

## **LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF DECEMBER 14, 2022, AT THE MOOSE HILL COUNCIL CHAMBERS**

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

Members Present: Art Rugg, Chair; Jake Butler, Secretary; Lynn Wiles, Assistant Secretary; Giovanni Verani, Town Manager- Ex-Officio; Ann Chiampa, member; Deb Paul, Ex-Officio – Town Council; Jeff Penta, member; Bruce Hallowell, Ex-Officio – Administrative; and Jason Knights, alternate member

Also Present: Kellie Caron, Assistant Town Manager/Director of Economic Development; Laura Gandia, Associate Planner; Amy Kizak, GIS Manager/Comprehensive Planner; and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:04 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance.

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

#### **A. APPROVAL OF MINUTES: N/A**

#### **B. REGIONAL IMPACT DETERMINATIONS: Town Planner Caron informed the Board that she had two projects for their consideration this evening.**

1. Application for design review of a site plan for the proposed development of a 264 dwelling unit multi-family residential development with associated parking and amenities, Michels Way (Map 10 Lot 41, Zoned AR-1 & Woodmont Planned Unit Development (PUD)), Pillsbury Realty Development, LLC (Owner) and WP East Acquisitions, LLC (Applicant)

2. Application for design review of a subdivision of Tax Map 28, Lots 010-0 and 014-0, and 004-1, creating lots 010-4 and 010-1. One Highlander Way (Map 28 Lots 10, Zoned C-II, IND-II and Airport Overlay District) and Four Sparkes Ave (Map 28 Lot 14, Zoned IND-II and Airport Overlay District), City of Manchester (Owner) and Benton Family Trust (Applicant).

L. Wiles asked if they should work with Derry for the site plan at Woodmont, even though Michels Way is more than 1,000-feet away from the Derry town line, given the size of the development and the proximity to Ash Street. Chairman Rugg pointed out that it is the Board's decision whether or not this application will have an impact on Derry. K. Caron asked how the previously approved Baldwin project at Woodmont was done. Chairman Rugg replied that it was determined not to be of regional impact. L. Wiles commented that he thought this application was different than the Baldwin project, as there would be more traffic generated with the new proposed site plan project. K. Caron mentioned that if the Board determines it is of

regional impact it would require them to notify the regional impact. L. Wiles remarked that he knows it does not meet the criteria, but given the size of the development and the potential for more traffic to be generated onto Ash Street, it would be the neighborly thing to do and notify the town of Derry. T. Combes pointed out that Woodmont continuously does traffic studies. Chairman Rugg replied that is correct. He said that the criteria applies to everyone, and if the Board makes an exception for this application, there needs to be a reason for the exception.

**Member A. Sypek made a motion that these projects are not of developmental impact.**

**J. Butler seconded the motion.**

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

C. Discussion with Town Staff:

J. Butler asked to get the Board's opinion about a workshop, and look at the review of the entire process from when an application is submitted for design review to approval by the Board. He added that there was in depth conversation at the last meeting, and it made him wonder if the town/Board is not being as customer friendly for potential development. Chairman Rugg explained that the workshop would be with staff, as they are the ones that deal with the public and developers. He noted that the Board has looked at the regulations in the past and changed things, but it was never to weaken the process. J. Butler replied that he agreed with Chairman Rugg, but he believes that a review of the process is always a good thing. Chairman Rugg said that you hear complaints from the developers that the town is too tough and then hear complaints from residents that say the town favors developers. J. Penta agreed that it is good to review the process from time to time. Chairman Rugg noted that the Board also has to adhere to the Master Plan as well. He added that the usual complaints he hears are there are too many cars on the road and too many people. T. Combes suggested that the Board meet with the developers to hear why they say it is too hard to work in the town. Chairman Rugg stated that the Board should survey the residents as well. G. Verani commented that in order to be business friendly, you have to survey the customers to see what their experience is here versus in other towns. B. Hallowell mentioned that he understands the tax payer's stance that say they do not want development, but he also hears the taxes are too high. He said that the only way to lower taxes is to bring in businesses to raise the tax base, and he believes that there are still large areas to develop in town that will not directly affect residents. Chairman Rugg explained that Londonderry is in the middle for tax rate, but noted that in the 1980s Londonderry was at the top. J. Knights commented that he is for smart growth instead of just letting developers do whatever they want. He agreed with the idea of having a workshop to review the process. J. Butler asked how the Board can create a review of the process. Chairman Rugg replied that a workshop meeting can be coordinated in the first quarter of the new year by staff, as the Board does not know what the workload would be. K. Caron commented that staff can put

