

LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF JULY 13, 2022, AT THE MOOSE HILL COUNCIL CHAMBERS

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Al Sypek, Vice Chair; Jake Butler, Secretary;
Lynn Wiles, Assistant Secretary; Jeff Penta, member; Ann Chiampa, member; Deb
Paul, Ex-Officio, Town Council; and the following guests: [illegible]

Zoned C-II, 3 Enterprise Drive, LLC (Owner & Applicant) – continued from the July 6, 2022 meeting

Chairman Rugg read the case into the record noting it was continued from the July 6, 2022, meeting, and the applicant is requesting a continuance until August 10, 2022. J. Butler pointed out that this is the third continuance for this application. J. Penta asked why the application is being continued. Chairman Rugg replied that when an applicant requests a continuance, they usually are not ready and still have remaining design review or engineering comments to work through. J. Trottier explained that they are proposing an underground detention pond at the site and there is some concern and/or questions that have arisen, of which the applicant has not responded to yet.

A. Sypek made a motion to continue the public hearing on an application for formal review of a site plan for the construction of a 7,200 SF warehouse and wholesale building and associated site improvements, Three Enterprise Drive, Map 15 Lot 62-3, Zoned C-II, 3 Enterprise Drive, LLC (Owner & Applicant) until August 10, 2022.

J. Butler seconded the motion.

L. Wiles asked to have a longer continuance, such as October. J. Butler asked if the applicant could come earlier, such as in September, if they made the motion until October. Chairman Rugg replied that they cannot.

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

Chairman Rugg noted that the application is continued until August 10, 2022, at 7 p.m., and this would be the only formal public notice.

IV. New Plans/Conceptual

A. Conceptual and non-binding review and discussion of a proposed site plan for a multi-family development of 21 single family homes, 22 Young Road, Map 6 Lot 58-2, Zoned R-III, Edgar L. Pitts and Winnifred L. Pitts

had previous plans with 45 units to 55 units, that was denied by the Zoning Board of Adjustment. He pointed out that both of these parcels were rezoned to R-III from C-II. He said that single-family homes are permitted in the R-III zone with the density computations done by formula or by soils. He went on stating that the density computation done by formula is 78-units and by soils is 21-units. He explained that they are proposing 21, three-bedroom units with their own lots with a homeowner's association (HOA) that would take care of the private road, trash and landscaping. Chairman Rugg asked if it was set up like a condo. J. Brem replied that it would be set up like a condo, but each resident will have their own lot, so they could possibly construct a shed. He commented that the access is proposed off Young Road, meeting town standards, such as being 28-feet wide. He said that they have a sidewalk on one side of the development and that there is open space in front of Route 102. He stated that they are using some of the open space for a common area in the middle of the property with a park, benches, etc. He remarked that they are proposing to have two stormwater facilities, as this is conceptual, they have yet to be designed, but are in the right location. He pointed out that they have not been before the Planning Board and would like to get the Board's opinion on this current plan. A. Orso stated that he has never wavered from his proposal regarding this development since last November during the rezoning process. He remarked that it would be a single-family development based on off a condo development with landscaping, snow removal, trash pickups, etc. He voiced his opinion that people want a quality home in a nice neighborhood versus having an acre of land that they have to take care off. He remarked that they will be about 2,400 SF to 2,500 SF. He mentioned that he has built homes similar to this in Salem, NH and buyers have flocked to this style versus the McMansions. Chairman Rugg asked if they have a full basement. A. Orso replied that is correct. J. Brem noted that the garage is underneath and it really makes the buildings compact.

Chairman Rugg asked staff for input. J. Trottier started off by stating that they have met with the applicant and have been assured that the roadway will be designed to town standards. He mentioned that they will look at the traffic impact as there is concern at the intersection of Young Road/Old Nashua Road/Route 102. He added that this intersection will be brought up at the Traffic Safety Committee meeting next Monday night. Chairman Rugg stated that this intersection was a concern during the rezoning process as well. A. Orso remarked that during the process of going before the ZBA for relief on the density, they provided a full traffic report. J. Trottier explained that a scoping meeting will be done with the New Hampshire Department of Transportation (NHDOT), as the Town will have to update their driveway permit on Route 102. S. von Aulock commented that she understands that this is meant for young families, which have a lot of comings and goings, but there is only a sidewalk on one side. She suggested a sidewalk around the whole development so residents do not have to cross the road to get to the park. She stated that sometimes young families have a differently abled family member and it would be nice to have one unit that is handicap accessible. A. Chiampa asked if Staff had a chance to look at the new study on the soils. J. Trottier replied that they have not yet. He recollected that the number of units was 20 versus 21 that was presented this evening. A. Chiampa agreed with J. Trottier and asked when this would be determined. J. Trottier replied that it will be part of the engineering

