

The Planning Board for the Town of Derry held a public meeting on Wednesday, May 23, 2012, at 7:00 p.m. at the Derry Municipal Center (3rd floor meeting room) located at 14 Manning Street in Derry, New Hampshire.

Members present: John O'Connor, Vice Chairman; Frank Bartkiewicz, Secretary; David Milz, Town Council Representative; John P. Anderson, Town Administrator; Jan Choiniere, Jim MacEachern (7:29 p.m.), Members; Ann Alongi, Lori Davison, Alternates.

Absent: David Granese, Darrell Park, Randy Chase, Joseph Donahue

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning Clerk

Mr. O'Connor as Chair Pro-Temp, 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 the exits and meeting materials.

Ms. Alongi was seated for Mr. Granese, and Ms. Davison was seated for Mr. Park.

Escrow

#12-10

Project Name: Rockingham Community Action

Developer: SNHS Management Corp

Escrow Account: Rockingham Community Action

Escrow Type: Cash

Parcel ID/Location: PID 30097, 9 Crystal Avenue

The request is to approve Release #1 in the amount of \$12,037.25 plus any accumulated interest. This is the final release and the amount to retain is zero.

Motion by Bartkiewicz, seconded by Choiniere to approve the request as presented. The motion passed with all in favor.

Mr. Anderson was now seated.

Minutes

The Board reviewed the minutes of the May 9, 2012, meeting.

Motion by Milz, seconded by Choiniere to accept the minutes of the May 9, 2012, meeting as written. The motion passed in the affirmative with Anderson abstained.

Correspondence

Mr. Bartkiewicz advised the Board is in receipt of the spring 2012 edition of *Supply Lines with The Source*, a newsletter from NH DES Drinking Water and Groundwater Bureau. Board members can view the newsletter on line at www.des.nh.gov.

Other Business

SNHPC Commissioner Nominations

Motion by Milz to nominate the following residents as Commissioners to the Southern New Hampshire Planning Commission for a four year term: Frank Bartkiewicz, Darrell Park, Joseph Donahue, seconded by Choiniere. Discussion followed.

Mr. O'Connor noted the town is allowed four Commissioners.

Anderson, Davison, Alongi, Milz, Choiniere, Bartkiewicz and O'Connor all voted in favor and the motion passed.

It was noted the nominations will be forwarded to Town Council for their consideration.

Other

Mr. Sioras reminded the Board that beginning on June 6th, the Board returns to meeting on the first and third Wednesday of the month. The second meeting in June will be on June 20th. This is per the revisions to the Policy and Procedures.

Public Meeting

Planning Board discussion E-911 Addressing – Fire Chief George Klauber

Mr. Sioras advised Chief Klauber is present this evening to discuss the state guideline requirements for E-911. The Board had some discussion on this matter when it reviewed the subdivision for Adams Pond Road. A copy of the current state guidelines and sections from the subdivision regulations are attached to the Chief's letter. Currently, the addressing is done through the Fire Department.

Chief Klauber stated he is aware that the Board has had its first instance to see the state numbering system. As background, the Fire Department assists with naming of streets and numbering of houses. A former Fire Chief wanted to assist in the method and this has been in

place for about 15 to 20 years. Since that time, the State of New Hampshire has adopted a consensus standard (non-mandatory) for numbering of streets for 911 phone calls. The calls go to Concord and the phone number and address of the caller are identified, and then notification of the family and need is sent to the appropriate fire station. The Town of Derry does not currently use the state guidelines. He has provided a copy of the standards to the Board. The short version of the standard is that numbering takes place with even numbers on the left, odd numbers to the right and every 50 feet of road frontage is assigned a number. The first 50 feet of the roadway on the left would be number 2 and the first 50 feet of roadway on the right would be number 1. The numbering begins as one enters the street. There are some irregularities, such as a horseshoe shaped road, in which case the numbering starts at the end of the road that is closest to the center of town. His recommendation is for lots that have 300 feet of road frontage, the house number should be derived from that portion of the roadway that coincides with the location of the front door.

He continued to state that when the developer comes in, the number of the house should be based on the proposed location of the house so that if the lot is further subdivided in the future, the numbers do not need to be changed on the street. This method is a good tool for planning purposes. It is helpful for emergency responders to locate a house. Chief Klauber said he was not here this evening to recommend a change to the current streets, including names and numbers. He can provide a recent article regarding the Town of Atkinson and some of the issues they are having with renumbering the town. It can be a controversial issue. People are not anxious to change road names and house numbers. His recommendation would be that as new streets are developed, this method is adopted.

During the TRC process, the guidelines can be provided to the developer who would be responsible for naming the street and assigning numbers. This would require approval from the Fire Department. It would take some of the burden off staff and put some of the burden on the developer.

