

Heritage Commission Meeting Minutes  
Londonderry, New Hampshire  
November 15, 2012

In attendance: Chairman Commissioner Arthur Rugg, Vice-Chairman Commissioner Jim Schwalbe (7:04), Commissioners Tom Bianchi, David Colglazier, Sue Joudrey, Martin Srugis and Alternate Commissioners Pauline Caron, Janet Cichocki, Town Council Ex-officio Jim Butler and GIS Manager/Planner John Vogl and Town Councilor Tom Dolan.

Absent: None

Chairman Art Rugg Called the meeting to order at 7:00 PM in the Sunnycrest Meeting Room of the Town Hall.

Chairman Rugg appointed Alternate Commissioner Caron to vote for Vice-Chairman Jim Schwalbe until he arrives.

Commissioner Srugis moved and Alternate Commissioner Caron seconded a motion to approve the minutes for September 27, 2012. The motion passed 7-0-0.

A presentation for the Hickory Woods proposed development was made by: Jack A. Szemplinski, Benchmark Engineering, Londonderry, NH; Rick Welch, Mesiti Development Corp., North Andover, MA; Tony Mesiti, President, Mesiti Development Corp., North Andover, MA and John Kalantzakos, Sales, Real Estate Results, Inc., Londonderry, NH.

The proposed development is for 98 housing units for 55 years of age and older residents. The land parcel is approximately 59 acres with frontage on Route 102 and West Road, tax map 2, lot 27. There are to be four different configurations, with two bedroom, 2 bathrooms and living space area of 1,800 to 1,900 square feet. The structures will have double garage doors on the fronts with front entrances as well. Siding will be vinyl. There are pitched rooflines. There will be a central clubhouse to serve the community. At the club house there will be tennis courts, a bocce court, putting green and golf driving range.

Mr. Szemplinski described three stone walls that are on the property. One long one, known as Tavern Hill wall, will need to have a major portion of it removed because it aligns with the center of the entrance road from Route 102. A second wall, Pond #1 wall, is in the northwest corner on the parcel and is in an area where some drainage work will be done. It is to be left in place, but there may need to be some disturbance as part of the drainage work. The third wall section is at the West Road entrance. It will need to be moved as it is in the way of the new road at that entrance.

Commissioner Schwalbe asked about the schedule for work. Mr. Szemplinski said that after our meeting, the plan will go before the Planning Board in January 2013. The time line will then depend upon what happens at the Planning Board.

Mr. Schwalbe asked about the use of the property as a shortcut from Route 102 to West Road. Mr. Szemplinski said that they had worked on the road layout with the Public Works Department. There were curved road, stops signs, and a generally torturous path to go from route 102 to West Road. So, they thought that this would keep people from going through the property for that purpose.

Alternate Commission Caron asked about signage. Mr. Szemplinski said that the sign plans were not fully planned at this time. He thought that there would be one sign at the Route 102 entrance. There are small parcels on either side of the entrance road that are commercial zoned, but empty now. The first structure will be about four hundred feet from route 102.

Mr. Kalantzakos said that they would like to have a nice entrance sign at the edge of the housing area as a sign that signifies the development. That same or a similar sign would also be at the West Road entrance where the houses are closer to that entrance. It was agreed that the developer would

need to come to the Heritage Commission for sign approval.

Commissioner Joudrey was concerned about the stone wall materials that were to be moved for the road. Messrs. Szemplinski, Kalantzakos and T. Mesiti indicated that the stone materials would be used on the site to enhance its appearance. At the moment they do not have all of the uses assigned.

Commissioner Srugis was also concerned about the stone materials. Mr. Srugis asked about sidewalks. Mr. Szemplinski said that there would be sidewalks on one side of the interior roads. Mr. Srugis asked about having them on both sides of the street. He noted that part of the forthcoming Masterplan encouraged walkways and two side walks would make it easier for the residents to get to a walking surface. Mr. Szemplinski explained that the cost of the roads are now about \$400.00 per foot. So, the costs of sidewalks just add to the cost of the project and drives up the cost for the house units. The developer is looking to hit a certain market range for the houses, therefore there are limits on how much they have for extra amenities.

Commissioner Bianchi was concerned about the character of the rebuilt stone walls. He told the developers that he wanted to impress upon them that when they rebuild the walls, that they should carryover the character of the other walls around them and/or their original look and feel. That idea was acceptable to the builders.

Mr. Bianchi asked about the accessibility to the portion of land in the northeast corner that was not being developed. Mr. Szemplinski said that this portion was mostly a wetland type of terrain, but that it would be available for people to walk through. Mr. Bianchi wanted to know about ADA access. Mr. Szemplinski noted that it would need to be paved for ADA access and that they did not plan to do that. More importantly, there was steep and somewhat long slope down to that area. It will not be developed for ADA access.