review of the project. A. Chiampa asked for unit 21 to be moved farther into the development, so there would be more green space at the beginning of the project. She expressed her concern that she is worried that the driveway entrance is too close to the Young Road/Old Nashua/Route 102 intersection. J. Trottier remarked that it could be an issue and it will be looked at. A. Chiampa suggested that the driveway entrance could be moved closer in line to the fire station entrance. She mentioned that she is a member of the Historical Society and the name "The Farm" for this development is not appropriate because it is not a farm, but a housing development. She asked for a different name for this development. A. Orso replied that the residents that he bought the parcel from used to call their property "The Farm." He said that he told the owners that he can never guarantee the name would be accepted by the Planning Board. Chairman Rugg interjected that you would not want this to be confused with Cross Farm. A. Orso noted that he mentioned this to the owners as well. A. Chiampa asked where the spurs go that are coming off the green space. J. Brem replied that they want them to be walking trails, but have not marked them yet. A. Chiampa asked where the trails might go. J. Brem reviewed a proposal of where the trails might be on the map. D. Paul thanked them for toning this down and working with the neighbors. She said that it might be good to use brick or stone. She voiced her opinion that she thinks 2,000 SF is large and maybe an 1,800 SF home would be more affordable for a younger family. She asked if they thought of offering solar powered houses in this development, as the cost of energy is rising. She wondered if a fire truck could turn around in the cul-de-sac. J. Trottier replied that this would be reviewed. D. Paul echoed A. Chiampa's concern regarding traffic. A. Orso asked if D. Paul reviewed the traffic report from the ZBA meeting. D. Paul replied that she did but cannot remember the results. A. Orso explained that they have the dry wall up on the homes and then allow the buyers to make their own selections from that point, such as brick or solar. D. Paul mentioned that when working with a solar company in bulk, it is less expensive. She suggested bike stops/stands at the park as well. She reiterated that she is happy that they listened to the community regarding this development. J. Penta commented that he likes the development and also would like sidewalks on both sides. He asked if they are on private wells. A. Orso replied that it would be on public water. J. Penta asked where the fire hydrants would be located. J. Brem replied that he is unsure, but it will be on the final plans. L. Wiles reiterated that traffic is a big concern, especially at this intersection, as this stretch of Route 102 is fast. He asked why the applicant would propose private roads, especially if they are built to town standards, given the recent concern over private roads in the state. A. Orso replied that he thought most people nowadays want all the amenities to encourage a pristine appearance. He added that if one property owner does not take care of their lot, it can affect the whole appearance. L. Wiles explained that he is not opposed to the HOA, but the private road versus public road issue that has been in the news lately. Chairman Rugg noted that there have been two bills recently about this at the state level, but he is not sure if they passed or not. S. von Aulock commented that she is aware of the concern, and suggested it be documented as a private road with a note on the plan set that it cannot be converted to a public road, which would be reviewed by the Town Attorney. A. Orso remarked that he does not care either way regarding the road, but thought that this would be a benefit to the town, as they would not have to

