

**LONDONDERRY, NH PLANNING BOARD MINUTES OF THE MEETING OF  
June 14, 2023, 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; Ann Chiampa, member; Giovanni Verani, Ex-Officio; Bruce Hallowell, Ex-Officio; Ted Combes, Ex-Officio – Town Council; Jason Knights, alternate member; Tony DeFrancesco, alternate member; Roger Fillio, alternate member.

**Also Present:** Kellie Caron, Assistant Town Manager/Director of Economic Development; Mike Malaguti, Town Manager

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 R. Fillio to vote for J. Penta.

**II. ADMINISTRATIVE BOARD WORK**

**A. APPROVAL OF MINUTES:**

There were no minutes to be approved.

**B. REGIONAL IMPACT DETERMINATIONS:**

There were no regional impact determinations.

**C. DISCUSSION WITH TOWN STAFF:**

K. Caron noted there will be a regular meeting on July 5. The July 12 meeting is a combined meeting with the Heritage Commission to discuss the Look Book. Chairman Rugg asked the members to email pictures to K. Caron.

**III. Old Business – n/a**

**IV. New/Conceptual Plans**

- A. Public hearing on an on waiver requests to sections 3.09A, 6.04, 3.05, 3.07.A, 3.09.B, and 3.09.F of the Londonderry Subdivision Regulations relating to traffic study, utility clearance letters, and utility service connection location for a conditionally approved subdivision plan, 55 Pettengill Road, Map 14 Lot 49-3, Zoned Gateway Business District, One Pettengill Road Realty, LLC (Owners & Applicant).

Chairman Rugg read the application into the record. He noted that at a previous

meeting, there was an oversight and the wavier were not accepted, so this will be corrected this evening. There is a conditionally approved subdivision plan.

Consultant Kevin Smith addressed the Board. He said at the April 5th meeting, a number of outstanding checklist items were waived for acceptance purposes only. He previously informed the Board that subdivision approval was needed prior to site plan approval to accommodate a large manufacturer. This manufacturer is New Balance.

Bob Duval of TFMoran, engineer of record, addressed the Board. He presented three waivers:

1. Waiver from Section 3.09A (Checklist item X.4) of the Subdivision Regulations relative to a study of traffic impacts for future lots 49-3 and 49-6 to be created by this subdivision application.

B. Duval said this is intended to be a subdivision of two vacant lots. Lot 49-3 is intended for development as a large manufacturing facility. Lot 49-6 has an indeterminant use at this point. A traffic study has been submitted to the Town for lot 49-3 and is under review. A traffic study cannot be done for lot 49-6 without knowing the specific use for the parcel; at this time, there is none. A traffic study will be submitted once a use for the parcel is determined.

2. Waiver from Section 6.04 and (Checklist item X.7) of the Subdivision Regulations for utility clearance letters for future lots 49-3 and 49-6 to be created by this subdivision application.

B. Duval noted for lot 49-3, letters for power and telecommunications services have been received. Natural gas service is not needed. They expect sewer and water service clearance to be provided shortly. For lot 49-6, there is no anticipated use for the parcel, so no letters will be issued. There are existing service stubs for utility services to lot 49-6.

3. Waiver from Subdivision Regulations 3.05 and 3.07.A, relative to showing utility service connections, and from 3.09.B, and 3.09.F (Checklist item VII.2) relative to showing a proposed driveway for future lot 49-3 created by this subdivision application.

B. Duval noted for lot 49-3, the proposed locations are shown on the site plan being reviewed by the Town. Service stubs are present on lot 49-6.

K. Caron reiterated this is a conditionally approved subdivision plan. The applicant wishes to waive these items. Relating to lot 49-3, this information has been provided through the site plan process and is under review. For lot 49-6, Town regulations require this information for vacant lots with no intended development, so a waiver has been requested. It will be provided if/when a site plan comes forward.

93 There were no questions from the Board.

94  
95 There was no public input.

