

1 **LONDONDERRY, NH PLANNING BOARD MINUTES OF**
2 **THE MEETING OF March 4 2020, AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 **I. CALL TO ORDER**

6
7 Members Present: Art Rugg, Chair; Mary Wing Soares, Vice Chair; Ted Combes,
8 Town Council Ex-Officio; Al Sypek, member; Ann Chiampa (alternate member);
9 Roger Fillio (alternate member); and Tony DeFrancesco (alternate member)

10
11 Also Present: Town Planner Colleen Mailloux; John Trottier, P.E., Assistant Director
12 of Public Works & Engineering; and Beth Morrison, Recording Secretary

13
14 Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and
15 emergency procedures, and began with the Pledge of Allegiance. He appointed A.
16 Chiampa to vote for C. Davies, R. Fillio to vote for S. Benson and T. DeFrancesco to
17 vote for J. Butler.

18
19 **II. ADMINISTRATIVE BOARD WORK**

20
21 A. APPROVAL OF MINUTES:

22
23 **Member M. Soares made a motion to approve the minutes of**
24 **February 5, 2020, as presented.**

25
26 **A. Sypek seconded the motion.**

27
28 **The motion was granted 7-0-0. The Chair voted in the affirmative.**

29
30 **Member M. Soares made a motion to approve the minutes of**
31 **February 12, 2020, as presented.**

32
33 **A. Sypek seconded the motion.**

34
35 **The motion was granted 6-0-1, with T. Combes abstaining. The Chair**
36 **voted in the affirmative.**

37
38 B. REGIONAL IMPACT DETERMINATIONS: Town Planner Mailloux informed the
39 Board that she had no projects for their consideration this evening.

40
41 C. DISCUSSIONS WITH TOWN STAFF:

42
43 1. Lot Merger request to merge 15 Pillsbury Road, Map 10 Lot 41, 15
44 Appletree Lane, Map 10 Lot 41-1 and Seven Pillsbury Road, Map 10 Lot 41-2,
45 Zoned AR-1 & Woodmont Commons Planned Unit Development ("PUD"),
46 Pillsbury Realty Development, LLC (Owner & Applicant)

48 Town Planner Mailloux reviewed the lot line merger request with the Board, noting
49 this a condition of approval of the subdivision that will create a lot for a new project
50 to go on. She said that Staff has reviewed this with the Assessing Department and
51 recommends the Chair sign the merger request. A. Chiampa asked if the merger
52 affects the assessment of the new lot that would be created. Town Planner Mailloux
53 said that she would defer her answer to Rick Brideau, Town Assessor, but did
54 believe that this would.

55

56 **Member M. Soares made a motion to authorize the chair to sign the**
57 **lot Merger request to merge 15 Pillsbury Road, Map 10 Lot 41, 15**
58 **Appletree Lane, Map 10 Lot 41-1 and Seven Pillsbury Road, Map 10**
59 **Lot 41-2, Zoned AR-1 & Woodmont Commons Planned Unit**
60 **Development ("PUD"), Pillsbury Realty Development, LLC (Owner &**
61 **Applicant)**

62

63 **A. Sypek seconded the motion.**

64

65 **The motion was granted 7-0-0. The Chair voted in the affirmative.**

66

67 Town Planner Mailloux reviewed the request from Renegade's Pub to the Building
68 Department to put a roof structure over the existing patio to provide screening from
69 the weather. She said that Staff does not feel this needs to be at the level of a site
70 plan review, but wanted to see if the Board had any questions or concerns
71 regarding the building permit request. A. Chiampa asked for a clarification on the
72 rendering that was provided in the packet. Town Planner Mailloux reviewed the
73 rendering with A. Chiampa on the map.

74

75 **III. Old Business- N/A**

76

77 **IV. New Plans/Public Hearings**

78

79 A. Non-binding review and discussion in accordance with RSA 674:54 for
80 a governmental land use for the construction of a communication tower
81 and associated site improvements, 120 High Range Road, Map 06, Lot
82 006, Zoned AR-1. Londonderry Fire/Rescue (Applicant) and Town of
83 Londonderry (Owner)

