

**LONDONDERRY ZONING BOARD OF ADJUSTMENT
268B MAMMOTH ROAD
LONDONDERRY, NH 03053**

MINUTES FROM 01/19/22 MEETING

The meeting was called to order at 7:00 p.m. Members introduced themselves. The following members were present: Jacqueline Benard, Vice Chair; Brendan O'Brien, Clerk; Suzanne Brunelle, member; Irene Macarelli, alternate member; and David Armstrong, alternate member. Vice Chair Benard appointed D. Armstrong and I. Macarelli as full voting members this evening. Also, participating was Laura Gandia, Associate Planner; Nick Codner, Chief Building Inspector; and Beth Morrison, Recording Secretary.

- I. APPROVAL OF MINUTES - The minutes could not be voted on due to lack of quorum and will be taken up again at the February 16, 2022, meeting.
- II. REPORT BY TOWN COUNCIL – D. Paul stated there was nothing to report at this time.
- III. REGIONAL IMPACT DETERMINATIONS: Associate Planner Gandia informed the Board that she had one project for their consideration.
 1. CASE NO. 01/19/2022-1: Request for a special exception for a portable storage unit pursuant to LZO 5.15.1, 114 Litchfield Road, Map 11 Lot 26-1-2, Zoned AR-1, Gary & Amy Mellinger (Owners & Applicants)

B. O'Brien made a motion that the case is not of regional impact.

The motion was seconded by D. Armstrong.

The motion was granted by, 5-0-0.

IV. PUBLIC HEARING OF CASES

A. CASE NO. 11/17/2021-3: Request for two variances from (1) LZO 4.2.2.2 (B) to eliminate the use requirement at least 75% of single family and two family dwellings shall be restricted housing for older persons in the multi-family residential (R-III) zone; and (2) LZO 4.2.2.3.B.1.b to allow 55 residential 3 bedroom units where only 35 are permitted, 22 Young Road, Map 6 Lot 53, Zoned R-III, Zoned R-III, Edgar L. Pitts and Winnifred L. Pitts Revocable Trust (Owner) and Cedar Crest Development, LLC (Applicant) – continued from the December 15, 2021, meeting

B. O'Brien read the case into the record. Dan Muller Esq., from Cronin, Bisson & Zalinsky Attorneys at Law, 722 Chestnut Street, Manchester, NH, and Aaron Orso, from Cedar Crest Development, LLC, 25 Buttrick Road, Unit A1, Londonderry, NH, addressed the Board. A. Orso explained that the Board continued the case in November so they could prepare more information on test pits, soil data, accurate wetland mapping, blasting concerns and gas line development procedures. He passed out a packet, Exhibit 1, for the Board to review along with the presentation, which is attached hereto. He pointed out

that the packet he gave the Board this evening has more information with floor plans, updated site plans, leach field locations and where the gas line is on the property. He commented that the Board and the public were concerned about the wetlands on the site and reviewed the location of the wetlands. He said that he believes there is minimal wetlands on the site. He noted that they hired Luke Hurley, from Gove Environmental to do all the wetland mapping on the site. He mentioned that the engineer, Kurt Meissner, took the soil types and applied the density calculations to come up with a total of 55 units. He added that they have a blasting report from GM Drilling & Blasting, Inc., with a scope of work with their standard procedures for a site such as this. He said that he reached out to Kinder-Morgan, formally known as Tennessee Gas Pipeline and there is an email correspondence in the packet from them. He commented that they read through the master plan of the Town and have tried to incorporate ideas from the master plan in their development. He stated that he has many letters of support from residents in the town, as well as real estate agents that are supportive of a project like this. He expressed his opinion that there is a housing crisis, mainly due to an inventory shortage, which he feels a project like this could provide some relief. He pointed out information in the packet from the New Hampshire Association of Realtors that emphasized the inventory crisis, which sky rockets prices. He explained that by shrinking the house they can market it better towards middle class and time first-time homebuyers. He concluded that this development density is not about greed on his end, but rather a need in the community. Vice Chair Benard asked if they would like to add anything to the five points of law that was presented on November 17, 2021. D. Muller replied that they do not feel they need to add anything at this time.

N. Codner read the memorandum, Exhibit 2, from the Planning Department into the record to the Board, which is attached hereto. He noted that Staff has calculated 20.65 units based on the soil types versus the 55 units the applicant has calculated. He mentioned that if the Board is not clear on the numbers Staff has presented, he recommended that the Board not vote on this tonight until they have time to meet and discuss this with Staff. He added that the hardship discussed at the last meeting was in regards to the ordinance, when it should be about the lot. A. Orso said that he has discussed this with N. Codner and Staff noting they are looking for relief from the table that calculates density. He went on stating that per the state's density calculations based on soil types they could have 67 three-bedroom units. He reiterated that they are not here due to greed, but rather want a project based on 50 units that can be sold for market rate. He mentioned that he spoke at the last meeting to have five additional units, which they are proposing for an affordable price range. Vice Chair Benard asked for the median price range. A. Orso replied that it would be approximately \$330,000 to \$335,000 at this time, which is all based off median income. He noted that his engineer, Kurt Meissner, could help define soils and answer any questions. D. Armstrong asked if they are proposing five units for affordable rates. A. Orso replied that if they are approved for 50 units, then they can offer five units as affordable. D. Armstrong asked if it was 50 units or 55 units in total. A. Orso replied that they are seeking to have 55 units total. D. Armstrong asked how big the units would be. A. Orso replied that they are approximately 2,300 SF to 2,500 SF three-bedroom units. D. Armstrong asked how he can guarantee these units will not also go way over market price when he is looking to sell them. A. Orso answered that he is going to follow the market, but his game plan is to advertise these units to middle class families. He said that all the current reports indicate that the cost of construction will continue to increase and he cannot control that, but with more inventory on the market the supply and demand changes. D. Armstrong asked for the hardship again, as he cannot remember from the previous meeting. D. Muller read from the application, as follows: "The health, safety and welfare impacts to the community are not enhanced by limiting the development to a majority of elderly housing. The parcel is unique in its feature and location and is

better suited for market rate housing. The development of market rate, unrestrictive residences on this site, as proposed, is reasonable.” He added that a case such as Harrington vs. the town of Warner argues about reasonable return on investment for a hardship. He noted that the applicant is not looking to get a maximum return on investment, as they are not entitled to that, but a reasonable return on investment. He said that for a beginning family there are choices such as apartment, condo and house and this development is somewhere in between. A. Orso mentioned that this year alone there are 34% less homes on the market than there was last year at this time. He reiterated that the cost of construction has gone through the roof, and this project if approved, is a year away and there might be a market crash in that time. Vice Chair Benard reminded the applicant about the burden rule in the ordinance, noting that the applicant must establish that the property is burdened by the zoning restriction in a manner that it is distinct from other similarly situated properties. D. Muller responded that the Harrington case he mentioned was a hardship case. He explained that this is a somewhat of a unique situation as these parcels were rezoned to R-III, which is different than the zoning of the parcels that abut them. A. Orso reviewed the other surrounding properties, such as Cross Farm development, noting that it is centered towards elderly housing, which Londonderry recently rescinded. He expressed his opinion that state wide there needs to be relief from zoning boards to increase density to alleviate the housing crisis right now. Vice Chair Benard clarified that the Board must follow the ordinances by the five points of law and has nothing to do with opinions, such as what the current state of the housing market is. B. O’Brien asked if the applicant has done a return of investment calculation for 20 units. A. Orso replied that it would not be a possibility at 20 units. B. O’Brien asked the applicant to explain how they arrived at 55 units. A. Orso responded that the state regulations will allow for 67 units, so they tried to come up with something in the middle, taking into consideration the cost of land, road infrastructure, etc. He added that this development will not work under 50 units. B. O’Brien asked if the applicant disputes the calculations by Staff. Kurt Meisner, P.E., from Meisner Brem Corporation, 202 Main St., Salem, NH addressed the Board. K. Meisner replied that they did initially dispute the Town’s calculations, as the Town states once their number of units is calculated, they should only utilize 65% of the number, but they interpreted it as 65% of the total site. He noted that by the science they would be allowed 67 three-bedroom units on this site using the New Hampshire Department of Environmental Services (NHDES) calculations and rules. He further explained that they looked at the site and the usability of the land and fit the units, leach fields, play areas, amenities, storm water management, and buffer areas very nicely. He said that there is a large portion of the plan that is left for open space. He mentioned that initially they calculated 35 units, but are now are requesting relief for up to 55 units. B. O’Brien asked if the applicant does not dispute the numbers that Staff calculated, but rather is asking relief from the numbers. K. Meisner replied that they interpret the regulations differently than the Town. S. Brunelle asked for the date the parcel was recently rezoned. She commented that she researched the case the attorney referenced and it gives a very good explanation of the distinction between an area and a use variance and whether the purpose of the particular zoning restrictions is to preserve the character of the surrounding area and is thus the use restriction. L. Gandia informed the Board that the properties were rezoned in July of 2021. A. Orso clarified that when they went through the rezoning process it was the proposed concept in front of the Board that was discussed.

Vice Chair opened up the discussion for public input. B. O’Brien read letters of support, Exhibit 3, into the record, which is attached hereto.

Sara Clark, 14-year resident of Londonderry, 7 Copperfield Lane, addressed the Board in opposition to the variance. S. Clark stated that she does not feel the applicant addressed any five points of law, particularly related to the relief they are seeking from the density. She expressed her opinion that they

answered the five points of law for the first variance for the relief from elderly housing, but copied and pasted those answers to the second variance request. She commented that the biggest concern she has is about the density. She said that they all have young children with kids playing in the road that travel between her neighborhood and the Apple Blossom neighborhood via Young Road. She noted that there has been a significant increase in traffic on Young Road ever since the old Tupelo was converted into a daycare. She added that she cannot imagine adding any more traffic to Young Road with this development. She said that most elderly people have one car or not commuting to and from work, which has a reduced traffic impact versus affordable housing with more cars. She pointed out that this development will not go out onto Route 102, but directly onto Young Road, which already has a dangerous intersection. She said that all the letters of support are about the builder and she does not dispute that he is a good builder, but is against the density they are seeking. She does not understand what changed from the first zoning request of 35 homes to 55 homes, which is a 57% increase. She commented that all the letters of support are from realtors or loan officers and none of the residents live near the area. She told the Board that she has a write up from the neighbors of Copperfield that are against the density and gave this to Vice Chair Benard, Exhibit 4, which is attached hereto. A. Orso explained that if they did receive relief from the Board that they would go before the Planning Board with traffic studies. He said that he understands that they have a neighborhood that they like and this will add traffic, but pointed out that before the parcels were rezoned they were commercial, which could bring more traffic than a residential development. D. Muller said that there may have be a difference in interpretation of the regulations, which lead to the discrepancy in the number of units. He mentioned that they are here tonight for relief from the elderly housing restriction and density, but the permitted density of a project that does not need to go before the Board would be much closer to 54 units.

Trisha Ferguson, 5 Copperfield Lane, addressed the Board in opposition to the variance. T. Ferguson echoed the previous abutter's concerns. She voiced her opinion that she believes the surrounding property values will be diminished because right now they have a huge field behind them, but if the development is allowed they will be looking at the back of houses. She commented that she has lived in Londonderry for 51 years and loves the spacious lots with a town feel. She said that this development with small lots would negate the whole concept of what Londonderry has been known for. A. Orso stated that they will be building brand new homes, which would support the resale value of the surrounding homes. He commented that things change and the buyers are different today in what they want. He stressed that it is not out of greed, but out of need.

Amber Iller, 6 Copperfield Lane, addressed the Board in opposition. A. Iller told the Board that they left a neighborhood like this in Massachusetts to come to a neighborhood like Copperfield Lane. She commented that the neighbors would lose the ability to ride their bikes around to other neighborhoods. She echoed the other concerns of the previous abutters. She asked if a commercial development would have an entrance off Route 102. D. Muller stated that everyone in New Hampshire has a right to develop their own land. He mentioned that he is unsure if a commercial development would egress off Route 102, as that is a state road and would be up to the New Hampshire Department of Transportation (NHDOT). A. Orso explained that he is more than happy to work with the abutters to provide fencing, natural planting or a mix of both for screening. He pointed out that Staff's recommendation was to bring the entrance off Young Road versus Route 102 because of the difficulties the Cross Farm development had with NHDOT and safety issues.

Tom Estey, Londonderry resident, addressed the Board in opposition. T. Estey noted that traffic is a major concern, as there have been 23 accidents at the Young Road/Route 102 intersection over the last five years. He asked how many acres in total. He asked why they cannot have less houses and what will happen to drainage and leach fields over the next 40 years. He said that there is a brook on Young Road and asked if this would be affected as it runs through his property. K. Meisner replied that the site is 26.5 acres. He said that the water table averages about 30 inches, noting the state runs between 24 to 36 inches, which is average. He reviewed where the stormwater facilities for drainage are on the plan. He noted the policy of the Planning Board is to not allow any additional run off from the site with the proposed development. He voiced his opinion that someone leaving the proposed site would turn right and go out onto Route 102, which would not affect traffic on Young Road or Copperfield Road. He said that the septic systems are designed in accordance to state design, noting that there is a leach field for every three to four units.

Ray Breslin, Three Gary Drive, addressed the Board in opposition to the variance. R. Breslin commented that the first point of law is about the best interest of the town and he does not believe that this development is. He asked if the development will have public water. He said that there is an issue in town with water contamination. He asked for the bedrock on the property and the where the gas line is on the property. A. Orso said they have municipal water on the site that will be provided by Manchester Water Works (MWW). He reviewed where the gas line is on the site. He said that they have reached out to Kinder Morgan, who now owns the gas line, for a crossing and will be approved after the final approval or plans signed by the Planning Board. K. Meisner said that the septic systems will meet all the regulations that NHDES has for them. He pointed out that they are 5,000 gallons less than what the state would allow them to put on this site. Vice Chair Benard asked if there will be any leach fields where the wetlands are indicated. K. Meisner replied that there will be no leach fields where the wetlands are on site. Vice Chair Benard asked for the amount of feet the closest leach field is to the wetland. K. Meisner answered that the state's requires them to be more than 75 feet away from the wetland with a leach field, and they are approximately 150 feet away on the plan.

Deb Paul, 118 Hardy Road, addressed the Board in opposition. D. Paul noted that she hears the applicant is willing to work with the abutters in regards to fencing and landscaping, but not the amount of the houses. She said that the abutters are concerned about the density of the project, which is her concern as well. She told the Board that she was at a traffic safety meeting this Monday and the intersection where the daycare center is was brought up for discussion and concern. She said that at the budget meeting the Fire Department spoke about traffic issue at the South Fire Station, which is at the Young Road/Route 102 intersection. She commented that she would like to see the applicant meet the residents half way, and understand what the difference is in cost for 35 homes verbs 55 homes. She expressed her opinion that these are not small houses and gave a recent example of houses that were recently built on Gilcreast Road. A. Orso pointed out that the cost of land in Londonderry is very high, which creates value. He went on noting that he takes the cost of the land, road cost, drainage, infrastructure, which calculates the per lot cost. He reviewed why he chose the size for the homes in this development. He reiterated that this is an adequate plan and he is not trying to be greedy.

Phillip Eberhard, 5 Copperfield Lane, addressed the Board in opposition. P. Eberhard commented that he has four kids that drive and he never tells them to take a right onto Route 102. He said that there will be a traffic impact with this development. He said that there are power lines close to the property and has not heard anything about that this evening. He expressed his opinion that if Londonderry starts to have more developments like this in the future, people like him will leave the town.

Beth Morrison, 15 Rossini Road, addressed the Board in opposition to the variance. B. Morrison said that she echoes the concerns of the previous abutters, as there could potentially be safety concerns regarding water and traffic. She asked specifically for the hardship as to why they feel 55 units can be built here versus 35 units. A. Orso explained that if they followed the standard R-III zoning, which would made up of 75% elderly housing, they would be able to place about the same amount of 50 units. He reiterated that he does not want to do elderly housing as he does not feel it is needed and more single-family homes are needed. He added that that there is a reason that elderly housing has been removed in most of the surrounding towns.

Nick Codner commented that Londonderry is allowed to have and does have more restrictive regulations than the state to protect ground water quality and promote health and safety. He reiterated that per Londonderry's regulations they are only allowed 20.65 units. Vice Chair Benard asked if the Young Road access would be scrutinized by the Planning Board. N. Codner replied that the applicant would need to do a full traffic study. Vice Chair commented that she wanted to hear that as the ZBA has no purview over this and is directed by the five points of law. B. O'Brien asked how the elderly housing percentage impacts the analysis that was done. N. Codner replied that they are allowed to have more housing with the elderly housing, but it is still calculated using the soil types. Vice Chair Benard asked if the 20.65 number would still apply to the elderly housing. B. Meissner interjected that for elderly housing they would be using two-bedroom units for calculations, but this project was calculated using three-bedroom units. He argued that the density would therefore not be the 20.65 units for elderly housing. He mentioned that the town can be more restrictive in their regulations to protect ground water quality and promote public health and safety, but noted that the state does this as well. He added that he has not heard why the Town feels the state's regulations are not sufficient. He commented that a member of the public asked the Board to enforce the ordinance, but this argument has been repeatedly rejected as the basis to deny a variance. Vice Chair Benard expressed her opinion, that a two-bedroom elderly housing development is very different than a three-bedroom single family development. She stated that the calculations done by staff are accurate and we are not here to dispute the math this evening. B. Meissner clarified that he heard the applicant would still have to comply with 20.65 units with elderly housing and he does not believe this is correct. N. Codner replied that he was mistaken and reviewed the math calculation, noting that there is a different multiplier of 0.8 for three-bedroom units versus 0.65 for two-bedroom units. D. Muller mentioned that the question at the end of the day is whether or not this development can be done without impacting the water quality or health and safety of the general public. He added that there has been testimony from the engineer that the systems they are designing have far less impact than what is allowed by the state, even with 55 units. Vice Chair Benard asked for the special conditions of this property for the hardship to be explained again. B. Meissner replied that these two parcels in questions are the only ones zoned R-III and are surrounded by a dense elderly development. He said that they are trying to come up with something in the middle. He reiterated that the Harrington argument applies, as you cannot get a reasonable return for the investment with 35 units. B. O'Brien asked if they have those calculations. Vice Chair Benard replied that they do not. B. Meissner noted that it was part of the testimony that given construction costs and infrastructure costs, this cannot be developed at 20.65 units, as it would be cost prohibited. A. Orso estimated that it would cost him approximately \$150,000 to \$175,000 per unit and the cost of construction is about \$200 per square foot. He added that they would like to make \$75,000 to \$90,000 in return for each unit. He stressed that he is being honest that he wants to keep cost down.

Robert Meisner, partner with A. Orso at Cedar Crest Development addressed the Board. R. Meisner explained that if they were to design 35 units, it would be laid out in a similar fashion, but every building envelope would be slightly bigger, but the infrastructure cost would be about the same. He went on stating that by allowing more units this limits the physical size of the units. He stated that the price of the units will be dictated by the square footage. He expressed his opinion that the impact of 35 units to the immediate abutters on Copperfield Lane will be pretty much the same because the developed cleared area is going to be the same. He said that the negative impact Londonderry would be limiting housing stock with a development like that. S. Brunelle explained that the reason the regulations are stricter in Londonderry is because there is a water issue in town. She noted that the cancer rates are higher in Londonderry than other surrounding towns. She pointed out that with a use variance it requires a greater showing of hardship than the area variance because the potential impact on the overall zoning scheme is what the Board is looking at. She said that there is a general impact to the town when a development is putting in more residents, which affect the schools, police and fire department. She expressed her opinion that there was intent on the rezoning, as it was just done recently. She asked how the applicant states that there is no impact to the town. A. Orso stated that the R-III zone allows for multi-family homes and other avenues for development, and when he met with Staff to pitch the project, he was steered in this direction. D. Muller remarked that he agrees with S. Brunelle's reading of the Harrington case, but if you look at how the law has progressed the Supreme Court has looked at the difference between area and use variances. He noted that there are two definitions for hardship with the first being a simplex definition and the old gray rocks definition, which is there is no other reasonable use of the land without a variance. B. O'Brien asked for the return in investment for elderly housing. A. Orso replied that it would be the same as the proposed development in front of the Board this evening. D. Armstrong asked how the applicant is determining that this is what Londonderry wants. He said that he lives in a 2,100 SF house and in his opinion, that is a pretty large house. A. Orso replied that it is not what Londonderry wants, but more of what the state needs. He pointed out that the school system enrollment is actually in a decline. S. Brunelle interjected stating that it is all about impact as elderly housing is going to have a different impact on the schools versus the single-family proposal. Vice Chair Benard asked how much open space is on the plan. A. Orso replied that they are leaving 14 acres for open space. Vice Chair asked what the open space would consist of. A. Orso responded that 11 acres are upland and the other three acres would be wetlands. Vice Chair asked if the walking trail would be for the people in the development. A. Orso replied that was correct. Vice Chair Benard asked for clarification on the open space amenities. A. Orso reviewed them all with the Board.

