

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF DECEMBER 9, 2015 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 Members Present: Art Rugg; Lynn Wiles; Giovanni Verani, Ex-Officio; Rick
6 Brideau, CNHA, Ex-Officio; Leitha Reilly; Al Sypek, alternate member; Ann
7 Chiampa, alternate member; and Ted Combes, alternate member
8

9 Also Present: Cynthia May, ASLA, Town Planner and Planning and Economic
10 Development Department Manager; John Vogl GIS Manager/Comprehensive
11 Planner
12

13 A. Rugg called the meeting to order at 7:00 PM. He appointed Al Sypek to vote
14 for Chris Davies, Ann Chiampa to vote for Scott Benson and Ted Combes to vote
15 for Mary Wing Soares.
16

17 **Administrative Board Work**
18

19 A. Extension Request:
20

21 C May reported that the extension requests were handled at the December 2
22 meeting. No further requests at this time.
23

24 B. Discussions with Town Staff
25

26 J Vogl reminded the Board of the December Heritage Commission meeting.
27
28

29 Chairman A. Rugg informed the Board he would take the agenda items out of
30 order, and that the conceptual workshop listed on the agenda would be taken
31 following Other Business items A and B
32
33

34 **Other Business**
35

36 A. Staff update on Zoning Ordinance Audit and upcoming Zoning Ordinance
37 Overhaul.

38 B. Staff update on proposed Site Plan and Subdivision Regulations revisions.

39 Chairman A Rugg introduced C May and Jonathon Edwards, planning consultant
40 for ADG. Town Planner C. May provided a staff update on both items A and B.
41 She informed the Board that the Town would be taking up the zoning ordinance
42 overhaul and site plan and subdivision regulation revisions in 2016 and that the
43 goal will be to create user friendly requirements that foster predictability,
44 flexibility and are generally time and cost appropriate. Regarding regulations, C
45 May suggested the following items would be addressed:
46

- 47 1. Bring Regulations up to date with RSA's, current department practices,
48 submission req.

- 1 2. Address "One Size Fits All" issues regarding requirements; make
- 2 appropriate to plan type (Change of Use, Administrative Review, Lot Line
- 3 Adjustment Plans, Etc.)
- 4 3. Eliminate redundant plan requirements
- 5 4. Update checklists accordingly
- 6 5. Incorporate Parking and Loading Requirements
- 7 6. Update Landscaping Requirements; incorporate graphics for clarity
- 8 7. Application Fee Update
- 9 8. Incorporate Regulations into enCode
- 10 9. Timeline: January to April 2017

11
12 Regarding Parking and Loading Regulations, C May said that content would be
13 moved from the zoning ordinance to the site plan regulations, continuing a
14 process that had stated over a year ago. She stated that the final regulations
15 would be implemented in the Town's EnCode access tool.

16
17 Regarding the zoning ordinance, C May reminded the Board that funding for this
18 project had been awarded in 2015. She said that the overhaul would implement
19 the following goals:

- 20 1. Continue to address issues identified in Zoning Audit
- 21 2. Housing Update covered many issues identified in Audit
- 22 3. Respond to principles noted in 2013 Master Plan
- 23 4. Begin with addressing the Format first and then develop Content
- 24 5. Keep a record of Planning Board Intent

25
26 Direct actions would likely include:

- 27 1. Reorganize to establish a logical order and Simplify to be more "User
- 28 Friendly"
- 29 2. Consolidate redundant provisions and eliminate contradictions [ie.
- 30 CUP's]
- 31 3. Clarify ZBA Process – provide a description for the citizen to understand
- 32 4. Flush out and incorporate provisions addressing concepts from the
- 33 Master Plan
- 34 5. Address Content:
 - 35 a. Soils Based Lot Sizing
 - 36 b. Simplify Commercial Zoning
 - 37 c. Overlay Districts
 - 38 d. Clarify Airport District Restrictions
 - 39 e. Other Issues

40
41 C May concluded by informing the Board that this would be a 12 to 15 month
42 process and might be accommodated through monthly meetings with the Planning
43 Board. J Edwards restated the overhaul goals, especially improving the clarity of
44 the ordinance and the predictability of outcomes. A Rugg commented that the

1 ordinance was 50 years old and due for updates. J Edwards commented on the
2 utility of statements of intent for districts to inform the ZBA process and make
3 clear the intent of the Board should provisions be challenged. C May said that
4 while the Master Plan made numerous references to form-based code, the
5 experience of the Town was that a hybrid of styles would be appropriate. She also
6 said the goal was to have a graphics heavy document.