Mr. Milz asked if the post office originally assigned street numbers? Chief Klauber thought that might have been true at one time. When E-911 came into the State of New Hampshire, the recommended process started. The Fire Department took over the process in Derry at that time. Mr. Milz commented the post office changed his house number. Chief Klauber indicated that in the past not all of the numbering in town is done with rhyme or reason. In the future, he would like to discuss with Town Council a town wide change, but it would have to be done incrementally. From a public safety standpoint, it can be confusing. There are many roads with the same or similar names, for example, Manchester Road and Manchester Street. There are two North Shore Roads in town. If someone calls from a cell phone and not a specific residence, it can be very difficult to respond if the caller does not know exactly where they are.

Mr. O'Connor recalled that Whispering Pines used to have street names such as "A", "B", "C" and "D". On the road between Derry and Hampstead, the road name changes in the middle of the road. He asked the Chief if he felt there was a percentage of compliance to meet the state regulation, or is there a time table that must be met? Chief Klauber advised that this is a consensus standard and not a requirement. The Bureau of Emergency Communications (BEC) will work with the towns on renumbering. Renumbering is a huge cost for the people in the

town. He recalled the process and discussion when the town was extending Manning Street and renamed the section between Manning Street and Manning Street Extension to Courthouse Lane. He would like to recommend the town adopt renumbering, but it is a long process. At some point he will meet with the Town Administrator and Town Council to discuss it. Atkinson is in the process of renumbering the town; Londonderry is working on it as well. Last year, in conjunction with the Town of Londonderry, Derry changed Whispering Pines. That process took almost 9 months to do, and that is a small section of town.

Mr. O'Connor said he knew there was a cost to homeowners and businesses to change the address. He thought the BEC was funded by the residents through the fees paid with their phone bills. Can the town take advantage of them to do the mapping? Chief Klauber explained there is no cost to have the town mapped. The cost is to the individuals and businesses who need to pay for the items involved in an address change, such as letterhead. He suggests that the town start with the new streets and do the rest incrementally. This is the first step.

Mr. Anderson said he would encourage the Fire Department to do this for public safety reasons. This is an issue of making sure that our emergency providers are responding to the correct location. If people don't have GPS, it can be a safety issue. Every minute of delay during an emergency is critical. It is a difficult process to renumber a town. He suggests that the town begin with the numbering of new subdivisions. This is the beginning of the conversation of where the town needs to go to save lives. It is very important for responders to know exactly where they are going. The town will continue to work with the state on this and take advantage of the program. His concern is that someone might be in trouble and there is a confusion over where to respond because of similar sounding names, or the two exact same names on a street. The post office is now required to take the town's numbering for delivery of the mail. This is an educational process, but it is all about public safety. When saving lives, seconds count.

Mr. O'Connor asked if the Board is being asked to update its regulations? Mr. Sioras said in order to move this forward, the Board would need to revise a few sections of the Land Development Control Regulations (LDCR). Staff can provide the language in the appropriate sections for the next meeting and provide dates for a public hearing, likely the second meeting in June. This will involve adding a few sentences.

Mr. Milz confirmed the Board was in agreement with moving this forward.

Chief Klauber asked for the Board's indulgence and read a few of the street names of concern in town: Abbott Court, Abbott Street; Adams Pond Road, Adams Shore Road; Ash Street, Ash Street Extension, Ashleigh Drive, Barkland Drive, Parkland Drive; Beacon Hill Road, Beacon Street, Beaver Lake Ave, Beaver Lake Road, and Beaver Road. These are only a few of the obvious issues. Moment do matter in an emergency, especially when cell phones are added to the mix. Renumbering is a long method. Other towns have done it successfully, including Auburn, Chester and Atkinson. If the smaller towns can do it successfully, so can Derry. He appreciated the Board's consideration this evening in getting this first phase moving forward.

Board discussion – permitted uses in the OMB and rezoning near Webster's Corner

Mr. O'Connor advised the Board would be discussing the proposed changes to the OMB/GC zones, specifically the rezoning of 23 parcels currently zoned General Commercial to Office Medical Business and an amendment to the permitted uses allowed in the Office Medical Business zone.

Mr. Sioras advised the changes suggested at the last meeting had been incorporated.

Mr. MacEachern entered the meeting.

Mr. Sioras said the Board did not want to see auto sales and repairs in the area commonly referred to as Webster's Corner, and that change has been included. The Board also wanted to rezone the General Commercial lots in that area to Office Medical Business. Under 165-35B.4, retail sales and medical uses would still be allowed. Auto and vehicle sales and repair, and gas stations, would not be allowed. The Town Council has authorized the Department of Public Works to proceed with the design work to extend water and sewer to this area. The intent would be that as the utilities are extended, it creates a higher use on the parcels. There are vacant parcels in this area as well, including the 48 acre Smith parcel, and the Grandview Flea Market lot. Hillside Plaza is anxious to see the sewer expansion as it will alleviate the issues they have been having with their septic system. The Dollar Bills site could be expanded. At the last meeting, the Board had said it would like to expand the Office Medical Business (OMB) zone, discuss the changes, and schedule a public hearing for next month and forward the matter to Town Council for approval.

