LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF AUGUST 14, 2013 AT THE MOOSE HILL COUNCIL CHAMBERS

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Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem; Rick Brideau, CNHA, Ex-Officio; John Laferriere, Ex-Officio; Maria Newman, alternate member; Al Sypek, alternate member

Also Present: Cynthia May, ASLA, Town Planner and Planning and Economic Development Department Manager; John Trottier, P.E., Assistant Director of Public Works and Engineering; and Jaye Trottier, Associate Planner

A. Rugg called the meeting to order at 7:33 PM. He appointed M. Newman to vote for Chris Davies and A. Sypek to vote for Scott Benson.

Administrative Board Work

A. Discussions with Town Staff

Staff had no issues to present to the Board.

Continued Plans

A. Pillsbury Realty Development, LLC, Map 10, Lots 15, 23, 29C-2A, 29C-2B, 41, 41-1, 41-2, 42, 45, 46, 47, 48, 50, 52, 54-1, 57, 58, 59, and 62 – Public hearing for formal review of the Woodmont Commons Planned Unit Development (PUD) Master Plan [Continued on July 10, 2013 to August 14, 2013].

Ari Pollack of Gallagher, Callahan & Gartrell re-introduced developer Mike Kettenbach and the Woodmont Commons Development Team members who would be available for questions regarding this evening's presentation, namely the PUD Master Plan. Although the Development Agreement, a significant companion to the Master Plan, is not quite ready to present, he anticipated a productive discussion with the Board and stated the willingness of the Team to consider further revisions based on feedback received. He thanked the Board on behalf of all the PUD land owners for their time and effort during the extended review process of a project of significant scope that is the first of its kind in Londonderry.

Because the most recent extension of the 65-day approval period per RSA 676:4 expires on August 16, 2013, A. Pollack stated that a written request for the Board to extend the timeframe to August 28, 2013 has been submitted to Staff. He also asked that following this presentation, the Board consider a request to continue the public hearing to August 28, 2013.

WOODMONT COMMONS PLANNED UNIT DEVELOPMENT MASTER PLAN:

Terry Shook of Shook Kelley reviewed a PowerPoint summary presentation (see Attachment #1).

(T. Shook) "We thought it would be useful tonight because as mentioned, there have been so many discussions that are so detailed. At some time in these kinds of processes, you forget why you are even here, on both sides. What are we really about? Why is this important? Of course, as we said last time and as Ari has talked about, we did promise to deliver the document. It is done and we are here tonight to receive questions.

"But the real question to address is about Woodmont Commons. We think it's going to be very good for Londonderry and I'm here to tell you a little bit why that is so because we think Woodmont Commons is creating value. great thing about that word 'value' is that it has many connotations. People can measure it in multiple ways and we need not lose track of that when we are in these kinds of large projects and processes. First off, the first value can be found in walkability. A big component of the plan is, of course, mixed use environments, mixed use retail environments that attract people where they feel like they want to get out and walk and be a part of civic discourse, be a part of a greater society. And it can be measured (see Attachment #1, p. 7). The great thing about it is that within the planning world now, we understand and have studied places to understand what it means to be highly walkable and those that are not. And we can determine those characteristics, and I can tell you, imbedded within the plan that was delivered this week that we've all worked on, are the things that will deliver a very good walkable place. We know it can be measured through the idea of a walk score (p.8). 'What's really nearby?' The restaurants and the coffee shops. Can you really walk to it? Transportation choices. The many modes for getting around. And then local insight; can you really understand how this place works and why it is valued? And we know from a residential standpoint, those places that are considered walkable give you higher residential values. It has been demonstrated and measured across this land, from New England to Florida, all the way across to the west coast (p. 9). It's a universal trait of human beings; valuing walkable environments.

"We also know from the commercial real estate world that these office and retail properties that are part of the plan, that those that half a walk score of 80 or more were significantly more valuable (p. 10). And that's where the good rateables are created, of course, that communities treasure. So when you are able to craft these things so people can live in places and go to retail and walk to offices and work there and go back and forth, it's an amazing value for communities.

"So we think Woodmont Commons, the plan you have in front of you, fosters walkability in many ways (p. 11). We have talked about the rules about streets and buildings and frontages. It may seem, in certain ways, arcane language; that only planners enjoy this stuff, but it is very valuable in terms of the type of places that we create. Those rules are in here. We are talking about sidewalks where people are and where people want to go. It is important to know where those sidewalks need to go and to have them. A

'park once' strategy; the ability to be able to work somewhere, park once, you could shop in different places. You are not having to roam around to different big parking lots. That is an important part of this. Mixes of uses at build out; we think at the end of this, there will be a number of these different uses there that will cause this rich environment where people will want to work. And of course, connected streets; we have talked about this ad nauseam and within this plan are rules that will cause you to have connected streets so people have multiple choices on where to walk.