keep up the road or do trash pickups. J. Brem added that this is not critical to the design. J. Trottier clarified that trash pickup is done in private developments, as long as the roads are built to town standards and the truck can turn around. L. Wiles mentioned that this is a separate discussion, but this should be looked at as well. He asked if A. Orso had a similar development in Salem. A. Orso replied that he did a 55+ community in Salem. L. Wiles asked for the address so he can drive through and see what it looks like. A. Orso replied it is Granite Wood in Salem, NH, right on Lawrence Road. A. Sypek asked if there was a barrier where the driveway meets Young Road. J. Brem replied that it is an island. A. Sypek asked for a review of the flow of traffic. J. Brem reviewed the traffic flow with the Board. A. Sypek asked if it was going to be two-way traffic at the driveway entrance on Young Road. A. Orso replied that they heard from a lot of residents at the ZBA meetings and they did not want a left-hand turn out of the development, so that is why they are only proposing a right-hand turn. A. Sypek asked if it was on town sewer. J. Brem replied that every unit would have their own septic tank with combined leach fields. G. Verani commented that he likes the concept and there is a need for this kind of development in town. T. Combes asked if they can set it up differently than a condo by setting up covenants on the deed for the whole development. A. Orso replied that they can set up covenants, but it does not mean that the residents would abide by them. J. Brem added that an HOA it is more enforceable. A. Orso mentioned that they try to keep their condo fees as low as possible, noting that in the 55+ Salem development it was under \$230/month. He offered a guess of \$250 to \$275 for the condo fees for this development. T. Combes asked if they would own the lot versus the just the building. A. Orso replied that they would own the lot. T. Combes asked how big the parcels are. J. Brem replied that he thought they might be a half acre. T. Combes asked if they might have a walkout basement. A. Orso reviewed the parcels that could have a walkout basement. T. Combes expressed his opinion that he likes the proposed plan. He mentioned that in his opinion 1,800 SF is too small for a growing family. A. Orso mentioned that this development would not work for a family with three or four kids, but one to two kids, in his opinion. (G. Verani left at 7:53 p.m. and returned at 7:54 p.m.) R. Fillio asked if there would be windows in the basement. A. Orso replied they could, but noted they are not going to be finishing the basements. R. Fillio asked if this could be fueled by natural gas. J. Brem replied there is natural gas on Nashua Road, but they are not going to tap into it and will use propane. A. Orso interjected that honestly it will be whatever is easiest regarding natural gas or propane. R. Fillio noted that propane is quite a bit more expensive than natural gas. R. Fillio asked if the office could be switched to a bedroom. A. Orso replied that could be done. J. Butler remarked that he likes the idea of sidewalks on both sides and having a right-hand turn only out of the Young Road driveway. He added that he thought the R-III rezoning would have less traffic than the previous C-II zone. Chairman Rugg suggested that the walking trail be installed before the houses are built. A. Orso voiced his opinion that he has a lot of problems with walking trails, as no one uses them. Chairman Rugg commented that he always encourages the applicant to work with abutters and staff. J. Brem thanked the staff for working so diligently on this. D. Paul clarified that she was envisioning the smaller 1,800 SF house for a power couple that did not want to have children. She said that she is big on less green lawns that are not good for the environment and suggested having more natural areas. A. Chiampa suggested that

she would like to see open space for the kids to play and the walking trails. She asked what he thought a price range might be for the houses. A. Orso replied that it depends on a variety of factors at this point, but gave an estimate of \$750,000, which he knows is not economical.

B. Conceptual and non-binding review and discussion of a proposed conditional use application/site plan amendment per Londonderry Zoning Ordinance section 6.3.11.C and Use Table 4.1.2 to allow a multi-family residential use in the Route 28 Performance Overlay District, 215 Rockingham Road, Map 15 Lot 23-2, Zoned C-II and RTE 28 POD and 217 Rockingham Road, Map 15 Lot 22-1, Zoned C-II and RTE 28 POD, V&W Investment Group, LLC (Owner & Applicant)

Chairman Rugg read the case into the record noting that this is a conceptual discussion only. G. Verani recused himself for this case. Karl Dubay, P.E, from The Dubay Group, Inc., 136 Harvey Road, Bldg B101, Londonderry, NH, addressed the Board. K. Dubay started off by stating that they have been working on this property for a while, noting it has two parcels that will merged together. He said that it will be on sewer, water and gas. He commented that there is a lot of pavement in the front and out to the back with an old house that was converted to commercial space. He noted that they would like to redevelop it, with one building to have 16-unit apartments. Chairman Rugg asked if the existing building would be removed. K. Dubay replied that is correct. He commented that they want to beautify the front with good landscaping and respect the buffer to the wetlands. He explained that the proposed plan will need some Conditional Use Permits (CUP) as they are still in the buffer. He said that they will have 32 parking spaces. He reviewed the proposed plan on the screen with the Board, Exhibit 2, which is attached hereto. He commented that they have been trying to make the parking area more efficient with less pavement and increase the buffer even more. He added that they will have one curb cut. He remarked that this corridor is starting to mature in his opinion. Margherita Verani, owner, addressed the Board, noting she inherited this when her mother passed away. She said that the tax benefit to the town is horrible now, and all the parking is in the wetland area. She expressed her opinion that she is trying to make these sites better than what is there now and add a tax benefit for the town. She added that this could be the impetus to create more projects like this near this location. G. Verani noted that the Route 28 Performance Overlay Zone (POD) allows for creative uses and asked if the Board was okay with a CUP for the use. He said that this meets a need for affordable housing. He said that they would love to stay out of the CO District and improve that situation, which would mean infringing into the front buffer. He reviewed a picture on the screen with the Board that illustrates new and existing properties that are encroaching into the front buffer setback. Chairman Rugg asked if they need a CUP for the multifamily use and the buffer encroachment. K. Dubay said that he believes they might need three CUPs and a waiver. J. Trottier noted that they will still impact the CO District when they build their detention pond. K. Dubay replied that is correct. J. Trottier clarified the three CUPs they will need as follows: the building location, the green space in the front and the work within the CO District.

