

Present: Chair John Farrell; Vice Chair Chad Franz; Councilors Jim Butler, Ted Combes, and Ron Dunn; Town Manager Michael Malaguti; Assistant Town Manager Kellie Caron; Administrative Support Coordinator Kirsten Hildonen

Chair Farrell called the Town Council meeting to order at 7:00 PM. Farrell led the Pledge of Allegiance and called for a moment of silence in remembrance of 9/11.

Chair Farrell called for a roll call vote to move into a non-meeting with legal counsel.

Ted Combes	Yes
Chad Franz	Yes
John Farrell	Yes
Jim Butler	Yes
Ron Dunn	Yes

Council returned from non-meeting at 7:23pm. Chair Farrell called for a roll call vote to resume the meeting.

Ted Combes	Yes
Chad Franz	Yes
John Farrell	Yes
Jim Butler	Yes
Ronn Dunn	Yes

Chair Farrell moved up item D.1 and D.2 on the agenda.

Town Manager Malaguti introduced his appointment of Tara Koza as Human Resources Director. Koza expressed her enthusiasm for her work and her gratitude to the Town leadership.

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31 Motion to confirm Koza as Human Resources Director made by Vice Chair Franz and seconded  
32 by Councilor Dunn.

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John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

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35 Motion passed 5-0-0.

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39 Chair Farrell called up Deputy Chief Bo Butler. Councilor Butler recused himself.

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41 Town Manager Malaguti introduced his appointment of DC Butler. DC Butler paid his regards to  
42 DC Fred Heinrich and spoke about his background, the department, and his vision for the role of  
43 Fire Chief.

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45 Motion to confirm Bo Butler as Fire Chief made by Vice Chair Franz, seconded by Councilor  
46 Combes.

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John Farrell	Yes
Chad Franz	Yes
Jim Butler	Recused
Ted Combes	Yes
Ron Dunn	Yes

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49 Motion passed 4-0-0.

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53 Sherry Farrell, Town Clerk

54 Civil forfeitures for unregistered dogs will start on Wednesday, September 13, 2023. David Plaza,  
55 207 Pillsbury Road, asked when the list of dogs was updated. Farrell replied that it was updated  
56 this year.

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58 Councilor Butler rejoined the Council.

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60 Dan Bouchard

61 8 O'Connell Drive

62 Bouchard thanked the Town Manager for keeping the role of Fire Chief in-house.

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64 Ray Breslin

65 3 Gary Drive

66 Breslin asked about the status of a water line near his house. Chair Farrell replied that they were  
67 waiting on information from the state.

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69 Ann Chiampa

70 28 Wedgewood Dr

71 Chiampa asked if the Lithia Springs property had been purchased yet. Town Manager Malaguti  
72 replied that it had.

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81 Motion to open the public hearing made by Vice Chair Franz and seconded by Councilor Combes.

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John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

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84 Motion passed 5-0-0.

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86 Assistant Town Manager Kellie Caron presented Ordinance 2023-03. On June 7, 2023, the  
87 Planning Board voted to recommend the rezoning of 556 Mammoth Road, Map 15, Lot 236, from  
88 AR-I to C-II. The Master Plan indicates this area as part of the G-3 intended growth center that  
89 could support significant mixed-use development.

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91 Brad Westgate, attorney, of Winer and Bennett, LLP, 402 Amherst Street Suite 302, Nashua, and  
92 Paul Chisholm, engineer, of Keach-Nordstrom Associates, 10 Commerce Park N Suite 3, Bedford,  
93 representing the applicant Page Rock LLC, presented the details of the property in question.  
94 Westgate thanked Caron for her help in the process. Page Rock LLC owns three contiguous parcels

of land at 295 Rockingham Road, 3 Page Road, and 556 Mammoth Road totaling approximately 11 acres. The first two properties are already zoned C-II, while the third one, which is approximately .341 acres, is currently zoned AR-I. All properties are serviceable by water and sewer. The current plan is to develop all three parcels together into approximately 40 multifamily housing units. Multifamily housing is allowed in the C-II district through Conditional Use Permit. Chisholm discussed the current disposition of the properties. Most of the properties are currently undeveloped with one house on the 3 Page Road parcel. Abutting parcels are zoned in a variety of ways. Chisholm acknowledged the traffic concerns and said that a study will be part of the development process. Westgate stated that the multifamily development would be a good fit within the master plan. The rezoning of the 556 Mammoth Road parcel aligns with the goals articulated in the master plan. Unified zoning across the project would make it easier for the Planning Board to analyze.

Chair Farrell asked the applicant if they were aware the Town owned the rights to the Merrill property. Westgate stated that they were not.

Chair Farrell went to the public for comment and there was none.

Chair Farrell went to the Council. Vice Chair Franz asked Assistant Town Manager Caron if staff recommended the rezoning. Caron replied that staff does not opine on zoning changes but the Planning Board voted to support it 5-1-1. Chair Farrell asked what they would do to mitigate traffic. Chisholm stated that they will follow the data and consider all options. The developer is willing to do a full traffic study even though it is not required by the Town. He declined to address specifics and stated that the Planning Board will address it when it goes in front of them. Chair Farrell stated that there are already traffic concerns in the area and it is difficult to support rezoning without that knowledge. Chisholm replied that this parcel is helpful to development but not essential and the project could move forward without the rezoning. Councilor Butler stated that he understands that they are trying to move the development farther from Rockingham Road but he wants them to move it back towards Rockingham Road and ask for an easement from the state. Councilor Combes pointed out that they are looking at different options and much of the land near Rockingham Road is wet.

Chair Farrell returned comment back to the public.

