

The Planning Board for the Town of Derry held a public hearing on Wednesday, May 6, 2009 at 7:00 p.m. at the Derry Municipal Center (3rd Floor) located at 14 Manning Street in Derry, New Hampshire.

Members present: , David Granese, Jan Choiniere, Randy Chase, Administrative Representative; Brian Chirichiello, Council Representative; John O'Connor, Phil Picillo, Maureen Heard and Darrell Park, Alternates

Absent: Virginia Roach, Mark Cooper, Gary Stenhouse, Paul Hopfgarten

Also present: George Sioras, Director of Community Development; Mark L'Heureux, Engineering Coordinator; Elizabeth Robidoux, Planning Clerk

Mr. Granese called the meeting to order at 7:00 p.m. The meeting began with a salute to the flag. He introduced the staff and Board members present, and noted the location of emergency exits.

Mr. Granese elevated Ms. Heard as a member for Mrs. Roach and Mr. Park sat for Mr. Cooper.

Escrow

#09-12

Gennaro Estates

Gennaro Cella

13 Bartlett & 90 Gulf Road, 04075 & 04074

The request is to approve Release #1 of Letter of Credit 550008944, drawn on Hampshire First Bank in the amount of \$124,527.46. The amount to retain is \$616,686.05.

Motion by Picillo, seconded by Choiniere to approve as presented. The motion passed with all in favor.
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Minutes

The Board reviewed the minutes of the April 1, 2009 public meeting.

Motion by Choiniere, seconded by O'Connor to approve the minutes as written. The motion passed in the affirmative.
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Correspondence

Mrs. Choiniere noted the Board has received a new edition of *Town and City* and *The Source*. In addition, the Board has received a letter from Keach-Nordstrom advising that all of their concerns regarding the Middleridge subdivision have been addressed. The Board has also received information regarding upcoming Local Official Workshops. For information on any of these items, Board members should see Mr. Sioras.

Other BusinessExtension Request, DM Kilrea

Mr. Granese read aloud the letter from Edward Herbert's office regarding the DM Kilrea subdivision which is located on parcel 04054. This is a 12 lot subdivision and voluntary merger. The applicant is requesting an additional 6 month extension to allow more time to arrange financing for the project. Mr. Sioras noted the applicant's representative was present.

Wes Aspinwall, the land surveyor for the project, advised that because of the current economy, it is difficult for the applicant to set up the escrow which totals over one million dollars. The applicants anticipate moving forward with the project and are requesting a six month extension.

Motion by Chirichiello, seconded by Choiniere to grant a six month extension for the DM Kilrea subdivision.

Picillo, Chirichiello, Heard, Chase, Park, O'Connor, Choiniere and Granese all voted in favor.

Proposed Changes to the Derry Zoning Ordinance

Mr. Sioras reported the proposed changes are with regard to home occupations, and the calculation of living space. Mr. Mackey will attend the public hearing to answer any questions. Mr. O'Connor asked if abutters will be notified? Mr. Sioras explained that for this proposed change, it is not necessary. The proposed changes to the lots and the zones will require that the associated landowners be notified of the potential change to the zone on their lot. That will be done once the Board reaches a point where it schedules the public hearing.

Motion by Chirichiello, seconded by Choiniere to schedule a public hearing for May 20, 2009, to discuss the proposed changes to the Derry Zoning Ordinance.

Picillo, Chirichiello, Heard, Chase, Park, O'Connor, Choiniere and Granese all voted in favor

Policy & Procedures

Mr. Sioras advised the Board discussed this in April and a motion is required to approve the proposed changes.

Motion by Choiniere to approve the Derry Planning Board Policy & Procedure Manual as amended, seconded by O'Connor.

Picillo, Chirichiello, Heard, Chase, Park, O'Connor, Choiniere and Granese all voted in favor.

Workshop

Zoning Changes

Mr. Granese advised that since Mrs. Roach was not able to be present tonight and she had worked very hard on this, he would defer the workshop to May 20, 2009.

Other

Motion by Picillo, seconded by Heard to enter non-public session pursuant to RSA 91-A:3,II,(e), to meet with legal counsel. Invited to attend are Mr. Sioras, Mr. L'Heureux and Mrs. Robidoux.

Picillo, Chirichiello, Heard, Chase, Park, O'Connor, Choiniere and Granese all voted in favor and the Board entered non-public session at 7:13 p.m.

The Board reconvened at 8:16 p.m.

Motion by Chirichiello, seconded by Choiniere to adjourn. The motion passed with all in favor and the meeting adjourned at 8:17 p.m.

Minutes prepared by Elizabeth Robidoux, Planning Clerk.