

The Planning Board for the Town of Derry held a public meeting on Wednesday, October 6, 2010, 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, Chairman; John O'Connor, Vice Chair; Maureen Heard, Secretary Pro-Temp; Randy Chase, Administrative Representative; Brian Chirichiello, Town Council Representative; Darrell Park, Member; Frank Bartkiewicz, Alternate

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning Clerk; Mark L'Heureux, Engineering Coordinator; Tom Carrier, Deputy Director of Public Works

Absent: Jan Choiniere, Jim MacEachern

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, and agendas.

Mr. Granese sat Mr. Bartkiewicz for Mrs. Choiniere and advised Mrs. Heard would be acting Secretary for the evening.

Mr. Granese thanked Mr. McPherson for his time on the Board and congratulated Mr. Park on his appointment as a full member of the Board. Mr. Sioras invited abutters to the Harvest Estates Water Main Expansion plan to view the plans ahead of the public hearing with the surveyor.

Escrow

10-31

Project Name: 38 Maple Street Condos

Developer: JRV Homes

Escrow Account: JRV Homes, Inc.

Escrow Type: Letter of Credit

Parcel ID/Location: 29119, 38 Maple Street

The request is to approve Release #2 in the amount of \$42,169.25 (Letter of Credit #5543249525-2/River Bank) and request a replacement Letter of Credit in the amount of \$28,456.27. Upon receipt of the replacement Letter of Credit, the Board will release the Letter of Credit held in the amount of \$70,625.52.

Motion by Heard, seconded by O'Connor to approve as presented. The motion passed with all in favor.

#10-32

Project Name: Water's Edge Salon & Spa
Developer: Shelly Devlin
Escrow Account: Water's Edge Salon & Spa
Escrow Type: Letter of Credit
Parcel ID/Location: 37010, 128 East Broadway

The request is to approve the final release of escrow in the amount of \$1710.72 for the above noted project (Letter of Credit #19799/Enterprise Bank). The amount to retain is zero.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

#10-33

Project Name: Fire Wood and Landscape Storage
Developer: Paul George
Escrow Account: Paul George
Escrow Type: Cash Escrow
Parcel ID/Location: 03035-001, 230 Rockingham Road

The request is to approve the final release of escrow in the amount of \$1,969.92 plus accumulated interest for the above noted project. The amount to retain is zero.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

#10-34

Project Name: Tire Warehouse
Developer: Tire Warehouse
Escrow Account: Tire Warehouse
Escrow Type: Cash Escrow
Parcel ID/Location: 08073-004, Tsienneto Road

The request is to approve the final release of escrow in the amount of \$6,480.00 plus accumulated interest for the above noted project. The amount to retain is zero.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

#10-35**Project Name: Gennaro Estates****Developer: Gennaro Cella****Escrow Account: Gennaro Estates****Escrow Type: Letter of Credit****Parcel ID/Location: 04074/04075, Gulf and Bartlett Road**

Please approve Release #2 in the amount of \$42,094.07 (Letter of Credit #550008944/Hampshire First Bank) and request a replacement Letter of Credit in the amount of \$574,591.97 for the above noted project. Upon receipt of the replacement Letter of Credit, the Board will release the Letter of Credit currently held in the amount of \$616,686.04.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

#10-36**Project Name: Asadoorian Subdivision****Developer: Nicole Pace****Escrow Account: Nicole Pace****Escrow Type: Cash Escrow****Parcel ID/Location: 32115, 19 Boyd Road**

Please approve Release #1 in the amount of \$6,583.68 for the above noted project.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

Minutes

The Board reviewed the minutes of the September 15, 2010, meeting. It was noted there were proposed corrections to page 6 of the draft.

Motion by O'Connor seconded by Bartkiewicz to accept the minutes of the September 15, 2010, meeting as amended. The motion passed in the affirmative with Chase, Chirichiello and Park abstained.