B. O'Brien read letters of opposition, Exhibit 5, into the record, which is attached hereto.

Vice Chair Benard asked for clarification on how this would be worded as this is a combination of both 20 Young Road and 22 Young Road. L Gandia suggested that the Board consider the merging of the two lots as a condition to make the process cleaner.

Vice Chair Benard asked if there was any more public input.

Sara Clark, 7 Copperfield Lane, addressed the Board in opposition again. S. Clark challenged the assumption that everyone will go out of this development and take a right. She reviewed the flow of traffic around this intersection with the Board. She said that in her opinion, the only time the residents would not use Young Road was if they were going towards Hudson, as a left at this intersection is nearly

impossible. She said that the residents are not going to go directly onto Copperfield Lane, but will impact Young Road, where they walk or bike with young children into the Apple Blossom neighborhood.

Ray Breslin, Three Gary Drive, addressed the Board in opposition again. R. Breslin asked how this development is not going to negatively impact the first point of law. D. Muller replied that assuming this is passed it will go to the Planning Board where a traffic study will be reviewed. He added that off-site improvements will also be looked at. He explained that their focus on health, safety and welfare has been if this density is allowed there is more than enough capacity in regard to water and soils. The

(The Board took a ten-minute break at this time)

D. Muller asked to have an opportunity to speak with the abutters to come up with a plan that would work. He noted that the applicant would like to sit down and talk to those that object to try and come up with a solution. Vice Chair asked if the applicant would like a continuance. D. Muller replied that was correct.

S. Brunelle made a motion in CASE NO. 11/17/2021-3 to continue the application to February 16, 2022 per the applicant's request to allow time for the applicant to discuss abutters' concerns.

B. O'Brien seconded the motion.

The motion was granted, 5-0-0. The application was continued until February 16, 2022.

B. CASE NO. 11/17/2021-4: Request for two variances from (1) LZO 4.2.2.2.B to eliminate the use requirement of at least 75% of single family and two family dwellings shall be restricted housing for older persons in the multi-family residential (R-III) zone; and (2) LZO 4.2.2.3.B.1.b to allow 55 residential 3 bedroom units where only 35 are permitted, 20 Young Road, Map 6 Lot 53, Zoned R-III, Edgar L. Pitts and Winnifred L. Pitts Revocable Trust (Owner) and Cedar Crest Development, LLC (Applicant) – continued from the December 15, 2021, meeting

S. Brunelle made a motion in CASE NO. 11/17/2021-4 to continue the application to February 16, 2022 per the applicant's request to allow time for the applicant to discuss abutters' concerns.

B. O'Brien seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a continuance was GRANTED.

Vice Chair asked for a consensus to keep going to end the meeting and go to the overflow date as it was 10:00 p.m. The Board's consensus was to keep going tonight.

C. CASE NO. 12/15/2021-2: Request for a variance from LZO 7.6.D.3.b to allow a total of 108 SF of wall signage where only 50 SF are allowed, 66 Nashua Road, Map 7 Lot 40-4, Zoned C-I, The Matarazzo Family Trust (Owner) and Midwest Convenience (Sunoco) (Applicant)

B. O'Brien read the case into the record noting the previous zoning. Carolyn Parker, Three Lorion Avenue, Worcester, MA addressed the Board. C. Parker explained that the way the bylaws are written for signs, you must count the whole size of the wall the sign is on, not just the size of the sign. She said that she would like to put the diamond sign on the side of the canopy and reviewed the numbers with the Board.

She then read the criteria for granting the variance:

- (1) The granting of the variance is not contrary to the public interest: because the sign is part of Sunoco's new image and the lot is allowed to have two wall signs on the property since it is a corner lot. The second wall sign will in fact assist the public to know the brand of gas being sold due to its location on the right-hand side of the canopy.
- (2) The spirit of the ordinance is observed: because the current use, a gas station and convenience store is an allowed use in the C-I zone.
- (3) Substantial justice is done: because the two signs are under 50 SF if you just count the actual sign size and not the overall canopy fascia or background.
- (4) Values of surrounding properties are not diminished: because the sign is a normal sign installed at a gas station.
- (5) There is no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because the property is unique as the gas station opened 42 years ago and the granting of the variance poses no adverse impact to the health, safety and general welfare of the community.

Vice Chair Benard asked the Board for any questions and there was none.

Vice Chair Benard opened it up for public input and there was none.

The Board closed public input and began deliberation:

- (1) The variance would not be contrary to the public interest: because it would not alter the essential character of the neighborhood.
- (2) The spirit of the ordinance would be observed: because it would not alter the essential character of the neighborhood.
- (3) Substantial justice would be done: because the loss to the applicant would outweigh any gain to the general public.
- (4) Values of the surrounding properties would not be diminished: because the essential character of the neighborhood is not altered.
- (5) There is not a fair and substantial relationship that exists between the general public purposes of the ordinance provision and the specific application of that provision to the property: because the property is unique as it is a non-conforming, corner lot. The proposed use is a reasonable one.

B. O'Brien made a motion in CASE NO. 12/15/2021-2 to grant the request for a variance from LZO 7.6.D.3.b to allow a total of 108 SF of wall signage where only 50 SF are allowed,

66 Nashua Road, Map 7 Lot 40-4, Zoned C-I, The Matarazzo Family Trust (Owner) and Midwest Convenience (Sunoco) (Applicant)

I. Macarelli seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was GRANTED.

D. CASE NO. 12/15/2021-8: Request for a variance from LZO 4.2.1.3.B.1 to allow a lot with 100.58 feet of frontage where 150 feet are required, Eight Wiley Hill Road, Map 5 Lot 28, Zoned AR-I, Belize Real Estate Holding, LLC (Owner & Applicant)

B. O'Brien read the case into the record noting the previous zoning. . I. Macarelli recused herself from this case. Vice Chair Benard informed the applicant that there are only four voting members and he would need at least three to grant the variance. She informed the applicant that he can always continue the case until next month. Doug MacGuire, P.E., from The Dubai Group, representing the applicant, addressed the Board and stated he would like to proceed with the case heard tonight. D. MacGuire told the Board that they are requesting to have a lot with less frontage than allowed by regulations. He gave the Board an updated, Exhibit 6, as he met with some of the abutters and the layout has changed, which is attached hereto. He noted that he met with a direct abutter to the south and they were concerned about the closeness of the proposed house to their lot. He explained that they were able to adjust the proposed house to be more centrally located on the proposed lot, which increased the separation to approximately 93-feet. He mentioned that there was concern from the abutters regarding sight distance, specifically the intersection of Wiley Hill Road and High Range Road. He said that they have the benefit of being on the outside edge of the curve, which he states is the best location for sight distance. He passed out a sight distance profile, Exhibit 7, for the Board to review, which is attached hereto. He commented that Londonderry's regulations for sight distance require two different profiles. He reviewed them with the Board. He noted that he has acceptable sight distance at the proposed location.

He then read the criteria for granting the variance:

- (1) The granting of the variance is not contrary to the public interest: because the proposed single-family lot is permitted in the AR-I District and would be in-kind to all the abutting properties in the area, and all the other requirements are met as part of this proposal.
- (2) The spirit of the ordinance is observed: because the property is uniquely shaped where the frontage is reduced by the abutting property. He noted that once into the lot there is more than sufficient frontage.
- (3) Substantial justice is done: because the loss to the applicant outweigh any gain to the public.
- (4) Values of surrounding properties are not diminished: because the construction of a new single-family home would have no adverse effect to the surrounding properties.
- (5) There is no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because the property is unique as the abutting property utilizes frontage which is not located in front of the existing home. He said that due to the lot geometry, the reduced frontage will have no impact on the lot width and lost size. He said that the proposed use is a reasonable one.

Vice Chair Benard asked for questions from the Board. S. Brunelle asked for clarification on criteria number five. D. MacGuire reviewed the plan with the Board noting that an abutting lot used some frontage of this lot and it creates a unique shape for the proposed lot.

Vice Chair Benard opened it up to public input.

Lynn DiCicco, 93 High Range Road, addressed the Board in opposition. She passed out a letter, Exhibit 8, to the Board. She said that she has lived in her house for a little over five years. She said that she did not know the sight distance profile would be completed prior to this evening. She noted that this house is not in-kind to the other surrounding properties as all the other properties are spread out and have a natural buffer with trees and bushes for privacy. She pointed out that the proposed placement of the house is less than 100-feet from her master bedroom. She noted that the picture from the GIS system does not show the current view, as it does not show her deck in the back or the eight pine trees that were taken down due to tree rot. She remarked substantial justice will not be done by granting the variance, because when the lot was purchased before the zoning laws were in place and therefore it could not be built on due to lack of frontage. She said that where the speed limit sign is currently is where the proposed driveway is located. She voiced her opinion that this proposed house will diminish the values of other surrounding property owners. She mentioned that she was told when she purchased her property that the lot in question was a nonconforming property and would not be built upon. She noted that there are really big safety concerns even with the moving of the house and the driveway. She commented that they will not have the privacy that they had before. She said that there have been a lot of bad accidents on the corner there as well. D. MacGuire stated that the aerial graphic was to demonstrate that this house is not out of character to the neighborhood. He pointed out that he tried to work with the abutters to try and provide buffers for both homeowners. He explained that if this variance were to be approved, this would go through a subdivision process with the Planning Board, where sight distance would be looked at, as well as landscape buffers. Vice Chair Benard asked what prevents them from pushing back the house. D. MacGuire replied that they can, noting that he was trying to match up back yards. Vice Chair Benard asked how big the lot would be. D. MacGuire replied it was about 1.1 acres. L. DiCicco asked why there are no markers on her property line if they surveyed the whole property. D. MacGuire responded that typically the surveyors go out and recon the entire property, where any existing markers are marked. He went on stating that if these markers are not in place, then they are not marked. He added that part of the subdivision process all the markers would have to be set at that time. S. Brunelle asked N. Codner for his review of the sight distance profile. L. Gandia remarked that they just received the plan today and it is usually reviewed by J. Trottier. She noted that she performed a cursory review which revealed the following: there is a guard rail which may affect the sight distance which is not shown on the plan, a driveway profile was not provided, a utility pole exists that was not shown, contour lines not labelled, a two to three foot depression which is five inches off the edge of pavement exists and its effects are unclear, and the plan is not stamped. She suggested that if the sight distance profile is a concern of the Board that the application be continued with a condition that the applicant provide an updated and complete sight distance profile by a certain date prior to the next hearing that will afford the Department of Engineering ample time to review and comment. She also added that J. Trottier would prefer this. D. MacGuire commented that he has worked with J. Trottier for many years and he does not feel that this sight distance profile would be a prerequisite for the criteria for the variance. He reviewed the sight distance profile with the Board. He said that he believes all of these issues would be handled at the Planning Board level. Vice Chair Benard asked for clarification. S. Brunelle said that she prefers a preliminary review by J. Trottier.

B. O'Brien made a motion in CASE NO. 12/15/2021-8 to GRANT the applicant's request for a continuance to update and complete a sight distance and driveway profile for Town Staff review to be submitted by February 11, 2022.

D. Armstrong seconded the motion.

The motion was granted, 4-0-0. The application was continued until February 16, 2022.

E. CASE NO. 01/19/2022-1: Request for a special exception for a portable storage unit pursuant to LZO 5.15.1, 114 Litchfield Road, Map 11 Lot 26-1-2, Zoned AR-1, Gary & Amy Mellinger (Owners & Applicants)

B. O'Brien read the case into the record. I. Macarelli came back to the Board at this point. Gary Mellinger, owner at 114 Litchfield Road, addressed the Board. G. Mellinger informed the Board that he wants the storage container because he is taking furniture from his parent's house in Kingston, MA, and storing it there until he can purchase another house. He noted that he hopes to have another house in the next year. N. Codner explained that the Board has the authority to put conditions such as a time limit and screening.

Vice Chair Benard asked for public input and there was none.

The Board reviewed the fact-finding sheet as follows:

1. Is the use detrimental to the health or safety of residents? No
2. Will the use will create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development? No
3. Will the use be incompatible with the surrounding neighborhood? No
4. Will the use be a detriment to property values in the vicinity of the proposed development with consideration given to the location or scale of buildings, structures, parking areas, or other access ways? No
5. Will a nuisance be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or the unsightly outdoor storage of equipment, vehicles, or other materials? No
6. Will the use create a hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials? No
7. Will the use result in the degradation of existing surface and groundwater quality standards, or have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection? No
8. Will there be more than one portable storage structure per property? No
9. Will the portable storage structure be larger than ten feet wide, twenty feet long, and ten feet high? No
10. Will the portable storage structure be located to the side or rear of the principal structure on the property? Yes

11. Will the portable storage structure be set back a minimum of 15 feet from any side or rear lot lines, and 40 feet from any front property line? Yes
12. Will the portable storage structure be set back a minimum of five feet from the nearest wall of a building? Yes
13. Will the portable storage structure be placed on a paved, concrete, other appropriate impervious surface, or be placed on blocks? Driveway and on blocks
14. If applicable, will adequate and appropriate facilities be provided for the intended use? Yes

Vice Chair Benard asked why he would like the portable storage container close to the house. G. Mellinger reviewed why he wanted it placed close to the house with the Board. Vice Chair Benard asked if he wanted the portable storage container closer to the retaining wall. G. Mellinger replied that is correct. N. Codner stated that the portable storage container has to be five feet from the nearest building. S. Brunelle asked if the portable storage container was even with the front of the house. G. Mellinger reviewed where the placement of the container would be placed, noting that it goes out nine feet from the front of the house. Vice Chair Benard asked if the Board can give special requirement to the location in the winter. L. Gandia explained that he would need a variance from the criteria of the special exception for that. B. O'Brien asked if he can move the container to be flush to the front of the house. G. Mellinger replied that he cannot as it would touch the pool. S. Brunelle pointed out that one of the requirements is that the portable storage container cannot be in the front of the house. B. O'Brien asked if he could get a smaller portable storage container, so it could be flush with the front of the house. G. Mellinger responded that he did look into this, but that it would take months to get one. D. Armstrong asked how long he would need the container. G. Mellinger replied that it would be through the end of the year, as he would be moving to a new house in that time frame. Vice Chair Benard reviewed with the applicant that he does not meet the criteria for the special exception, so he can withdraw this application and come back with the correct application, as he cannot ask for the same thing again. G. Mellinger asked for clarification on the location of the container. Vice Chair Benard reviewed that the container needs to be on the side or rear of the property. N. Codner asked if the pool was in the front plane of the house. G. Mellinger reviewed the orientation of his house. N. Codner suggested the applicant move the container back and place the container on blocks, as it does not have to be on the driveway. G. Mellinger told the Board that he can comply given N. Codner's recommendation. Vice Chair Benard asked what happens if he needs more time than the Board has given him. L. Gandia replied that he would file another special exception at that time.

B. O'Brien made a motion in CASE NO. 01/19/2022-1 to GRANT the applicant's request for a special exception for a portable storage unit pursuant to LZO 5.15.1, 114 Litchfield Road, Map 11 Lot 26-1-2, Zoned AR-1, Gary & Amy Mellinger (Owners & Applicants) as presented with the structure to be removed no later than December 31, 2022.

I. Macarelli seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a special exception was GRANTED with conditions.

VI. Other Business – Election of Officers

L. Gandia informed the Board that Neil Dunn is not seeking reappointment at this time. She thanked N. Dunn for his years of service, noting his wealth of knowledge and insight adding that he will be greatly missed. The Board concurred with these sentiments. The Board decided to postpone elections at this time.

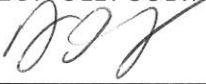
Adjournment:

S. Brunelle made a motion to adjourn at 11:06 p.m.

B. O'Brien seconded the motion.

The motion was granted, 5-0-0. The meeting adjourned at 11:06 p.m.

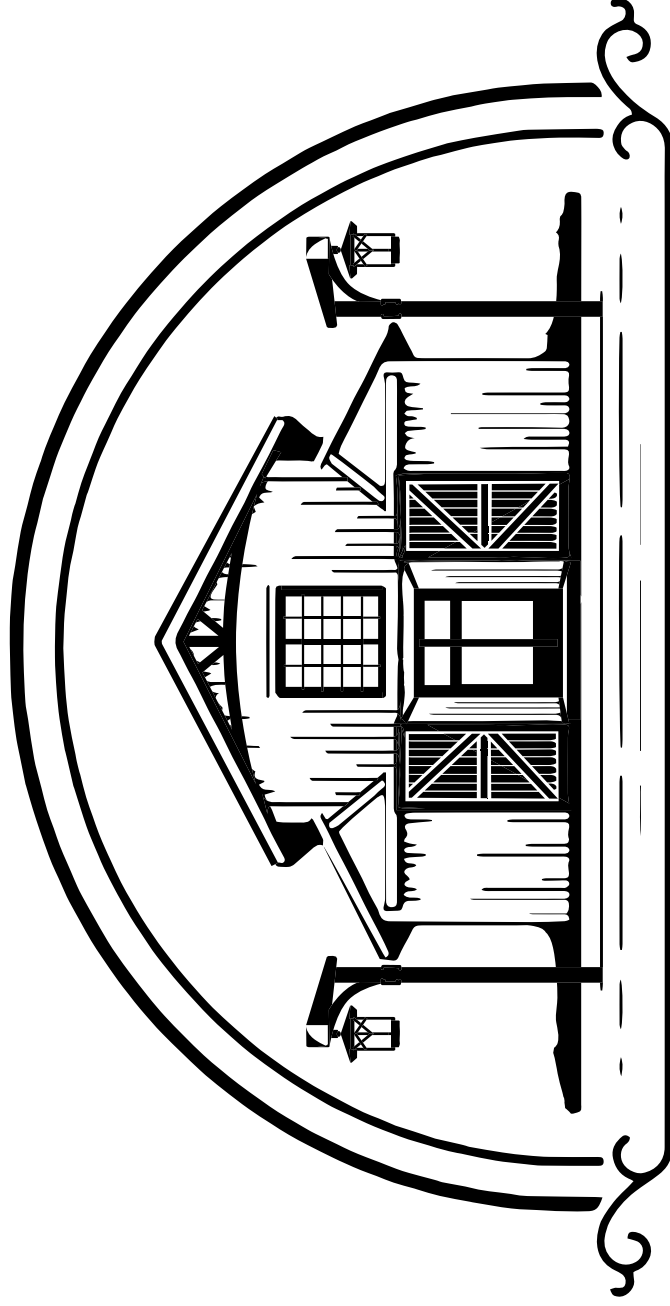
RESPECTFULLY SUBMITTED,



CLERK

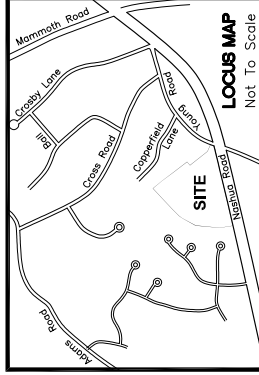
TYPED AND TRANSCRIBED BY Beth Morrison, Recording Secretary.

APPROVED (X) WITH A MOTION MADE BY P. O'Brien, SECONDED BY S. Brunelle, 5-0-0.



THE FARM

— ESTABLISHED 2021 —



"MULTI-FAMILY RESIDENTIAL DEVELOPMENT PLAN"
PROPOSED ZONING DISTRICT: R-III (Requires Zone Change)
 50 Single-Family Units
 2,100± L.F.± of Proposed Road
 8.4 Ac± Open Space Required - 14 Ac± Provided
 17 Ac± Upland

NOTE:
 THIS PLAN IS A SKETCH ONLY. THE NUMBER OF LOTS SHOWN IS NOT BASED ON ACTUAL BOUNDARY, WETLANDS OR SLOPES AND ARE SUBJECT TO CHANGE WHEN AN ACTUAL SURVEY IS PERFORMED.



