I. CALL TO ORDER

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

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

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

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

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

A. Sypek seconded the motion.

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

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

A. Sypek seconded the motion.

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

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

C. DISCUSSIONS WITH TOWN STAFF:

1. Lot Merger request to merge 15 Pillsbury Road, Map 10 Lot 41, 15 Appletree Lane, Map 10 Lot 41-1 and Seven Pillsbury Road, Map 10 Lot 41-2, Zoned AR-1 & Woodmont Commons Planned Unit Development (“PUD”), Pillsbury Realty Development, LLC (Owner & Applicant)
Town Planner Mailloux reviewed the lot line merger request with the Board, noting this a condition of approval of the subdivision that will create a lot for a new project to go on. She said that Staff has reviewed this with the Assessing Department and recommends the Chair sign the merger request. A. Chiampa asked if the merger affects the assessment of the new lot that would be created. Town Planner Mailloux said that she would defer her answer to Rick Brideau, Town Assessor, but did believe that this would.

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

A. Sypek seconded the motion.

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

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

III. Old Business- N/A

IV. New Plans/Public Hearings

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

Chairman Rugg read the case into the record noting this is a non-binding review and discussion for governmental land use. Town Planner Mailloux noted that the abutters have been notified about this public hearing and it has been posted in the newspaper. She said that the tower is for the Fire Department (FD), Police Department (PD), Emergency Communications and the Department of Public Works (DPW). She said that the Fire Department has been working with J. Trottier and herself on this location to fill in the gap in communications that they have right now. She noted that they will be in compliance with the Town’s wireless communications facility ordinance and site plan regulations as is practicable, as they are exempt from any municipal regulations. She welcomed Mike McQuillen, Battalion Chief of Operations and Jeremy Mague, Battalion Chief that oversees the
communication division. M. McQuillen told the Board that they have been working on this project for a couple of years trying to upgrade the communication system to the 21st century. He commented that this site was identified as a hub for the FD, PD and DPW to have the height and the tower for the communications equipment to operate town wide on a secure network. J. Mague informed the Board that this project is to increase coverage for the wireless communication around town, and replace the aging electronic equipment that would require a lot of upgrades. He pointed out that the current system uses radiofrequency or RF to get back to the central station, which goes through things such as trees and overhangs, but the problem is they need an elevated line of sight, which is why they are requesting the height of the tower. Town Planner Mailloux noted the tower is 120 feet tall. J. Trottier reviewed the site with the Board, stating it is fairly straight forward. M. McQuillen pointed out that this tower will be built almost exactly like the one that was built in the new central firehouse. Chairman Rugg asked if the Federal Aviation Administration (FAA) has any concerns. M. McQuillen said they have submitted the official paperwork to the FAA for review and are waiting to hear back from them, but do not anticipate any issues.

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

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

V. Other

A. Woodmont Commons Annual Update

Chairman Rugg told the Board that this information is on the website if anyone in the public would like more detail. Ari Pollack, Esq. from Gallagher, Callahan & Gartrell, 214 N. Main Street, Concord, NH, addressed the Board stating he is here representing Pillsbury Realty Development. A. Pollack explained that 2019 was a busy year for Woodmont opposed to other years as there was a shift in focus to development of buildings along Main Street. He said the first completed building was 603 Brewery that opened to the public in June of 2019. He said the second completed building was the large mixed use building next to the brewery, in October of 2019, with have 87 upper floor luxury apartments, and commercial units.
for lease on the ground floor. He commented that one commercial unit is occupied
by Orange Theory Fitness, which is currently open to the public. He said that the
outside of Main Street, Edgewood retirement community, which is an upscale senior
living community received site plan approval with construction planning on
commencing this summer. He commented that there was also a subdivision for 28
single family homes on Gilcrest Road that has started and was sold to the Stabile
Company. He mentioned that there would be one restaurant and bar, a hotel, and a
medical office user slated to be on Main Street in the future. He said the uses are in
accordance with the Master Plan and Planned Urban Development (PUD). He stated
there is a multi-family apartment proposal that has a lot of excitement around it,
which is again is in accordance with the Master Plan. He shared that New
Hampshire Department of Transportation (NHDOT) has obtained the record of
decision from the Federal Highway Administration for Exit 4A, so there have been
letters of intent for the large tracks of 80 acres or 120 acres on the east side of I-93,
which is an uncharted area of the project. He emphasized that there has had an
excellent working relationship with town staff, Boards and Commissions, which is a
big part of the success and he thanked everyone for this. He said that Lucy Gallo
from Development Planning & Financing Group, Inc., (DPFG) provided another fiscal
update through fiscal year 2019. He stated that the report documented that
property taxes, current use change payments and car registration fees from the
project areas amounted to a solidly positive fiscal impact for the town, which means
that it is not costing the town to host this project. He added that it was also noted
there was no impact to the schools as well. Town Planner Mailloux said that the
fiscal data was complied with all the departments and pointed out that the current
study is setting the framework for these annual updates in accordance with the
town’s fiscal year.