Correspondence

Mrs. Heard presented the following correspondence. The Department of Public Works has copied the Board on two letters with regard to renewals of Letters of Credit. One is for MartinGate, the other Bunker Estates; both expire in December. The letters are reminders to renew before the expiration. The DES Shoreland Bureau has received a

shoreland application for 31 Taylor Brook Road. The Board received a legal notice from the Town of Newmarket regarding an October 12 public hearing for a minor site plan for telecommunication equipment. On Saturday, November 13, OEP will hold its annual Fall Planning & Zoning Conference at the Mountain View Grand Hotel. UNH Co-Operative Extension will hold a 2 day workshop on Landscaping at the Water's Edge, and on October 25 and 26, will have a rain garden training. LGC will hold its 69th annual conference on November 17 through 19th at the Radisson Hotel in Manchester. For information on any of the conferences or training, Board members should see Mr. Sioras or Mrs. Robidoux. The Board is also in receipt of LGC's publication catalogue and the new edition of *Town and City*.

Other Business

Mr. Granese advised the next meeting of the Planning Board will be on Monday, October 18 rather than Wednesday the 20th. He reported he took part in the walk of the downtown with members of the Derry Downtown Committee, Mr. O'Connor, Mr. Sioras and Mrs. Robidoux. It was a good walk; hopefully we will see the downtown revitalized.

East Derry Memorial Elementary School – student path

Mr. Granese read aloud a letter from Mary Ellen Hannon, Superintendent of the Derry School District #1 dated September 28, 2010. A copy of the letter is retained to the file for Parcel 07075-001. Ms. Hannon is requesting the Planning Board allow a change in the plans for the walking path. The change would be from a 10 foot wide paved path to a 5 foot wide path, redirecting the path from emptying into the parking lot. The intent is to enhance student safety.

The Board reviewed a plan of proposed changes to the path prepared by Tim Peloquin of Promised Land Survey. Mr. Sioras advised the original project that contained the path dates back to the 1980s when Village Brook Lane was constructed. The path was intended for the children to walk to East Derry Memorial School. Ron Mead sold Harvest Estates to Robert MacCormack. Mr. MacCormack is moving forward with the subdivision which is adjacent to Village Brook Lane and there has been recent discussion regarding the width of the path between the School Board and the neighbors. The consensus is to build the path this construction season; there has been no opposition to the reduction in the width. Public Works, the Planning Department and the School Board support the proposed change. It was felt the plan should come back to the Board for discussion and review. Mr. Sioras read aloud an email he received on Monday, October 4th from Stacy Snell requesting information regarding the path, the plans for it and an estimated date when it might be completed. The neighborhood had received conflicting information. She would like to see it completed as soon as possible. He had since responded to her and received an email back. A copy of the

email correspondence is in the file. He introduced Mr. Peloquin and requested he provide an overview.

Tim Peloquin stated the path was originally designed 10' wide and ended into the driveway where the buses come into the parking lot. The proposal is to reduce the path to a 5 foot wide paved path. At Station 5+00, the path turns to meet the crosswalk at the school. This is a big improvement. The path will look more rural; he suggested Board members take a walk and view it. This is a great amenity for the residents of Village Brook and Harvest Estates.

Mr. O'Connor asked if there is ADA access at the crosswalk where it merges to the east? Mr. Peloquin advised there is an existing ramp. Mr. O'Connor asked who will maintain the path during the winter months? Mr. Peloquin believed the school will be responsible for maintenance and winter clearing. Mr. O'Connor asked if bollards are proposed to keep smaller vehicles off the path? Mr. Peloquin explained the school put up a small bollard/gate at the end of the cul-de-sac to prohibit vehicular access.

Mrs. Heard confirmed Ms. Snell wanted to see this path completed quickly. Mr. Sioras added that Mr. MacCormack has been working on his project and began work on the path (the path was tied to his approval). The Planning Department has received a few calls this month and the School Board has since made the decision to request the path width be reduced. Ms. Snell would like to see the path completed sooner, rather than later.

There was no public input on this matter.

Motion by O'Connor to approve the October 6, 2010 plan prepared by Promised Land Survey, and accept the plan with the revised additions. Motion seconded by Bartkiewicz.

Chirichiello, Heard, Park, O'Connor, Chase, Bartkiewicz and Granese voted in favor.

