

The Planning Board for the Town of Derry held a public meeting on Wednesday, January 2, 2008 at 7:00 p.m. at the Derry Municipal Center (3<sup>rd</sup> Floor) located at 14 Manning Street in Derry, New Hampshire.

Members present: Virginia Roach, Chair; David Granese, Secretary; Beverly Ferrante, Council Representative; Phil Picillo, Town Administrator Designee, and David Nelson.

Alternates present: Jan Choiniere, and Richard Tripp.

Absent: Neal Ochs, Ann Evans, Jim MacEachern

Also present: George Sioras, Director of Community Development; Elizabeth Robidoux, Planning Clerk; Tim Peloquin, Promised Land Survey, James Rausch, and one member of the public.

Chairman Roach called the meeting to order at 7:00 p.m., and the meeting began with a salute to the flag. Mrs. Roach advised of emergency exits, the location of additional agendas, and introduced the Board members and staff to those present.

Mr. Tripp was seated for Mr. Ochs and Mrs. Choiniere was seated for Ms. Evans for the evening.

This meeting was not televised.

**Escrow**

**LOC 08-01                    Rite Aid  
   PID 28005, 52 Rockingham Road**

The request is to approve and sign Release #3 for the above noted project. The current amount is \$126,903.03. The amount to be released is \$98,162.62. The amount to be retained is \$28,706.41.

Motion by Tripp to approve Release #3 for Rite Aid, seconded by Nelson. The motion passed in the affirmative with Picillo abstained.
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**LOC 08-02                    Tropic Star (Hess Gas Station)  
   PID 28004, 50 Birch Street**

The request is to approve and sign Release #3 for the above noted project. The current amount is \$316,612.80. The amount to be released is \$131,615.28. The amount to be retained is \$184,997.52.

Motion by Granese to approve Release #3 for Tropic Star (Hess Gas Station), seconded by Nelson. The motion passed in the affirmative with Picillo abstained.

**LOC 08-03                    Derry Business Center  
   PID 31005-006, 3 Corporate Drive**

The request is to approve and sign Release #1 for the above noted project. The current amount is \$331,300.04. The amount to be released is \$228,788.15. The amount to be retained is \$102,511.89.

Motion by Granese to approve Release #1 for the Derry Business Center, seconded by Choiniere. The motion passed in the affirmative.

**Minutes**

December 5, 2007, Public Hearing

Mrs. Roach advised as there were no corrections, the minutes of the December 5, 2007 public hearing would be accepted as written.

December 5, 2007, Workshop for the Open Space Ordinance

Mr. Nelson noted a correction on page 3, paragraph 6. "Evan" should be "Evans". Mrs. Roach stated as there are no other corrections noted, the minutes for the December 5, 2007 workshop would be accepted as amended.

**Correspondence**

Mr. Granese acknowledged correspondence from Lee Kratz of Foursome Realty Trust. Mr. Kratz is requesting a re-zone of the property located at 4 South Main Street from residential to commercial. Mr. Granese read the letter aloud in its entirety.

The matter was referred to the Zoning Subcommittee for consideration.

**Other Business**

Mr. Sioras advised there had been discussion with regard to the best date for the open space subdivision tour in Auburn. It has been tentatively scheduled for Saturday, January 26 at 9:30 a.m. He will try to arrange for a van or some type of car pool.

**Public Hearing****GRD Realty LLC/James & Linda Rausch  
Parcel ID 04053-001 and 04053-002, 74 and 72 Gulf Road  
Acceptance/Review, Lot Line Adjustment**

Mr. Sioras summarized his staff report. This is a lot line adjustment between two existing lots on Gulf Road. There is no new building proposed at this time. No state permits are required, nor are department head signatures for this application. He would recommend approval of the application. He introduced Timothy Peloquin, of Promised Land Survey who represented the applicant, James Rausch.

Mr. Peloquin advised this is a lot line adjustment between two lots located across the street from the owner's current dwelling. He has owned these lots for a number of years. One lot is substandard per the current zoning. The proposal is to create two standard sized, 3 acre lots with the intent of creating more buildable area and to avoid the need to seek a variance to build on the lots. The desire of the applicant is to potentially sell the two lots to fund the road project that is taking place across the street, known as Brandyrock Estates, which is currently undeveloped.

The lot line adjustment creates buildable area and creates two, 3 acre lots with the minimum amount of frontage.

Mr. Nelson inquired if the subdivision across the street (Brandyrock) was included in the locus? Is it required to be? Mr. Peloquin did not believe it was required, as the Brandyrock Estates plan is not yet recorded. The applicant was granted an extension on the original approval so that he could obtain the funding for the escrow. That extension will expire on May 11, 2008. The applicant fully intends to finalize that subdivision. The plan can be shown in the locus if that is the wish of the Board. Mr. Nelson did not think it mattered as the locus is for information purposes only. Mr. Sioras noted that the purpose of the locus is to show the location of the two lots in question.

Mr. Tripp inquired as to the required frontage in this zone. Mr. Peloquin stated the requirement is for 200 feet of frontage, with 3 acre lots. Mr. Tripp asked what is the frontage on the larger of the two proposed lots? Mr. Peloquin advised that with the radius of the curve included, the frontage is approximately 238 feet as noted on Sheet 3.

There were no abutters present.

Motion by Picillo to accept jurisdiction of the lot line adjustment for Parcels 04053-001 and 04053-002, seconded by Nelson. The motion passed unanimously.

Motion by Nelson to approve the lot line adjustment between Parcel ID 04053-001 and 04053-002, located on Gulf Road, pursuant to RSA 676:4, III, *Expedited Review*, with the following conditions: the applicant establishes escrow for the setting of bounds, or provides certification the bounds have been set; the applicant obtains written approval from Doug Rathburn that the GPS disc has been received and is operable; and the above conditions are met within 6 months. Granese seconded the motion.

Picillo, Ferrante, Granese, Tripp, Choiniere, Nelson, and Roach all voted in favor. The motion passed unanimously.

A motion was made and seconded to adjourn and the meeting stood adjourned at 7:14 p.m.

Minutes recorded by Elizabeth Robidoux, Planning Clerk.