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"The second measure of value, of course, is economic. We cannot forget this. First off, we know that infrastructure costs less (p. 13). Smart Growth America has done a number of studies to know that when we build in the manner in which is prescribed by the Woodmont Commons Master Plan, that there is a savings on infrastructure. We use it more efficiently. And we know when we build it more efficiently, that it costs less, actually, to maintain and to provide those services because more people are using the various infrastructure; the roads, the pipes, the electrical lines (p. 14). Everything is being used efficiently. It is not just something going to one or two or three places. "And the other part about it, too, is that when you do this, of course, like anything in our world that is done efficiently, it impacts revenue (p. 15). That, in fact, these things which you charge money for, you can generate much more money when you build in the manner prescribed by this ordinance. This has been analyzed, again, in many places across the country (p. 16). I note there is nothing in New England, but again, the study will get here, I am sure. But you see from Florida to the mid-Atlantic to the Midwest and to the far west. And generally what is found is that when you look at county property taxes and city property taxes, the baseline, which of course is primarily residential, they collect pretty good taxes and they maintain, generally, the services needed (p. 17). But as you see, as you go from retail, retail is much more a contributor to taxes, but when you start to get in those components, such as mixed use or multi-use as we have within this ordinance, the ability for the community to achieve higher taxes on a per acre bases, which is the standard here, goes up. Your per acre receipts are much higher.

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"So we think it creates economic value through a planning that delivers an efficient infrastructure and an efficient infrastructure means that it actually works better for the long term (p.18). The great thing about this infrastructure, you always need to think about not just first costs and not even operating costs, but what is it going to cost when major repairs are done in generations down the road? When you have to replace this, is it in a manner that a community can truly afford?

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"Housing choice is also another measure of value and the plan in front of you recognizes some real realities. New Hampshire is growing (p. 20). This is some of the demographic data. You are not isolated and the reason you are growing is by and large because you are part of this great northeast megapolitan or mega-region (p.21). These things are being looked at. There are a number of them across America. You are part of one, so you have a chance to fill that growth. It is coming your way. And the other issue is, if you don't have these options, your young are very much likely to move away to

other places (p. 22). And also it means a place when we age out. I'm a Boomer, I'm looking at that. Where will I go? Sometimes people find out that their own living style changes, that what they valued when they had kids changes over time. There is a large growth in households without children (p. 23). What it means to have a house very much changes.

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"But we know that people desire choices and that is really the bottom line here (p. 24). In surveys by the Urban Land Institute, looking at America in 2013, valuing things, we know that people across the spectrum enjoy shorter commutes with smaller homes, closer to shops and restaurants, mixes of incomes, when public transportation is available, it is a plus, and also a mix of home types.

"Another interesting part is that the ones that are influencing this are many of you in this room like me, the Boomers (p. 25). As we look at our lifestyles changing, not necessarily in many cases wanting the same house grew up in, wanting to live more in an urban way, and others wanting to live in a more rural way. People make different decisions as you go through your life stages. And we know that the people who are choosing to live in these walkable places are across the spectrum as well (p. 26). When we do these places right, these mixed use retail environments, they are shared by people up and down the age spectrum. They have great value and meaning in their lives.

 "So Woodmont Commons creates this housing choice; multiple building types, single family to condos, housing that is both stand alone and some of it will be in very much a mixed use setting (p. 27). For single family, lots that are both large as any of you have now and those that are smaller, which means housing at the perimeter matching those that exist. That is very important. It has to knit in. It has to be seamless in how this becomes part of Londonderry. And it allows for multi-generational housing types so as people do age, they find things that are meaningful to them.

"We also know that the places that are highly valued are those places, by most metrics, are considered sustainable. And what do we mean by 'sustainable'? We mean places that throughout the time that we planners have to deal with it; we call it the fourth dimension. We look at things in terms of 25, 50 year, 100 year horizons as planners that we have to make decisions in the here and now so crises are not created down the road. And the great thing that we have found about sustainable places; those are the ones that are about balance (p. 29). They are about a balance between the built environment and about the natural landscape. This is from the Trust for Public Land, where they have surveyed a number of different living situations across America. This is for those that are relatively low density. You will notice bar charts; you will see different bars; blue bars and green bars in the core of this. The green bars are for the designated areas for parklands that have been created and set aside and are integrated in the urbanism. And then the blue bars are those natural areas; regulated lands, true open space, natural areas, what have you, that are outside of those that are constructed. And they found in their surveys that in these low density places, the medians are 5.5% total in terms of land set aside. Now for all cities in their studies, it is 7.9%. And Woodmont Commons,

we think it is going to be approximately 25%. We don't know exactly the parameters of the regulated lands. That will come as the process unfolds, which is imbedded within the Master Plan, but generally speaking, we think it will be 25%. And by the measures of the Trust for Public Land, which they also do a 'park score,' you can put a measure on it (p. 30). And so 33% of it is based on acreage, 33% based on service and investment, and the other 33% is access; the percentage of the population living within a ten minute walk of a public park, which essentially mimics one of the principles we have had from the very beginning of this, that you get a great park score and we think Woodmont Commons will get just that. It is interesting for the Trust for Public Land to talk about and endorse Smart Growth, which are the principles underlying this plan. That it is important, not only to have land that is preserved for parks and what have you, but also to have lands that work for human beings. They recognize that.

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"And Woodmont Commons will be built sustainably as well (p. 31). All throughout this Master Plan, you will find practices that will deliver a built environment that is more environmentally sensitive than conventional development. For example, here is this one thing; when you look at common surface lot parking, when 300 to 325 feet of area per parking space can be asphalt, we have a lot of on-street parking, which a lot of jurisdictions really do not allow and do not endorse. We do, in fact. And you see the savings in terms of this asphalt. That relates directly not only to the asphalt itself, which you have to pay for and what you have to pay later when you repaye, but the water runoff. So it is an efficient place at every level. So we think Woodmont Commons will be very sustainable (p. 32). Again, it provides for people at all stages of their life. That is what real communities do, we believe. It promotes healthy living because it fosters walking and outdoor activity. We cannot ignore these things. It strikes that proper balance, we believe, between a variety of open spaces and Smart Growth development principles, where they have to work together. And Woodmont Commons, in the end we think, will contribute to Londonderry's economic sustainability in a very real and meaningful way, which is the true measure of things that are sustainable."