Public Hearing

**James & Kelly Parsons
Leszek & Leslie Rompa
PID 03103-044 and 03103
62 and 64 Frost Road
Acceptance/Review, Lot Line Adjustment**

Mr. Sioras provided the following staff report. The purpose of this plan is for a lot line adjustment. There are no town signatures required. The applicants are requesting a waiver from the HISS mapping requirement, a copy of which is in the member packets.

No state permits are required. Mr. Sioras stated he would recommend approval of the lot line adjustment application.

Tim Peloquin of Promised Land Survey presented for the applicants. The two parcels in question were originally subdivided in 1994. He referred the Board to Sheet 2 of the plan set. The homes are set far back on the properties. The intent is to move the lot line to obtain two acres to the rear of the Rompa property. Both lots are over 5 acres in size before the adjustment. There are no wetlands on the parcels; they are wooded. They are asking for a waiver from the HISS mapping requirement as there are no wetlands and this is good, decent soil. There is no problem with lot sizing.

There was no public comment.

Motion by O'Connor to accept jurisdiction of the Lot Line Adjustment plan prepared for Leskek & Leslie Rompa and James & Kelly Parsons, Parcel ID 03103-044 and 03103, 62 and 64 Frost Road, seconded by Bartkiewicz.

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

Motion by O'Connor to approve the waiver from LDCR Section 170-24.A.12, HISS mapping, seconded by Bartkiewicz. [Correct LDCR Section reference inserted by Clerk] Discussion followed.

Mr. Chirichiello inquired if there is any intent to build to the rear of the Rompa lot? Mr. Peloquin stated there had been no mention of that from his client. It is a privacy factor for the back yard. Mr. Chirichiello asked as to the total new acreage of the lot after the adjustment. Mr. Peloquin advised it will become 9.29 acres.

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

Motion by O'Connor to approve the Lot Line Adjustment plan pursuant to RSA 676:4, III, Expedited Review, subject to the following conditions: subject to owner's signatures, establish escrow for the setting of bounds or certify the bounds have been set, establish appropriate escrow as required to complete the project, obtain written approval from Doug Rathburn that the GIS disk is received and is operable; note approved waiver on the plan, the above conditions are to be met in 6 months, and a check in the amount of \$25.00 payable to RCRD shall be submitted with the mylar in accordance with the LCHIP requirement. Bartkiewicz seconded the motion.

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

**Hampstead Road & Harvest Drive, LLC
PID 10014, 10024, 10025, Hampstead Road and Harvest Drive
Acceptance/Review, Water Main Extension (Pennichuck Water Works)**

Mr. Sioras advised this is a unique application. The Board is familiar with the Harvest Estates subdivision plan. This is a joint venture between the developer, Pennichuck Water Works and the Derry Public Works Department. The purpose of this plan is for a revision to the Harvest Estates subdivision plan and the replacement of individual wells with a public water system. There is a memo dated September 14, 2010 from Mike Fowler, Director of Public Works, in the member packet which provides a more in depth explanation. There are two waiver requests from Section 170-28 of the LDCR. Mr. Sioras stated he would recommend approval of both the waiver requests and the water main extension plan. He also noted Tom Carrier, Deputy Director of Public Works, and Mark L'Heureux, Engineering Coordinator were present to answer questions. Town Council approved the request last evening.

Tim Peloquin, Promised Land Survey, presented the plan. He advised the intent of the plan is to install a public water line in this subdivision to service the new homes to be built. This is a betterment for surface recharge and for the aquifer. Pennichuck Water Works (PWW) has been increasing capacity in this area of town. This does not save the developer money, but will be a betterment for his new home owners and for fire protection. It does not make sense financially to install ductile pipe and 1" copper line, so there are two waiver requests this evening. The service will be owned and operated by PWW and this is a standard design for them for residential areas. The waivers are important for this plan.

Mr. O'Connor asked if Town Council approved the franchise last evening? Tom Carrier advised that Pennichuck still needs to petition to the PUC, but the Town Council does support the petition.