together an overview of the current process and get the Board's feedback. She said that she will look at the agendas to see where it can fit in. G. Verani asked if this could be done at a non-public meeting, like the training they received tonight, as he thought it was extremely beneficial. Chairman Rugg replied that it cannot be done like that and it would need to be a public meeting. Town Councilor Farrell asked if he could speak briefly about this topic.

John Farrell, Town Councilor, 4 Hancock Drive, addressed the Board. J. Farrell mentioned that he receives general comments that the town is too difficult to work with. He went on stating that when he is able to get specifics about what the town could do differently, it is about communication. He said that if the level of communication could change and help them understand why they have a process and what the benefits of the system are. He expressed his opinion that looking at how to improve communication would be his first step.

J. Penta echoed that communication is key. D. Paul agreed with J. Farrell about communication. She added that developers do not want to say what their issues are because they feel that the Board will not give them what they want. She said that the website should be easy to navigate and give examples of the time it takes to work on a project. She mentioned that everything can be improved and it should be. J. Knights asked if they have an economic website. K. Caron replied that they do and it is one of the things that she will be working on. A. Sypek remarked that he would stay here and discuss this after the business that was on the agenda is done. Chairman Rugg summarized that there will be a workshop meeting in the first quarter depending upon the workload.

### **III. Old Business – N/A**

### **IV. New Plans/Conceptual – N/A**

### **V. Other**

A. Public hearing on an application for formal review of a site plan for a trucking terminal and associated site improvements, 15 Rockingham Road, Map 13 Lot 99, Zoned C-II, Alfred, Jr. & Nicole Pittore (Owners) and Pittore Bros. Paving (Applicant) – continued from the November 9, 2022, meeting

Chairman Rugg read the case into the record noting the applicant is requesting a continuance until January 11, 2023.

**A. Sypek made a motion to continue the public hearing on an application for formal review of a site plan for a trucking terminal and associated site improvements, 15 Rockingham Road, Map 13 Lot 99, Zoned C-II, Alfred, Jr. & Nicole Pittore (Owners) and Pittore Bros. Paving (Applicant) until January 11, 2023.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the application is continued until January 11, 2023, at 7 p.m., and this would be the only formal public notice.

B. Public hearing on an application for formal review of a lot line adjustment plan to adjust the lot line between Seven Chartwell Court, Map 3 Lot 45-61, Zoned AR-1 and 11 Greeley Road, Map 3 Lot 165-1, Zoned AR-1, Diana F. Wolters Rev. Trust (Owner & Applicant) – continued from the November 2, 2022 meeting & applicant is requesting a continuance to January 4, 2023

Chairman Rugg read the case into the record noting the applicant is requesting a continuance until January 4, 2023.

**A. Sypek made a motion to continue the public hearing on an application for formal review of a lot line adjustment plan to adjust the lot line between Seven Chartwell Court, Map 3 Lot 45-61, Zoned AR-1 and 11 Greeley Road, Map 3 Lot 165-1, Zoned AR-1, Diana F. Wolters Rev. Trust (Owner & Applicant) to January 4, 2023.**

**J. Butler seconded the motion.**

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

Chairman Rugg noted that the application is continued until January 4, 2023, at 7 p.m., and this would be the only formal public notice.