7
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9 **Public Hearings/Workshops/Conceptual Discussions**

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11 A. Green Mountain Messenger (Applicant), Map 14 Lot 44-8 – Conceptual
12 Discussion of proposed site improvements at 57 Harvey Road, Zoned Ind.-
13 II.
14

15 George Fredette of SFC Engineering introduced himself as the engineer for Green
16 Mountain Messenger, a courier and messenger business based in Vermont. He
17 said the site is 2.3 acres total and includes a 15,000 ft² building, last approved in
18 2002. He is seeking to add parking to increase the total parking count from 33
19 existing spaces to 63 proposed. The requirements are for 25. The need is to
20 support fleet vehicles stored on site and to improve site circulation. The additional
21 pavement will increase the lot coverage from 42% impervious to 53%. He said
22 the change is considered minor although it would have impacts to the CO district
23 which applies to the site.
24

25 A Rugg asked for input from the Board. J. Vogl said the Conservation Commission
26 would have to comment on the CO District impacts. A Chiampa asked about
27 loading bays. G Fredette said there would be no changes. Members Chiampa,
28 Combes, Wiles and Reilly stated they were interested in learning the Conservation
29 Commission comments. No other comments. A Rugg stated the Board is
30 comfortable with the plan. A Chiampa asked about landscaping improvements;
31 would displaced trees be replanted? G Fredette answered that the applicants
32 intend to meet all landscaping requirements.
33

34 **Other Business (Continued)**

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36 C. Master Plan Implementation Committee Report.

37 A Rugg introduced Deb Paul, Chair of the Master Plan Implementation Committee,
38 who was present to deliver an update on the Committee's activities. D Paul
39 presented prepared comments to the Board (see attachment). She explained that
40 the Committee has struggled with mission and attendance. The Committee has
41 most recently decided to continue to track project status, focus on water quality
42 and quantity issues and to work on promoting agritourism and the vitality of the
43 Town Center. M. Speltz reported on the notion of environmental baseline studies.
44 He commented on the Town's in-process sewer facilities plan and added that it
45 needed to estimate demands of future growth. He said that the mission of the
46 Committee was difficult to characterize and it was functioning more as a
47 coordinating committee than an implementing committee given that most issues
48 from the Master Plan cross many departments or Boards. A Rugg described the

1 Environmental Baseline Study Committee and identified that it was a dormant
2 board though they had assembled a large amount of data. M Speltz said the goal
3 was to assemble data on air and water quality and noise volumes prior to major
4 developments coming into town. The results could inform how effective town
5 regulations and protections have been. He concluded that now would a good time
6 to re-establish the Committee and do a new round of testing and that funding
7 might come from the undesignated fund balance.

8 **Al Sypek made a motion that the Planning Board recommend the Town**
9 **Council to reinstate the Environmental Baseline Study Committee. Second**
10 **by T Combes.**

11 A Rugg clarified that the motion was to recommend the committee; the Council
12 would determine any costs. L Reilly asked about air quality. M Speltz said the
13 Town has access to the monitoring station at Moose Hill School and that we would
14 only need technical support to interpret the results. He said that in the past, a
15 small expense was incurred to perform water sampling and testing. A Chiampa
16 asked about noise testing. J Vogl responded that his recollection was testing was
17 performed along the I-93 corridor in advance of widening effort in addition to sites
18 on Harvey Road to measure airport related noise. J Verani asked if the EBSC
19 should report to the Implementation Committee. A Rugg said no; EBSC would
20 likely report to the Council.