Mr. Granese inquired if the Department of Public Works has any issue with the waiver requests? Mark L'Heureux stated they have had discussions with PWW regarding the plastic pipe. The town has used it in its own system when it had to install under electricity lines. It is a good product. The town prefers ductile iron as per the specifications. The HDPE requires special training and equipment to be on hand when it has to be repaired in the field. He repeated it is a good product, but requires special repair techniques. The town wants to stay consistent with its inventory. As long as PWW maintains the system, the department has no issue with either waiver request.

Mr. Granese asked if the town has ever taken over any of PWW's systems? If so, how recently? Mr. L'Heureux said the town has, but not with these particular components. HDPE is a newer product. Mr. Granese was curious in the event the town takes over this system in the future. Mr. L'Heureux said they did discuss that. Technology will change and there may be an effort someday to have everyone migrate to that product. It happened with corrugated aluminum.

Mr. O'Connor reported that in his facility, they used HDPE pipe and it held up very well. Mr. L'Heureux noted it is very thick pipe.

There was no public comment.

Motion by O'Connor to accept jurisdiction of the plan for Harvest Road and Harvest Estates, LLC, subdivision amendment and water main expansion, for Parcel ID 10015, 10024 and 10025, Hampstead Road and Harvest Drive, seconded by Bartkiewicz.

Chirichiello, Park, Heard, O'Connor, Chase, Bartkiewicz and Granese voted in favor.

Motion by O'Connor to grant a waiver to LDCR Section 170-28, Water Mains with the following condition: substitution of HDPE for ductile iron water main piping is contingent upon Derry Town Council and PUC approval of the franchise petition. Should the franchise petition be denied and the system deeded to the town, no waiver should be granted. Bartkiewicz seconded the motion.

Chirichiello, Park, Heard, O'Connor, Chase, Bartkiewicz and Granese voted in favor.

Motion by O'Connor to grant a waiver to LDCR Section 170-28, Water Mains with the following condition: substitution of 1 ½" diameter CTS HDPE pipe for copper water service is contingent upon Derry Town Council and PUC approval of the franchise petition. Should the franchise petition be denied and the system deeded to the town, no waiver should be granted. Park seconded the motion.

Chirichiello, Park, Heard, O'Connor, Chase, Bartkiewicz and Granese voted in favor.

Motion by O'Connor to approve pursuant to RSA 676:4,I, Completed Application, subject to the following conditions: subject to completion of the interconnection between PWW's Drew Woods System to the Derry Municipal System; subject to Town Council and PUC approval of PWW's franchise petition. In the event the franchise petition is not approved and the system deeded to the town, a metering vault (underground) acceptable to the Town of Derry and PWW shall be installed at the intersection of Harvest Drive and Hampstead Road; the finalized water main plan must include all the proposed water service and curb stop locations; move tracer wire detail down near the water main and propose where additional gate boxes may be required to extend wires up to surface. A note or details should be included- it may be reasonable to utilize the hydrant gates as good locations for wire access; notes to remove fire cisterns and easement extinguishments in lieu of fire hydrants proposed; change the 6" sand bedding on the trench detail to 12" sand bedding over the tops of the water main and services; note that NH DOT permit and road restoration requirements must be included prior to working in Hampstead Road; subject to owner's signature; subject to onsite inspection by the Town Engineer; establish appropriate escrow as required to complete the project; obtain written approval from Doug Rathburn that the GIS disk is received and is operable; note approved waivers on the plan; the above conditions are

to be met within 6 months and a \$25.00 check, payable to RCRD should be submitted with the mylar in accordance with the LCHIP requirement (if the plan is recorded). Bartkiewicz seconded the motion.

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

Public Hearing on the Proposed General Commercial III Zoning Amendment

Mr. Granese advised that the proposed amendments to the Derry Zoning Ordinance are to be considered one amendment, and the Board would now hold a public hearing on the following proposed amendments:

To amend the Town of Derry Zoning Ordinance, Article II, Section 165-5, to add the following definition:

Professional Office – Offices for doctors, dentists, lawyers, engineers, planners, architects, attorneys, insurance, real estate or investment agencies or any similar type of licensed profession.