Scheme - A

"Young Road"
 LONDONDERRY, NEW HAMPSHIRE
 Map 6 lot 53 - 21 Ac.±
 Map 6 lot 58-2 - 2.5 Ac.±
 Total Area 23.5 Ac.±


MEISNER BREM CORPORATION
 142 UTILITY ROAD, WESTFORD, MA 01886 - (978) 892-1313
 202 MAIN STREET, SALEM, NH 03079 - (603) 885-3381

October 14, 2021 Scale 1"=100'
 Job no. 8388

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SQUARE FOOTAGE TABLE		
TOTAL EXCLUDE FRAME		
PLAN	SQ. FT.	
FIRST FLOOR	1,377	
SECOND FLOOR	1,241	
TOTAL:	2,618	



25 BUTTRICK ROAD | UNIT A1
LONDONDERRY, NH 03063
TEL: 603-946-5381
FAX: 603-946-5381
WEB: www.dhbhomes.com
EMAIL: info@dhbhomes.com
info@dhbhomes.com



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

LOCATION:

YOUNG ROAD LONDONDERRY NH - MODEL A

PREPARED FOR:

DHB HOMES LLC.

DRAWN BY: AD

CHECKED BY: DHB

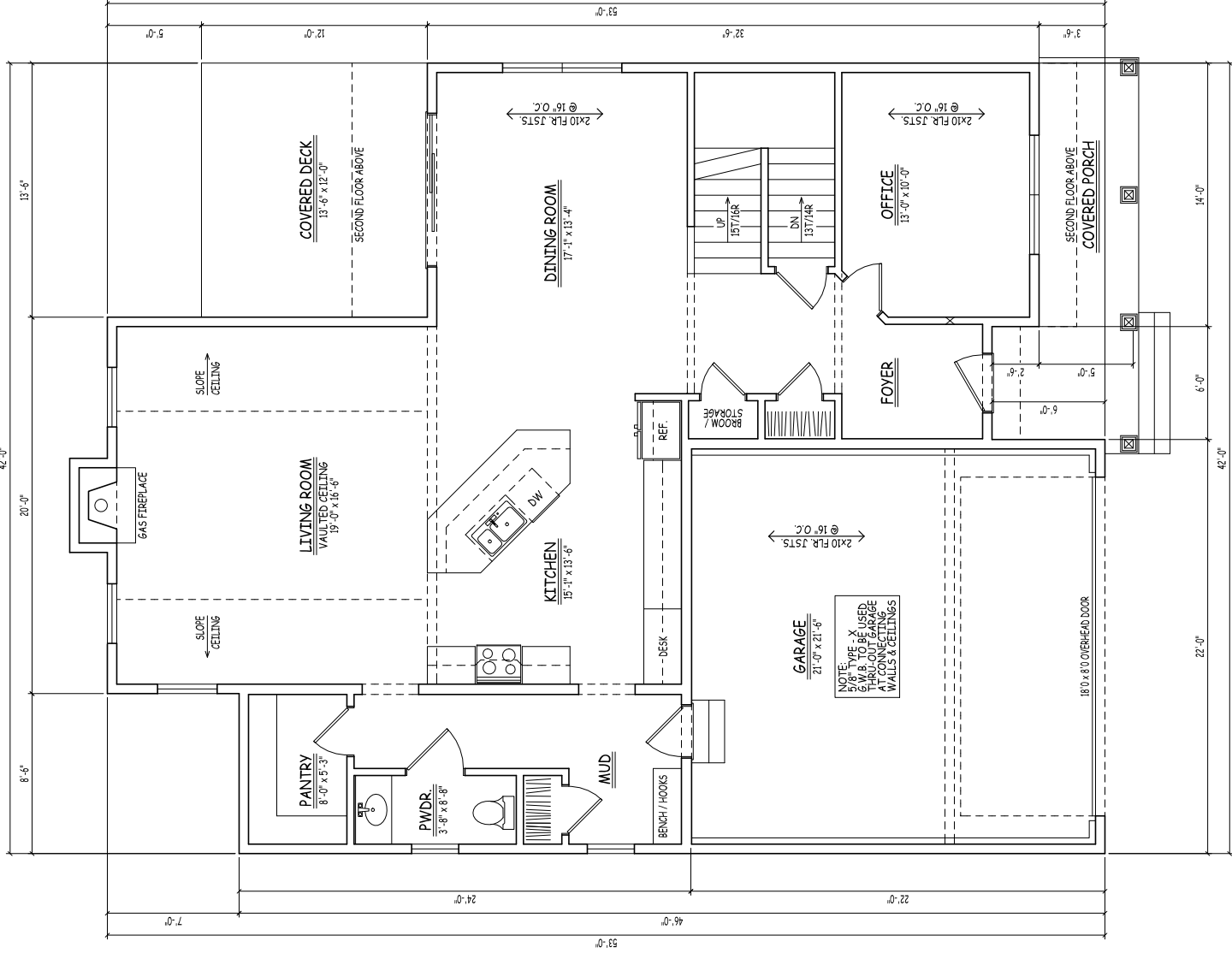
DATE DRAWN: 8/30/21

DATE ISSUED: 8/30/21

SCALE:

TOR NO: FSM21-2090A

REVISIONS	
NO.	DATE
1	8/30/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	



FIRST FLOOR PLAN


SCALE: 1/4" = 1'-0"

2

REVISIONS	
NO.	DATE
1	8/30/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	

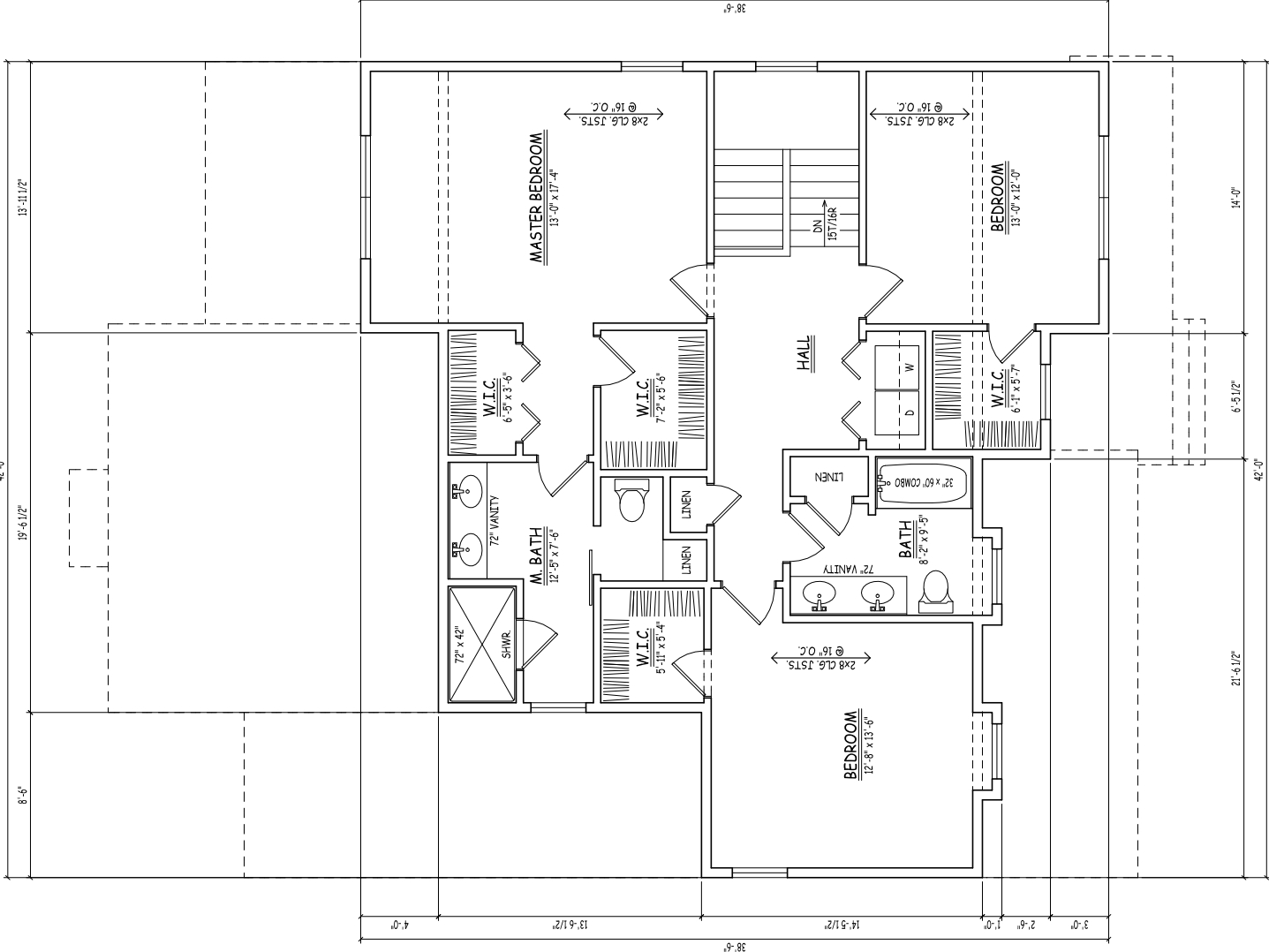
DRAWN BY:	AD
CHECKED BY:	DHB
DATE DRAWN:	8/30/21
DATE ISSUED:	8/30/21
SCALE:	
TOR NO.:	FSM21-2090A

LOCATION:	YOUNG ROAD LONDONDERRY NH - MODEL A
PREPARED FOR:	DHB HOMES LLC.



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SQUARE FOOTAGE TABLE		
PLAN	SQ. FT.	TOTAL
FIRST FLOOR	1,377	2,618
SECOND FLOOR	1,241	




SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

REVISIONS	
NO.	DATE
1	8/30/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	

DRAWN BY:	AD
CHECKED BY:	DHB
DATE DRAWN:	8/30/21
DATE ISSUED:	8/30/21
SCALE:	
TOR NO.:	FSM21-209A


LOCATION:	YOUNG ROAD LONDONERRY NH - MODEL A
PREPARED FOR:	DHB HOMES LLC.



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info@dhbhomes.com

SQUARE FOOTAGE TABLE		
PLAN	SQ. FTG.	TOTAL
FIRST FLOOR	1,377	2,618
SECOND FLOOR	1,241	





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<http://www.dhbhomes.com>

LOCATION:
YOUNG ROAD LONDONDERRY NH - MODEL B

PREPARED FOR:
DHB HOMES LLC.

DRAWN BY: AD
CHECKED BY: DHB
DATE DRAWN: 9/9/21
DATE ISSUED: 9/9/21
SCALE:
JOB NO.: FSM21-2005

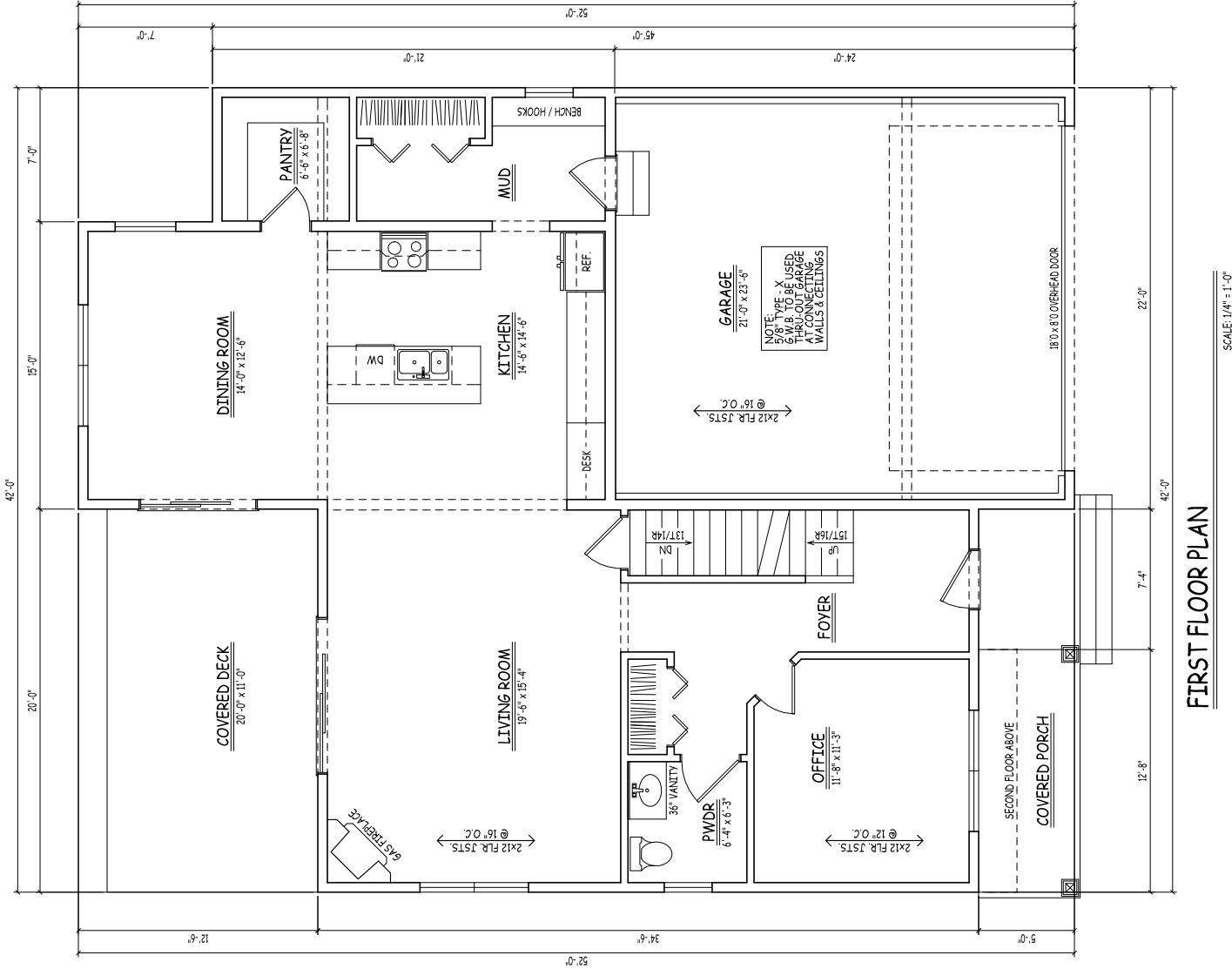
REVISIONS	
NO.	DATE
1	9/9/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	

SQUARE FOOTAGE TABLE	
PLAN	SQ. FTG.
TOTAL EXCLUDE SPACE	
FIRST FLOOR	1,267
SECOND FLOOR WITHOUT FLEX	1,215
SECOND FLOOR WITH FLEX	1,634
TOTAL WITHOUT FLEX	2,482
TOTAL WITH FLEX	2,501



FRONT ELEVATION


SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

TOTAL EXCLUDE NAME		SQ. FTG.
PLAN		
FIRST FLOOR		1,267
SECOND FLOOR WITHOUT FLEX		1,215
SECOND FLOOR WITH FLEX		1,634
TOTAL WITHOUT FLEX		2,482
TOTAL WITH FLEX		2,501



25 BUTTRICK ROAD | UNIT A1
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FAX: 603-946-3301
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EMAIL: info@dhhomes.com

LOCATION:
YOUNG ROAD LONDONDERY NH - MODEL B

PREPARED FOR:
DHB HOMES LLC.

DRAWN BY: AD

CHECKED BY: DHB


DATE DRAWN: 9/9/21

DATE ISSUED: 9/9/21

SCALE:

TOT NO.: FSM21-2005

NO.	DATE	REVISION
1	9/9/21	DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW



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FAX: 603-946-3301
WEB: www.dhbhomes.com
EMAIL: info@dhbhomes.com
rj@dhbhomes.com

LOCATION:
YOUNG ROAD LONDONDERRY NH - MODEL B

PREPARED FOR:
DHB HOMES LLC.

DRAWN BY: AD
CHECKED BY: DHB
DATE DRAWN: 9/9/21
DATE ISSUED: 9/9/21
SCALE:
JOB NO.: FSM212005

REVISIONS	
NO.	DATE
1	9/9/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	

SQUARE FOOTAGE TABLE	
PLAN	SQ. FTG.
TOTALS EXCLUDE PORCH	
FIRST FLOOR	1,267
SECOND FLOOR WITHOUT FLEX	1,215
SECOND FLOOR WITH FLEX	1,634
TOTAL WITHOUT FLEX	2,482
TOTAL WITH FLEX	2,501



SECOND FLOOR PLAN



DHB

HOMES

25 BUTTRICK ROAD | UNIT A1

LONDONDERY, NH 03063

TEL: 603-946-3366

FAX: 603-946-3361

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EMAIL: info@dhbhomes.com

<http://www.dhbhomes.com>

LOCATION:

YOUNG ROAD LONDONDERY NH - MODEL D

PREPARED FOR:

DHB HOMES LLC.

DRAWN BY: AD

CHECKED BY: DHB

DATE DRAWN: 8/30/21

DATE ISSUED: 8/30/21

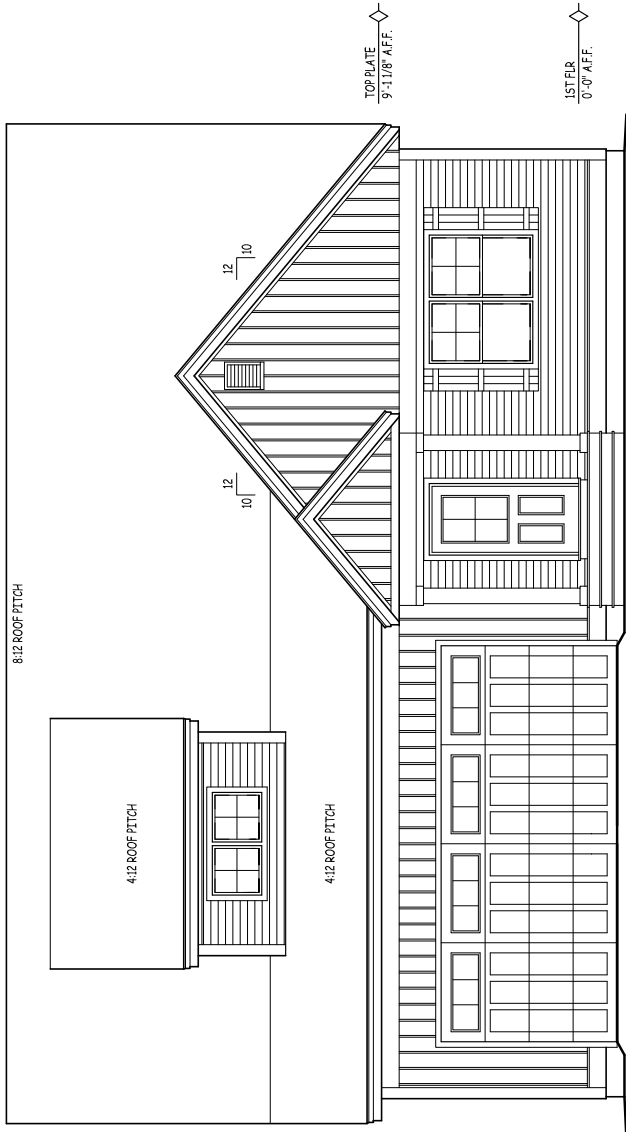
SCALE:

TOR NO.: FSM21-203RA

REVISIONS	
NO.	DATE
1	8/25/21
2	8/30/21
DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	
REVISIONS TO PRELIMINARY PLANS FOR REVIEW	

1

SQUARE FOOTAGE TABLE		
TOTAL EXCLUDE FRAME		
PLAN	SQ. FT.	
FIRST FLOOR	1,792	
TOTAL:	1,792	



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

REVISIONS		DATE	REVISION
NO			
1	8/25/21	DEVELOPMENT OF PRELIMINARY PLANS FOR REVIEW	
2	8/30/21	REVISIONS TO PRELIMINARY PLANS FOR REVIEW	