Chairman Rugg opened it up to questions from the Board. A. Chiampa asked about
Table 3, noting the filled position table. A. Pollack answered that this was compiled
to see if there had been an increase in town personnel, specifically due to
Woodmont. A. Chiampa asked why the Supervisor of the Checklist was in the table,
but not the Town Council whom both receive a salary. Town Planner Mailloux said
she would defer to Finance or Human Resources as those numbers came from
them. A. Chiampa asked if the soil that was moved from Gilcrest was tested or
needs to be tested. A. Pollack stated that the soil was tested and would be placed in
non-residential areas. A. Chiampa asked how the soil was being stabilized. A.
Pollack responded that the grass on top of the soil helps to stabilize run-off and
erosion, as well as silt fence around the soil to contain it. T. Combes asked if there
were any calls to the DPW and PD to Woodmont. A. Pollack commented that this
report was only up to June of 2019, and the question was if the Town had to hire
more people to perform the tasks, noting that this study pointed out that no new
personnel were hired for this project. M. Soares said that because there were no
residential units, school personnel would not have been impacted, but asked about
future years. A. Pollack said that would be something they will be investigating and
it will be a fluid process. T. DeFranco mentioned that he thought this report was
a good template. A. Sypek clarified that Woodmont is tax positive to the town.
Town Planner Mailloux responded that was correct. R. Fillio asked about Land Use
Change Tax. A. Pollack referred him to a page in the report on this. A. Chiampa
asked about if the retention ponds next to Duck Pond are working well for filtration. A. Pollack said that in his opinion, they are working out fine. J. Trottier clarified that those are retention ponds and at times it will need to be pumped out through a __ tank, creating storage in the pond itself. He said that they pump it down, so if a storm did occur, they would have room to accommodate the storage. He said that it is working fine and is temporary due to construction. A. Pollack pointed out that Woodmont has not needed to use those tanks in a long time as they were more utilized during the initial site work. J. Trottier noted that there are these tanks all along I-93 due to the type of soil. T. Combes asked about if Duck Pond would be a viable pond in the future with permitting. A. Pollack said that the water level has risen due to beaver activity and they are not sure if they will go through permitting.

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

B. Election of Officers

Member M. Soares nominated Art Rugg for Chair.

A. Sypek seconded the motion.

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

Member M. Soares nominated Chris Davies for Vice Chair.

T. DeFrancesco seconded the motion.

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

Member M. Soares nominated Al Sypek for Secretary.

T. DeFrancesco seconded the motion.

The motion was granted, 6-0-1, with A. Sypek abstaining. The Chair
voted in the affirmative.

Member M. Soares nominated Scott Benson for Assistant Secretary.

A. Sypek seconded the motion.

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

VI. Adjournment

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

The motion was granted, 7-0-0.

The meeting adjourned at approximately 8:06 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,

____________________________

Name: ______________________
Title: ________________________

These minutes were accepted and approved on April 1, 2020, by a motion made by _______________ and seconded by __________________.