84

85 Chairman Rugg read the case into the record noting this is a non-binding review
86 and discussion for governmental land use. Town Planner Mailloux noted that the
87 abutters have been notified about this public hearing and it has been posted in the
88 newspaper. She said that the tower is for the Fire Department (FD), Police
89 Department (PD), Emergency Communications and the Department of Public Works
90 (DPW). She said that the Fire Department has been working with J. Trottier and
91 herself on this location to fill in the gap in communications that they have right
92 now. She noted that they will be in compliance with the Town's wireless
93 communications facility ordinance and site plan regulations as is practicable, as
94 they are exempt from any municipal regulations. She welcomed Mike McQuillen,
95 Battalion Chief of Operations and Jeremy Mague, Battalion Chief that oversees the

96 communication division. M. McQuillen told the Board that they have been working
97 on this project for a couple of years trying to upgrade the communication system to
98 the 21st century. He commented that this site was identified as a hub for the FD, PD
99 and DPW to have the height and the tower for the communications equipment to
100 operate town wide on a secure network. J. Mague informed the Board that this
101 project is to increase coverage for the wireless communication around town, and
102 replace the aging electronic equipment that would require a lot of upgrades. He
103 pointed out that the current system uses radiofrequency or RF to get back to the
104 central station, which goes through things such as trees and overhangs, but the
105 problem is they need an elevated line of sight, which is why they are requesting the
106 height of the tower. Town Planner Mailloux noted the tower is 120 feet tall. J.
107 Trottier reviewed the site with the Board, stating it is fairly straight forward. M.
108 McQuillen pointed out that this tower will be built almost exactly like the one that
109 was built in the new central firehouse. Chairman Rugg asked if the Federal Aviation
110 Administration (FAA) has any concerns. M. McQuillen said they have submitted the
111 official paperwork to the FAA for review and are waiting to hear back from them,
112 but do not anticipate any issues.

113
114 Chairman Rugg asked if the Board had any questions. A. Chiampa asked why they
115 could not use the cell tower on Pillsbury Road. M. McQuillen responded that the
116 equipment they would need to put on a cell phone tower interferes with the cell
117 phone equipment and would require the cell phone companies to remove their
118 equipment, which is not a viable option. A. Chiampa asked how tall the tower is on
119 Pillsbury Road. Town Planner Mailloux said she would have to pull the site plan to
120 get A. Chiampa an answer. A. Chiampa asked about other tower sites. M. McQuillen
121 said they have looked at other sites on Josephine Drive, where the water tower is,
122 and Auburn Road, where the old town dump used to be, as they will reach the
123 areas they are having problems with. A. Chiampa asked about a contract with Solar
124 on the Auburn Road old town dump site. M. McQuillen said they would not be
125 anywhere near the solar on that site. M. Soares asked if the tower emits
126 electromagnetic fields. J. Mague said this was not his specialty, but they do emit
127 some waves, but he has no time limitations for working on the other towers they
128 have. M. McQuillen said that he would get a definitive answer from a radio
129 frequency specialist for the Board and public. M. Soares said that in her opinion,
130 she would not want any children to be exposed if they were playing in that area. J.
131 Mague explained that the tower sends the information as data over microwave links
132 that is a focused beam above the tree level, so it does not radiate per se in a field,
133 but more directional towards a specific point. A. Sypek asked how long the
134 generator would work if a power went out. M. McQuillen answered that he believes
135 it could last eight hours and noted that it would be the old generator from the
136 central fire station. J. Mague said the generator will run for however long a 1,000-
137 gallon propane tank would allow. T. Combes asked if it would make sense to have
138 an automatic generator versus one that runs on a propane tank. M. McQuillen said
139 he would have to speak with Steve Cotton, Administrative Support Coordinator, for
140 filling the propane tank on a regular basis. J. Trottier said that there are diesel
141 backup generators for the pump stations and they have a contract specifically
142 outlining emergency situations.