After his presentation, T. Shook introduced Woodmont Commons Team members Tom Goodwin and Emily Innes who would answer questions or direct them if need be to the appropriate member of the development team.

A. Rugg explained that he would first entertain comments and questions from Staff and the Town's third party review consultant, Howard/Stein-Hudson (HSH), then from the Board, and finally from the public.

A. Rugg asked for Staff input. Staff deferred to the Board to allow for their input first. Ted Brovitz of HSH mentioned that HSH and Staff continue to work diligently with the Woodmont Commons Team and are making progress to finalize the development regulations.

A. Rugg asked for questions and comments from the Board. Questions and comments were as follows:

1. M. Newman asked whether the realignment of Pillsbury Road where it meets Hardy and Gilcreast that would remove the jog that bisects Pillsbury was still being considered since it had been discussed on several prior occasions as a means of alleviating traffic impacts, yet it did not appear in subarea WC-6 in the Information Plan section (p. 29). T. Goodwin confirmed that it is still an option and reminded the Board that the Information Plan is conceptual and subject to change. Both a possible realignment and a possible relocation are included on page 91 as part of the Land Use Plan within the Regulations and Standards section. Specifics of the change would be discussed at the individual site plan and/or subdivision level.

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2. M. Newman guestioned the reasoning behind the proposed "Compliance Alternatives" as defined on p. 45 as they appeared vague, contrary to the Board's goal to be as explicit as possible. E. Innes explained that because the project will be built out over 20+/- years, this provision was included in the event that a request is made by a developer for something that is either different from the planning and design principles, was never envisioned when the Master Plan was adopted, or involves new technical and/or design concepts, yet is something that the Planning Board agrees still meets the planning and design criteria. It is not expected that such requests would be at all common, and the Board would have the ultimate authority to grant or deny the request as they see fit. Rather than attempting to challenge the Board's authority, the intent is for compliance alternatives to provide the Board with the flexibility to address the unforeseen, particularly if the request provides an improved method of achieving the planning and design criteria. E. Innes offered to have the language strengthened to better convey that intent. M. Soares suggested adding a provision similar to that required for the Town Master Plan, that being that the PUD Master Plan must be updated every 10 years to best reflect the current goals and needs of residents.

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3. M. Newman stated her preference for the Woodmont Commons PUD to be subject to some form of a growth management ordinance which would put some limitation on the number of units within individual uses to be built in a year. T. Goodwin said the issue could be discussed with Staff. L. Wiles stated later on that a kind of phasing plan, an overall anticipated strategy, should be included in the PUD Master Plan in the interests of the Town's overall long-term development expectations. E. Innes said the idea could be researched and addressed at the August 28 meeting. T. Goodwin added that the Master Plan does include a requirement that individual site and subdivision plans be brought conceptually before the Board prior to any actual submission in order to keep them apprised of anticipated growth within the PUD. Since market demands would chiefly influence development, T. Goodwin said it would be difficult to provide any specificity. L. Wiles then asked that an overall vision be presented based on logical assumptions, e.g. that development closer to Exit 4 would precede that taking place in an area such as Hovey Road because of the proximity to the

highway and the easier access to materials, or that the main access to the development would be constructed first to access the initial areas of development. Jimmy D'Angelo of TEC confirmed that the Woodmont Commons Team has envisioned that the initial phase of development would realistically include the proposed spine road because it would be used as a utility corridor and as a means of not impacting existing town roads. That overall conceptual vision as it stands today, he said, could be presented to the Board. A. Rugg noted that predictions would be helpful to abutters of the project as well.

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4. M. Newman asked if playgrounds could be made a specific requirement within certain subareas (particularly those with a high density of housing) rather than just an option. T. Goodwin stated that the request will be considered, noting however that by its very nature, inclusion of a playground in a subdivision or site plan is a selling point for a developer. L. El-Azem asked what entity would be responsible for maintenance of playgrounds. T. Goodwin answered that it depends on location; those on Town owned land would be maintained by the Town but in all other instances, they would be maintained by the individual developer. L. El-Azem expressed her opinion that playgrounds should be left as an option and therefore be determined by market demands. A. Rugg added that the issue could be dealt with on a case by case basis at the site plan level.

5. M. Newman asked for clarification in the language of footnote 2 on p. 67 so that the phrase "all other uses" refers specifically to non-residential uses within subarea WC-1. E. Innes said the language could be modified for clarity.

6. Based on the description of bicycle networks under Composition Standards on p. 80, M. Newman asked whether dedicated bike lanes would be included on streets. T. Goodwin answered that on non-primary streets, a shared use between bicycles and motor vehicles would be the norm, while for primary streets, dedicated lanes are expected to be considered on a case by case basis. M. Newman recommended dedicated lanes be included on primary streets based on the current popularity of bicycle use.

7. M. Newman verified with T. Goodwin that traffic studies would be included in the final Master Plan as an appendix and would also be consulted for individual site plans.