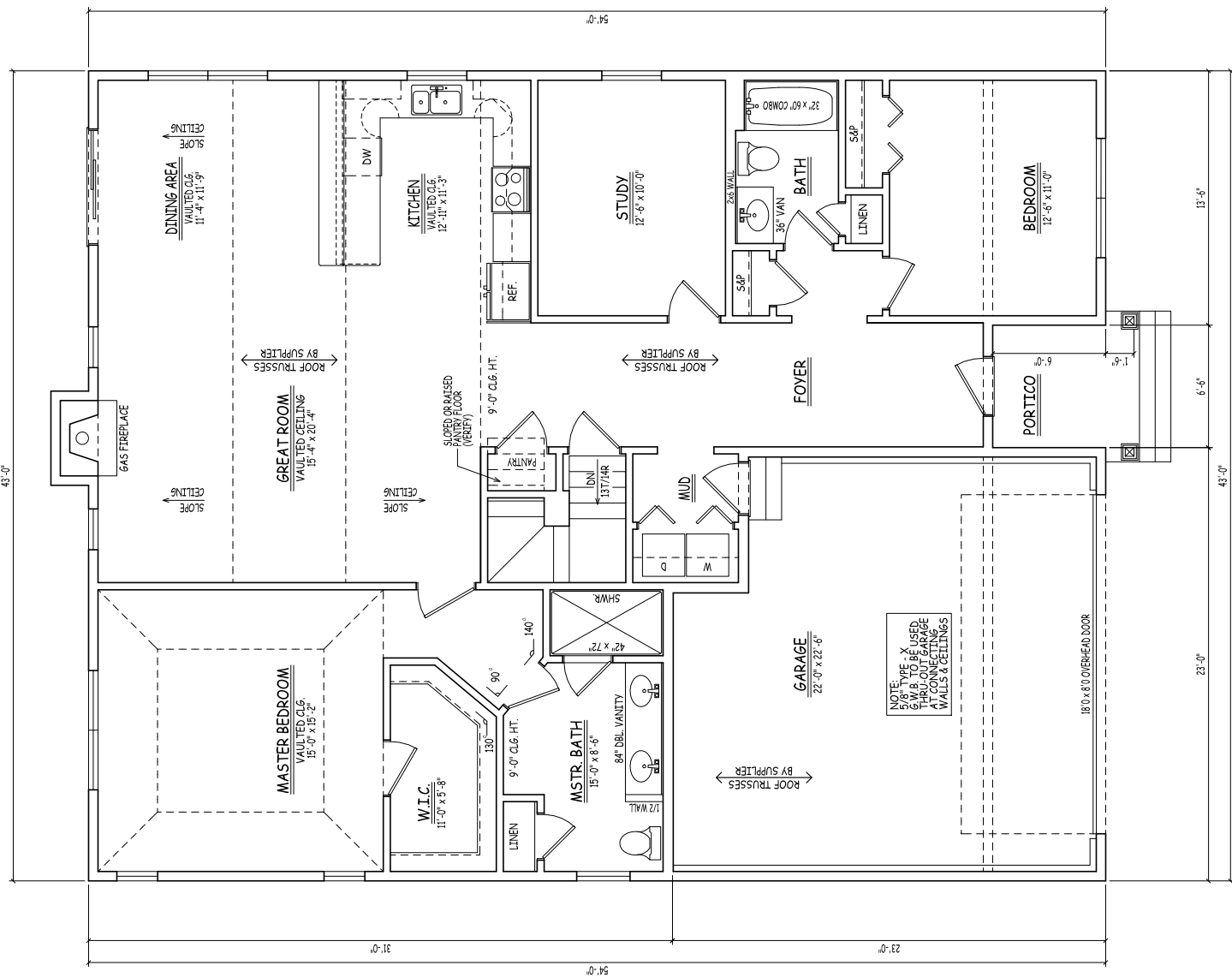
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CHECKED BY:	DHB
DATE DRAWN:	8/30/21
DATE ISSUED:	8/30/21
SCALE:	
JOB NO.:	FSM21-203RA

YOUNG ROAD LONDONDERRY NH - MODEL D
DHB HOMES LLC.



5 BUTTRICK ROAD | UNIT A1
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ralphm@dhbhomes.com

SQUARE FOOTAGE TABLE	
TOTALS EXCLUDE GARAGE	
PLAN	SQ. FTG.
FIRST FLOOR	1,792
TOTAL: 1,792	



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"





FRONT ELEVATION



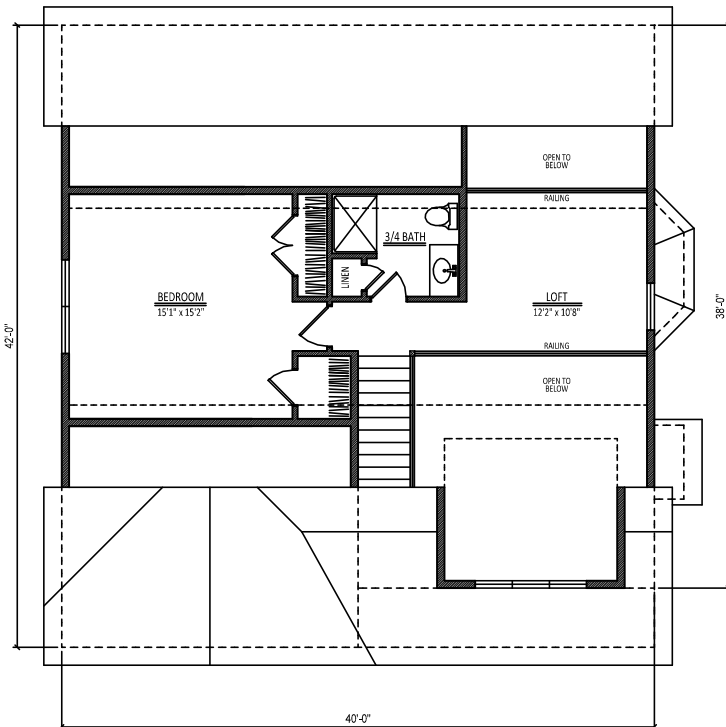
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ralphm@dhbhomes.com

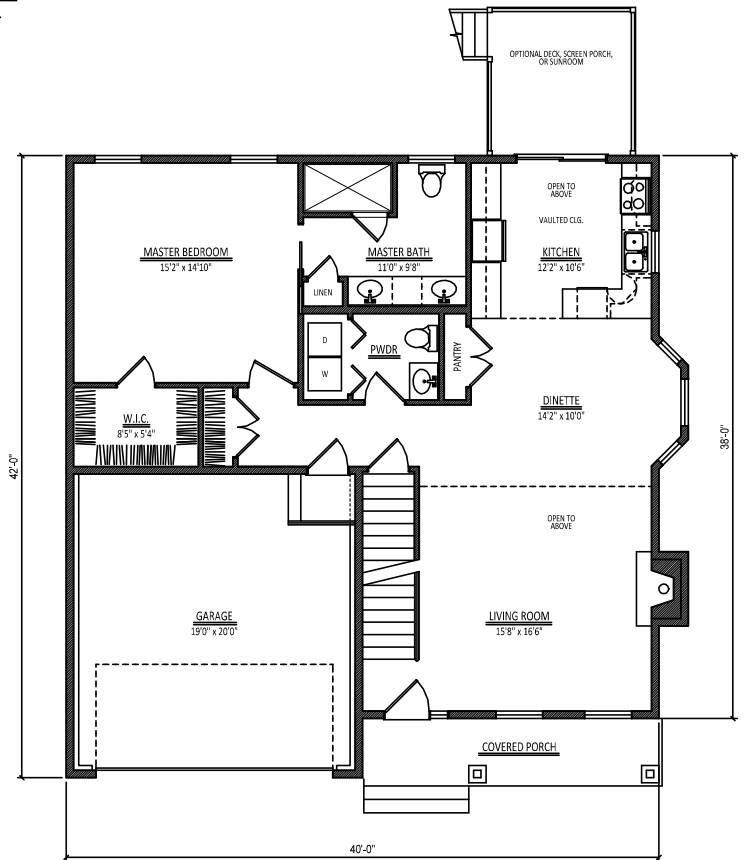
THE LANCASTER

SQUARE FOOTAGE TABLE

PLAN	SQ. FTG.
FIRST FLOOR	1,212
SECOND FLOOR	551
TOTAL	1,763



SECOND FLOOR PLAN



FIRST FLOOR PLAN

Requested Continuance Information from 11-17-21

**MEISNER BREM CORPORATION**142 LITTLETON ROAD, STE., 16, WESTFORD, MA 01886 • (978) 692-1313
202 MAIN STREET, SALEM, NH 03079 • (603) 893-3301JOB 8337 YOUNG RD, LONDONDERRY

SHEET NO. _____ OF _____

CALCULATED BY BB DATE 9-16-21CHECKED BY _____ DATE 12-2-21 UPDATED

SCALE _____

S.C.S. SOILSWATER SUPPLY: MUNICIPAL (OFF SITE SOURCE)
140B - CHATFIELD-HOLLIS / CANTON COMPLEX24.9 AC. TOTAL COMBINED LOT SIZE < LOT 6-53 = 22 AC.
- 2.9 AC. WETLANDS LOT 6-58-2 = 2.9 AC.22 AC. USEABLE AREA

$$\frac{22 \text{ AC.} \times 2000 \text{ GPD}}{1.45 \text{ SOIL FACTOR}} = 30,345 \text{ GPD ALLOWED}$$

PROPOSED

55 - 3 BDRM. SINGLE FAMILY (450 GPDEA.) = 24,750 GPD

55 - 2 BDRM. SENIOR UNITS (125 GPDEA.) = 6875 GPD



MEISNER BREM CORPORATION

142 LITTLETON ROAD, STE., 16, WESTFORD, MA 01886 • (978) 692-1313
202 MAIN STREET, SALEM, NH 03079 • (603) 893-3301

JOB 8337 YOUNG RD, LONDONDERRY

SHEET NO. _____ OF _____

CALCULATED BY BB DATE 9-16-21

CHECKED BY _____ DATE 12-2-21 UPDATED

SCALE _____

S.C.S. SOILS

WATER SUPPLY: MUNICIPAL (OFF SITE SOURCE)
140B - CHATEFIELD-HOLLIS / CANTON COMPLEX

24.9 AC. TOTAL COMBINED LOT SIZE < LOT 6-53 = 22 AC.
- 2.9 AC. WETLANDS < LOT 6-58-2 = 2.9 AC.

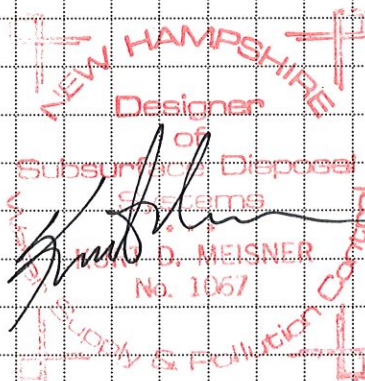
22 AC. USEABLE AREA

$$\frac{22 \text{ AC.} \times 2000 \text{ GPD}}{1.45 \text{ NH-DES SOIL FACTOR}} = 30,345 \text{ GPD ALLOWED}$$

ALLOWED USES:

67 - 3 BDRM. SINGLE FAMILY (450 GPDEA.) = 30,150 GPD

242 - 2 BDRM. SENIOR UNITS (125 GPDEA.) = 30,250 GPD



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (h) For lots with peaks, gullies, or ridges, a composite average slope shall be used.

Source. (See Revision Notes #1 and #2 at chapter heading)
#11184, eff 10-1-16

Env-Wq 1005.03 Minimum Lot Sizes.

- (a) The minimum lot size for any lot shall be determined in accordance with this section.

(b) Minimum lot size, in square feet (ft²), and factors for sewage loading shall be determined based on soil groups and slopes as set forth in Table 1005-1 below, subject to the notes in (c) through (e), below:

Table 1005-1: Minimum Lot Size - Residential, 1 to 4 Bedrooms; Sewage Loading Factors

Soil Group→ Slope ↓	1	2	3	4	5	6
0-8% or A/B	30,000 ft ² 1.0	39,000 ft ² 1.3	48,000 ft ² 1.6	43,500 ft ² 1.45	90,000 ft ² 3.0	See (c)
8-15% or C	33,000 ft ² 1.1	43,000 ft ² 1.43	53,000 ft ² 1.76	48,000 ft ² 1.6	Not Applicable	See (c)
15-25% or D	36,000 ft ² 1.2	46,800 ft ² 1.56	62,000 ft ² 2.08	52,000 ft ² 1.73	Not Applicable	See (c)
25-35% or E	39,000 ft ² 1.3	50,700 ft ² 1.69	72,000 ft ² 2.4	57,000 ft ² 1.90	Not Applicable	See (c)

- (c) Very poorly drained soils shall not be counted toward site loading to obtain subdivision approval.

- (d) For purposes of determining minimum lot sizes, soil groups shall be as follows:

- (1) Group 1 soils shall be well-drained to excessively well-drained soils with rapid permeability;
- (2) Group 2 soils shall be well-drained soils with moderate permeability;
- (3) Group 3 soils shall be moderately well-drained and well-drained with hardpan;
- (4) Group 4 soils shall be bedrock relatively close to the surface;
- (5) Group 5 soils shall be poorly-drained soils; and
- (6) Group 6 soils shall be very poorly drained soils.

- (e) Soil group shall be:

- (1) Determined using the USDA-NRCS web soils survey (WSS), available at <http://websoilsurvey.sc.egov.usda.gov>; and

- (2) Confirmed with one or more test pits dug as specified in Env-Wq 1006.

(f) For individual lots served or proposed to be served by an on-site ISDS and a public water system, the lot size shall be at least 50% of the size shown in Table 1005-1 or 20,000 ft², whichever is larger.

(g) For lots having or proposed to have an on-site water supply with off-lot ISDS, the off-lot area shall meet the required lot size established in accordance with Table 1005-1. In such cases, the lot upon which the structure will be built shall be of sufficient size to accommodate the full protective well radius established by Env-Wq 1008.06.

(h) For lots that have or are proposed to have off-lot ISDS and off-lot public water system, local lot size regulations shall apply.

- (i) Where ledge is encountered at less than 4 feet, Group 4 soil lot sizes shall apply.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(j) Manufactured housing park sites with on-site wastewater disposal shall be at least 10,000 ft² multiplied by the factor listed in Table 1005-1.

(k) The minimum lot size for all other commercial and residential subdivisions shall be calculated by dividing the estimated daily flow (Q) of sewage in gallons per day by 2,000 and then multiplying by the sewage loading factor established in Table 1005-1, as indicated in the following formula:

$$\text{Lot Size} = (Q \text{ (gpd)} / 2,000 \text{ (gpd/acre)}) \times \text{sewage loading factor}$$

(l) For purposes of (b), above, Q shall be the estimated daily flow calculated in accordance with Env-Wq 1008.03(c) or 600 GPD, whichever is greater, except that for campgrounds that existed prior to January 1, 1993, Q may be calculated in accordance with Env-Wq 1008.03(b) so long as no additional lots are created.

(m) Each studio or 1-bedroom apartment shall be figured as 1.5 bedrooms for sewage loading purposes, where a bedroom represents a sewage loading of 150 gallons per day.

Source. (See Revision Notes #1 and #2 at chapter heading)
#11184, eff 10-1-16

Env-Wq 1005.04 Open Space/Conservation Subdivisions.

(a) Subject to (b), below, the total land area required for a proposed open space/conservation subdivision shall be calculated in accordance with Env-Wq 1005.04(b), where Q is the total combined estimated daily flow of sewage from all proposed structures, calculated as the number of residential structures multiplied by the design flow for each structure or 600 GPD, whichever is greater.

(b) The following shall not be included when calculating the total usable land area of the subdivision:

- (1) The full area of the protective radius of each well; and
- (2) Any other areas required to be deducted pursuant to Env-Wq 1005.02.

(c) Each lot served by an on-lot ISDS shall be of sufficient size to accommodate an EDA of twice the size of the EDA required for the proposed sewage load for that lot as specified in Env-Wq 1016 and any fill extensions associated with the ISDS.

(d) Documents creating an easement for the benefit of the individual lots to permanently protect the area against development that would be inconsistent with the conservation interest instrument requirements specified in Env-Wt 807 shall be submitted to the department with the application for all land areas that:

- (1) Are not part of an individual lot but are otherwise part of the total area required for sewage loading as calculated pursuant to (a), above; or
- (2) Constitute the area required for the protective radius of any well.

(e) The right to use areas dedicated to off-lot ISDS for purposes of wastewater disposal shall be specifically provided by an easement in the deed to the lot. Said rights shall be worded such that they are inseparable from the deed without express written consent from the department and all other governmental agencies having jurisdictional control.

(f) Lot owner responsibility for off-lot ISDS, off-lot water supplies, or both, that are dedicated to the open space/conservation subdivision shall be clearly established in documents submitted to the department and recorded in the chain of title for each lot.

Source. (See Revision Notes #1 and #2 at chapter heading)
#11184, eff 10-1-16

Env-Wq 1005.05 Lot Width. Each lot in a subdivision other than an open space/conservation subdivision shall be of sufficient width in the areas where the ISDS and the well are to be placed to

REVISED SOIL GROUPING FOR ESTABLISHING LOT SIZE

Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Excessively drained and somewhat excessively drained soils with rapidly or very rapidly permeable receiving layer.	Well-drained soils with moderately permeable surface and subsoil layers and having a moderate to rapidly permeable receiving layer.	Somewhat poorly drained or moderately well drained soils, and well drained soils with a slowly or very slowly permeable receiving layer.	Soils with bedrock within 4 feet of the soil surface.	Poorly drained soil	Very poorly drained soils
Adams Boscawen Ceasar Champlain Colton Gloucester Glover Heron Hinckley Hoosic Masardis Merrimac Success *Suncook *Sunday Redstone Warwick Windsor Windsor Variant	Abenaki Agawam Allagash Bangor Berkshire Bice Canton Charlton Dutchess *Fryeburg Grovelton *Hadley Hartland Haven Houghtonville Lombard Monadnock Occum Ondawa Ondawa Variant Salmon Salmon Variant Stetson Unidilla	Acton Acton Variant Becket Belgrade Barnardston Barnardston Variant Boxford Buckland Buxton Canterbury Chaffield Chesuncook Colonel Colonel Variant Croghan Dartmouth Deerfield Dixmont Duane Eldridge Elmridge Elmwood Finch Hemiker Hitchcock **Howland Lanesboro *Lovewell Machais Madawaska Marlow	Canaan Cardigan Chaffield Elliottsville Glebe Hogback Hollis Kearsarge Lyman Macomber Millsite Monson Pennichuck Rawsonville Ricker Saddleback Shapleigh Stratton Thorndike Tunbridge Winnecook Woodstock	Au Gres Bernis Binghamville Brayton Cabot *Charles *Cohas Grange Kinsman Leicester Leicester Variant *Lim *Limerick *Limerick Variant Lyme Monarda Mooslaube Naumburg Pemi Pillsbury Pillsbury Variant Pipestone Raynham Raynham Variant Raypole Ridgebury *Rippowam Roundabout *Rumney *Rumney Variant Saugatuck	Biddeford Borohemists Bucksport Burnham Chocorua Greenwood Ipswich Matunuck Maybid *Medomak Variant *Medomak Muck Ossipee Pawcatuck Peacham Peat Pondicherry *Saco *Saco Variant Scarboro *Searsport Vassalboro Waskish Westbrook Whitman Wonsqueak

NOTES: 1. This chart should be used as a general guide to enable people to make lot size determination. In no way does the series name and description replace an on-site evaluation of conditions in the field.

* These soils are subject to periodic or frequent flooding.

** These soils should be evaluated particularly closely because of possible site problems

GM DRILLING & BLASTING, INC.
47 Town Farm Rd. - Salem, NH – (603) 894-4346

GM Drilling and Blasting Inc.
Young Road Project
Londonderry, NH
12/08/2021



Scope of Work:

The Young Road Project appears to resemble similar Londonderry, NH blasting projects we have completed. We do not anticipate any unique or unordinary circumstances related to this project. The parcel size of the subdivision would categorize this particular project as a smaller blasting operation compared to other local blasting projects.

Drilling and Blasting Program Plan:

Permits -

GM Drilling and Blasting will obtain all necessary site-specific permits from the local regulatory departments. All federal permits for the purchase and use of explosives (ATFE) will be obtained.