Councilor Butler asked about the sidewalk to route 102. He was told that the sidewalk will not extend all the way from the closest structure to route 102. He also asked about lighting. Mr. Szemplinski said that there would be some exterior lights around the clubhouse. Otherwise they plan to have post lights at each house. They do not want to have street lights since that makes it more expensive for the residents to pay for the energy. Mr. T. Mesiti said that they could put in a couple of pole lights between route 102 and the first house, a distance of about 400 feet.

Mr. Butler asked about the landscaping plan. Mr. Szemplinski said that they had a rough plan and he read off some of the plant materials that were to be used. They did plan to have some landscape trees along the roads. Also, they plan to have a dirt berm around the edge of the clubhouse area to shield in from the some abutting commercial property.

GIS Manager/Planner Vogl commented that he would also support the walkability theme for this development. Mr. Vogl asked about the landscape for the cellular telephone tower. Mr. Szemplinski said that they plan was to leave the trees that are there since they help to hide the tower.

Commissioner Colglazier commented on the stone walls. He noted that Tavern Hill wall could be moved to the left side of the new road and installed in section in front of the new houses. This way the stone gets reused for new walls and it does not have to be moved very far. The wall sections can be intermingled with their tree plans and it would produce a nice appearance for the houses. Mr. Kalantzakos said that he thought that it would be helpful and improve the property appearance. He said that in another development where he sells houses, the owners have paid to have rocks brought in for landscaping purposes.

Mr. Colglazier asked about Pond #1 wall. Mr. Szemplinski said that this was a rather ragged stonewall. They would only have to disrupt a short section to have a rain pipe run through it. So, essentially it will remain in place, except for the pipe intrusion. Mr. Colglazier asked about the West Road wall. Mr. Szemplinski said that a long section of it would have to be displaced since the road

passed through it. It was agreed that the moved sections could be curved around the corner to run next to the entrance road.

Chairman Rugg said that the Commission would recommend the plan to the Planning Board and that the developer should return to the Commission for sign approval.

Steve Thompson of BC Construction Group, Brighton, MI, made a presentation for the American Tire Distributors, Jacks Bridge Road, Map 17, lot 45. Mr. Thompson provided a color handout of five pages showing the different signs for the building and the site. There is a small monument sign on the property. It is not illuminated. There is a larger sign, 162" x 44" high up on a corner of the structure. It is self illuminated from within. There will be red, blue and possibly grey text and logo design. They will show those color during the daylight hours and then show similar color when light passes through the translucent plastic stock. There are three other black and white signs for doors on the building. There will be a 39 address number on the building, but there was no sheet for it.

Commissioners Srugis, Caron, Joudrey Rugg and Councilor Butler asked questions that produced the above description of the details of each sign.

Councilor Butler complimented the applicant for having and operating a clean and orderly building construction site.

The Commission recommends the sign plans.

Commissioner Bianchi went through his presentation of the proposed Look of Londonderry guide manual for what the Commission thinks are good construction types and materials for Londonderry. The draft manual is broken down into several areas of concerns with pictures and descriptions of each type construction element from building colors to landscaping. This draft will be made available for Commission members through the web-site after GIS Manager/Planner Vogl is able to put it into the system.

Mike Brown made a presentation to the Commission about electronic signs and their regulation through the zoning and build codes of Londonderry. The control of these signs comes under the jurisdiction of the Town Council through their adoption of pertinent regulations. Mr. Brown gave a brief history of how the regulation of electronic signs had come about in Londonderry.

Mr. Brown's immediate concern was about a proposed electronic sign for the Central Fire station. The Fire Department is interested in having a sign there so that they can pass along emergency information when there are significant events that effect the whole town, such as the recent hurricane Sandy, two winter ice storms, and two other hurricanes. Mr. Brown feels that these are temporary and infrequent events that can be handled with the current signs.

Mr. Brown noted that to recent NH supreme Court cases for regulating electronic sign were ruled in favor of the regulators because the ordinances were applied equally to all entities. Mr. Brown is concerned that because the Town may violate its own regulations, doing so would then allow others to seek judicial relief and be able to have electronic signs. Mr. Brown's plea to the Commission is for us to advise the Planning Board and the Town Council that we see no reason for the current electronic sign regulations to be changed. Also, that we should advise them not to over rule those regulations in favor of Fire Department, a division of the Town Government.

The Commission discussed the situation with Mr. Brown. No Commissioner or Alternate were in favor of electronic signs or for any revision of the ordinance. Commissioners Schwalbe moved and Srugis seconded a motion to have the Secretary send a letter to the Planning Board and the Town Council to recommend that they take no action to change electronic sign regulations or allow a Town entity to not follow the ordinances. The motion passed 7-0-0. The Secretary is draw up a draft of the short document and then e-mail it to each member, who should respond only to the Secretary with their approval.