8. L. El-Azem asked if any provisions exist for the parking of public transportation such as buses or taxis or for a trolley-type system within the downtown area. T. Goodwin said there are no specific provisions, but that the concept is not prohibited either.

9. L. Wiles asked whether the planning concept "Maximum yield profile for the development" identified on p. 18 referred specifically to economic yield. Steve Cecil of The Cecil Group answered the yield

refers to the maximum number of units the regulations would allow. The intent is to not understate that amount.

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10. L. Wiles questioned a description of Perimeter Buffers on p. 18 that appeared contrary to previous assurances that uses on the perimeter of Woodmont Commons would match those existing across the street. This depiction, however, states that: "the Woodmont Commons PUD will include a Perimeter Buffer with landscaping to screen existing single-family residences from adjoining incompatible uses." T. Goodwin replied that the language comes from the Town's PUD ordinance to address that potential occurrence in any PUD. E. Innes added that in the specific subarea standards, it is made clear that perimeter uses should match existing uses, however she add that the possibility exists for incompatible uses on the perimeters of WC-4, WC-1, and WC-2. None will exist however, within WC-5 or WC-7. T. Goodwin noted a rare instance that would require such screening; the orchard building on map 10 lot 41 could be reused and therefore not match the single family homes across the street. A. Rugg asked that clarifying language found further on in the document be added to p. 18, particularly in light of the Board's clear intent for perimeter residential housing to match what it exists in both type and acreage. M. Soares noted that the depiction on p. 18 of the perimeter buffer along Gilcreast Road states it will "include preservation of some existing orchard plantings or of similar trees in an orchard configuration." She asked if the statement posed a deviation from previous discussions where three rows of existing apple trees were to be left along Gilcreast Road. M. Kettenbach answered that he was amenable to a requirement that they be left as they are now and not be replaced, although he explained that later on in their life cycle, they will not be as aesthetically pleasing as they are now. The language M. Soares referred to, he continued, was included in the event the Board chose to allow the replanting of trees when they reach a certain maturity. M. Soares asked instead that the width that would be equivalent to three rows of existing trees be delineated for future knowledge. She also asked that the reference to 'orchard-like' trees be removed from the document since M. Kettenbach clarified that only apple trees would be planted if needed to maintain the three rows as discussed. The Woodmont Commons Team verified that the language would be clarified. A. Sypek confirmed that not all of three rows of apple trees would be replaced at one time. A. Rugg suggested that some measure of the apple trees along Hovey and Pillsbury Roads also be preserved, both as a buffer for the abutters and because of the historical significance to the Town. M. Kettenbach offered to explore the possibility. A. Rugg added that retention of some apple trees around the proposed pond would be appropriate for the parklike atmosphere intended for that area. He asked for consideration of the preservation of 3 to 5 rows of apple trees abutting the cemetery in WC-8 (p. 31). When discussing later on whether the apple trees would be in the front or back yards of the houses in WC-5 that abut the border with WC-4, E. Innes said the houses could face either Gilcreast Road or the proposed road between the subareas, but added that those

houses will all face the same direction, regardless of which direction is chosen. The design right now is for the houses on WC-5 to face Gilcreast and the houses in WC-4 to face the pond in WC-3.

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11. L. Wiles asked that if the pond planned for WC-3 is not approved by the State and therefore not constructed (see p. 18), a contingency proposal be added to the PUD's storm water management plan since the pond is a key figure in the drainage design. E. Innes noted that an Alternate Information Plan on p. 19 addresses that very issue as requested by Staff and HSH. Like the rest of Section 1.2, she stated, the information is conceptual in nature as opposed to the regulations and standards and requirements detailed in Sections 2 and 3 respectively. L. Wiles asked that the stormwater management plan include a contingency proposal if the pond is not approved by the State. J. D'Angelo explained that permitting from the State is required to create an open water source for recreational purposes or at least to improve the functionality of the wetland that exists there now, but that even if the permits do not materialize, the area is a wetland and will still act as an important element for the gathering, cleaning, detention and eventual release of stormwater. A. Sypek confirmed with J. D'Angelo and Jeff Wilson that there is a natural flowing water source in the area where the pond is proposed to prevent the pond from becoming stagnant. Jeff Wilson added that in all stormwater detention resources to be created, measures will be taken to prevent a proliferation of mosquito breeding. L. Wiles conveyed his impression that language in the storm water management section is lacking (p. 215), because two issues are not specifically addressed; 1) the developer's assertion that there will be change in the rate of runoff from the property before and after development and 2) the potential for flooding of land south of the development in heavy rain events. J. D'Angelo verified that there will be no increase in runoff as a result of development and E. Innes said the language will be reinforced to reflect that. E. Innes directed the Board to p. 217 which addresses "Modifications and Amendments to the PUD Master Plan," which addressed minor changes, adding that the Town's PUD ordinance has provisions for major modifications. Later in the discussion, M. Soares asked that the trail associated with the pond be configured in such a way with the owners of the homes located do not view the trail as an imposition on their privacy. E. Innes said the Team had already discussed locating those homes in a way so that the trail does not run behind any of them. She said the issue will be reexamined since M. Soares conveyed occasions where homeowners in existing subdivisions objected to walking trails that were approved but were deemed undesirable, creating the need to subsequently amend the approved plans.