Safety -

All crews are trained in the proper use and application of explosives and are additionally trained in construction safety. Daily "tailgate" safety refresher talks will be scheduled each morning before work begins.

Explosive Transportation and Storage -

GM Drilling and Blasting Inc. will provide daily delivery of explosives. Onsite, Type II magazines or "day boxes" will be available for temporary storage. GM Drilling and Blasting will remove all unused explosive products from each day of activities at the end of the shift.

Warning Signs and Guarding -

- Warning signs will be placed on roadways where work is being performed.
- The actual blasting area will be under the control of GM Drilling and Blasting personnel at all times.
- The Project Superintendent or his designee will assign guarding positions. All guards will have a direct method of communication with the blaster-in-charge and clear visibility of the area of concern. These positions will include both inside the project area and street level as needed.
- The blaster-in-charge will inspect the blast and signal the all clear when it is safe to resume all activities.

Blast Warning Signal -

Horn or siren will be used to create the sound:

GM DRILLING & BLASTING, INC.

47 Town Farm Rd. - Salem, NH – (603) 894-4346

- 3 long whistles = Prepare to blast warning – 5 minutes prior to blast
- 2 short whistles = Ready to blast warning – 1 minute prior to blast
- 1 long whistle (immediately after the blast) = all clear

Blasting Control -

- Pre-blast surveys will be performed per project specification. Post-blast surveys will be available on request to citizens or businesses that had these surveys.
- GM Drilling and Blasting will implement seismic and acoustic monitoring as per project specifications. Instrumentation will be located as per specifications. A vibration regression analysis will be performed so as to calculate the amount of explosives that can be detonated per delay and not exceed the vibration limit specification.
- Blasting mats will be used on the shot to control the blast and reduce potential fly rock.
- Blasting operations will be restricted during times listed in the specifications.
- Test blasting and production blasting will be performed to specifications and any required variances for changes of products and blast pattern geometry will be applied for if necessary.

Blasting Plan Means and Methods -

1. Blast holes will be drilled under the direction of GM Drilling and Blasting supervision.
2. The blast will be designed to minimize blast vibration, air blast, and environmental impact. In addition, the blast design will follow current industry standards.
3. Blast holes will be measured to confirm the required depth before they will be loaded with explosive and non-electric detonators approved for the use in this project. All blast holes will be stemmed or filled with crushed gravel to confine explosives before any detonation.
4. All loaded blast holes will be connected in the desired delay initiation sequence by a licensed blaster. Blast hole initiation sequencing or “timing” will be utilized to blast the least amount of pounds of explosives “per delay” as possible and create the largest amount of relief.
5. Blast areas will be cleared to a safe distance as determined by the blaster-in-charge, but not less than the specification.
6. Blast warnings will be sounded in the order previously mentioned.
7. If all is safe to proceed, the blast will be initiated.
8. After the blast, the blaster-in-charge will inspect the blast site for a misfire or any other potential hazards.
9. If no problems exist, the blaster-in-charge will signal all clear.

Misfires -

GM DRILLING & BLASTING, INC.

47 Town Farm Rd. - Salem, NH – (603) 894-4346

- If a misfire occurs, use the one hour waiting time to clear your mind and think about the condition that has been created. Document the hole or area that contains the misfire completely, while this is still fresh in your mind.
- Do not permit any work in the misfire area. Notify the permittee of the misfire. Contact your supervisor for assistance. We recommend that prior to re-firing a misfire, another blaster familiar with the mine/quarry or construction site be brought in to assist with the decision to fire or render inert the explosive.
- Proper misfire handling should be conducted by experienced individuals familiar with the initiation systems and explosives used, as well as the proper techniques to handle, neutralize and render safe the explosive materials. Specific recommendations cannot be made concerning misfires as every misfire is unique and very site specific. Each misfire must be handled individually.
- All information regarding the misfire must be analyzed completely and a plan of action established with a method to "Make Safe" the area. Specific Federal/State or Local laws may also dictate additional procedures.
- When a misfire occurs, the power source used to initiate the blast must be disconnected or made safe before entering the blast area to inspect the misfire. All personnel must stay out of the blast area for at least 1/2 (30 minutes) hour. Access to the blast area must remain blocked and guarded.
- Once a determination is made by the blaster in charge and another blaster familiar with the area, such as adequate burdens, spacing, stemming, etc., a decision may be made to re-fire the misfire. Re-firing a misfire is usually the safest and best way to eliminate the danger. Extra care must be taken, as the designed pattern HAS changed.
- Once a determination has been made to re-fire, the blast area must be cleared to double the initial perimeter (at a minimum). If this is not possible, alternate methods of handling should be considered.

Lightning Hazard

- In the case of a lightning storm, all explosives will be locked in a magazine and the area will be evacuated. All personnel will be required to be moved to a safe location designated by the blaster in charge. The blaster in charge will determine when the storm has passed and if it is safe to continue working on the job site.

Subject: Tennessee Gas / Kinder Morgan
Date: Monday, January 3, 2022 at 11:06:22 AM Eastern Standard Time
From: Jeffrey Brem
To: Aaron Orso
CC: Kurt Meisner
Attachments: image001.png

Aaron:

I spoke by telephone to Tim Hanson (603-494-3387, tim_hanson@kindermorgan.com) today regarding crossing the existing Tennessee gas main within the gas easement. Kinder Morgan is now the owner of Tennessee Gas.

The crossing will eventually be approved with completed plans but only after full approval of the project from the municipality. This is typical for utilities. There is a detailed approval process to follow in Kinder Morgan's latest "Development Handbook". I have an old one here at my office and I will be requesting the latest version.

The first step in the process is to contact Wesley Maribito (Wesley_maribito@kindermorgan.com) , Damage Prevention, for Kinder Morgan to stake out the exact location and depth of the actual gas line (do not use the markers presently at the site). I will do that. And we will then survey these stakes and elevations.

Then, once the project is fully approved, we will be working with David Wood (david_wood@kindermorgan.com) for plan approval from Tennessee Gas. We are to copy Tim Hanson and Carey Diehl (Carey_Diehl@kindermorgan.com) with all email correspondence.

This office has worked with Tennessee Gas and Kinder Morgan several times over the last 20+ years. They are the best utility to deal with on impacts. I am not anticipating any issues as long as we can follow their rules, which we intend to follow. Please feel free to share this email with Rob Meissner and anyone at the Town of Londonderry.

Jeffrey A. Brem, P.E.

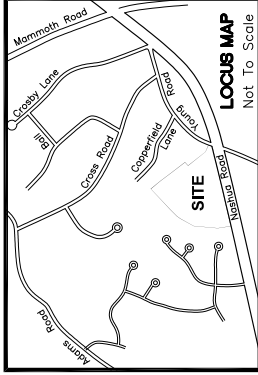
Meisner Brem Corporation
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"MULTI-FAMILY RESIDENTIAL DEVELOPMENT PLAN"
PROPOSED ZONING DISTRICT: R-III (Requires Zone Change)
 50 Single-Family Units
 2,100± L.F.± of Proposed Road
 8.4 Ac± Open Space Required - 14 Ac± Provided
 11 Ac± Upland

NOTE:
 THIS PLAN IS A SKETCH ONLY. THE NUMBER OF LOTS SHOWN IS NOT BASED ON ACTUAL BOUNDARY, METLANDS OR SLOPES AND ARE SUBJECT TO CHANGE WHEN AN ACTUAL SURVEY IS PERFORMED.



Scheme - A

"Young Road"
 LONDONDERRY, NEW HAMPSHIRE
 Map 6 lot 53 - 21 Ac.±
 Map 6 lot 58-2 - 2.5 Ac.±
 Total Area 23.5 Ac.±

MEISNER BREM CORPORATION
 100 UTILITY ROAD, WESTPORT, MA 01886 · (978) 553-1313
 202 MAIN STREET, SALEM, NH 03079 · (603) 885-1321

October 14, 2021 Scale 1"=100'
 Job no. 8388

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Resident and Broker Support Letters

To Whom It May Concern-

My name is Carmel Shea. I am a 20-year resident of Londonderry as well as the owner of O'Shea's Caife & Tae. I am writing this letter in support of Aaron Orso and DHB Homes' proposed development, The Farm.

Over the past 2 decades I have seen many things change in town, but the one constant has been the need for housing. Many people are drawn to this town for its quaint New England charm, highly recognized school system, and proximity to Boston. However, the thing that makes Londonderry truly special, is its people and the sense of community that we share.

The addition of The Farm to Londonderry gives the town an opportunity to further strengthen that sense of community by bringing in new young families. These families, more than ever, value work-life balance and want to focus their time on friends, family, and community involvement rather than landscaping and snow removal. The Farm will give them exactly that.

There will also be a positive economic impact on the town and its businesses through increased tax revenues, job creation, and spending. This type of development would also help attract new businesses to meet the needs of a growing community.

In conclusion, I feel that The Farm would not only meet the growing demand for housing in Londonderry, but also continue to stimulate the growth of the local economy and position Londonderry for an even brighter future.

Kind Regards,

Carmel Shea

CAPT JAMIE C. FREDERICK

15 Wilson Road
Londonderry, NH 03053
Jamie.c.frederick@gmail.com/603-818-2384

Zoning Board of Adjustment
Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

December 3, 2021

To Whom it May Concern,

I am writing in support of DHB's request to build a development, "The Farm," on Young Road, Londonderry, NH. I currently reside in a DHB home at 15 Wilson Road, Londonderry. We purchased this home as new construction in 2017, and could not be happier with the overall experience and quality of our home. The DHB team is incredibly professional and the quality and workmanship of their homes is truly superb.

Rising property values and lack of inventory have created a strain on the local real estate market, and additional high-quality and affordable housing options will only benefit the community. "The Farm" is proposed as a Home Owner Association (HOA) development, so the town will not absorb additional trash or snow removal expenses. The proposed location, Young Road, offers future residents easy access to existing roads and I93.

In closing, I ask you to strongly consider approving DHBs request to build "The Farm," on Young Road, Londonderry. The addition of more affordable, smaller housing will eventually bring down costs and improve the efficiency of the local market. DHB is a local, family-owned business that builds quality homes that will benefit our community for many years to come. If you have any questions, please feel free to contact me at 603-818-2384. Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jamie C. Frederick", with a stylized flourish at the end.

Jamie. C. Frederick
Captain, U.S. Coast Guard

December 1, 2021

Town of Londonderry NH

268B Mammoth Road

Londonderry NH 03053

Attn: ZBA/ Planning/ Building Department(s)

Re: The Farm- Proposed Development

To Whom it may concern,

I have known Aaron and Kate Orso of DHB Homes for several years. I met them both while searching for a new home.

I have had the opportunity to tour both individual single-family homes, residential developments and their condominium projects, all of which are well planned and executed.

I purchased a single-family home on 19 Jefferson Drive Londonderry NH from DHB Homes in October 2019. The process could not have gone better. In fact, in the eleventh hour the buyers of my previous home in Derry NH hit a road block in closing on their home in Pelham NH. The domino effect caused a two-week delay in my closing on the 19 Jefferson Rd Londonderry home with DHB. Aaron was very understanding and accommodating given our situation.

DHB Homes is an extremely reputable contractor/developer and build excellent quality homes. Their sub-contractors are excellent as well.

While many builders are content to build cookie cutter homes with little regard for quality and style, DHB Homes are unique, well-built and affordable in todays over inflated market.

Aaron Orso, Kate Orson and Rob Meisner are easy to work with, communicate well and genuinely care about their clientele.

I have reviewed the concept for "The Farm" and whole heartedly endorse it. So much so that my wife and I may consider selling our current DHB Home on Jefferson Drive and building at "The Farm".

Please feel free to reach out to me with any questions.

Respectfully yours,

Michael Lucci

19 Jefferson Drive

Londonderry NH 03035-3647

603-718-5581

mlucci210@gmail.com

December 8, 2021

Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

RE: New Construction in Londonderry, NH

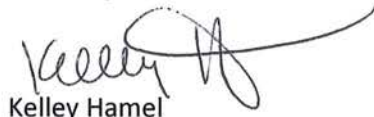
To Whom It May Concern,

I wanted to submit a letter of support for the proposed Multi-Family Residential Development Plan submitted by DHB Homes, LLC. I am a Londonderry resident and Co-Owner of The Title Team, LLC, a women owned small business located in Londonderry.

As the owner of a local Title Company I can attest to the fact that there is a significant housing shortage in Southern, New Hampshire. This type of Development can help with the shortage as well as keep new construction pricing lower. New buyers seem to be interested in an on-trend home where snow and landscaping are covered in monthly fees. The plans are stylish and seem economical to build. The location of the proposed development seems perfect, it is surrounded by residential development.

I feel confident writing this letter of support as my family recently purchased a DHB Homes, LLC new construction home located at 1 Farm Meadows Lane. We absolutely love the quality of the home and would recommend these builders to family and friends. The whole process was seamless.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelley Hamel', with a long, sweeping horizontal line extending to the right.

Kelley Hamel

January 14, 2022

Town of Londonderry, NH
268B Mammoth Road
Zoning Board of Adjustments
RE: The Farm Development

To Whom This May Concern,

My name is Brian Hardwick of 19 Wilson Road, Londonderry, NH. I moved to Londonderry three years ago from Dunbarton, NH where I raised my family. I had been looking for a buildable lot that fit all my family's needs, and when this opportunity presented itself, I knew it was something I could not pass up on purchasing. I have always wanted to build my own home from the ground up, and this is what I was able to do in Londonderry, where to this day I couldn't be happier living.

I own a framing company that I've operated for over 30 years with the hope of passing it along to my son soon. Finding work in new developments has never been an issue over the last 30 years, except for the great recession of 2008. The current real estate market is a true concern for tradesmen like me, and the continued housing/inventory shortages in the Southern NH real estate market prove to be of great concern regarding a bleak and uncertain future for all tradesmen in the area. When Aaron asked me to support this project, I knew it was something I had to get behind. People want to live in New Hampshire, and with workplace dynamics changing to more at home working, people who were once forced to live in locations for commuting reasons have found that NH is where they want to be. A development like this is what the State and Londonderry needs in a first step effort to resolve our current housing crisis and protect hardworking tradesmen like myself.

Thanks,

Brian Hardwick
19 Wilson Road
Londonderry, NH 03053
603-235-5344

December 3, 2021

Town of Londonderry NH
268B Mammoth Road
Londonderry NH 03053
Attn: ZBA/ Planning/ Building Department(s)
Re: The Farm- Proposed Development

To Whom It May Concern,

My name is Greg Buchanan of 19 King Charles Drive, and I have been a Londonderry resident since December of 2015. My wife, myself and our two young children love living in Londonderry. I actively follow Planning and Development projects that are on the monthly agendas to stay in touch with the direction of our community. As a successful and respected contractor, myself, I continue to see that there is an extreme housing shortage in the Southern NH residential real estate market. After reviewing the proposed development on Young Road, my family and I strongly support this type of development and believe that a project of this nature is truly what we need to start seeing in all highly desirable Southern NH towns such as Londonderry. The only way out of the current housing crisis/shortage is to build our way out via new construction which starts with increased densities and communities based on concepts such are being presented in Londonderry aka "The Farm".

Thank you very much for your time.

Sincerely,



Greg Buchanan
19 King Charles Drive
Londonderry, NH 03053
603-475-5098

To Whom This Concerns,

My name is Nick Thibodeau of 45 Auburn Rd in Londonderry, NH. My wife Keri and I purchased our home in 2012 since then we've been lucky enough to grow our family and now have 3 amazing children that we are raising in this Town. We've been in the market for a new home for over 3 years and continue to be haunted by the consistent headlines of inventory shortages. This has been frustrating and at times feels hopeless with no relief in sight. Over the last year not only has the inventory shortages affected our search, but also the cost of homes has skyrocketed to the point of unaffordable with Sellers trying to capitalize on the enormous increases in home values.

I am not one to get involved in other people's business, but when Aaron approached me and asked me to review the project he's proposing on Young Road, my first questions after reviewing his concept package were: 1. "Why aren't all towns aren't allowing developments like this?" This type of development simply makes sense for the current consumer aged approximately 25-40 to have a community that takes care of itself regarding landscaping, snow-removal, and trash removal -- amenities like this ensure a development stay looking pristine and holds its value into the future. Additionally, an HOA development allows towns to benefit from increased tax revenue that will not be reduced due to the fact snow removal and trash pickup are included in the HOA.

My wife and I are both self-employed on top of raising our children, and I won't lie we don't have time to take care of the exterior of our property, and this adds stress to my household. I wish that these units could be four-bedroom units so that my family could benefit from a development idea like this, but instead we're hoping that home prices can level out so that we can actively continue to pursue our search for a new home in this town.

Please feel free to reach out to me with any questions, but as I stated above, this is the type of developments that need to be getting approved in 2022.

Thanks,

Nick Thibodeau
45 Auburn Rd
Londonderry, NH 03053
603 235 8276



JILL & CO. REALTY GROUP

TO: Town of Londonderry, NH

RE: DHB Residential Project - Zoning Variance

To whom it may concern,

My name is Jill O'Shaughnessy, and I am the Broker/Owner of Jill & Co. Realty Group of Salem, NH. My company, composed of 35 full-time real estate professionals, sell homes predominantly in the Southern NH area. We work with numerous buyers every day looking to buy specifically in the town of Londonderry due to its convenient location, excellent school system, and numerous restaurants/shops/entertainment.

Statewide, we've been experiencing an inventory concern since 2017. Over the last two years, that inventory concern has become a real issue. In 2021, the average month's supply for the State of New Hampshire was 0.97 - that means it would take less than one month for all the homes on the market to sell out, given the monthly sales volume. I've been a top-producing agent since 2004, and I've never seen a market quite like this one. The majority of buyers cannot compete in a market with high home prices and very low inventory. It has driven many buyers to bid hundreds of thousands of dollars over market value in order to buy a home. We've experienced firsthand the disappointment from so many buyers who cannot afford to outbid 20+ other buyers on a purchase or don't feel secure dropping contingencies to make their offers stronger.

The inventory issue is partly due to the overwhelming number of buyers and the lack of new listings. Even though the equity cash out is incredibly desirable for sellers, many don't want to sell because they don't want to be a buyer in this market. At the pace we are currently at, I predict the 2022 market to be very similar to the 2021 market – major inventory issues and rising home prices.

We can help normalize the housing market at the local level by allowing for more new construction properties to be built. New construction will help calm the inventory issue by opening up a new market for buyers. My company and I hear it every day from buyers – “I’d much rather just build new because I don’t want to compete with other buyers in the resale market.” Currently, many towns’ zoning regulations are not in line with the housing market. These zoning regulations need to be revised to allow for more builds. Most buyers, especially those searching in a town like Londonderry, place more importance on the actual home and less importance on the lot size and maintenance. A larger lot size requires more time, energy, and money. Since the pandemic, the average buyer has a new perspective of what is important in life: spending time with their family and friends. Therefore, a new development with smaller lot sizes or communities with an HOA covering exterior maintenance is highly desirable for today’s buyers of Londonderry, NH.

I hope the Town of Londonderry will consider these firsthand experiences and market facts when deciding on density allotments for new construction developments.

Jill O’Shaughnessy

Broker/Owner – Jill & Co. Realty Group

December 2, 2021

To whom it may concern:

I am writing to share my support in the proposed neighborhood "The Farm" for the following reasons. As a full time REALTOR® in the Southern NH markets for the last 12+ years, I have had a first row seat in witnessing the negative effects that the changing markets have had on the average home buyer.

Just a few years ago it was not outside of the realm of possibility for a buyer to have several dozen homes to select from in an affordable price range. A home that offered a sufficient amount of bedrooms, baths, and space for a growing family. For the last few years we have seen inventory drop to anywhere between 10-20 homes for an *entire town* at any given time. With the desire to live in Southern NH increasing by the day, buyers are subject to extreme bidding wars, terms that are unfavorable/risky, and pricing that is unaffordable.

The style and layout of the proposed homes at The Farm would satisfy a huge gap in the market place between conservatively sized condos and larger homes. The latter which has been falling out of favor for most people as they are quite often a challenge to afford and maintain. The amenities that "The Farm" will provide, along with moderately sized homes and affordable prices will allow the average home buyer more time to focus on their career, their family and their hobbies. All things which many families have been forced to pick just one. The proposed styles are what the consumer wants and they are economical to build.