Motion by Anderson to move the suggested changes forward, seconded by Milz. Discussion followed.

Regarding Section 165-35, Mr. Milz noted that subsection "b" will need to be renumbered to coincide with the removal of some of the permitted uses. Mr. Anderson asked Chief Klauber if he had any input with regard to the height of buildings for Congregate Care? Chief Klauber advised the town has the capability with a 100 foot aerial ladder truck. Today's buildings are constructed per the life safety codes and he would not want to see development prohibited because of a height restriction that was based on the height of a ladder truck. The Board should look at what it would like to see constructed in any particular zone and base the building height on that. Mr. Anderson asked if Chief Klauber was suggesting the Board look at the zoning and be more proactive to see where water and sewer exist and match the height of structures with those parameters? Chief Klauber agreed, adding he would like to see height restrictions taken out of the ordinance and base it on what is most appropriate for the zone. All buildings will meet codes and standards.

Mr. Anderson asked that Section 165-35B.6.b be removed from the ordinance. Mr. O'Connor suggested removing the first sentence in 165-35B.6.a. The Growth Management Ordinance no longer applies. Mr. Milz agreed that the maximum building height should be removed. He noted in this particular instance, it appeared the maximum building height only applied to Congregate Care facilities in the OMB zone. Mr. Anderson felt the town might as well start here

with the removal of the building height restriction. Mr. Sioras said other zones have height restrictions and the Board will look at that. In addition, Town Council has asked the Board to look at Section 165-14 and add the language that prohibits churches in the Industrial IV zone, to further clarify the uses that are not permitted in the Industrial IV zone. This will coincide with the changes that were just approved.

Mr. MacEachern felt there should be some further clarification of the uses excluded under Section 165-35B.4. Other than automobile and similar vehicle sales, automobile service station, filling station and automobile repair facility/garage, all the uses allowed in the General Commercial zone are allowed in the OMB. In reviewing the list of permitted uses in Section 165-32A.1.b through g, there are many vehicle type sales and service uses that are permitted. For example, on page 47 of the Zoning Ordinance, it states that “garages for storage, sales, repairs and maintenance of motorcycles, automobiles, trucks and tractors” is an allowed use. This seems to conflict with what was to be excluded. The Board should look at all of these uses and the difference between automobile and vehicle. Mr. Sioras said they could do that. Mr. MacEachern asked if the Board members were comfortable with all the other uses allowed in 165-32A.1.b through g? For example, chemical manufacturing associated with retail sales of drugs and medicines is allowed, as is hat cleaning. He was thinking of the area they are considering rezoning.

Mr. O'Connor suggested looking at the matrix of land uses that Mrs. Robidoux had prepared previously. He asked that the matrix be updated so that the Board can look at the lists of permitted uses for each zone and target the ones they really want to see or not see in this zone.

Mr. Anderson said the Board needs to schedule a public hearing. The staff can provide the materials well ahead of time so that the Board can look at it and see what it wants in this area. They should make sure they do it right. It can be finalized next meeting and moved forward to public hearing from there. Mr. Sioras said he appreciated the Board's input. Mr. MacEachern noted the truck repair use; this will also need to be reviewed. Mr. Sioras suggested that staff make the applicable changes and move this forward to the first meeting in June. If the Board agrees at that meeting with the changes, it can move forward with scheduling the public hearing.

The Board was in agreement and the motion passed.

Other Business

Mr. O'Connor advised the Derry Parks and Recreation Department has set up on their webpage a brochure outlining the events for the Memorial Day weekend to recognize Derry's fallen but not forgotten. He asked that residents join the festivities on May 28th. The parade will begin at 11:00 a.m. at Hood Plaza and the Memorial Service will be at 11:30 a.m. at McGregor Park.

Mr. Sioras advised there will be a ribbon cutting ceremony for the Derry Bike Trail at 11:00 a.m. on June 2nd. That will also kick off the first Farmer's Market of the season.

Mr. Anderson stated that any Veteran who has not signed up for the Veteran's Appreciation Dinner should contact him to reserve a seat.

There was no further business before the Board.

Motion by MacEachern, seconded by Bartkiewicz to adjourn. The motion passed with all in favor and the meeting stood adjourned at 7:45 p.m.

Approved by: _____
Chairman/Vice Chairman

Secretary

Approval date: _____