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12. L. Wiles referred to the note on p. 26 that "No master property owners' association is planned at this time," and asked 1) whether there is a plan in place for maintenance of such things as common space, private roads, and green space between roads, and 2) what entity would be responsible to administer that plan. A. Pollack answered that unless a specific developer takes such on such an obligation

during the site plan and/or subdivision plan process, or subsequently establishes a homeowner's association, Pillsbury Realty would be responsible. The only other exception would be, for example, if the Town adopted a road that was built to Londonderry's specifications, then the Town would hold responsibility for its maintenance. The Planning Board would have authority over a given situation if the party to be responsible is some entity other than Pillsbury Realty. A. Pollack said will be addressed in the Development Agreement and is mentioned on several occasions in the PUD Master Plan.

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13. L. Wiles asked Staff whether the Londonderry Zoning Board of Adjustment would have jurisdiction over any Planning Board decisions with which Pillsbury Realty disagrees. C. May answered that like any site plan or subdivision plan, an appeal would typically be directed to NH Superior Court. A. Rugg indicated that the Zoning Board could be involved in an appeal, but confirmed that Superior Court is the most common mode of recourse from a Planning Board decision. A. Pollack further explained that an appeal to the ZBA would involve a question of interpretation. C. May stated that anything in the PUD Master Plan that happens to be prohibited in the zoning ordinance would not be appealable to the ZBA. The PUD, she noted, inherently allows for flexibility not found in the Town's zoning ordinance.

14. L. Wiles noted while referencing the following statement found on p. 39 that the Planning Board would need to review the Development Agreement before fully considering the PUD Master Plan: "Some of the actions, mitigation or improvements associated with implementing the PUD Master Plan are subject to a specific agreement between the Town of Londonderry and the proponents of Londonderry Common, rather than through the regulatory framework and associated approvals that are addressed within the PUD Master Plan documents."

15. L. Wiles asked that the developer address the integration of the Woodmont Commons development with the rest of Londonderry, even if the Master Plan is not the appropriate place to do it. He expressed a preference for a document that anticipates effects on existing residents of such things as construction and a relatively significant increase in population, as well as a description recreational amenities expected to be available to the general public.

16. M. Soares asked if the reference to excavation within the PUD on p. 48 as being "exempt from local permitting pursuant to RSA 155-E:2-a(I)(a)" (p. 48) would preclude a resident from being able to seek recourse if the activity, notably blasting, negatively impacted their property. A. Pollack said the language only exempted the developer from having to obtain an excavation permit and further prevents the establishment of a longstanding gravel or excavation pit because the standard limits excavation to something that must be incidental to approved development within the PUD. The language does not preclude the Board in

any way from requiring a pre-blast survey or assessment of surrounding wells and foundations if blasting is required for an approved plan.

17. M. Soares questioned the statement on p. 49 that "Private fences may be erected within rights-of-way." A. Pollack explained that the intent was to allow private fences within a larger than average right-of-way or easement, provided they do not pose an obstruction of any kind. He said the language can be clarified. He also offered to reexamine the point altogether since, as M. Soares pointed out, residents have been instructed in the past to remove private fences from a right-of-way.

18. M. Soares questioned the allowances for sign dimensions that are larger than those allowed under the current zoning ordinance, e.g. signs that are higher than 10 feet, are a total 350 sq. ft., etc. E. Innes said the Team would review specifics for allowed signage for both subdivisions and site plans to make sure that signs of significant height are restricted to those allowed along the I-93 corridor. M. Soares asked why there would be no height limit for building signage as stated under Highway Corridor Signage on p. 211. E. Innes said that language could clarified to indicate that while there is a building height limit of 50 feet, no signage will be allowed to extend above the roof line. The intent was to allow signage on those buildings in subareas WC-2 and WC-12 to be seen from the highway.

19. **M. Soares asked for the definition of a "band sign."** E. Innes referred to the examples on p. 207 illustrating a store's name over an entranceway. C. May noted that those are allowed under the current zoning ordinance.

20. M Soares asked why blade signs would need to be six feet from a building wall, the distance they are restricted to on p. 206. E. Innes replied that the dimension includes the brackets and framing of a blade sign, adding that the size of the sign itself is limited to six sq. ft.

21. A. Rugg asked for clarification in the language on p. 59 explaining that when a subdivision or site plan crosses the border between two or more subareas, the uses must still be restricted to those allowed in each specific subarea (p. 59). E. Innes agreed to do make clear that that plans covering more than one subarea will only include uses specifically allowed for each subarea. T. Goodwin explained that the language was allowing for the concurrent submission of both a site and subdivision plan related to the same development. He added that conceptual forms have been developed to track of how much of a particular use has been approved in each subarea. Those forms will then be used to provide annual reports to the Board of the status of the entire PUD.

22. A. Rugg asked that more green space be considered for subareas WC-4 and WC-8 considering the amount of residential use planned for that area (p. 66). He suggested examining the amount of green space allowed in WC-12, which is both commercial and residential,

and adding an equivalent amount of green space to the other subareas to provide more balance. T. Goodwin noted that since some open space within a subarea is adjacent to another, the rule of providing all PUD residents with open space within one quarter mile or one half mile from the front door of any approved building (depending on the subarea) is still observed. E. Innes added that a developer can add open space to the required minimum when presenting an individual subdivision or site plan. (See also public comment #13 regarding total open space acreage in subareas).

23. A. Rugg inquired about the nine existing units identified as residential on p. 66. A. Pollack verified that those properties do, in fact, have existing residential components.