Further, adding this neighborhood would prove to be a benefit to those that surround the proposed site. Considering commercial space, rental housing or elderly would unfortunately negatively affect those close to the site. It has been said time and time again that the best solution to an inventory crisis is new construction. There is no better building team than DHB Homes. I have personally sold several of their homes and all of my clients are extremely happy with the quality, commitment to excellence, and the process. DHB is committed to leaving their community better than they found that and they have proven that time and again.

Thank you for taking the time to read this. If I can be of further assistance, please feel free to reach out at any time.

Kindly,
Kathryn M. Early,
Coco, Early & Associates in MA (9576463) & NH (068330)
Call or Text: 978 257 7683
Office: 978 687 8484 : 251 Broadway, Methuen, MA 01844
13 Locations in MA & NH
Email: kearly@cocoearly.com

January 18, 2022

To Whom It May Concern:

My name is Mary-Jo Driggers, and I have been a licensed Realtor in New Hampshire for 18 years. I have been a top-producer at Keller Williams on a steady basis and possess a real-time and in-depth knowledge of the Southern New Hampshire real estate market. I have worked on multiple occasions with Cedar Crest Development, and many other developers in the Southern New Hampshire area. Since the start of 2020, there has been a consistent and severe housing shortage in Southern New Hampshire. The number of homes on the market has dropped significantly since only 2020, with a current supply of less than 10 homes on the market in any price range in the entire Town of Londonderry! As you know, Londonderry is a highly desirable Town for families for many reasons – low crime, fantastic schools, great extra-curricular activities, plentiful shopping, restaurants and more. However, many families and individuals alike are pushed out of being able to purchase in Londonderry because of close to zero supply and an extremely competitive real estate environment for those homes that are for sale.

The Farm is an ideal community for the Town of Londonderry because it brings plentiful supply to the area. Many Millennials are looking for a new and relatively affordable house, not one they need to spend their precious time and hard-earned money fixing before their family can even call it “home”. Additionally, an HOA community which includes snow removal, trash pick up and lawn maintenance is something that most people strive for in today’s crazy world. Being able to spend extra time with family and friends is the most important thing – life is short and should not be taken for granted.

The style of the homes presented by Cedar Crest development for The Farm are not only aesthetically pleasing with great curb appeal, but they’re also functional on the interior featuring open concept living and great kitchen space. People today need well-designed and well-planned out space, but do not necessarily want huge acreage of land and 4,000SF+ of living space requiring endless maintenance and costs.

Overall, The Farm is something that would do Londonderry a great justice. I live in Salem and would also 100% support a community of this nature should it hopefully be presented at some point in the near future.

Thank you in advance for taking the time to read this letter. Please feel free to contact me with any questions or concerns.

Sincerely,

Mary-Jo Driggers | **REALTOR**

Keller Williams Gateway Realty | Salem

130 Main Street | Salem, NH 03079

Tel 603-912-5470 | Cell [603-234-2812](tel:603-234-2812) Fax 603-912-5604 | mj@mjdiggers.com

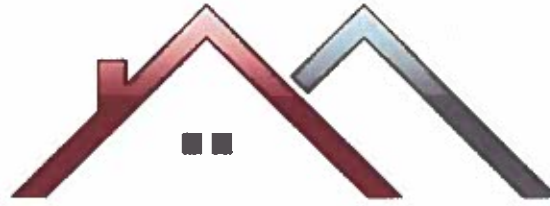
To Whom It May Concern,

As a real estate agent in Southern New Hampshire, I was thrilled to hear of the proposal of THE FARM development. In a market that has presented us with overcoming the obstacles of minimal inventory, high demand, and a fierce competitiveness, this project is exactly the development this area is in need of. With the significant shortage in housing, this development will help with the demand for new homes and keep new construction prices lower.

In my personal opinion, this location fits perfectly in the already developed residential area, and would compliment it well, rather than other options of commercial business or apartment complexes. These stylish homes are not only economical to build, but they meet the needs of today's buyers. By providing the sought after on-trend home where snow and landscaping are easily taken care of in their monthly fees, this leaves buyers more time to enjoy with family and friends.

Overall, there are endless positive outcomes due to this development, and I would be happy to see this project begin. Please feel free to contact me with and questions and concerns.

Kindly,
Amber Tomlin
Keller Williams Realty - Metropolitan



Premier Mortgage Lending

....Where YOU are our #1 priority!

Michael Comerford

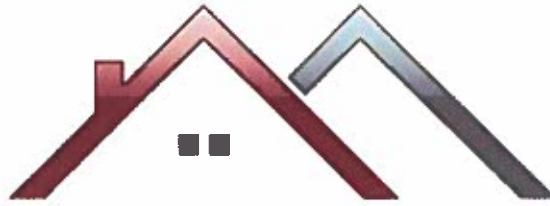
President/CEO/Loan Officer

01/15/2022

To Whom It May Concern:

Our company does a majority of the mortgage lending in Southern NH, and I have been one of the top 5 loan officers in the State of NH for the last 5 years. Because of that, I have an extensive knowledge of the needs, wants, and the challenges of buyers in this area. What we really need locally is change in how we are building homes. We need to do something different to alleviate the inventory problems we are having that are driving home prices through the roof and are making it nearly impossible for new homeowners to purchase homes. That is the true American dream and we are making it all but impossible by not doing something different than the way we have done for decades. Our local towns in Southern NH will thrive and our communities will succeed by bringing in young families that will pay taxes and support the local economy.

I believe that this project that Aaron Orso and DHB homes is proposing will solve many of those challenges. By building these communities, more young families will be able to purchase homes, and that will only help to support our local towns. The current zoning ordinances have made this very challenging, which in turn makes it so builders are unable to build starter homes because of the cost that it takes for them to make a profit selling a single family home. The planned unit developments are also what these young families are looking for. They want to have the amenities that go along with it such as snow removal, trash pick-up, landscaping, etc. They want to spend more time with their families and less time



Premier Mortgage Lending

....Where YOU are our #1 priority!

doing home maintenance. This is what we all want. Let families enjoy each other and be part of the communities that we all love so much.

Additionally, we need to think about how it helps the local economy. With regards to my business, it will allow us to do more loans which will then support my staff, local home inspectors, local appraisers, and local real estate agents, not to mention the employees and contractors that DHB will employ while building the project. If we can bring in 50 new families by building these homes rather than 10-15 with current zoning ordinances, this will bring in more tax dollars and revenue that will be spent in the community. This will help local business owners that have been struggling through the challenges of this pandemic and will only help to boost the local economy.

I see first-hand working with home buyers how difficult it is for them to purchase a home because of the home inventory shortage and how high the sale prices are. I've got buyers that I've been working with for over a year that have been unable to purchase a home because of the shortage and current prices. By allowing projects like this, we can fix that shortage. Londonderry can be one of the towns that is doing something different and the taxpaying residents of Londonderry will be the ones that will benefit here. I would seriously consider allowing this project. From what I can see from a financial and economic standpoint, it will only be a success.

Sincerely,

Michael Comerford

Current State of New Hampshire's Housing Market

NHAR last 6 months of headlines

January 14, 2022 Report: <https://www.nhar.org/news/article/2021-market-report>

2021 Market Report



New Hampshire residential housing inventory dropped to its lowest number on record in 2021, pushing prices to historic highs and putting a strain on home buyers who are facing the lowest affordability conditions in at least 15 years.

"Affordability and availability, those are our watchwords," said 2022 NHAR President Adam Gaudet. "This is a wonderful environment for those who want to sell their homes, until they have to buy something on the other end."

At the end of December, 1,083 single family residential homes were on the market in New Hampshire, 34 percent fewer than December of 2020 and a staggering 70 percent less than just two years prior. For further context, there were roughly five times as many homes on the market in New Hampshire in December 2017 – just four years ago.

The median price increase spurred by that inventory crunch has been substantial. Prior to May 2019, New Hampshire had never seen a median price for a single month over \$300,000. In 2021, there were six months of \$400,000 or above, and the year-end median price of \$395,000 was 18 percent higher than that of 2020 and the highest ever seen in New Hampshire.

The result of those inventory and pricing conditions is affordability levels at the lowest in 14 years.

Based on an affordability index that measures median household income as compared to the median priced home and prevailing interest rates, the end of the year saw the state 19 percent below where it had been in terms of affordability a year before, and the 12-month affordability average for 2021 was 21 percent below 2020.

“Nearly anyone who has tried to purchase a home in the past year or two is aware of the competition that has existed in the market,” Gaudet said. “More than ever, the winning deals have been cash, tens of thousands over asking price, often sight unseen.

“When the workers that the state needs to fill jobs are being priced out of our communities, that’s a crisis, and a real indication that something needs to be done to increase housing stock. Our economy depends on a healthy housing inventory.”

For our detailed December/year-end 2021 market report, [click here](#). For statewide and county level data from 1998 to 2020, [click here](#).

Questions? Please email Communications Director Dave Cummings (dave@nhar.com), or call 603-225-5549.

November sales down



Although media sales price showed virtually no sign of slowing, the pace of New Hampshire single family residential sales declined compared to last year for the fifth consecutive month.

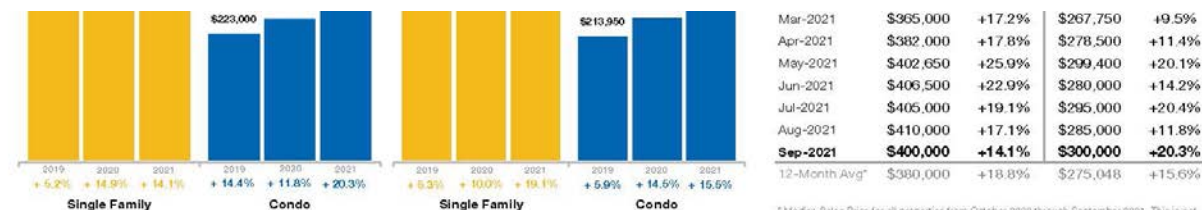
November saw 1,572 sales in the state, a 13 percent decrease from the number sold last November. Year to date through the first 11 months, there were 16,030 single family residential sales, 4.2 percent behind the same period of last year.

The median sale price for single family residential homes, meanwhile, continued to rise. The \$401,000 in November is the highest for the month in New Hampshire history, and the \$392,500 median price year to date is also a New Hampshire all-time high, and 18 percent over the first 11 months of last year.

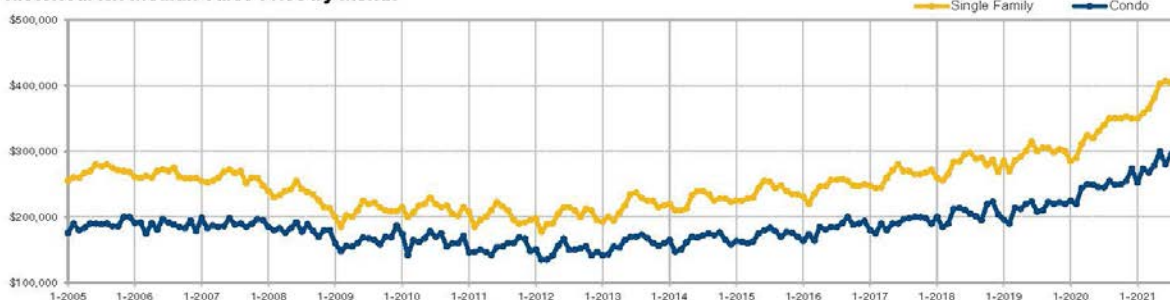
For our detailed November 2021 market report, [click here](#). For statewide and county level data from 1998 to 2020, [click here](#).

Questions? Please email Communications Director Dave Cummings (dave@nhar.com), or call 603-225-5549.

Another \$400K month



Historical NH Median Sales Price by Month



The median sale price for single family residential homes in New Hampshire was \$400,000 in September, marking the fifth consecutive month at \$400,000 or above.

Unit sales, meanwhile, dropped for the third straight month in September, falling 9 percent from a year ago, and the inventory of homes for sale at the end of September, at 2,049, was 21 percent below last year.

Other numbers of note in the September [Monthly Market Indicators](#) report:

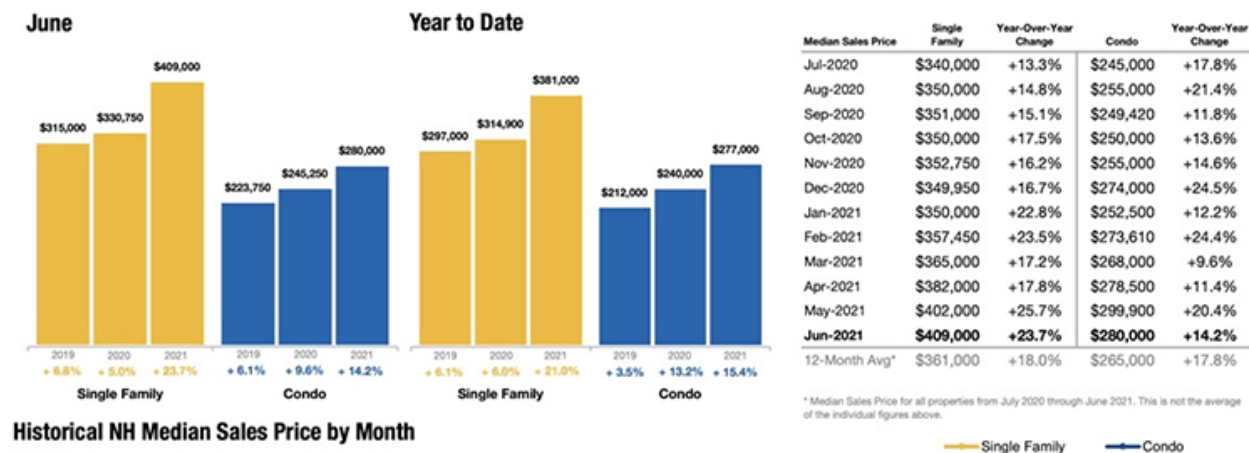
- The 2,049 homes on the market represented 1.3 months' supply (a balanced market is considered 6-7 months), a 24 percent decline from September 2020.
- Pending sales were down 9 percent, leaving it likely that October will show a fourth consecutive month of sales decreases.
- Average Days on Market – the time between a listing and an accepted offer – was 53 percent below last year at 21 days, marking the fourth straight month of three weeks or less.

For our detailed September 2021 market report, [click here](#). For statewide and county level data from 1998 to 2020, [click here](#).

Price Hike Continues

NH Median Sales Price

Point at which half of the sales sold for more and half sold for less, not accounting for seller concessions, in a given month.



Historical NH Median Sales Price by Month

It was just over two years ago that residential home sales in New Hampshire crossed the \$300,000 median price threshold for the first time in the state's history. Just 25 months later, we're at \$409,000.

[View our video review of the June data here.](#)

Other numbers of note in the June Monthly Market Indicators report:

- There were just over 1,900 homes on the market at the end of June, which is 1.2 months' supply (a balanced market is considered 6-7 months). The 1.2 months is exactly the average supply number over the past year in New Hampshire.
- It was the 12th consecutive month of 100 percent or higher percent of list price received, and 104.4 percent marked the highest number in NHAR's records – dating back at least 16 years.
- Average Days on Market – the time between a listing and an accepted offer – reached an all-time low of 18 days in June.

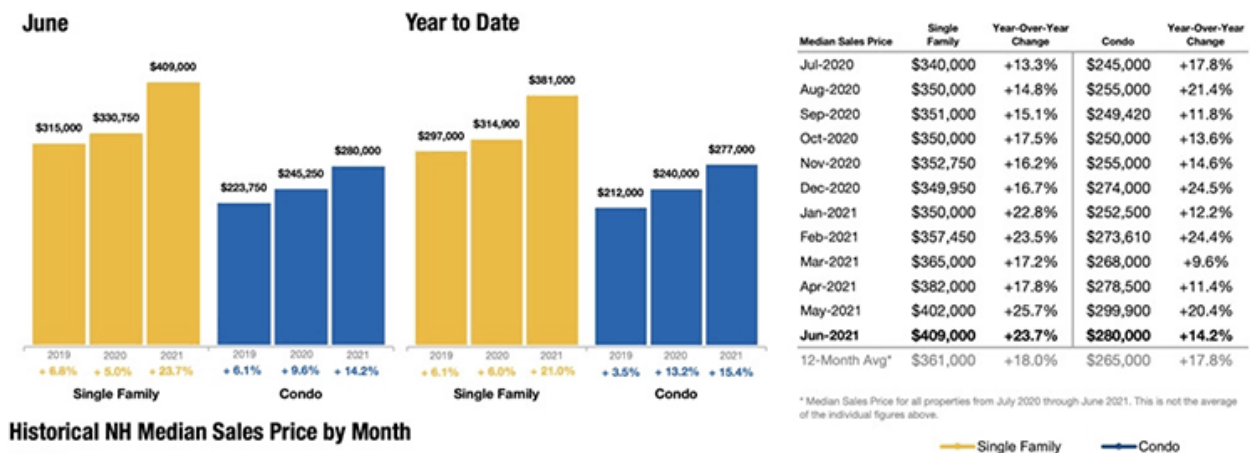
For our detailed June 2021 market report, [click here](#) or download the attached PDF. For statewide and county level data from 1998 to 2020, [click here](#).

6-14-21 NHAR: <https://www.nhar.org/news/article/pricey-milestone>

A Pricey Milestone

NH Median Sales Price

Point at which half of the sales sold for more and half sold for less, not accounting for seller concessions, in a given month.



Historical NH Median Sales Price by Month

Driven by a continuing trend of historically low inventory, the median price for single family residential homes crossed the \$400,000 plateau for the first time in New Hampshire history, landing at \$402,000 in May – a 26-percent increase from a year ago.

[View Dave Cummings' review of the May data here.](#)

Other numbers of note in the May Monthly Market Indicators report:

- May marked the sixth consecutive month of one month or less supply, and the 1,517 homes on the market is a 54 percent drop from May 2020.
- It was the 11th consecutive month of 100 percent or higher percent of list price received, and 104 percent marked the highest number in NHAR's records – dating back at least 16 years.
- Despite affordability nearing an historic low in New Hampshire, pending sales saw a 4.4 percent increase in May, in contrast to a national trend of declining pending sales.

For our detailed May 2021 market report, [click here](#) or download the attached PDF. For statewide and county level data from 1998 to 2020, [click here](#).

New Hampshire Association of Realtors:

<https://www.nhar.org/resource/market-data>

Market Data

NHAR has compiled year-over-year statewide and county residential housing sales data beginning in 1998, and has, since March 2009, provided monthly reports to our membership.

In 1998, the statewide median price for a single-family residential home was \$127,500. That number rose to its peak of \$270,000 in 2005, a remarkable 112 percent increase (a 16 percent per year average increase, or 11.3 percent compounded annually), after which we witnessed four consecutive years of median price declines (1.9 percent in 2006, 1.6 percent in 2007, 9.9 percent in 2008, 9.8 percent in 2009) that seem particularly dramatic due to the booming market of the seven years prior.

We then witnessed a stabilization in the housing market, with less dramatic median price decreases in 2010 and 2011 and, in 2012, a 21 percent increase in unit sales from 2011. In 2013, we began talking less about "recovery" and more about a normalized market — with the most residential unit sales since 2005 and a \$220,000 median price for the year, 9 percent higher than 2012 and the highest since 2008.

And whereas 2014 is what we could call a year of stabilization, 2015 and 2016 came in strong with steady monthly increases throughout both. In 2015, we saw yearly statewide increases of 12 percent in unit sales and 5.5 percent in median sales price, while 2016 witnessed a 8.7 percent hike in unit sales and 3.3 percent in median price. In fact, the 17,567 residential unit sales in 2016 were the most in NHAR's tracking history (1998 to present) and the highest median price (\$249,50) since 2007.

Those trends have continued since, with unit sales over the last five years staying between roughly 17,500 and 18,500 while median prices have continued to climb rapidly, particularly in light of the Covid-19 pandemic and the attendant inventory crisis. Most recently, 2021 saw the year-end median price land at a record-high \$395,000 — an 18 percent jump over 2020 and a staggering 96 percent increase in 10 years.