143

144 Chairman Rugg opened up the discussion to the public.

145

146 Jim Paquette, 190 Pillsbury Road, addressed the Board. J. Paquette said that his
147 property is across the street from the existing cell tower on Pillsbury Road. He said
148 that he did not have a concern with a focused beam, but asked if the use of the
149 tower could change long-term and introduce new radiation concerns. J. Mague
150 responded that the current frequency is 151 megahertz (MHz), and stated that they
151 do not anticipate this changing or increasing for quite some time. J. Paquette asked
152 if he should have concerns if his grandchildren are playing in his backyard regarding
153 radiation. J. Mague said he would have to defer to a radio frequency specialist. J.
154 Paquette asked if a report from the specialist could be provided. M. Soares said in
155 her opinion, with a direct focused beam the electromagnetic field would be very
156 contained as well. She pointed out that if there is no concern about children playing
157 under the wires on West Fields, which have stronger electromagnetic fields than the
158 tower would have, then she would feel safe. J. Mague said he would reach out the
159 specialist and get information, which he would pass on to Town Planner Mailloux. J.
160 Paquette asked if the tower would be visible from Pillsbury Road. J. Mague said that
161 a balloon test has not been performed. J. Paquette said he would like this to be
162 done. He asked why this location was picked as opposed to a location further north.
163 J. Mague said the location was selected as it was best suitable for utilities and
164 generator hookups, and if there were to be any future expansion of the DPW garage
165 it would be on the other side of the building. M. Soares said in her opinion, she
166 believes this would increase property values, as right now the FD and PD cannot
167 communicate with the town for responding. A. Sypek noted that they are not going
168 to transmit 150 MHz from the tower. J. Mague concurred that this is not a transmit
169 site, such as central station, but this was a receive site that would be sending
170 information back to the central command. T. DeFrancesco reviewed the schematic
171 with the Board for the public noting is a tower with 6 feet and 6 inches on each leg
172 in a triangle shape, with erector set style with antennas coming off of it. He
173 reviewed the topography of the site noting it is heavily wooded and if it was to be
174 seen, it would be no less offensive than the monopole at the driving range near
175 Walgreens. J. Paquette asked if there would be clear cutting for this. T.
176 DeFrancesco said that the site is flat where the proposed tower would be, so there
177 should be no trees cut down. M. Soares asked if there would be blasting. J. Mague
178 said that there would be no blasting.

179

180

V. Other

181

A. Woodmont Commons Annual Update

182

183 Chairman Rugg told the Board that this information is on the website if anyone in
184 the public would like more detail. Ari Pollack, Esq. from Gallagher, Callahan &
185 Gartrell, 214 N. Main Street, Concord, NH, addressed the Board stating he is here
186 representing Pillsbury Realty Development. A. Pollack explained that 2019 was a
187 busy year for Woodmont opposed to other years as there was a shift in focus to
188 development of buildings along Main Street. He said the first completed building
189 was 603 Brewery that opened to the public in June of 2019. He said the second
190 completed building was the large mixed use building next to the brewery, in
191 October of 2019, with have 87 upper floor luxury apartments, and commercial units

192 for lease on the ground floor. He commented that one commercial unit is occupied
193 by Orange Theory Fitness, which is currently open to the public. He said that the
194 outside of Main Street, Edgewood retirement community, which is an upscale senior
195 living community received site plan approval with construction planning on
196 commencing this summer. He commented that there was also a subdivision for 28
197 single family homes on Gilcreast Road that has started and was sold to the Stabile
198 Company. He mentioned that there would be one restaurant and bar, a hotel, and a
199 medical office user slated to be on Main Street in the future. He said the uses are in
200 accordance with the Master Plan and Planned Urban Development (PUD). He stated
201 there is a multi-family apartment proposal that has a lot of excitement around it,
202 which is again is in accordance with the Master Plan. He shared that New
203 Hampshire Department of Transportation (NH DOT) has obtained the record of
204 decision from the Federal Highway Administration for Exit 4A, so there have been
205 letters of intent for the large tracks of 80 acres or 120 acres on the east side of I-
206 93, which is an uncharted area of the project. He emphasized that there has had an
207 excellent working relationship with town staff, Boards and Commissions, which is a
208 big part of the success and he thanked everyone for this. He said that Lucy Gallo
209 from Development Planning & Financing Group, Inc., (DPFG) provided another fiscal
210 update through fiscal year 2019. He stated that the report documented that
211 property taxes, current use change payments and car registration fees from the
212 project areas amounted to a solidly positive fiscal impact for the town, which means
213 that it is not costing the town to host this project. He added that it was also noted
214 there was no impact to the schools as well. Town Planner Mailloux said that the
215 fiscal data was compiled with all the departments and pointed out that the current
216 study is setting the framework for these annual updates in accordance with the
217 town's fiscal year.

