, to avoid the
159 need for the Town to maintain them. T. DeFrancesco suggested full-width
160 driveways to the street to facilitate guest parking.
161

162 A. Chiampa suggested adding grass in front of each unit and Chairman Rugg
163 concurred.
164

165 Chairman Rugg asked M. Malaguti if there is a report from DES on the pollutant. M.
166 Malaguti said there is, but it is not recent. Chairman Rugg asked for a more recent
167 report. He asked if the site will be monitored and what that schedule would be. J.
168 Maynard said there are monitoring wells near the development.
169

170 Chairman Rugg noted J. Maynard will need to meet with the Heritage Commission
171 and the Conservation Commission, and suggested he work closely with staff and
172 abutters. He recommended meeting with the Nevins residents as a group.
173

174 The Board discussed the need for sidewalks and agreed they were not necessary. J.
175 Maynard said he will work with the architect to add additional landscaping. He
176 thanked the Board for their input.
177

178 C. Conceptual review and non-binding discussion of two mixed use commercial
179 buildings over 50,000 square feet along with associated site improvements in
180 the Commercial II and Route 102 Performance Overlay Districts. 308 Nashua
181 Road, Tax Map 2, Lot 27-28, GJC Development, LLC (Owner/Applicant).
182

183 Karl Dubay with The Dubay Group addressed the Board. K. Dubay noted the project
184 is 7 acres on Route 102. They have worked with staff and the DOT to develop an
185 offsite improvement plan. He described the terrain and proposed site development.
186 The buildings will be two levels within the 12,500 square foot maximum footprint.
187 There will be parking, landscaping, and sidewalks in front of the buildings. Access
188 will be from Route 102 and Tavern Hill Road. The project will be a hybrid of retail

189 and restaurant, offices, and commercial services.
190
191 Steve Jacques of EMR Drywall addressed the Board. One building would house their
192 commercial drywall business.
193
194 K. Caron noted the applicant has shown compliance with Town regulations. The
195 applicant is working with the Town engineering department to address drainage
196 issues. The staff looks forward to reviewing the formal application.
197
198 A. Chiampa asked about the location of the dumpsters and K. Dubay said the
199 landscaping will block the view of this area. He said they are working with the
200 grading to help with the aesthetics of the buildings.
201
202 T. DeFrancesco asked about the exterior design of the buildings and to keep in
203 mind that seven homes will be looking at the back of these buildings. S. Jacques
204 said they have not committed to the design yet but it will be similar to other
205 buildings in Londonderry. T. DeFrancesco recommended meeting with the Hickory
206 Woods residents and S. Jacques said this is planned. T. DeFrancesco asked about
207 snow storage and K. Dubay said there is room in the parking lot.
208
209 G. Verani asked what would happen if they cannot find a restaurant tenant. S.
210 Jacques said the building will be conducive to retail, if that happens.
211
212 L. Wiles asked if they have considered putting the buildings on Route 102. K. Dubay
213 said septic and drainage issues present a design challenge.
214
215 T. Combes asked where the septic systems will be located. K. Dubay said they will
216 be in front of the building, in the fill.
217
218 J. Knights noted the parking lot is oversized. K. Dubay said it is shy of retail
219 requirements and they are planning for good site circulation. They believe
220 landscaping will be added and parking spots removed, after they meet with other
221 Town departments.
222
223 J. Butler suggested creating a good screen on the property line for the winter
224 season.
225
226 A. Chiampa asked about two areas that appear to be patios and S. Jacques agreed
227 this is the planned use.
228
229 Chairman Rugg recommended the applicant work with staff and abutters as well as
230 the residents of Harvest Village.
231
232 D. Conceptual review and non-binding discussion of a 30,000 square foot
233 medical building with associated site improvements in the Mixed-Use
234 Commercial (MUC) zoning district and Conservation Overlay District. 175
235 Rockingham Road, Map 15, Lot 60-2, 71 Perkins Road, Map 15 Lot 51, 171

236 Rockingham Road, Map 15 Lot 59. Jean Gagnon (owner), Bill Greiner
237 (applicant).

238
239 G. Verani recused himself from this discussion.