To amend the Town of Derry Zoning Ordinance Article IV, Districts, Section 165-29, Enumeration of Districts, to add subpart 22, General Commercial III.

Purpose of Amendment: to include in this section as a district General Commercial III.

To amend Section 165-30 Zoning Map by rezoning certain parcels from Office Research Development and Medium Density Residential to General Commercial III.

Purpose of Amendment: to rezone 12 properties that lie along the frontage of a section of Route 28 from Office Research Development and Medium Density Residential to General Commercial III. If the amendment is adopted, these properties will be subject to the General Commercial III zoning requirements contained in Section 165-32.2 of the Derry Zoning Ordinance. An amendment to the Zoning Map, delineating the lots in the General Commercial III zone is being adopted to reflect these changes.

To amend the Town of Derry Zoning Ordinance to add Section 165-32.2, General Commercial III.

Purpose of Amendment: to adopt regulations for a new General Commercial III Zone to protect and preserve the character of the neighborhood in the vicinity of a historic site, which limits and regulates the uses, size, height, setback and architecture of structures in the zone so as to compliment this historic site. The regulations will govern and affect the 12 properties noted below.

For the lots affected, this amendment is COMPREHENSIVE IN NATURE.

Parcel ID	Address	Owner	Current Zone
05002-001	141 Rockingham Road	State of NH	Medium Density Residential
02091-001	143 Rockingham Road	State of NH	Medium Density Residential
02090R	151R Rockingham Road	Anthony & Mary Martucci	Medium Density Residential
02090L	151L Rockingham Road	Rhianna Shutt & Jesse Coleman	Medium Density Residential
02090-001	153 Rockingham Road	Chabot Heath	Medium Density Residential
02090-002	157 Rockingham Road	Brian Allison	Medium Density Residential
03109	161 Rockingham Road	William & Jean Smith	Medium Density Residential
05002	122 Rockingham Road	State of NH	Office Research Development
05001	128 Rockingham Road	State of NH	Office Research Development
05090	134 Rockingham Road	George Reynolds	Office Research Development
05090-001	138 Rockingham Road	James & Mary-Reeta McGrade	Office Research Development
03110	140 Rockingham Road	Katherine Chism	Office Research Development

Mr. Bartkiewicz recused himself from this matter as he is a direct abutter.

Motion by O'Connor seconded by Park to open the public hearing. The motion passed with all in favor.

Mr. Granese asked if members of the public wished to speak on this matter?

TJ Cullinane, 94 Goodhue Road, advised he is against this amendment. He feels it is an attack on the quality of life and the fabric of the community. He left Lynn, Massachusetts to get away from crime and congestion. He looks at the rezoning and does not see it as a value add. Can't the town develop the vacant storefronts? Are there any Brownfield lots? The town should focus there rather than disturbing The Mending Wall. The destruction of the Upper Village Hall has been averted, and he knows the Frost Farm Trustees are okay with this, but he does not think building a CVS will knock a grand off his tax bill. He feels if this amendment should pass, then the motto of Derry should be changed and he provided several examples. He would like to see the town preserve the character of the town.

Mr. Granese advised the Robert Frost Farm and the trees are not going anywhere. The Board has been working on this for eighteen months and that area is being protected.

Mr. Cullinane looks at this rezoning as incrementalism. He wants to keep the buffer larger. When you see the large brown sign that says Robert Frost Farm, 300 feet, you get there pretty quickly. He lives on Goodhue and does not want to see more traffic and strip malls. He does not want to sit on this stretch of road for twenty minutes waiting to take a turn as you do in Salem.

Mr. O'Connor agrees there have been issues in the past, but this Board does not make decisions without forethought. Mr. Granese said the Board wants to keep the area the same and has been working on it. Mrs. Heard advised all of the reasons Mr. Cullinane have stated are the reasons they all moved to Derry and are the reasons this Board put so much time and effort into this zoning change. She is thrilled with how Derry does things after having seen how other parts of the world and country do things. This Board listens to everyone, factors in the input and thinks of unintended consequences. They try to balance the needs of all of the community.