The Commissioners mentioned that the sign was only good for people who were at it. They suggested that there were other ways to spread information in times of emergency. Commissioner Schwalbe suggested a notification of the Town web-site when power is available. Also, text messaging could be considered because it can have greater coverage than speech over a cell phone. Commissioner Srugis suggested that the power to the School's FM station might be increased so that the signal could be heard in other parts of the Town. Commissioner Colglazier inquired about if a reverse 9-1-1 system was installed in this Town. This is a system whereby the local authority can call every telephone and leave a recorded message. All in all there seemed to be wireless and wired mass communications that would be more effective than people having to travel to the Central Fire Station to see a sign.

Chairman Rugg said that the Town Counsel had not approved of the proposed stone wall regulations because he had problems with trying to weigh the historic value of each wall that would be regulated. The Town Attorney would have trouble defending the regulation in court.

The Town Attorney wanted to know if there were other towns that had stone wall regulations.

Commissioner Srugis was concerned about property owner rights for the use of their privately owned walls. He is in favor of preservation, but is concerned about the over-control of the walls.

Alternate Commissioner Caron said that she had done some state statute research and the NH RSAs do not have an orderly way of handling stonewalls.

The Commission decided to take the issue under advisement and give it some more personally directed consideration until we meet again.

Commissioner Colglazier reported that he had talked that very day with Peter Michaud at the NH Department of Historic Resources. (His title is: National Register, Preservation Tax Incentives & Covenants.) He said that he had worked on the proposed legislation and would get back to me next week with some suggested changes. He said that there is a proposed federal tax incentive program dealing with renovation for historic residences. Currently there are tax incentive programs for commercial properties. Anyway, he wants to see about having some connection between the two programs at the state level. This would make it easier for the NHDHR to work with both programs, if the Federal program gets passed and certainly to work with our legislation, should it get approved.

Commissioner Colglazier handed out copies of catalog sheets for "reverse copy" movable letters for outdoor signs. These are the plastic letter panels that have clear letters and opaque surrounds to create a dark sign with bright letters.

Chairman Rugg repeated a request for good Londonderry images that might be submitted to the Southern New Hampshire Planning Commission for inclusion in a printed calendar.

Commissioner Joudrey was concerned about the brightness of the illuminated sign at the North Fire Station. She said that it was difficult to see traffic when coming out of the station and that there was a lot of light going up into the sky. Councilor Butler said that he would look into the issue.

Commissioners Joudrey moved and Schwalbe seconded a motion to adjourn. The motion passed 7-0-0 at 9:36 PM.

David Lee Colglazier,  
Secretary

November 27, 2012 – Copy of the letter as approved by the membership is posted below.

Memo To: Planning Board, Londonderry, New Hampshire  
Town Council, Londonderry, New Hampshire

From: Heritage and Historic District Commission, Londonderry, New Hampshire

Date: November 15, 2012

Re: Zoning Ordinances

The Heritage and Historic District Commission (Commission) recommends that the Planning Board and/or the Town Council take no action to modify or suspend the Town's Zoning Ordinances with regards to outdoor and electronic signs. The Commission feels that the current regulations for signage are adequate to cover any needs for private or governmental entities.

The current sign regulations help to preserve the look and character of the Town of Londonderry. The Commission feels that there are no underlying feelings amongst the citizens for a reversal of the signage rules. The Commission thinks that the citizens like the non-electronic sign status of the Town in which they have chosen to reside.

Recently the Londonderry Fire Department has been considering the erection of a permanent, electronic sign at the Central Fire Station to provide emergency communications to the Town. Such a sign would be contrary to the current zoning ordinances regulating such signage.

The Commission recognizes that the Town Government may choose to ignore the Town's Zoning Ordinances in order to achieve goals that it feels provides a betterment for the citizens. The Commission feels that the current use of temporary signs to address temporary situations is a course of action that has been useful.

The Commission feels that the Fire Department staff should consider other means of providing mass communications. These could include cellular telephone calls, text messaging, possibly increasing the power of the school's FM station and the use of a reverse 911 calling system. A single stationary sign is only good for those people who can get to it and if it contains the information that they want. The Commission feels that the wired and wireless world holds more promise than the line-of-sight visual approach to disseminating news and information.

The Commission strongly recommends that the Town government and its entities adhere to the current Zoning Ordinances.

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This recommendation is prepared pursuant to a vote of the Commission in session on November 15, 2012. Approved 7-0-0.

David Colglazier, Secretary