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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.

30
31 Motion to confirm Koza as Human Resources Director made by Vice Chair Franz and seconded
32 by Councilor Dunn.

33

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

34
35 Motion passed 5-0-0.

36
37 _____

38
39 Chair Farrell called up Deputy Chief Bo Butler. Councilor Butler recused himself.

40
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.

44
45 Motion to confirm Bo Butler as Fire Chief made by Vice Chair Franz, seconded by Councilor
46 Combes.

47

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

48
49 Motion passed 4-0-0.

50
51 _____

52
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.

57
58 Councilor Butler rejoined the Council.

59

60 Dan Bouchard
61 8 O'Connell Drive

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

63
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.

68
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.

73
74
75
76 _____
77
78 _____
79 _____

80
81 Motion to open the public hearing made by Vice Chair Franz and seconded by Councilor Combes.

82

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

83
84 Motion passed 5-0-0.

85
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.

90
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

95 of land at 295 Rockingham Road, 3 Page Road, and 556 Mammoth Road totaling approximately
96 11 acres. The first two properties are already zoned C-II, while the third one, which is
97 approximately .341 acres, is currently zoned AR-I. All properties are serviceable by water and
98 sewer. The current plan is to develop all three parcels together into approximately 40 multifamily
99 housing units. Multifamily housing is allowed in the C-II district through Conditional Use Permit.
100 Chisholm discussed the current disposition of the properties. Most of the properties are currently
101 undeveloped with one house on the 3 Page Road parcel. Abutting parcels are zoned in a variety of
102 ways. Chisholm acknowledged the traffic concerns and said that a study will be part of the
103 development process. Westgate stated that the multifamily development would be a good fit within
104 the master plan. The rezoning of the 556 Mammoth Road parcel aligns with the goals articulated
105 in the master plan. Unified zoning across the project would make it easier for the Planning Board
106 to analyze.

107

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

110

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

112

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

126

127 Chair Farrell returned comment back to the public.

128

129 Ann Chiampa

130 28 Wedgewood Dr

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

134

135 Robert Lebreux

136 76 Hall Road

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

139
140 Chair Farrell stated that the applicant needs to do more research in order to gain his support and
141 asked them to come up with some more concrete solutions. Chisholm replied that they are open to
142 different things. Chair Farrell called Director of Engineering and Environmental Services John
143 Trottier to the podium. Chair Farrell gave them the option of continuing and speaking with Trottier
144 to explore options, or he would call for a motion to deny at this time.

145
146 Motion to continue the public hearing until October 2023 made by Vice Chair Franz and seconded
147 by Councilor Combes.

148

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

149
150 Motion passed 5-0-0.

151
152 _____
153
154 _____

155
156 Wendy Johnson, Project Manager, and Jay Levine, Contract Administrator, of the Department of
157 Transportation presented the update. Johnson explained the progress on the stages of the project
158 including the connector road, road improvements, and demolition. She explained the ramps and
159 mitigations around them. Chair Farrell asked when the sound barriers would go up along Trolley
160 Car lane. Johnson replied that they would go up after the sound barriers on the northbound side
161 were complete. Levine replied that they would likely be complete by August 2024. Councilor
162 Combes asked if the projected completion date of October 2024 for the A project would mean that
163 it would be available for use at that point. Johnson replied that the ramps would open early if
164 Woodmont Commons needed it, but if they do not need the ramps, they won't open until the B
165 project is completed. The B project will start construction in summer 2024, and will take
166 approximately two years. Town Manager Malaguti stated that Woodmont has been actively
167 pursuing development on the east side of the parcel and would likely have updates soon. Vice
168 Chair Franz asked the DoT and Town Manager to make sure that the Fire Department was apprised
169 of any closures that would affect emergency response. Malaguti added that the condition of Trolley
170 Car Lane was not due to construction, but rather due to the wet nature of the area. Levine confirmed
171 that no heavy vehicles use Trolley Car Lane to access the construction site.

172
173 _____

174
 175 Director of Engineering and Environmental Services John Trottier presented. The order is for
 176 \$17,000 for 200 more recycling carts for new construction and replacement. Councilor Combes
 177 asked if we track damage by the recycling service. Trottier replied they do not but the provider
 178 knows to be careful.

179
 180 Motion to approve Order #2023-12 made by Vice Chairman Franz, and seconded by Councilor
 181 Combes.

182

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

183
 184 Motion passed 5-0-0.

185
 186 Chairman Farrell moved up Appointments/Reappointments (G) to next on the agenda.

187
 188 _____
 189
 190 _____

191
 192 Jason Goldman, 158 Mammoth Road

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

200
 201 David Plaza, 207 Pillsbury Road

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

210

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

214

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

217

218

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

219

220 Motion passed 5-0-0.

221

222

223

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

230

231 Council gave support to both recommendations.

232

233

234

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

244

245

246

247

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.

250

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

251

252 Motion passed 5-0-0.

253

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

256

257

258

259 The liaisons made their reports on their assigned areas.

260

261

262

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

265

266

267

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

269

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

270

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

272

273 Minutes prepared by Kirsten Hildonen

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