Chairman Rugg opened up the discussion to the Board. S. von Aulock pointed out that this is the first time she is seeing this plan, but stated it looks much better than a plan she saw yesterday. She stated that it looks like this is reducing the impact and has possible restoration, which is what you want to hear as a planner. Associate Planner Gandia said that they have been working with staff. She mentioned that they are working to move out of the CO District, but some discussion on how the Board feels on front setbacks and the buffer would be helpful. J. Butler commented that while they still have a setback impact, it better than what is there now with parking and pavement. He asked if the building can be moved out of the setback, but if it cannot, he would still support the project. He mentioned that working on landscaping would be very important for this site and he complimented the Dubay Group on their landscaping plan. He said that from a use standpoint, he believes that apartments would work at this site. He added that he would like a building to look right for the end goal of Route 28 and to not turn out like Route 102. M. Verani remarked that apartments would be more affordable than a single-family home development. K. Dubay explained that they are working on a plan with more landscaping, make the green area bigger and creating a sidewalk plaza between the entry way and building for better aesthetics and for better EMS access to the site. J. Butler expressed his opinion that he does not like apartments, but feel as though it makes sense in this area. R. Fillio stated that this plan absolutely looks better than what is there now. He mentioned that they desperately need affordable housing in Londonderry. T. Combes asked about visitor parking. K. Dubay replied that with the revised layout, he feels that they can squeeze in a couple more spaces. T. Combes asked about snow storage. K. Dubay replied that they would have perimeter areas, as they cannot put this in the wetlands and buffers. A. Sypek said that he would recommend this be looked at by the Town Attorney to make sure that everything is categorized correctly. L. Wiles stated that he would support the CUPs. J. Penta voiced his opinion that he believes this is a very innovative design and would fit in this area and help with the housing crisis. D. Paul remarked that she believes this is a good spot for apartments, as they should be a buffer between business and residential. She asked if the building would be three stories in height. K. Dubay replied that is correct. D. Paul asked if they knew the price range for the apartments. M. Verani guessed that they might be \$1,400 to \$1,500 a month. D. Paul asked if the rent would include anything. M. Verani replied that they would have to pay their own utilities. K. Dubay pointed out that the monthly rent is almost in workforce range. G. Verani pointed out that the cost of the apartments at Woodmont or Tuscan Village is all the amenities that go along with it. He said that the apartments at this site are going to be clean, well-landscaped and affordable. M. Verani hoped that if this project goes forward, it will be a catalyst for others. A. Chiampa remembered the children's metamorphosis museum and the tea house that used to be there and said she would welcome something like that back here in the north part of town. M. Verani noted that those were not economically feasible. A. Chiampa noted that the residents of the town need places to go. M. Verani said that the Planning Board needs to make it more affordable for business to come into town. G. Verani appreciated A. Chiampa's comments, stating that they have tried to keep this place going with commercial use, but unfortunately there is not a demand for retail. Chairman Rugg concluded that it appears the consensus of the Board is that they would support the three

CUPs. He added that the Town Attorney should be involved to make sure all the documentation is correct. K. Dubay expressed his thanks to the staff for all their hard work helping them with this. M. Verani asked how long it might take the Town Attorney for an opinion. Associate Planner Gandia replied that it might take a week. J. Trottier interjected that they need a concrete plan for the Town Attorney to review. S. von Aulock pointed out that for review purposes, it would be helpful to provide existing impacts versus proposed impacts for comparison. K. Dubay replied that he understood and would get a plan to Associate Planner Gandia by the end of the week.

V. Other

VI. Adjournment

G. Verani came back to the Board.

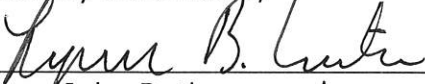
Member A. Sypek made a motion to adjourn the meeting at approximately 9:02 p.m. Seconded by J. Penta.

The motion was granted, 8-0-0.

The meeting adjourned at approximately 9:02 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,


Name: ~~Jake Butler~~ LYNN WILCOX
Title: ~~Secretary~~ ASST SECRETARY

These minutes were accepted and approved on August 3, 2022, by a motion made by AL SYPEK and seconded by LYNN WILCOX.