Ann Chiampa

28 Wedgewood Dr

Chiampa was the dissenting vote on the Planning Board. She stated that an earlier version of this project had both entrances on Page Road. She voted no on the conceptual plan when the developer moved one entrance onto Old Mammoth Road.

Robert Lebreux

76 Hall Road

He agrees with Councilors Farrell and Butler. He also pointed out that there is a school bus terminal in the area that increases traffic.

Chair Farrell stated that the applicant needs to do more research in order to gain his support and asked them to come up with some more concrete solutions. Chisholm replied that they are open to different things. Chair Farrell called Director of Engineering and Environmental Services John Trottier to the podium. Chair Farrell gave them the option of continuing and speaking with Trottier to explore options, or he would call for a motion to deny at this time.

Motion to continue the public hearing until October 2023 made by Vice Chair Franz and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

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Wendy Johnson, Project Manager, and Jay Levine, Contract Administrator, of the Department of Transportation presented the update. Johnson explained the progress on the stages of the project including the connector road, road improvements, and demolition. She explained the ramps and mitigations around them. Chair Farrell asked when the sound barriers would go up along Trolley Car lane. Johnson replied that they would go up after the sound barriers on the northbound side were complete. Levine replied that they would likely be complete by August 2024. Councilor Combes asked if the projected completion date of October 2024 for the A project would mean that it would be available for use at that point. Johnson replied that the ramps would open early if Woodmont Commons needed it, but if they do not need the ramps, they won't open until the B project is completed. The B project will start construction in summer 2024, and will take approximately two years. Town Manager Malaguti stated that Woodmont has been actively pursuing development on the east side of the parcel and would likely have updates soon. Vice Chair Franz asked the DoT and Town Manager to make sure that the Fire Department was apprised of any closures that would affect emergency response. Malaguti added that the condition of Trolley Car Lane was not due to construction, but rather due to the wet nature of the area. Levine confirmed that no heavy vehicles use Trolley Car Lane to access the construction site.

Director of Engineering and Environmental Services John Trottier presented. The order is for \$17,000 for 200 more recycling carts for new construction and replacement. Councilor Combes asked if we track damage by the recycling service. Trottier replied they do not but the provider knows to be careful.

Motion to approve Order #2023-12 made by Vice Chairman Franz, and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Chairman Farrell moved up Appointments/Reappointments (G) to next on the agenda.

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Jason Goldman, 158 Mammoth Road

Councilor Dunn asked Goldman if he understood the time commitment involved in the Committee. Goldman stated he did. Vice Chair Franz asked him what he understood the Budget Committee to be. Goldman stated that he saw it as a review process. Vice Chair Franz asked how he would engage the community and provide transparency. Goldman replied that wanted to meet and engage with the Town. Vice Chair Franz asked if Goldman had any conflict of interest. Goldman replied no. Chair Farrell asked if he would be interested in any other committee. Goldman replied that he would be but thought that the Budget Committee would be the best fit.

David Plaza, 207 Pillsbury Road

Plaza stated that he did Leadership Londonderry and now he has more time to volunteer. Councilor Dunn asked about the time commitment. Plaza said yes. Vice Chair Franz asked about the role of the Budget Committee, gathering input from the community, and conflicts of interest. Plaza replied that he sees the role as advisory and overseeing, and an opportunity for different eyes to look at the budget. Plaza prefers face to face conversations over soliciting input over social media. The only potential conflict is that Town and School buy products from his employer and he would recuse himself. Councilor Combes asked if he would be interested in other committees. Plaza replied that he would consider them as they came up.

Budget Committee Chair Patrick Cassidy, 12 Elwood Road, thanked the applicants, urged the Council to fill the vacancies tonight, and informed them that Kate Burbidge had attended the August Budget Committee meetings as the Council had suggested.

Motion to appoint Kate Burbidge and Jason Goldman made by Councilor Butler and seconded by Vice Chair Franz.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

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Utilities Committee Chair Lynn Wiles presented. The Utilities Committee recommends moving forward with Freedom Energy Logistics / Colonial Power Group as the supplier of choice for Londonderry's Community Choice Power Aggregation Program. The Utilities Committee recommends that the Town Council neither support nor oppose the Twin States Energy Project, but continue to monitor it as it moves through the regulatory, engineering, and site approval process.

Council gave support to both recommendations.

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Town Manager Malaguti and Wiles presented. Wiles stated that there had been discussion in the past of integrating the duties of the Solid Waste Committee into the Utilities Committee. It is getting difficult to fill the spots on the committee. Wiles observed that Beautify Londonderry is currently a subcommittee of the Solid Waste Committee, chaired by Joy Muller. He stated that it is a well-run committee that is capable of standing alone, and recommended that it be designated as an official stand-alone ad-hoc committee. Chair Farrell suggested that it could be a subcommittee of the Planning Board or stand it up on its own. He asked if the Utilities Charter needed to be amended to add the duties of Solid Waste. Malaguti said no. Chair Farrell suggested that they return to this next meeting with a comprehensive plan after consulting with Finance.

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248 Minutes for the August 14, 2023 meeting and amended minutes for the July 10, 2023 meeting were  
249 presented. Motion to approve made by Vice Chair Franz and seconded by Councilor Dunn.

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John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

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252 Motion passed 5-0-0.

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254 Chair Farrell asked that the Executive Assistant to the Town Manager and Town Council begin  
255 attending Town Council meetings.

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259 The liaisons made their reports on their assigned areas.

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263 Town Manager Malaguti gave the Council his report. Assistant Town Manager Caron gave the  
264 Council her report.

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268 Motion to adjourn made by Vice Chair Franz and seconded by Councilor Dunn.

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John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

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271 Motion passed 5-0-0. Meeting adjourned at 9:28 p.m.

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273 Minutes prepared by Kirsten Hildonen

274 Minutes approved by Town Council on 9/25/2023