STAFF MEMORANDUM

To: Zoning Board of Adjustment
From: Colleen P. Mailloux, AICP, Town Planner
Nick Codner, Chief Building Inspector/Zoning Administrator
Re: Case Nos. 11/17/2021-3 & 4

Date: January 17, 2022

The Londonderry Zoning Ordinance (LZO) Section 4.2.2.3.B provides for the permitted density for multi-family housing. For developments proposed to be served by onsite septic systems, there must be at least 14,000SF of area per dwelling unit. In addition, permitted density is further subject to the density requirements as required by the minimum lot size by soil type, with the modification: one and two-bedroom units, lot size x 0.65, three bedroom units, lot size x 0.85.

The purpose and intent of the inclusion of soils-based density calculations is “to protect groundwater quality and to promote public health and safety” (LZO 4.2.2.3.B.1.b). For this reason, the LZO is intentionally more restrictive than the NHDES soils-based design loading capacity for septic systems.

Based on the soils data submitted by the applicant, Staff have determined that, in accordance with the Zoning Ordinance, the subject parcels have a total permitted lot density of 20.65 three-bedroom units (see calculations below).

The Applicant is requesting a variance to allow 55 three-bedroom units where 20.65 are permitted.

Soil Type	Site Area (SF)	Londonderry Density Factor (SF)	3 bedroom lot density factor		Allowed Density - Lot
328-B	431,856	65,750	0.85	55,888	7.73
328-D	33,668	86,750	0.85	73,738	0.46
311-B	87,470	54,500	0.85	46,325	1.89
311-C	47,122	60,500	0.85	51,425	0.92
321-B	34,307	54,500	0.85	46,325	0.74
321-D	10,969	67,500	0.85	57,375	0.19
323-B	204,646	54,500	0.85	46,325	4.42
323-C	25,654	60,500	0.85	51,425	0.50
323-D	15,382	67,500	0.85	57,375	0.27
511-B	82,764	106,000	0.85	90,100	0.92
311-B	93,133	54,500	0.85	46,325	2.01
311-C	24,300	60,500	0.85	51,425	0.47
328-B	5,000	65,750	0.85	55,888	0.09
511-B	4,800	106,000	0.85	90,100	0.05
Total SF	1,101,071				
Ac	25.28				
				Total	20.65 3-bedroom units

To Whom It May Concern,

As a real estate agent in Southern New Hampshire, I was thrilled to hear of the proposal of THE FARM development. In a market that has presented us with overcoming the obstacles of minimal inventory, high demand, and a fierce competitiveness, this project is exactly the development this area is in need of. With the significant shortage in housing, this development will help with the demand for new homes and keep new construction prices lower.

In my personal opinion, this location fits perfectly in the already developed residential area, and would compliment it well, rather than other options of commercial business or apartment complexes. These stylish homes are not only economical to build, but they meet the needs of today's buyers. By providing the sought after on-trend home where snow and landscaping are easily taken care of in their monthly fees, this leaves buyers more time to enjoy with family and friends.

Overall, there are endless positive outcomes due to this development, and I would be happy to see this project begin. Please feel free to contact me with and questions and concerns.

Kindly,
Amber Tomlin
Keller Williams Realty - Metropolitan

January 14, 2022

Town of Londonderry, NH
268B Mammoth Road
Zoning Board of Adjustments
RE: The Farm Development

To Whom This May Concern,

My name is Brian Hardwick of 19 Wilson Road, Londonderry, NH. I moved to Londonderry three years ago from Dunbarton, NH where I raised my family. I had been looking for a buildable lot that fit all my family's needs, and when this opportunity presented itself, I knew it was something I could not pass up on purchasing. I have always wanted to build my own home from the ground up, and this is what I was able to do in Londonderry, where to this day I couldn't be happier living.

I own a framing company that I've operated for over 30 years with the hope of passing it along to my son soon. Finding work in new developments has never been an issue over the last 30 years, except for the great recession of 2008. The current real estate market is a true concern for tradesmen like me, and the continued housing/inventory shortages in the Southern NH real estate market prove to be of great concern regarding a bleak and uncertain future for all tradesmen in the area. When Aaron asked me to support this project, I knew it was something I had to get behind. People want to live in New Hampshire, and with workplace dynamics changing to more at home working, people who were once forced to live in locations for commuting reasons have found that NH is where they want to be. A development like this is what the State and Londonderry needs in a first step effort to resolve our current housing crisis and protect hardworking tradesmen like myself.

Thanks,

Brian Hardwick
19 Wilson Road
Londonderry, NH 03053
603-235-5344

To Whom It May Concern-

My name is Carmel Shea. I am a 20-year resident of Londonderry as well as the owner of O'Shea's Caife & Tae. I am writing this letter in support of Aaron Orso and DHB Homes' proposed development, The Farm.

Over the past 2 decades I have seen many things change in town, but the one constant has been the need for housing. Many people are drawn to this town for its quaint New England charm, highly recognized school system, and proximity to Boston. However, the thing that makes Londonderry truly special, is its people and the sense of community that we share.

The addition of The Farm to Londonderry gives the town an opportunity to further strengthen that sense of community by bringing in new young families. These families, more than ever, value work-life balance and want to focus their time on friends, family, and community involvement rather than landscaping and snow removal. The Farm will give them exactly that.

There will also be a positive economic impact on the town and its businesses through increased tax revenues, job creation, and spending. This type of development would also help attract new businesses to meet the needs of a growing community.

In conclusion, I feel that The Farm would not only meet the growing demand for housing in Londonderry, but also continue to stimulate the growth of the local economy and position Londonderry for an even brighter future.

Kind Regards,

Carmel Shea

December 2, 2021

To whom it may concern:

I am writing to share my support in the proposed neighborhood "The Farm" for the following reasons. As a full time REALTOR® in the Southern NH markets for the last 12+ years, I have had a first row seat in witnessing the negative effects that the changing markets have had on the average home buyer.

Just a few years ago it was not outside of the realm of possibility for a buyer to have several dozen homes to select from in an affordable price range. A home that offered a sufficient amount of bedrooms, baths, and space for a growing family. For the last few years we have seen inventory drop to anywhere between 10-20 homes for an *entire town* at any given time. With the desire to live in Southern NH increasing by the day, buyers are subject to extreme bidding wars, terms that are unfavorable/risky, and pricing that is unaffordable.

The style and layout of the proposed homes at The Farm would satisfy a huge gap in the market place between conservatively sized condos and larger homes. The latter which has been falling out of favor for most people as they are quite often a challenge to afford and maintain. The amenities that "The Farm" will provide, along with moderately sized homes and affordable prices will allow the average home buyer more time to focus on their career, their family and their hobbies. All things which many families have been forced to pick just one. The proposed styles are what the consumer wants and they are economical to build.

Further, adding this neighborhood would prove to be a benefit to those that surround the proposed site. Considering commercial space, rental housing or elderly would unfortunately negatively affect those close to the site. It has been said time and time again that the best solution to an inventory crisis is new construction. There is no better building team than DHB Homes. I have personally sold several of their homes and all of my clients are extremely happy with the quality, commitment to excellence, and the process. DHB is committed to leaving their community better than they found that and they have proven that time and again.

Thank you for taking the time to read this. If I can be of further assistance, please feel free to reach out at any time.

Kindly,
Kathryn M. Early,
Coco, Early & Associates in MA (9576463) & NH (068330)
Call or Text: 978 257 7683
Office: 978 687 8484 : 251 Broadway, Methuen, MA 01844
13 Locations in MA & NH
Email: kearly@cocoearly.com

December 1, 2021

Town of Londonderry NH

268B Mammoth Road

Londonderry NH 03053

Attn: ZBA/ Planning/ Building Department(s)

Re: The Farm- Proposed Development

To Whom it may concern,

I have known Aaron and Kate Orso of DHB Homes for several years. I met them both while searching for a new home.

I have had the opportunity to tour both individual single-family homes, residential developments and their condominium projects, all of which are well planned and executed.

I purchased a single-family home on 19 Jefferson Drive Londonderry NH from DHB Homes in October 2019. The process could not have gone better. In fact, in the eleventh hour the buyers of my previous home in Derry NH hit a road block in closing on their home in Pelham NH. The domino effect caused a two-week delay in my closing on the 19 Jefferson Rd Londonderry home with DHB. Aaron was very understanding and accommodating given our situation.

DHB Homes is an extremely reputable contractor/developer and build excellent quality homes. Their sub-contractors are excellent as well.

While many builders are content to build cookie cutter homes with little regard for quality and style, DHB Homes are unique, well-built and affordable in todays over inflated market.

Aaron Orso, Kate Orson and Rob Meisner are easy to work with, communicate well and genuinely care about their clientele.

I have reviewed the concept for "The Farm" and whole heartedly endorse it. So much so that my wife and I may consider selling our current DHB Home on Jefferson Drive and building at "The Farm".

Please feel free to reach out to me with any questions.

Respectfully yours,

Michael Lucci

19 Jefferson Drive

Londonderry NH 03035-3647

603-718-5581

mlucci210@gmail.com

CAPT JAMIE C. FREDERICK

15 Wilson Road
Londonderry, NH 03053
Jamie.c.frederick@gmail.com/603-818-2384

Zoning Board of Adjustment
Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

December 3, 2021

To Whom it May Concern,

I am writing in support of DHB's request to build a development, "The Farm," on Young Road, Londonderry, NH. I currently reside in a DHB home at 15 Wilson Road, Londonderry. We purchased this home as new construction in 2017, and could not be happier with the overall experience and quality of our home. The DHB team is incredibly professional and the quality and workmanship of their homes is truly superb.

Rising property values and lack of inventory have created a strain on the local real estate market, and additional high-quality and affordable housing options will only benefit the community. "The Farm" is proposed as a Home Owner Association (HOA) development, so the town will not absorb additional trash or snow removal expenses. The proposed location, Young Road, offers future residents easy access to existing roads and I93.

In closing, I ask you to strongly consider approving DHBs request to build "The Farm," on Young Road, Londonderry. The addition of more affordable, smaller housing will eventually bring down costs and improve the efficiency of the local market. DHB is a local, family-owned business that builds quality homes that will benefit our community for many years to come. If you have any questions, please feel free to contact me at 603-818-2384. Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Jamie C. Frederick', with a stylized flourish at the end.

Jamie. C. Frederick
Captain, U.S. Coast Guard

December 8, 2021

Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

RE: New Construction in Londonderry, NH

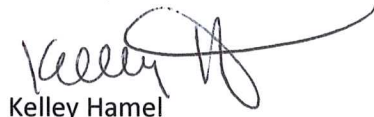
To Whom It May Concern,

I wanted to submit a letter of support for the proposed Multi-Family Residential Development Plan submitted by DHB Homes, LLC. I am a Londonderry resident and Co-Owner of The Title Team, LLC, a women owned small business located in Londonderry.

As the owner of a local Title Company I can attest to the fact that there is a significant housing shortage in Southern, New Hampshire. This type of Development can help with the shortage as well as keep new construction pricing lower. New buyers seem to be interested in an on-trend home where snow and landscaping are covered in monthly fees. The plans are stylish and seem economical to build. The location of the proposed development seems perfect, it is surrounded by residential development.

I feel confident writing this letter of support as my family recently purchased a DHB Homes, LLC new construction home located at 1 Farm Meadows Lane. We absolutely love the quality of the home and would recommend these builders to family and friends. The whole process was seamless.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelley Hamel', with a long, sweeping horizontal line extending to the right.

Kelley Hamel



January 18th, 2022

To Whom It May Concern,

I am writing today in support of DHB's request to build a new development in Londonderry, New Hampshire. As the President, and owner, of a local Title company I confidently say the housing shortage is having a drastic effect on the industry.

The housing shortage in the State, and across the country, is driving the median price of homes to something we have never seen before in this great State. We are seeing buyers over spend, waive home inspections, and take on more risk due to the lack of inventory. As we continue to try and attract young people to not only stay in New Hampshire, but come and live in this beautiful state, we need to do our best as an industry to open opportunities for these younger home buyers.

The current density regulations in the state are only hindering the process of new construction we so desperately need. Without rapid new construction, median home prices will continue to soar, making Southern New Hampshire no longer an affordable living option. We need to do everything we can to help drive these costs down, easing the density regulations will certainly aid in this process.

DHB's request to build this starter community will not only help attract younger home buyers, but also not create a burden for the town. Millennials are looking for HOA communities where they are not responsible for trash removal, landscaping, snow removal, etc... With this being an HOA community, the town does not need to allocate resources for trash or snow removal.

By lowering some of the density regulations, you are opening up opportunities to new home buyers and the town in general. These HOA communities allow folks more time for family and friends. Creating a blossoming community that will have positive effects decades down the road. Please consider DHB's request and help make Southern New Hampshire an affordable option for young home buyers!

Respectfully,

Kelly Roosa Cohen

President

Cohen Closing & Title, LLC

P: 603-488-0649

C: 603-860-4174

F: 603-413-8751

334 Route 101

Bedford, NH 03110

Kroosacohen@cohenclosing.com

To Whom It May Concern:

My name is Trevor O'Brien, I'm a proud Londonderry resident & local REALTOR. My wife and I are grateful to live in a community with such great schools, wonderful recreational programs, and thriving small businesses. We couldn't ask for a better hometown for our kids.

As a REALTOR, I know that Londonderry is frequently the top choice for Buyers. However, the inventory can't keep up with the demand. I believe a development like Young Road is exactly what this town needs; a place for folks who are living in their current Londonderry home to upgrade. That in turn would make it more realistic for first-time home buyers to purchase in Londonderry.

Every time I speak with friends here in town about real estate the number one thing I hear is "We would love to sell and upgrade but where would we go". I mentioned this idea to a friend the other day and his eyes lit up with excitement. He & his wife have been dreaming about buying new construction without having to move their kids from Londonderry. Our fellow residents need more housing options so they're able to stay in the town they love.

Thank you for your time and consideration,

Trevor O'Brien
31 Whiteplains Ave
Londonderry Resident
Beautify Londonderry Member
LBC Coach
REALTOR

Town of Londonderry,

I would like to express my interest in the approval of the proposed Young Road project. As a Londonderry resident since 2015, my family has benefited from all that our town offers. Our family of four have all found our path in this suburban oasis. One thing that is lacking in our town is affordable, single family homes. This project will, in my opinion, provide young families with the opportunity to experience “the Londonderry difference” and begin making memories of their own.

Brad Dembkoski

M: (978) 430-6985

E: brad_dembkoski@comcast.com

Town of Londonderry Resident/Volunteer

Memorandum

Date: February 2, 2022

To: Laura Gandia and Nick Codner, Town of Londonderry, New Hampshire

Cc: John Trottier, Colleen Mailloux, Kevin Smith

From: John G. Cronin, Esq.

Re: Cedar Crest Development

Laura and Nick,

Our office is assisting Cedar Crest Development (“CCD”) in connection with their efforts to develop a market rate housing project on a parcel of land with access off of Youngs Road. Due to CCDs experience and positive relationship with the town, we are not as active as we are with less seasoned developers. I attended the initial hearing at the ZBA. I was under the impression, prior to the hearing, that the project was designed as a market rate community with price ranges below the top of the market in a manner that was preferred by the town. The ZBA appeared receptive and supportive of the plan until Deb Paul, the Town Council Liaison, spoke and raised a host of planning board issues. The commentary appeared to distract the ZBA and the matter was continued. One of the concerns was density and the other was traffic.

As we prepare for the next ZBA meeting, I hope to obtain a staff report or comment that is positive rather than negative. The worst thing for us is to go to a meeting, present the case, and be hit by a torpedo, raising a new issue or criticism from the staff table. This morning I reviewed the zoning ordinance to get a handle on density. The project is designed as a multi-family project with fifty (50) units. My understanding is that the town is taking the position that the density should be calculated by a table created for lots improved with a traditional homes many of which have four bedrooms. The use of the single family table yields a density of 20 something units and ignores the express goal of the ordinance which is to provide greater density in the multi-family, RIII zone. Use of the single family table produces a result that is counter to the goals of the ordinance. A project with 20 something units is a non-starter for the type of development proposed and we think it best to try to reach an agreement on density prior to proceeding further. Unless Table/Schedule 2 is missing from the online document and actually exists somewhere, the ordinance is ambiguous. Land use regulations should be drafted so they can be read and understood by the average ordinary person. In this case, I have had multiple experienced engineers, several land use lawyers and seasoned developers review the ordinance and all agree it is not comprehensible.

What we do know is that the State, by and through the DES, established soil tables that provide lot sizing by soil type as a benchmark for safe and efficient septic loading. The DES tables are widely used to determine lot and unit sizing. Septic systems are designed and approved based on the DES tables. On this property, the DES tables indicate 76 units can be developed in accord with the lot loading requirements. We recognize towns can temper constitutionally protected property rights by unambiguous and narrowly tailored zoning provisions that are not arbitrary. Regulations must also be fair and not result in a regulatory taking of property rights. The current battle cry from Concord is the need for more housing of every type and kind. Almost every day there is an article or report about the scarcity of housing. The proposed project addresses the state wide need and there are few market rate projects in the projected price point and with modest square footage.

The ask is for staff to agree to a density of fifty (50) units before the next ZBA meeting. We contend the “ask” is fair, reasonable and proper for the following reasons:

1. The Zoning Ordinance (“ZO”) provides density requirements in Section 4, titled, “Use and Dimensional Regulations”;
2. Each subsection of the ZO provides specific density requirements by District;
3. Section 4.22 is titled, Multi- Family Residential (R-III);
4. The objectives of the R-III District is to increase residential density[w]hile maintaining a fixed maximum density. Section 4.2.2.1;
5. The density, design and dimensional requirements of 4.2.2.3(B) shall be applied to the development lot and not the internal legal lots;
6. 4.2.2.3(b) provides for developments with on-site septic, there shall be at least 14,000 square feet per dwelling unit. In addition, ... density shall be subject to additional density by “minimum soil type” in Table 2 of Section 9.2.1. Section 9.2 relates to building code amendments and does not include such a section or a Table 2;
7. The express intent of the additional requirement is to protect ground water quality and to promote public health and safety.
8. We know the DES tables protect ground water and are designed to promote public health, and safety;
9. In light of the ambiguity, we contend density derived by the DES tables will meet the desired intent and protect the ground water and quality and promote public health and safety;
10. There is a willingness to agree to a condition to limit the use to fifty (50) units rather than the seventy-six (76) units allowed by DES tables as the site is not proper for than may units.

We do not believe the use of the single family table is fair or proper and it results in an arbitrary result and a regulatory taking. Please reply whether you will support fifty (50) units. If you do not support fifty (50) units, please let me know the density you believe is correct and the reasons supporting your conclusions. We are willing to have a call or meeting to walk through the issues as the other matters are not relevant if we don’t have an agreement or consensus on density. Our hope is to work it out rather than pursue other options. Please note in your review, the analysis above does not consider the arguments for “snob zoning” and “arbitrary regulation” if the ordinance was drafted with the proper sections and tables. In this political and housing

climate, I suspect fact finders would be concerned that a wealthy town imposed greater requirements than the State reportedly for density (growth control), when the State numbers were designed to protect water quality and promote public health and safety.

I look forward to hearing from you.

END.

To whom it may concern,

My fiancé and I bought our first home here in town during the summer of 2020 and we could not love it here any more! It has come to my attention that there is the possibility of Young Road Developments starting a project here in town has met some push back. With inventory in town being so low (and thus keeping current homeowners to not look to sell their houses for fear of not finding another one) I feel like developments such as this would be a great thing for our town to help grow and help with our economy! I would strongly support this and future developments!

Sincerely,
Nicco DeMasco
2 Reverend Parker Rd
Londonderry

To Whom This Concerns,

My name is Nick Thibodeau of 45 Auburn Rd in Londonderry, NH. My wife Keri and I purchased our home in 2012 since then we've been lucky enough to grow our family and now have 3 amazing children that we are raising in this Town. We've been in the market for a new home for over 3 years and continue to be haunted by the consistent headlines of inventory shortages. This has been frustrating and at times feels hopeless with no relief in sight. Over the last year not only has the inventory shortages affected our search, but also the cost of homes has skyrocketed to the point of unaffordable with Sellers trying to capitalize on the enormous increases in home values.

I am not one to get involved in other people's business, but when Aaron approached me and asked me to review the project he's proposing on Young Road, my first questions after reviewing his concept package were: 1. "Why aren't all towns aren't allowing developments like this?" This type of development simply makes sense for the current consumer aged approximately 25-40 to have a community that takes care of itself regarding landscaping, snow-removal, and trash removal -- amenities like this ensure a development stay looking pristine and holds its value into the future. Additionally, an HOA development allows towns to benefit from increased tax revenue that will not be reduced due to the fact snow removal and trash pickup are included in the HOA.