218
219 Chairman Rugg opened it up to questions from the Board. A. Chiampa asked about
220 Table 3, noting the filled position table. A. Pollack answered that this was compiled
221 to see if there had been an increase in town personnel, specifically due to
222 Woodmont. A. Chiampa asked why the Supervisor of the Checklist was in the table,
223 but not the Town Council whom both receive a salary. Town Planner Mailloux said
224 she would defer to Finance or Human Resources as those numbers came from
225 them. A. Chiampa asked if the soil that was moved from Gilcreast was tested or
226 needs to be tested. A. Pollack stated that the soil was tested and would be placed in
227 non-residential areas. A. Chiampa asked how the soil was being stabilized. A.
228 Pollack responded that the grass on top of the soil helps to stabilize run-off and
229 erosion, as well as silt fence around the soil to contain it. T. Combes asked if there
230 were any calls to the DPW and PD to Woodmont. A. Pollack commented that this
231 report was only up to June of 2019, and the question was if the Town had to hire
232 more people to perform the tasks, noting that this study pointed out that no new
233 personnel were hired for this project. M. Soares said that because there were no
234 residential units, school personnel would not have been impacted, but asked about
235 future years. A. Pollack said that would be something they will be investigating and
236 it will be a fluid process. T. DeFrancesco mentioned that he thought this report was
237 a good template. A. Sypek clarified that Woodmont is tax positive to the town.
238 Town Planner Mailloux responded that was correct. R. Fillio asked about Land Use
239 Change Tax. A. Pollack referred him to a page in the report on this. A. Chiampa

240 asked about if the retention ponds next to Duck Pond are working well for filtration.
241 A. Pollack said that in his opinion, they are working out fine. J. Trottier clarified that
242 those are detention ponds and at times it will need to be pumped out through a ___
243 tank, creating storage in the pond itself. He said that they pump it down, so if a
244 storm did occur, they would have room to accommodate the storage. He said that it
245 is working fine and is temporary due to construction. A. Pollack pointed out that
246 Woodmont has not needed to use those tanks in a long time as they were more
247 utilized during the initial site work. J. Trottier noted that there are these tanks all
248 along I-93 due to the type of soil. T. Combes asked about if Duck Pond would be a
249 viable pond in the future with permitting. A. Pollack said that the water level has
250 risen due to beaver activity and they are not sure if they will go through permitting.
251

252 Ray Breslin, Three Gary Drive, addressed the Board. R. Breslin commented that his
253 issue is fresh water, but has questions about the contaminated soil that was moved
254 from Gilcreast Road. Chairman Rugg said that the Board has not seen any records
255 of the soil being contaminated, noting this would be a supposition on R. Breslin's
256 part. R. Breslin said that the water in the retention ponds should be tested to see if
257 there are any contaminants and asked if the water was being tested. J. Trottier said
258 that he did not know if the pesticides in the soil leached out. A. Pollack responded
259 that Woodmont has an environmental group to advise them on the soils and it is his
260 understanding that the particular constituents from the farming days are not known
261 to be or not entirely soluble, therefore do not move with water, but stay in place.
262 He said that rather than monitor the run-off, they are monitoring the soil where it is
263 now. R. Breslin asked if the soil was moved to a clean site or a contaminated site.
264 A. Pollack answered that it was his understanding that both the town and the state
265 are aware of the soil relocation and they have no issues with it. He noted that the
266 people at New Hampshire Department of Environmental Services (NHDES) that R.
267 Breslin has been in contact with are aware of Woodmont's activities with the soil.
268

269 B. Election of Officers

270
271 **Member M. Soares nominated Art Rugg for Chair.**

272
273 **A. Sypek seconded the motion.**

274
275 **The motion was granted, 6-0-1, with A. Rugg abstaining.**

276
277 **Member M. Soares nominated Chris Davies for Vice Chair.**

278
279 **T. DeFrancesco seconded the motion.**

280
281 **The motion was granted, 7-0-0. The Chair voted in the affirmative.**

282
283 **Member M. Soares nominated Al Sypek for Secretary.**

284
285 **T. DeFrancesco seconded the motion.**

286
287 **The motion was granted, 6-0-1, with A. Sypek abstaining. The Chair**

288 **voted in the affirmative.**

289

290 **Member M. Soares nominated Scott Benson for Assistant Secretary.**

291

292 **A. Sypek seconded the motion.**

293

294 **The motion was granted, 7-0-0. The Chair voted in the affirmative.**

295

296 **VI. Adjournment**

297

298 **Member M. Soares made a motion to adjourn the meeting at**
299 **approximately 8:06 p.m. Seconded by R. Fillio.**

300

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

302

303 **The meeting adjourned at approximately 8:06 PM.**

304

305 These minutes were prepared by Beth Morrison.

306

307 Respectfully Submitted,

308

309 _____

310 Name: _____

311 Title: _____

312

313 These minutes were accepted and approved on April 1, 2020, by a motion made by
314 _____ and seconded by _____.