96  
97 **Member J. Butler made a motion to grant the applicant's request**  
98 **for three waivers, as they can be granted without substantial**  
99 **detriment to the public good. These waivers are outlined in the**  
100 **Staff Recommendation Memorandum dated June 14, 2023.**

101  
102 **T. Combes seconded the motion.**

103  
104 **The motion was granted, 9-0-0. The Chair voted in the affirmative.**  
105

- 106 B. Conceptual review and non-binding discussion of a 96-unit multi-family  
107 residential development and associated site improvements in the Multi-family  
108 Residential (R-III) District. 35 Gilcreast Road, Tax Map 7, Lot 118, Gilcreast  
109 Realty Holdings LLC (Owner/Applicant).  
110

111 Joe Maynard of Benchmark, LLC, appeared before the Board representing Gilcreast  
112 Holdings. The property is approximately 20 acres and was previously an orchard,  
113 but has not been maintained. There are wetlands on the western side of the  
114 property. The development will be a town house-type project comprised of 96  
115 three-bedroom units of roughly 2,000 square feet each, with two-car garages.  
116 There will be three access roads into the development. They will tie into municipal  
117 services, although a private pump station might be needed. There will be a fence  
118 dividing the development from the Nevins, as requested by the Nevins residents.  
119 He listed the waivers they will most likely request, including exemption from  
120 phasing, requiring interior sidewalks, and select road standards.  
121

122 K. Caron reiterated that as this is conceptual, the staff has not conducted a full  
123 review. As such, it may be subject to additional committee and Board review,  
124 including ZBA. The density calculation needs to be vetted through the engineering  
125 department in terms of what is appropriate for capacity of the site.  
126

127 J. Butler asked about maintenance of the fence. J. Maynard clarified it is intended  
128 as a deterrent as opposed to providing privacy, so could be a chain link fence. J.  
129 Butler questioned the aesthetics and the length of the driveways and the ability to  
130 maintain them, especially in the winter. R. Fillio concurred.  
131

132 B. Hallowell asked about the price point and expressed his hope that the  
133 development would attract younger homeowners. J. Maynard was unable to quote  
134 pricing at the time, due to changing costs. B. Hallowell noted an old New England  
135 row-house look would play favorably to this Board and J. Knights concurred.  
136

137 J. Knights felt this project fills a gap in the Town's current housing mix.  
138

139 T. Combes questioned the rationale for these being private vs. public roads and the  
140 length of the roads, which would require children to walk a long way to catch the

school bus. He suggested including a playground or community area in the design. J. Butler and Chairman Rugg concurred. T. Combes suggested adding stairs from the decks to the ground and walkouts for the ground units.

A. Sypek suggested adding shelters for children to wait for the school bus and J. Butler concurred. A. Sypek asked if soil mitigation would be required. J. Maynard said there is a pollutant in the soil, an insecticide that was used when row crops were present; however, it is at the bottom of the plow layer. Any contaminated soil found above the plow layer can be used in the detention pond as fill.

L. Wiles asked if the price point would be market rate and J. Maynard verified this is the case.

G. Verani agreed he would like to see housing for younger families and the landscaping plan should be reviewed. Chairman Rugg agreed.

T. DeFrancesco asked staff if the roads could be public. K. Caron said generally, the preference is to have roads in developments such as this be private, to avoid the need for the Town to maintain them. T. DeFrancesco suggested full-width driveways to the street to facilitate guest parking.

A. Chiampa suggested adding grass in front of each unit and Chairman Rugg concurred.

Chairman Rugg asked M. Malaguti if there is a report from DES on the pollutant. M. Malaguti said there is, but it is not recent. Chairman Rugg asked for a more recent report. He asked if the site will be monitored and what that schedule would be. J. Maynard said there are monitoring wells near the development.

Chairman Rugg noted J. Maynard will need to meet with the Heritage Commission and the Conservation Commission, and suggested he work closely with staff and abutters. He recommended meeting with the Nevins residents as a group.