24. A. Rugg asked if any existing natural vegetation on what would become the perimeter buffer of WC-7 would remain (p. 94). E. Innes replied that since the residential lots there would match those existing outside the PUD, the vegetation issue would be reviewed at the site plan level, but confirmed that there would be a requirement to be consistent with what is already in that area.

25. A. Rugg noted for the record that although they are not included in the PUD at this time, lots 40 and 44 on map 10 (22 and 42 Pillsbury road, respectively) are classified by the Town as historical properties.

26. A. Rugg stated that under General Sign Guidelines on p. 204, it should be made clear that walk signs for the seeing impaired that utilize sound devices would be exempt from the rule that "Animated, moving, flashing and noise making signs are prohibited." E. Innes noted that the signs referred to on p. 204 are for exterior business signs only.

27. One of the thresholds that would warrant mitigation of traffic impacts (p. 221) states that alterations to an intersection may be warranted when "The overall level-of-service (LOS) for the intersection is degraded by two or more letter grades as a result of the development phase(s)." A. Rugg suggested lowering that threshold to a single letter grade, however Kevin Dandrade of TEC explained that the way levels of service are designed, it would not take more than a small increase in delay at some intersections to push a level of service two letter grades higher. He added that some side streets within the PUD with no signalized intersection may be purposefully designed to have a longer delay as a calming mechanism for the overall area. C. May suggested that the issue would be more appropriately reviewed at the site plan level. She agreed with A. Rugg's suggestion, however, and noted that the language on p. 221 stating that "Alterations may be warranted" (emphasis added), would still allow for the flexibility the Woodmont Commons Team is seeking. A. Pollack noted that updated traffic information will be available for each site plan and that the inclusion of thresholds was intended as a type of reminder for those updates.

A. Rugg noted that Planning Board members not present would have the ability to add their input at the proposed August 28 meeting.

Before entertaining public input, A. Rugg asked M. Soares to read into the record a letter from resident Mary Tetreau per her request (see Attachment #2. Note: The newspaper articles referred to in the letter were not attached to the copy read into the record).

A. Rugg entertained comments and questions from the public. They were as follows:

1. John Wilson, Tranquil Drive, stated that at the last Woodmont Commons public hearing, he had requested a copy of an agreement from the 1990's between the Town and developer Boston North regarding a potential Exit 4A be posted on the website. Although A. Rugg had agreed a copy could be posted, the Town Attorney later advised against doing so. He again requested that it be posted on the website, and asked for an explanation as to why it was decided it could not be posted.

2. J. Wilson asked that the \$5 million to be invested in an Exit 4A project by both Londonderry and Derry as a result of the aforementioned agreement be factored into the fiscal impact analysis. He added that a \$2 million bond was subsequently placed on a Town Meeting warrant for sewer infrastructure on Route 102 per the same agreement. J. Wilson suggested that this bond and associated increase in sewer capacity should be allocated towards the Woodmont Commons development and deducted from the tax revenue resulting from it.

3. J. Wilson questioned the determination that Woodmont Commons will not cause a need to expand school capacity in light of the recent approval of residential subdivisions and the current consideration of others. He suggested the Board seek an analysis from the School Department. He also expressed concern over the impact the development would have on the Town Library, which he said is already at capacity, yet the fiscal impact analysis does not appear to appreciate that. The needs of all Town departments should also be assessed, he said, to ensure their future needs can be met to accommodate+/- 20 years of development.

4. J. Wilson asked that the impacts to quality of life for residents outside the PUD be considered. An example would be the increased traffic burden on Gilcreast Road which his already at capacity in the PM peak hour.

- 5. While he stated he is not opposed to the development and noted its potential benefits and opportunities for the town, J. Wilson asked that the Board consider the above elements and their potential to cause the development to be tax negative and/or have an adverse effect on the quality of life for existing residents. The Master Plan, he asserted, is lacking overall in addressing numerous impacts on the town and asked that the developer demonstrate how the Woodmont Commons will be incorporated into the rest of Londonderry.
- 6. J. Wilson asked that an assurance be given that the project will have no tax impact to existing residents over the life of the development, independent of a fiscal impact analysis.
- A. Rugg replied that many of the issues raised by J. Wilson would be addressed in the Development Agreement.
- 7. Mike Speltz, 18 Sugarplum Drive, asked if any sustainability requirements, e.g. LEED standards, were included in the Master Plan. T. Goodwin said there are no such requirements and was not sure that the project would qualify under the LEED program. He added that by their design, compact developments like Woodmont Commons comply with many LEED standards.
- 8. M. Speltz verified that the 2004 Town Master Plan would govern this PUD Master Plan since the 2012 Master Plan had not been adopted when the Woodmont Commons application was submitted.

 A. Rugg noted that with regard to this development, there would not be a significant difference as the concept of PUD-type village centers can even be found in the 1997 Master Plan. M. Speltz noted the importance of the PUD Master Plan coinciding with the Town Master Plan.
- 9. M. Speltz asked if the Woodmont Commons property owners have changed their Current Use tax designation since they had applied for a lower rate by providing public access and the land is now posted against trespassing. R. Brideau answered that the designation is no longer classified as recreational. (A. Chiampa, 28 Wedgewood Drive, stated later on that the PUD land on Hovey Road has been posted since 2011).
- 10. M. Speltz noted that the open space discussed earlier in WC-3 that could purportedly be enjoyed by those in WC-4 and WC-5 is limited in its benefits because the majority of it is wetland. E. Innes referred to pages 81 and 82 of the PUD Master Plan that respectively identify the seven shared open space types allowed in WC-3 and their delineation from conserved green space in that subarea.
- 11. M. Speltz expressed concern for the proposed waiver to the Town's Conservation Overlay District (COD) with the exception of prime wetlands since there are no prime wetlands in Londonderry. The intent of the COD buffer, he explained, is to protect water quality. Rather than waiving the COD regulations, he suggested the Board strengthen their

placement within the PUD Master Plan due to the amount of impervious surface to be introduced to the watershed located within the PUD.