C. Capital Improvement Plan (CIP) workshop to discuss CIP ranking criteria.

A. Kizak told the Board that town staff met with school district staff to discuss the CIP ranking criteria. She explained that they recommended the following change that the original criteria that read "Addresses an emergency or public safety need," be changed to "Addresses and emergency, public safety or school safety need." Chairman Rugg asked if the CIP Committee had reviewed this change. A. Kizak replied that this is the CIP Committee's recommendation from their November 28, 2022, meeting. A. Sypek asked what a school safety need would be. Lisa McKenney, Business Administrator, replied that a school safety need could be related to the buildings, such as adding a vestibule for security. A. Sypek asked how the school would determine what the safety situation is to add a vestibule. L. McKenney replied that she was just using that as an example, but there are a lot of school safety concerns moving forward. A. Sypek asked if there was a need because of growth in student population, therefore, additions to the building would be needed, and how this fits in with safety. L. McKenney replied that in that case, it probably would not apply. A. Sypek recommended that instead of just public safety, they might want to add growth or something else to make it less vague. A. Kizak explained that there are other criteria in the list that are not being changed and would cover some of the other options that A. Sypek spoke about. She went on

noting that the school district never thought they could score on the criteria as it was written in its original form, but with the addition of "school safety need," they feel they can now score higher. A. Sypek asked about adding a classroom due to growth or a crowded situation. A. Kizak replied that that would be covered under the criteria that states "Addresses a deficiency in service or facility." A. Sypek pointed out that the Board does not have that in front of them this evening. A. Kizak remarked that she only presented the Board with the criteria the school had proposed changes to. L. McKenney commented that the school felt they could never score on public safety, so they felt the need to add some language to this criterion. Chairman Rugg asked if school safety is student and staff safety. L. McKenney replied that would fall under school safety. A. Sypek asked if this was number one on the list of criteria. A. Kizak replied that it was. A. Sypek expressed his opinion that since this is number one on the list, he would give it more weight. A. Kizak explained that each criterion can receive up to five points, and she can shuffle the order of them, as they are evaluated separately. A. Sypek thanked A. Kizak for her explanation stating it makes it easier to understand. J. Penta asked if the way the criteria is now, the school district is not going to come back next summer with another set of criteria like they had in the past. L. McKenney replied that they would not and would be using these criteria. A. Kizak stated that she would like to take this to a public hearing in January. Chairman Rugg agreed.

Chairman Rugg voiced his opinion that he would have the Board start looking at the regulations to get familiar with them before the workshop meeting. B. Hallowell asked if staff could create an economic survey for developers or applicants that have gone through the process could fill out anonymously for feedback. Chairman Rugg said that this should be done by a third-party, independent source. G. Verani pointed out that this is a tricky subject, as the developers have to work in the town, so it should be done right. B. Hallowell suggested that applicants should come in before the Board for a conceptual meeting beforehand and this might help the developers understand the process. He asked if staff can give feedback at the conceptual meeting. Chairman Rugg replied that they can. A. Sypek said that we can mandate design review, but it has to be approved by the Town Council. J. Butler interjected that the town already has design review. A. Sypek stated that he believes design review should be mandated, not optional, but this would have to go before the Town Council. G. Verani asked about a minor site plan and if the applicant would need to come before the Board. K. Caron replied that there are two processes, such as administrative review and a minor site plan application, which are reviewed by staff.

## **VI. Adjournment**

**Member B. Hallowell made a motion to adjourn the meeting at approximately 7:51 p.m. Seconded by J. Penta.**


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

**The meeting adjourned at approximately 7:51 PM.**

These minutes were prepared by Beth Morrison.



Respectfully Submitted,



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Name: Jake Butler  
Title: Secretary

These minutes were accepted and approved on January 4, 2023, by a motion made by  
J. Butler and seconded by J. Penta.