Mr. Park stated half of the proposed rezoning area is Office Research Development on which the potential exists today for something much worse than could be developed under General Commercial III. They are trying to balance the needs of the residents in the area against future growth, and trying to compromise.

Robert Mears, 2 Berry Road, stated there is so much traffic on the road in that area. If building takes place it will create more traffic and the road will need to be widened, or something else done. It will be too much for that area; they can't get out now. Are there plans for road widening or will things just be built? Mr. Granese advised that Route 28 is a state road. At some point in the future there will be water and sewer which will make the property more valuable. The Board is trying to protect the area while accommodating future and existing business. Mr. Mears felt part of the duty of the Planning Board is to plan for future traffic. He feels if this change takes place, it will intensify traffic. Mr. O'Connor said the properties adjacent to Mr. Mears' are owned by the State of New Hampshire, which will protect and buffer the Robert Frost Farm. Mr. Mears said he understood that, but is still worried about traffic.

Deborah McNeill, 5 Berry Road asked for clarification that the properties on either side of Berry Road are state owned and will not be built upon? That would help the residents of Berry Road because currently is it difficult to get out onto Route 28. The Board reviewed the zoning map and identified each of the properties to orient the members of the public. Mr. Sioras confirmed the State of New Hampshire had purchased three lots near or adjacent to the Robert Frost Farm which creates a natural buffer. Mrs. McNeill noted that if they had not been state owned there would be the potential for three roadways and the Farm trying to get onto Route 28 near the same location.

Michelle Donovan, 30 Brady Ave, said she was concerned with the potential development. She hasn't seen a farm around a business before. What happens to the wildlife when these lots are developed? She does not want to lose the turkeys and other wildlife that she sees. Traffic is an issue in this area. It is hard to get out as it is.

Mr. O'Connor advised that part of the traffic on Route 28 is because the state is diverting traffic off I-93 as it is being reconstructed. Once I-93 is expanded, one can assume the traffic will go back to I-93.

Mrs. Donovan said she was concerned that her road may have an increase in traffic and that it would be used as a shortcut if the lots in this zone get developed. Currently, children can play in the street and move for the occasional car. She is afraid traffic will increase.

Mr. Chirichiello commented that adjacent to the Robert Frost Farm, to the rear, is a large parcel of conservation land, owned by the Grinnell's. That land has over 20 acres which provides a place for the wildlife. There is a lot of protected land. Mr. Park pointed out the pink area adjacent to the Robert Frost Farm. That land is zoned General Commercial and is undeveloped. Anything can go there. Just because the Board would like to make this zoning change does not mean the area will change overnight. The main purpose of this is to allow the Smith and Reynold's families to expand their businesses. Mr. Chirichiello added the other reason is to protect the area. The Planning Board is looking for a win-win. This has been the most studied ordinance in his tenure on the Board. The type of development mentioned won't come because there is no water or sewer servicing the lots. That may change when the infrastructure is added. Mr. O'Connor also noted that there are strict architectural design regulations that go along with this zone and the Board will use them. Mr. Sioras said the language was placed in the ordinance that defines an historic site and imposes things like height restrictions. A few years ago, the town hired Pat Schurmann to rank the historic sensitivity of certain areas of town in order to create a ranking for adherence to the architectural design regulations. There will be extra guidelines to be used when land is developed here, along with landscaping and sign restrictions, which is important. This is a good compromise.

Hercules Pappachristos, 80 Hampstead Road, is a Trustee for the Farm. He appreciates the hard work involved in the change and the consideration of the Farm. The Trustees hope that in the future, other Boards will be diligent in enforcing the restrictions. This is a state and national historic site. Will the pink area shown on the map be changed? The Board advised that lot is not part of the change and will remain as General Commercial. Mr. Pappachristos asked if it could be included this evening? It cannot. Mr. Pappachristos inquired about the drive thru lanes. The Board advised the drive thru is allowed for the pharmacy only.

Mrs. Donovan asked how will the traffic on Route 28 and the abutting roads be affected when this change goes into effect? Mr. Granese anticipated the traffic will stay the

same because the properties are not changing. He can't speak to what will happen in the next twenty years.