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12. M. Speltz asked the Board to consider the effects of a change in the Master Developer during the course of the development. A. Rugg said that would be addressed in the Development Agreement.

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13. M. Speltz agreed with A. Rugg's earlier point that the majority of the open space in the PUD is included in WC-12. He also clarified for M. Newman the difference between conserved open space and shared open space she inquired about earlier in the evening. Conserved open space, he stated, is essentially undevelopable land, which in the case of the PUD is largely open water, wetlands and wetland buffers. Two thirds of the 26% of the development which is said to be reserved for open space, he said, is therefore undevelopable. Furthermore, 40 acres of the open space designated suitable for public access on the east side of I-93 currently acts as buffers for the wetlands found there. Using those standards, the percentage is lowered from 26% to 3%. E. Innes referenced the land use density tables on pages 66 and 67, explaining that the combined total of conserved green space and shared open space in subareas WC-1- GL though WC-11 is 76.5 acres, which is the same amount designated for WC-12. Conserved green space, she added, has a combined total of over 50 acres in WC-1-GL through WC-11 and 36.5 in WC-12, although the minimum requirements of the former are slightly less than the latter.

252627

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14. **M. Speltz asked that the prime agricultural soils found within the PUD**, which he said are its foremost natural resource, **be preserved**. He acknowledged that agricultural is a potential use in that specific area, but **asked that the use there be restricted to agriculture**.

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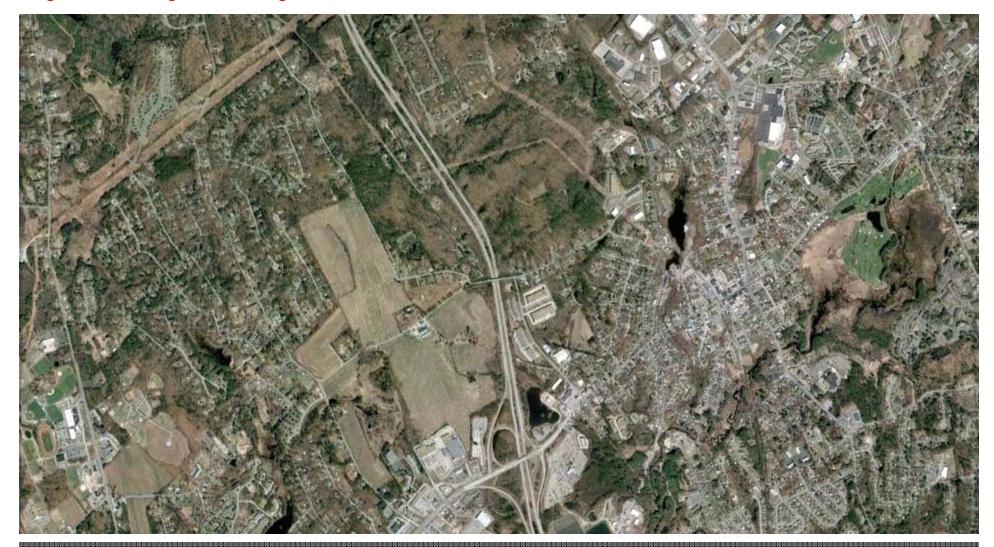
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15. Liz Skidmore, Manchester resident (7 Maple Street) and Business Manager for the Carpenters Union stated that 40 members of that union reside in Londonderry. She asked that the Board consider the quality of jobs to be created as a result of the Woodmont Commons **development.** Standards have been set in other communities, she explained, for new developments, including training requirements, registered apprenticeship programs, and "local hire" requirements. also warned the Board of the illegal practice of hiring individuals as contractors who do not qualify as such under State law in order to avoid providing benefits and the use of undocumented workers who often do not receive benefits and/or regular wages. A. Rugg stated that such standards are not a part of the PUD ordinance and questioned whether the Planning Board would have jurisdiction over such issues, but noted the issues are something to consider. M. Newman asked the Woodmont Commons Team approximately how many long-term jobs are expected to be created through the development. A. Pollack replied that although he did not have the exact numbers available this evening, job creation projections can be found in the Fiscal Impact Analysis.

