

## **LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF October 14, 2020, Via a Zoom remote meeting**

### **I. CALL TO ORDER**

Members Present via a ZOOM remote meeting: Art Rugg, Chair; Al Sypek, Secretary; Giovanni Verani, Ex-Officio – Town Manager; Ann Chiampa, member; Lynn Wiles, alternate member; Jason Knights, alternate member; and Deb Paul, Town Council Ex-Officio

Also Present: Town Planner Mailloux; Amy Kizak, GIS Manager/Comprehensive Planner; Associate Planner Laura Gandia and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:00, and noted as Chair of the Londonderry Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. He started the meeting by taking roll call attendance. He said that when a member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under Right to Know Law. He appointed L. Wiles to vote for C. Davies and J. Knights to vote for J. Butler.

### **II. ADMINISTRATIVE BOARD WORK**

A. APPROVAL OF MINUTES: N/A

B. REGIONAL IMPACT DETERMINATIONS: N/A

C. Discussion with Town Staff: N/A

### **III. Old Business**

### **IV. New Plans/Public Hearings/Conceptual Discussions**

A. Public Hearing for the adoption of the 2020 (FY 2022-2027) Capital Improvement Plan (CIP)

Amy Kizak GIS Manager/Comprehensive Planner told the Board that there were no town departments that submitted projects this year. A. Kizak went on stating that the school district is in the process of submitting a school facilities ten-year master plan and have asked to carry forward the projects from last year to represent the fact that they will have projects and will present new projects next year. She added that they are looking for a motion to adopt the 2022-2027 CIP. Peter Curro, Business Manager for the school district, told the Board that they hired the Trident group and in the process of hiring an architect to begin the 10-year plan. P. Curro emphasized that just because they did not submit any projects this year, does not mean that there will be no projects in the future. Chairman Rugg asked if the school had a head count from the last year. P. Curro replied that due to the

pandemic is tough to get a clear picture on enrollment right now, but would pass along the state data that he has to the Board. A. Chiampa asked what the tax impact would be. Town Planner Mailloux told her that it would be \$1.23 per thousand. A. Chiampa asked if that would be a tax increase. Town Planner Mailloux said that was correct for FY2026. A. Chiampa said that the tax increase would be \$492 for a resident whose home is valued at \$400,000. P. Curro interjected that those projects are not going forward at this time. A. Chiampa replied that was correct. John Farrell, Chair of Town Council, added that the voters would have to approve the projects as well. Chairman Rugg stated that there is a potential for a tax increase if the projects are voted in by the voters.

**Member L. Wiles made a motion to adopt the 2020 (FY 2022-2027) Capital Improvement Plan.**

**A. Chiampa seconded the motion.**

**The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.**

B. Public Hearing on an amendment to the Londonderry Zoning Ordinance to delete the elderly housing ordinance.

Chairman Rugg told the Board that this has been an ongoing discussion for at least the last year and half, if not two years. He noted that the ordinance went into effect around 2008 or 2009 and the purpose was to relieve the pressure of school age children, as well as to provide lower cost housing for 55 and older. He added that the cost of elderly housing is more than single family housing in town. Town Planner Mailloux noted that there are currently 841 approved elderly housing in town. She stated that there are approximately 9,000 housing units in Londonderry, of which the elderly housing makes about 9% to 10% of the total number of houses in Londonderry. She pointed out that the developer receives an incentive bonus of 8 units per acre allowance for elderly housing. She mentioned that they talked to surrounding communities have eliminated their elderly housing ordinance or do not have one at all. She said that they have posted changes to the definition section, permitted uses, Performance Overlay District (POD), exemptions from phasing, the elderly housing section itself and the section relative to CUP's to elderly housing. She mentioned that with this amendment a developer still has the option to restrict the age of their development through covenants, but they will not receive any density bonuses or additional units per acre. A. Chiampa voiced her concern regarding the elimination of affordable elderly housing. She asked if the area near Litchfield Road is the cemetery and should be removed on the map of undeveloped parcels. Town Planner Mailloux reviewed the parcel in question stating that it is not the cemetery but another property, but would verify this and change the map if needed. G. Verani said that the age restricted housing did not do what they wanted it to and is not tax positive. He noted that the town is encouraging industrial and commercial growth, but his concern is that you need to have housing for the employees who work in these businesses. He commented that he is all for eliminating the elderly housing, but would like discussion on other types of housing.