My wife and I are both self-employed on top of raising our children, and I won't lie we don't have time to take care of the exterior of our property, and this adds stress to my household. I wish that these units could be four-bedroom units so that my family could benefit from a development idea like this, but instead we're hoping that home prices can level out so that we can actively continue to pursue our search for a new home in this town.

Please feel free to reach out to me with any questions, but as I stated above, this is the type of developments that need to be getting approved in 2022.

Thanks,

Nick Thibodeau
45 Auburn Rd
Londonderry, NH 03053
603 235 8276

Date: 12/15/21

RE: Young Road Development (20 & 22 Young Road)

We are opposed to the approval of the requested 2 variances for the Young Road Development:
Section 4.2.2.7(b) Uses (to waive the requirement for elderly housing)
Section 4.2.2.3(b) Permitted Density (to allow 55 single family residences)

- o The request to build 58% more homes than what is allotted for this size of plot is too great.
 - o This is not a small request and has egregious consequences.
- o This will exasperate the already strained traffic issues on Young Rd/Rt 102 Intersections
 - o Accidents frequently happen already at both intersections
 - o The old Tupelo building turned daycare has increased the traffic significantly at peak drop off/pickup times
 - o Many surrounding residents are completely unaware that the only functional in/out of the new development will be from Young Road. Once any hear of this, they all agree that this will be a traffic nightmare – especially for so many homes.
- o Concerns around buffer/privacy between Copperfield Lane properties and new development
- o Moving from elderly to market rate housing will increase the number of drivers in the new neighborhood
- o Moving from elderly to market rate housing will likely increase noise.
- o If the new home values will be so significantly reduced/affordable and the lot sizes extremely small – similar to a city like Manchester, what type of buyers is that going to attract?
 - o Are city small lot sizes the future of Londonderry?
- o Concerns that blasting so close to our homes will cause damage to our older homes and pools
- o Concerns around the displacement of wetlands/wildlife
- o There is no community benefit to approving these variances
- o It appears the developer wants to squeeze as many houses as possible into this plot regardless of the community impact.

Resident	Address	Whitney Almonhurst
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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Laura,

I hope all is well! We wanted to reach out as neighbors to The Learning Tree have brought to our attention the proposal for 20 Young Road in Londonderry (case no. 11/17/2021-3). We understand we are not an abutter according to the documents but we did want to take a moment to voice our concerns regarding the added housing proposals for this already busy area. We are thankful to be located in Londonderry on both Young Road and Crosby Lane and have a successful child care center at those locations. We are concerned that the added traffic will pose safety issues on several levels. The traffic already is a challenge getting out on 102 both in the morning and in the evening. Young Road is often used as a cut through if traffic backing up. We also have about 200 Londonderry children and their families using that entrance on a regular basis and would be concerned for their safety. Living in town as well, we know how important it is to have a thriving community but also the amount homes proposed on small lots seems excessive and the traffic along 102 is already a challenge. When we first opened in 2017 we did complete a traffic study and at that time it was borderline a concern. There are also several bus stops along the Young Road area.

We thank you for taking the time to hear our concern.

Thank You,

Nicole Pooler
Katlyn McKenzie
Michelle Brutus

--

The Learning Tree Early Education Center, LLC
2 Young Road & 3 Crosby Lane
Londonderry, NH 03053
603-818-8864 or 603-965-4723
thelearningtreenh@gmail.com

Archived: Wednesday, February 23, 2022 11:39:02 AM

From: [Learning Tree](#)

Mail received time: Wed, 15 Dec 2021 08:48:52

Sent: Wed, 15 Dec 2021 08:47:27

To: [Laura Gandia](#)

Subject: 20 Young Road

Sensitivity: Normal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Archived: Wednesday, February 23, 2022 11:39:05 AM

From: [Heather Vose](#)

Mail received time: Wed, 17 Nov 2021 16:26:09

Sent: Wed, 17 Nov 2021 16:26:00

To: [Laura Gandia](#)

Subject: Re: Variance application for Rockingham Road

Sensitivity: Normal

Hi Laura, I didn't have much time to prepare a formal detailed opposing request, but enough to share my concerns.
Thank you and kindly,
Heather Vose

November 17th, 2021

Case No. 11/17/2021-4

My name is Heather Vose, property owner
of 18 young rd since July 1999.

We strongly oppose granting the applicant
'Cedar crest development' request as we
feel our property will be negatively
impacted. We are concerned the
Continuous blasting (other than Ongoing
peace interference) may result in property
damage. We have wet land area which
may be altered from the run off, causing
obstruction with drainage issues Which
would affect our yard, driveway and
foundation. We feel our property value
would be diminished and so, Accordingly,
proving no substantial Justice.

Thank you,
Heather Vose

Sent from my iPhone

On Nov 17, 2021, at 2:25 PM, Laura Gandia <lgandia@londonderrynh.org> wrote:



From: Laura Gandia
Sent: Wednesday, November 17, 2021 12:44 PM
To: 'hmvose@comcast.net' <hmvose@comcast.net>
Subject: FW: RE: Variance application for Rockingham Road

Attached is the variance application as requested.

Thank you,

Laura J. Gandia
Associate Planner
Town of Londonderry
268B Mammoth Road
Londonderry, New Hampshire 03053
(603) 432-1100 x134

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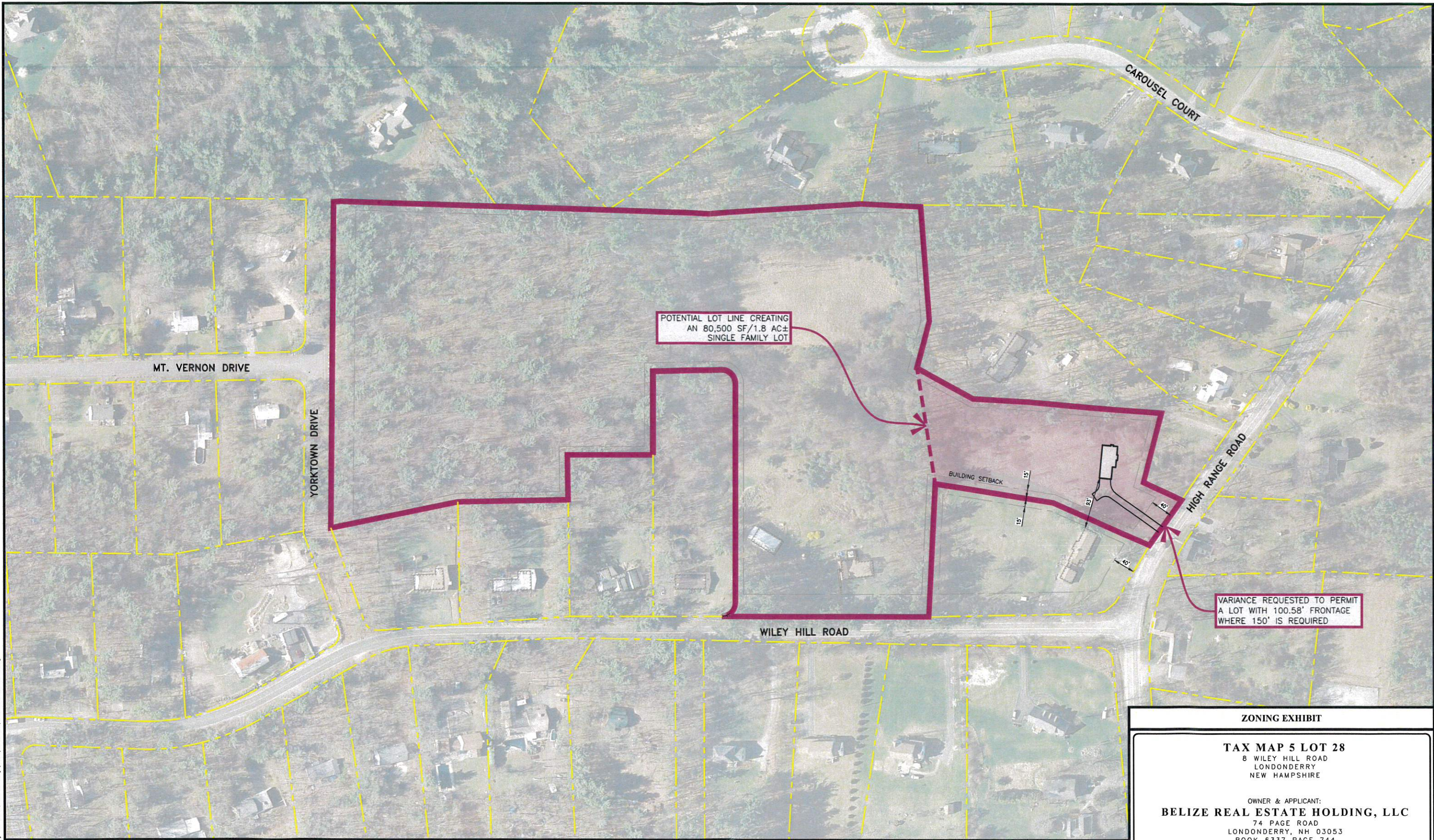
<11.17.21-3 case file.pdf>

<Scheme - A plan.pdf>

<11.17.21-4 case file.pdf>

This email was scanned by Bitdefender

N:\PROJECTS\520-Vernon-Wiley Hill Road, Londonderry\DWG\CURRENT\520-ZBA Exhibit-3.dwg



ZONING EXHIBIT

TAX MAP 5 LOT 28
8 WILEY HILL ROAD
LONDONDERRY
NEW HAMPSHIRE

OWNER & APPLICANT:
BELIZE REAL ESTATE HOLDING, LLC
74 PAGE ROAD
LONDONDERRY, NH 03053
BOOK 6337 PAGE 744

SCALE: 1" = 80'

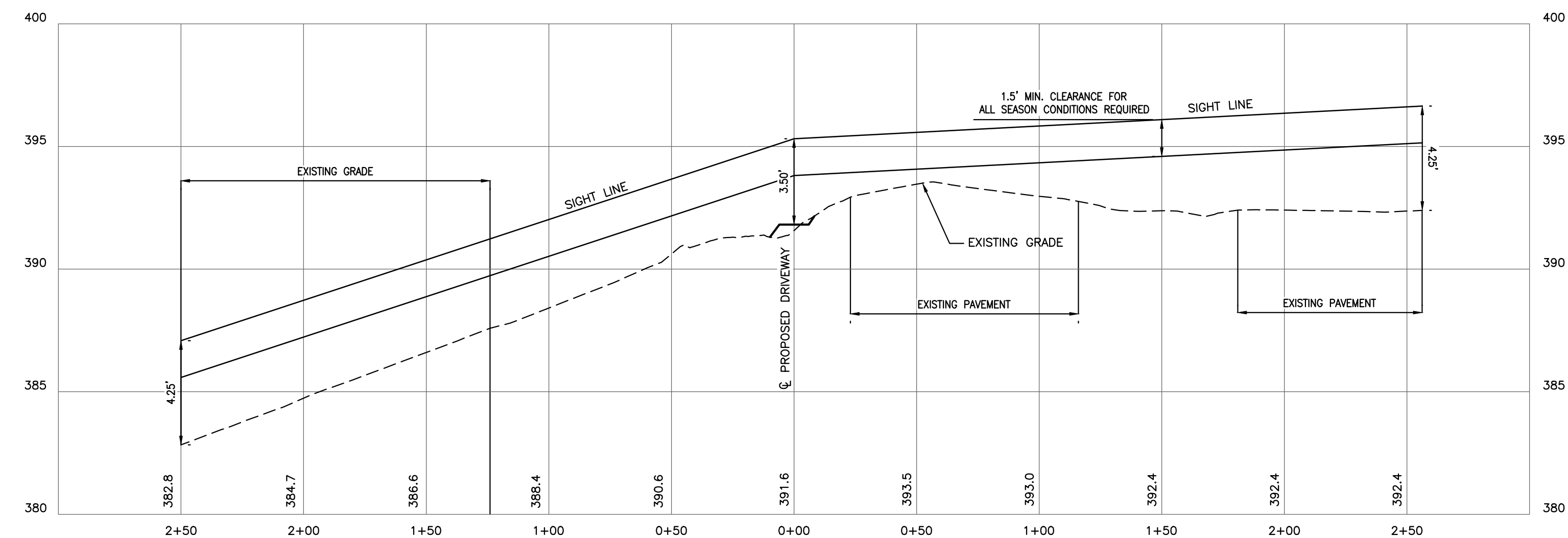
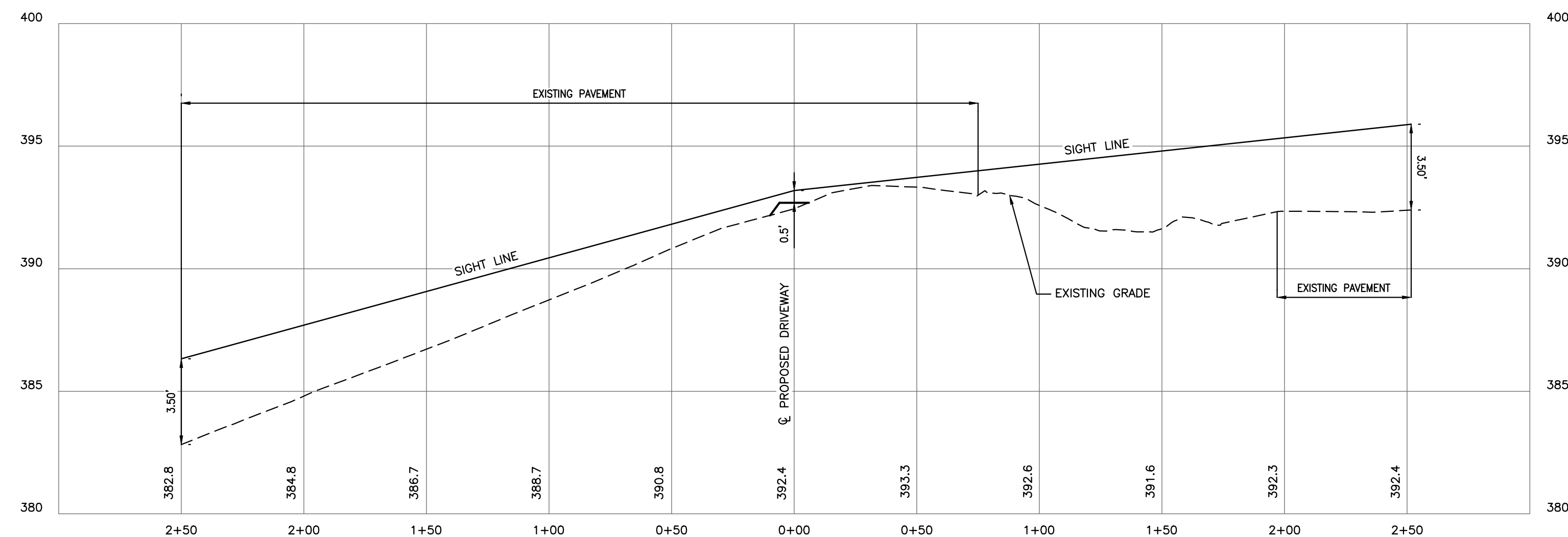
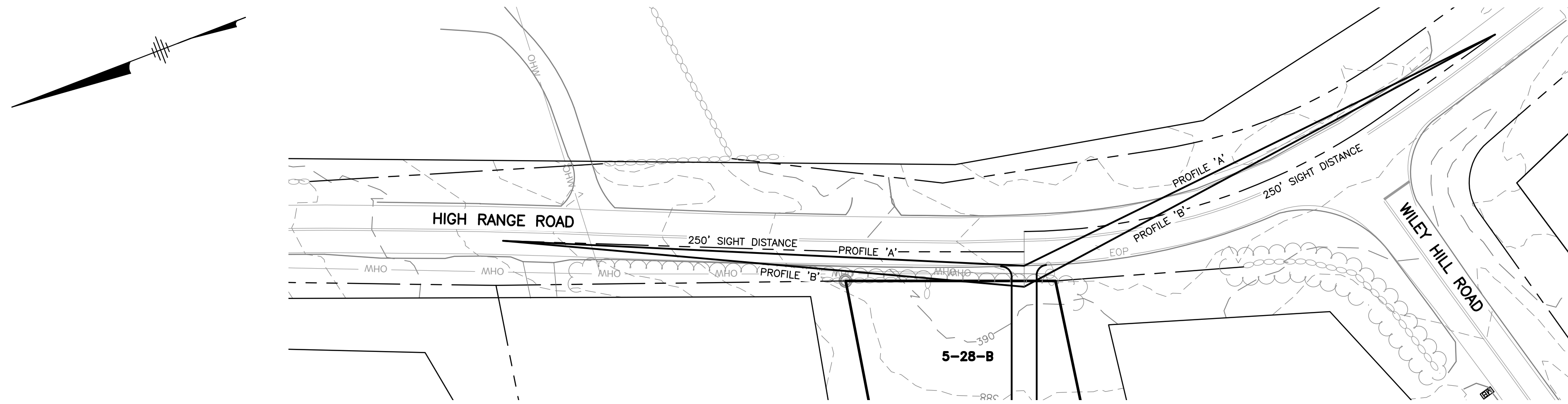
DATE: NOVEMBER 16, 2021



The Dubay Group, Inc.
136 Harvey Rd. Bldg B101
Londonderry, NH 03053
603-458-6462 - www.thedubaygroup.com
Engineers | Planners | Surveyors

Drawn By:
Checked By: 520
Project:
File520-ZBA Exhibit-3

NO.	DATE	DESCRIPTION	BY
1	12/15/21	REVISED HOUSE LOCATION	DGM
REVISIONS			



CASE NO. 12/15/2021-8

Jeffrey and Norma Lynne DiCicco
93 High Range Rd.
Londonderry, NH 03053
(603)759-7476

1. The variance **will be** contrary to the public interest because:

The proposed single family lot is **not** "in-kind" to all abutting properties. All of the houses on the other properties are spread out and have a natural buffer with the trees and bushes for privacy. The lot and placement of the house, which is less than 100' from our master bedroom, goes against the Town's goal of maintaining Londonderry's rural and agricultural heritage.

According to the engineer's drawing proposal the picture of the property is at least 10 years old, it doesn't show our back deck at lot 005 029 0, 93 High Range Rd. The picture shows a row of tall pine trees set next to property 005 030 3, 8 Wiley Rd. which were a natural buffer have been removed 1 year ago due to tree rot. Therefore there is no separation from proposed house, presuming they will need to remove the few trees on the property line to build.

2. The variance **will be** contrary to the public interest because:

We think the spirit of the ordinance is to maintain the uniqueness of the town with houses spaced out not overcrowding them on top of each other.

On proposed house placement the property widens to 200 feet only for a short distance and does not continue at that width all the way back to property line.

3. Substantial justice **is not** done by granting the variance because:

When the property was recently purchased the zoning laws were in place, therefore the developer knew that the property shouldn't be built

upon due to the frontage variance in Londonderry. The lot is a non-conforming property and was purchased that way.

We have a concern about public safety by granting this variance. We believe the driveway placement is unsafe. The surveyors did a line of site survey last week and would like to know the results of that report before a decision on the variance is granted. The frontage variance is requested on a section of High Range Rd. where there is a rise coming around the curve, where suggested speed limit sign is posted 25 miles per hour specifically on that frontage line.

4. The values of surrounding properties **will be** diminished because:


Putting a house on this lot will diminish the value of at least 5 other abutting property owners.

Any and all privacy that we have had will be gone, thereby substantially lowering the value and salability of the property. When we purchased the property we were told that the lot in question was a non-conforming property and could not be built upon because of the frontage.

5. Literal enforcement of the provisions would result in an unnecessary hardship.

This property as is provides the neighbors with open space not overcrowding.

There are other uses for the land. Conservation, there is a wide range of wild life including deer, fisher, badger, bobcat, turkey and rabbit to name a few. Agriculture, the land would certainly support farming or orchards which continues to contribute to the rural agricultural heritage. Several abutting properties were built in the 1800's.

 11/19/22
Jeffrey A. DiCicco Date

 11/19/22
Norma Lynne DiCicco Date