Mr. Sioras commented Route 28 is a state road. The NH DOT grants curb cuts and decides on the best location for the driveways and if the roadway needs improvements such as turning lanes to accommodate the driveway. These issues will be addressed as development comes in.

Mrs. Heard said the permitted uses for this district are not high intensity uses. She does not see this change adding a significant amount of traffic to the area. The intent was not to have huge crowds descending upon the area. There will not be any big box stores. The maximum building size is 5000 square feet. The Board looked at small mom and pop operations that complement the Farm and area so that people who visit the Farm don't have to drive a distance for refreshment or light retail such as a gift shop.

Mr. Mears advised the Board that at the end of parcel 02090-001, the area is prone to flooding. If someone does build in that area, it could be an issue. Mr. Granese believed that to be the location of the state Ash tree. Mr. Sioras recalled the Board discussing the wetlands during the workshops and the Board also took a site walk in that area. The wetlands will be a natural protections for these properties.

Ben Wilson, Director of Historic Sites, agreed with Mr. Pappachristos and congratulated the Board on seeing this through in a methodical, respectful manner. The Board did its due diligence. He recalled the worry 18 months ago about the possibility of big box stores, but if the stringent rules are adhered to, that should not happen. He advocates for the site as do the Trustees. They will be vigilant in watching for variance requests on any of these parcels. He knows that no one can see into the future and this Board has been respectful of the Farm, but the Board could be replaced with members who are not so respectful. He stated the Robert Frost Farm is an incredible resource for the Town. They will be vigilant, and he hopes they continue to get mailings and that there are no variance requests. It would be nice to know when sewer and water may go in this area. Right now, a medical office building could not be constructed. Some of the infrastructure would benefit the Farm as well. He thanked the Board for being so respectful of the site and reiterated his wish that all New Hampshire cities and towns would do the same.

Mr. O'Connor asked about the replacement of the sign located at the Danforth Traffic circle, directing visitors to the Farm. Mr. Dent advised that had been discussed by the Trustees at the fall meeting. The Derry Rotary Club will assist with that. Mr. Wilson said signage has been the bane of the Robert Frost Farm. The installation of the sign on I-93 has increased visitorship to the Farm. He would like to be able to install directional signage in the municipality to direct visitors to the site from Exit 4. Mr. Sioras suggested the Trustees write a letter to Town Council, as they give permission for signs on town property. That would be the first step. Mr. Chirichiello thought the Council would be happy to discuss the request; Mr. Wilson said the ability to add a few more signs in the municipality would be beneficial.

Charles Dent, 75 By-Pass 28, wanted to add to what had been said. He greatly appreciates the diligence with which the Board addressed this problem. He thanks the Board for that. He hopes in future generations what this Board's wisdom has brought will be held to.

There was no further public comment.

Motion by Chirichiello, second by Heard to close the public hearing. All moved in favor and the motion passed.

Mr. Granese reiterated this is all one amendment. He wanted to clarify the reasons the specific lots had been chosen to be included in the zone. Business owners had submitted a request to change the zoning on their properties to General Commercial. This became General Commercial III, and the Board looked at the parcels to include so as to avoid spot zoning and decided to include the lots that are indicated in burgundy on the map.

Motion by O'Connor to move the General Commercial III new zoning to Town Council effective of all that has been discussed and described prior for approval. Motion was seconded by Park.

Chirichiello, Park, Heard, O'Connor, Chase, and Granese all voted in favor and the motion passed.

Mr. Granese advised the proposed amendments would be forwarded to Town Council for their consideration and hopefully, approval. He wanted to thank Mr. Chase and the members of the Board for their work on this, as well as Ginny Roach who also worked on it. He thanked the Smiths and Reynolds, those involved with the Frost Farm, as well as the members of the public who came out to the meetings and workshops and provided input. He hopes this moves forward.

There was no further business before the Board.

Motion by O'Connor, seconded by Heard to adjourn. The motion passed and the meeting stood adjourned at 8:31 p.m.