Town Planner Mailloux stated that she expects discussions in the future related to townhouse style housing. G. Verani replied that there are not many parcels left for housing and may need to open up other areas to support the commercial and economic growth. D. Paul said she was for eliminating this, but asked if this eliminated nursing homes. Town Planner Mailloux responded that when they modified this section and deleted references to elderly housing they made sure to keep design criteria for nursing homes and assisted living facilities, which will continue to be permitted where they currently are. D. Paul gave an example of how Derry got creative with their land to the Board. L. Wiles asked if 55 and older housing has changed the demographic in Londonderry more than the state of New Hampshire overall. Town Planner Mailloux replied that she would be speculating, but thinks that it is the same rate as all of New Hampshire. Chairman Rugg commented that in the last ten years, New Hampshire as a state has gone from the second youngest state in the country to the six oldest state in the country, which could be a result of all the 55 and older housing. L. Wiles voiced his concern that he believes the 55 and older housing is driving the demographic in the wrong direction. He added that a one-bedroom apartment at Sanborn elderly housing development is \$1,225, which would be about 40% of his social security and does not think that this is affordable. He expressed his opinion, that he is in favor of eliminating the ordinance. D. Paul commented that Mr. Lewis, owner of Sanborn Crossing apartments, did come to a Town Council meeting and noted that there is a sliding scale where some of the rents do get down to \$900 including electric and heat, which in her opinion is still not affordable. G. Verani mentioned that workforce housing is in the same bucket because of the demographics of our region, they can charge high rent that makes it attractive to develop here. A. Chiampa stated that she has seen continuing care for seniors where they have a component of single-family homes incorporated into the community and she hopes by eliminating this ordinance, it would not restrict a developer from building something like that here. Town Planner Mailloux replied that continuing care facilities have been interpreted in the past as assisted living facilities that would be permitted. G. Verani asked about existing projects in design review. Town Planner Mailloux responded that there is an existing project that was submitted prior to this posting and will continue with the ordinance that was in place prior to this amendment. She said that if a new application is submitted after the amendment, they will not be eligible for the old allowances. She encouraged a developer to talk to staff to see how they should proceed. D. Paul asked for clarity regarding the process. Town Planner Mailloux reviewed the process.

Neil Dunn, 21 Sherwood Road, addressed the Board. N. Dunn said that he agrees with eliminating the ordinance, but is concerned that there was not a more proactive approach to help the transition for long-time residents. He asked why the Board would delete the ordinance when now we have to wait for a review of the master plan in two to three years and then more time before a new ordinance gets codified. Chairman Rugg said that the Board is very mindful of unintended consequences and has to give this very careful consideration. John Farrell, Chair of Town Council remarked that this ordinance grew out of the Open Space Committee about twenty years ago. He stated that they wanted to buy all the open space and control the school population. He mentioned that the thinking at the time was that

if there was a move to more 55 and older housing the tax base would increase while keeping the school population under control. He commented that no one anticipated the significant drop off of the birth rate in the last twenty years as well as the current price of housing. He said that when he talks with developers, he tells them the town needs single family town homes that are cheaper so young families will be able to buy their first home. He voiced his support to Town Planner Mailloux and the Board trying to tackle this tough issue. N. Dunn commented that there used to be something to limit the height of these buildings to three stories and asked if this would be changed. Town Planner Mailloux replied that it will still be the maximum height of whatever zoning district they are building in. N. Dunn asked why it is not referenced as opposed to "shall be flexible based on the recommendations from the senior building official and Fire Marshall." Town Planner Mailloux stated that that if the Board would be comfortable with an amendment "building height shall be in accordance with the underlying zoning district and no structure shall be greater than three stories." N. Dunn added that in Section F "assisted living shall provide outside services" and he noted it used to say "support facilities" and questioned if this would change things. Town Planner Mailloux responded that was not redlined from the previous ordinance, but would double check. She asked if the Board was comfortable with her making the change regarding building height language she read this evening. The Board was okay with the language.

**Member L. Wiles made a motion to recommend the elimination of the elderly housing ordinance to the Town Council.**

**D. Paul seconded the motion.**

**The motion was granted, 7-0-0, by a roll call vote. The Chair voted in the affirmative.**

**V. Other**

**VI. Adjournment**

**Member D. Paul made a motion to adjourn the meeting at approximately 8:07 p.m. Seconded by A. Chiampa.**

**The motion was granted by a unanimous roll call vote, 7-0-0.**

**The meeting adjourned at approximately 8:07 PM.**

These minutes were prepared by Beth Morrison.

Respectfully Submitted,

  
Name: Alan J Sypek

Planning Board Meeting

Wednesday 10/14/2020 - APPROVED

Title: Secretary

These minutes were accepted and approved on November 4, 2020, by a motion made by C. Davis and seconded by A. Champa.