240
241 Sam Foisie of Meridian Land Services addressed the Board. They do not have a
242 tenant at this time, so the building may be reduced to a single story. He described
243 the location of the property and overall design of the project, including drainage,
244 parking, and landscaping. It will be accessed from Vista Ridge. It will be served by
245 municipal utilities. He acknowledged the need for additional landscaping at the rear
246 of the building to shield the proposed condominiums. There are two wetlands in the
247 center of the lot, which will be impacted. They will go through the DES process to
248 mitigate for that impact, which involves a fee.

249
250 There is a drainage easement on the property, which does not appear to be over
251 the swale. There is a sewer easement associated with the proposed condos, which
252 will be relocated or addressed in the site plan. There will be a temporary slope
253 easement off the rear of the property, which will cease to exist after construction is
254 completed.

255
256 Bill Greiner, applicant, noted he has needed to add parking in past projects, so he is
257 planning for additional parking upfront. He said most of the physicians who will be
258 located in the building are part owners of the project.

259
260 K. Caron said staff has met with the applicant, who has incorporated their
261 suggestions into the project. This parcel is part of the Vista Ridge subdivision, which
262 is currently under design review. There are wetland impacts, which will be subject
263 to state permitting as well as a Conservation Commission Conditional Use Permit
264 and Planning Board review.

265
266 J. Butler suggested the design of both sides of the building be similar and B.
267 Hollowell concurred, suggesting it have a New England look. J. Butler expressed
268 concern about traffic accessing Vista Ridge.

269
270 S. Foisie said the corner will be the focal point of the project. He said VHB has done
271 a traffic study associated with the overall subdivision, which accounted for this
272 property being developed as commercial. With the use of medical, the trips per day
273 will be reduced by 58 percent.

274
275 T. Combes asked if the proposed stormwater management pond could be located
276 underground. S. Foisie described the current system, which includes both above
277 ground and underground structures.

278
279 T. DeFrancesco expressed concern that this lot anchors the development and the
280 architectural rendering is not attractive and has no character, and needs to be
281 adjusted. A. Chiampa and Chairman Rugg concurred, suggesting the bus station be
282 used as a reference. B. Greiner noted this rendering is not what the building will
283 look like.

284
285 Chairman Rugg recommended the applicant work with staff and abutters, including
286 Vista Ridge, as well as the Heritage Commission and the Conservation Commission.

287
288 T. Combes asked that descriptors such as hate and ugly not be used in future
289 discussions. K. Caron added members could suggest stating their preference as
290 opposed to noting what something is not.

291
292 G. Verani, 73 Page Road, said this property has had a number of businesses
293 interested in it in the past. The Board agreed they like the proposed medical use. G.
294 Verani believes it is a good location for this type of facility, near Exit 5. He noted
295 the two wetland areas were caused by timbering of the site.

296
297 R. Fillio asked why the building could not be two stories with a smaller footprint
298 instead of reducing it to one story, if there are not enough interested parties. B.
299 Greiner said the lead practice needs everything on one level.

300
301 The Board discussed the question of traffic accessing Vista Ridge. K. Caron noted it
302 is a state road, so will be subject to that permitting process. She added that initially
303 there were concerns about the proximity of Vista and an additional curb cut on
304 Route 28, so that can be discussed further. B. Hallowell noted he felt traffic
305 accessing Route 28 via a signalized intersection is more favorable than not using a
306 signalized intersection. Chairman Rugg concurred, saying the Board prefers
307 signalized intersections, as they create a better flow. S. Foisie noted if they sought
308 a connection to Route 28, it would be right in, right out, which would alleviate
309 cueing issues at a signalized intersection. He said this will be addressed in the DOT
310 process.

311
312 G. Verani returned to the Board.

313
314 **V. Other**

315
316 Chairman Rugg noted there will be a joint meeting with the Heritage Commission
317 on July 12.

318
319 **VII. Adjournment**

320 **Member A. Sypek made a motion to adjourn the meeting at**
321 **approximately 9:10 p.m. Seconded by T. Combes.**

322
323 **The motion was granted, 9-0-0.**

324
325 **The meeting adjourned at approximately 9:11 PM.**

326
327 These minutes were prepared by Beth Hanggeli.

328
329 Respectfully submitted,

330
331 _____

332
333
334
335
336
337
338
339

Name: Jake Butler
Title: Secretary

These minutes were accepted and approved on 7/12/23 by a motion made by
Jake Butler and seconded by Lynn Wiles