The Board discussed the need for sidewalks and agreed they were not necessary. J. Maynard said he will work with the architect to add additional landscaping. He thanked the Board for their input.

C. Conceptual review and non-binding discussion of two mixed use commercial buildings over 50,000 square feet along with associated site improvements in the Commercial II and Route 102 Performance Overlay Districts. 308 Nashua Road, Tax Map 2, Lot 27-28, GJC Development, LLC (Owner/Applicant).

Karl Dubay with The Dubay Group addressed the Board. K. Dubay noted the project is 7 acres on Route 102. They have worked with staff and the DOT to develop an offsite improvement plan. He described the terrain and proposed site development. The buildings will be two levels within the 12,500 square foot maximum footprint. There will be parking, landscaping, and sidewalks in front of the buildings. Access will be from Route 102 and Tavern Hill Road. The project will be a hybrid of retail

189 and restaurant, offices, and commercial services.

190  
191 Steve Jacques of EMR Drywall addressed the Board. One building would house their  
192 commercial drywall business.

193  
194 K. Caron noted the applicant has shown compliance with Town regulations. The  
195 applicant is working with the Town engineering department to address drainage  
196 issues. The staff looks forward to reviewing the formal application.

197  
198 A. Chiampa asked about the location of the dumpsters and K. Dubay said the  
199 landscaping will block the view of this area. He said they are working with the  
200 grading to help with the aesthetics of the buildings.

201  
202 T. DeFrancesco asked about the exterior design of the buildings and to keep in  
203 mind that seven homes will be looking at the back of these buildings. S. Jacques  
204 said they have not committed to the design yet but it will be similar to other  
205 buildings in Londonderry. T. DeFrancesco recommended meeting with the Hickory  
206 Woods residents and S. Jacques said this is planned. T. DeFrancesco asked about  
207 snow storage and K. Dubay said there is room in the parking lot.

208  
209 G. Verani asked what would happen if they cannot find a restaurant tenant. S.  
210 Jacques said the building will be conducive to retail, if that happens.

211  
212 L. Wiles asked if they have considered putting the buildings on Route 102. K. Dubay  
213 said septic and drainage issues present a design challenge.

214  
215 T. Combes asked where the septic systems will be located. K. Dubay said they will  
216 be in front of the building, in the fill.

217  
218 J. Knights noted the parking lot is oversized. K. Dubay said it is shy of retail  
219 requirements and they are planning for good site circulation. They believe  
220 landscaping will be added and parking spots removed, after they meet with other  
221 Town departments.

222  
223 J. Butler suggested creating a good screen on the property line for the winter  
224 season.

225  
226 A. Chiampa asked about two areas that appear to be patios and S. Jacques agreed  
227 this is the planned use.

228  
229 Chairman Rugg recommended the applicant work with staff and abutters as well as  
230 the residents of Harvest Village.

231  
232 D. Conceptual review and non-binding discussion of a 30,000 square foot  
233 medical building with associated site improvements in the Mixed-Use  
234 Commercial (MUC) zoning district and Conservation Overlay District. 175  
235 Rockingham Road, Map 15, Lot 60-2, 71 Perkins Road, Map 15 Lot 51, 171

Rockingham Road, Map 15 Lot 59. Jean Gagnon (owner), Bill Greiner (applicant).

G. Verani recused himself from this discussion.

Sam Foisie of Meridian Land Services addressed the Board. They do not have a tenant at this time, so the building may be reduced to a single story. He described the location of the property and overall design of the project, including drainage, parking, and landscaping. It will be accessed from Vista Ridge. It will be served by municipal utilities. He acknowledged the need for additional landscaping at the rear of the building to shield the proposed condominiums. There are two wetlands in the center of the lot, which will be impacted. They will go through the DES process to mitigate for that impact, which involves a fee.