21 **A Rugg called for a vote on the motion. All voted affirmative. 8-0-0.**
22 **Motion carries.**

23 A Rugg questioned D Paul about the lack of quorems at most Committee
24 meetings. D Paul said that the meetings have had light agendas and little to do;
25 in retrospect she suggested the Committee should have been dormant till zoning
26 changes were completed. A Rugg also noted that minutes for the last few
27 meetings have not been posted. Committee member Mary Tetreau expressed that
28 she felt a hostile attitude from the Board. A Rugg continued that there were few
29 activities completed by the Committee and that the Planning Board was looking for
30 specificity about what the Committee would do in the future. He asked D Paul to
31 report back at the second meeting in March. M Speltz replied that the Committee
32 was in a difficult place, with no teeth to implement. A Sypek asked about
33 membership. M Speltz said the Committee had advertised for members. A Sypek
34 asked that given the difficulty with attendance, what was the appropriate mix? J
35 Vogl responded historically, 7 seemed appropriate but the original membership
36 was set up to be representative of boards/committees in town, including some
37 space for at-large members. He suggested it may be best for the Committee to
38 report back on their recommendation for membership. The Board agreed the
39 Committee should seek out new members. L Reilly expressed that there was a
40 valid purpose for this Committee, given the Town's investment in the Master Plan
41 and they could be a good source of info. J Vogl responded that this was the
42 purpose and intent of the Committee but that it was admittedly difficult to fulfill
43 given lack of staff, budget and tools; they can only report and persuade. A Rugg
44 asked D Paul to report back at the 2nd meeting in March regarding membership
45 and concrete plans for Committee projects. J Vogl replied the next scheduled
46 meeting is on January 20th. A Rugg asked for the November 18, 2015 meeting
47 minutes of the Master Plan Implementation Committee, as they have not been
48 posted. These minutes were presented by the Kaitlyn Woods, a reporter of the

1 Londonderry Times to J Vogl. A Rugg noted the unusual source of these minutes,
2 and that meeting minutes have to be available 5 business after the meeting
3 according to the Right to Know Law (RSA 91-A:2).

4
5 D. Hazard Mitigation Report update.

6 A Sypek presented an update on the Town's Hazard Mitigation Plan. He said that
7 having a plan in place is required for the Town to be eligible for grant funds
8 through the Federal Emergency Management Agency (FEMA). This current plan is
9 considered an update that is completed roughly every 5 years. He said that the
10 Committee has held several meetings and reviewed the Town's experience and
11 actions regarding natural hazards, particularly with respect to flooding and critical
12 infrastructure. He said the Committee has identified two major recommendations:
13 (1) a radio propagation study to provide direction for improving town-wide radio
14 communication among first responders and (2) improving fire access to the
15 Musquash Conservation Area. On the fire access, he reported that the Town has
16 already had conversations with Fire Chief O'Brien and will be developing a plan. J
17 Vogl provided a update on the plan status; he said it is currently under review by
18 FEMA for compliance with their plan rules. Once they approve, it will be up to the
19 Council to formally adopt.

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21 A Sypek reported to the Board that he had continued to review noise ordinances in
22 Londonderry. He identified a need to improve ordinances as the Town only has
23 rules in place for trash pickup and fireworks. He distributed the ordinances and a
24 sample noise ordinance from Hooksett. A Sypek said he was directed by the Town
25 Council Chair to seek direction from the Planning Board on this matter. J Vogl said
26 this was largely a Council issue as the Board only has jurisdiction over zoning and
27 site plan/subdivision regulations. Members briefly discussed noise ordinances. A
28 Rugg said the Board would discuss the matter further during their second meeting
29 in February.

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31 **Adjournment:**

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33 **R Brideau made a motion to adjourn the meeting. T Combes seconded the**
34 **motion. Vote on the motion: 8-0-0.**

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36 The meeting adjourned at 8:45 PM.

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42 These minutes prepared by GIS Manager/Comprehensive Planner John Vogl

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45
46 Respectfully Submitted,

- 1
- 2 Lynn Wiles, Secretary
- 3

DRAFT