There is a drainage easement on the property, which does not appear to be over the swale. There is a sewer easement associated with the proposed condos, which will be relocated or addressed in the site plan. There will be a temporary slope easement off the rear of the property, which will cease to exist after construction is completed.

Bill Greiner, applicant, noted he has needed to add parking in past projects, so he is planning for additional parking upfront. He said most of the physicians who will be located in the building are part owners of the project.

K. Caron said staff has met with the applicant, who has incorporated their suggestions into the project. This parcel is part of the Vista Ridge subdivision, which is currently under design review. There are wetland impacts, which will be subject to state permitting as well as a Conservation Commission Conditional Use Permit and Planning Board review.

J. Butler suggested the design of both sides of the building be similar and B. Hollowell concurred, suggesting it have a New England look. J. Butler expressed concern about traffic accessing Vista Ridge.

S. Foisie said the corner will be the focal point of the project. He said VHB has done a traffic study associated with the overall subdivision, which accounted for this property being developed as commercial. With the use of medical, the trips per day will be reduced by 58 percent.

T. Combes asked if the proposed stormwater management pond could be located underground. S. Foisie described the current system, which includes both above ground and underground structures.

T. DeFrancesco expressed concern that this lot anchors the development and the architectural rendering is not attractive and has no character, and needs to be adjusted. A. Chiampa and Chairman Rugg concurred, suggesting the bus station be used as a reference. B. Greiner noted this rendering is not what the building will look like.

Chairman Rugg recommended the applicant work with staff and abutters, including Vista Ridge, as well as the Heritage Commission and the Conservation Commission.

T. Combes asked that descriptors such as hate and ugly not be used in future discussions. K. Caron added members could suggest stating their preference as opposed to noting what something is not.

G. Verani, 73 Page Road, said this property has had a number of businesses interested in it in the past. The Board agreed they like the proposed medical use. G. Verani believes it is a good location for this type of facility, near Exit 5. He noted the two wetland areas were caused by timbering of the site.

R. Fillio asked why the building could not be two stories with a smaller footprint instead of reducing it to one story, if there are not enough interested parties. B. Greiner said the lead practice needs everything on one level.

The Board discussed the question of traffic accessing Vista Ridge. K. Caron noted it is a state road, so will be subject to that permitting process. She added that initially there were concerns about the proximity of Vista and an additional curb cut on Route 28, so that can be discussed further. B. Hallowell noted he felt traffic accessing Route 28 via a signalized intersection is more favorable than not using a signalized intersection. Chairman Rugg concurred, saying the Board prefers signalized intersections, as they create a better flow. S. Foisie noted if they sought a connection to Route 28, it would be right in, right out, which would alleviate cueing issues at a signalized intersection. He said this will be addressed in the DOT process.

G. Verani returned to the Board.

## **V. Other**

Chairman Rugg noted there will be a joint meeting with the Heritage Commission on July 12.

## **VII. Adjournment**

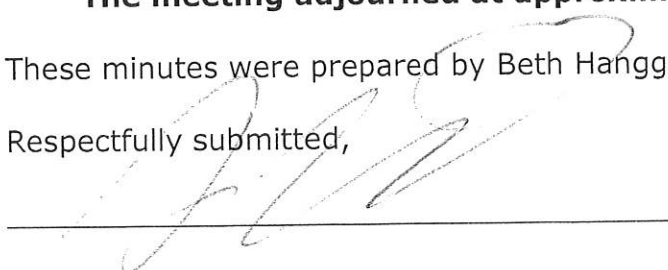
**Member A. Sypek made a motion to adjourn the meeting at approximately 9:10 p.m. Seconded by T. Combes.**

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

**The meeting adjourned at approximately 9:11 PM.**

These minutes were prepared by Beth Hanggeli.

Respectfully submitted,



332

333 Name: Jake Butler

334 Title: Secretary

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336 These minutes were accepted and approved on 7/12/23 by a motion made by

337 Jake Butler and seconded by Lynn Wiles

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339