16. Ann Chiampa, 28 Wedgewood Drive, agreed with A. Rugg's 1 2 comments about the importance of considering abutters in the 3 Hovey Road area in addition to those on Gilcreast Road regarding 4 preservation of apple trees. 5 6 17. A. Chiampa noted that the dimensions of lots on the perimeter 7 of WC-11 do not match those on Hovey Road that tend to be greater 8 than one acre. She asked that those proportions be adjusted so the 9 residents on Hovey Road face lots of equal size. 10 11 18. A. Chiampa asked that impacts to abutters of the entire 12 perimeter of the project be considered as well as impacts to the remainder of town residents. 13 14 15 19. A. Chiampa noted that peach trees can be found in the area of 16 WC-8, therefore any re-plantings there do not necessarily have to 17 involve apple trees. 18 19 There was no further public input. 20 21 M. Soares made a motion to extend the 65-day review period to August 22 28, 2013 as requested by the applicant. J. Laferriere seconded the 23 motion. No discussion. Vote on the motion, 8-0-0. 24 25 M. Soares made a motion to continue the Woodmont Commons PUD 26 Public Hearing to the August 28, 2013 Planning Board meeting. J. 27 Laferriere seconded the motion. No discussion. Vote on the motion, 28 8-0-0. 29 30 A. Rugg stated that the public hearing was continued to August 28, 2013 at 31 7PM. 32 33 Other Business 34 35 There was no other business. 36 37 Adjournment: 38 39 M. Soares made a motion to adjourn the meeting. J. Laferriere seconded 40 the motion. Vote on the motion: 8-0-0. 41 42 The meeting adjourned at 10:30 PM. 43 44 These minutes prepared by Associate Planner Jaye Trottier 45 46 Respectfully Submitted,

50 Lynn Wiles, Secretary



Woodmont Commons PUD Master Plan



Next Steps

At the last meeting we said:

 We would deliver full document to Planning Board

Done. Delivered 7 August.

 Receive Planning Board comments at tonight's meeting.



Woodmont Commons is good for Londonderry

Here's why.



Woodmont Commons is Creating Value

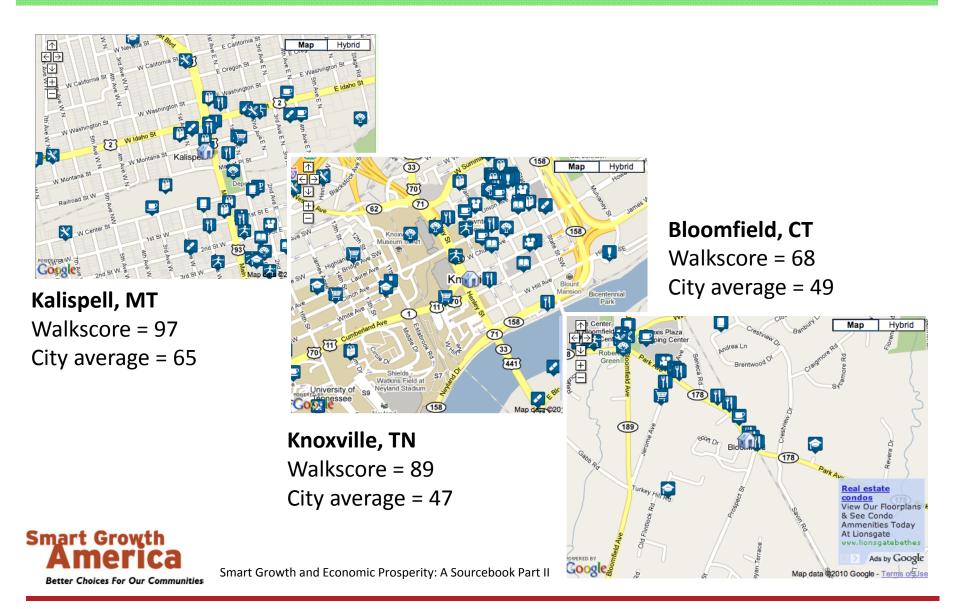


Woodmont Commons is Creating Value

People measure value in multiple ways.



Walkability can be measured.



Walkability has multiple facets.

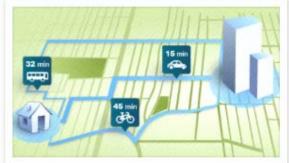
What is Walk Score?

What's Nearby



Find neighborhood restaurants, coffee shops, grocery stores, schools, parks, and more.

Transportation Choices



Get a commute report and see options for getting around by car, bus, bike, and foot.

Local Insight



See what locals are saying, ask questions, browse nearby photos and popular places.

Walkability leverages residential value.

Table 8: Contribution of Walk Score to Housing Values

	Walk Score Median	75% Percentile	Estimated Housing Gain from Moving to 75% Percentile
Arlington	71	82	19,028
Austin	62	74	24,871
Bakersfield	31	51	(2,242)*
Charlotte	54	71	33,763
Chicago	86	92	31,562
Dallas	46	51	4,278
Fresno	49	60	7,427
Jacksonville	35	51	12,951
Las Vegas	43	55	(7,157)
Phoenix	46	58	18,689
Sacramento	49	62	34,345
San Francisco	57	68	32,837
Seattle	68	82	19,789
Stockton	38	51	10,338
Tucson	51	66	10,841

Buyers will pay measurably more for homes with higherthan-average Walkscores, just as they would for an extra bathroom or granite counters.

"Walking the Walk", August 2009, p23

Note: Value for Bakersfield not statistically significant at the 90% level.



Smart Growth and Economic Prosperity: A Sourcebook Part II

Walkability also adds to commercial value.

Office and retail properties with a Walkscore of 80 were worth between 29% and 40% more than properties with a Walkscore of 20. These properties also had lower capitalization rates and higher incomes



Smart Growth and Economic Prosperity: A Sourcebook Part II

How Woodmont Commons fosters Walkability:



•buildings & entrances fronting the street



•sidewalks where people are, and where they want to go



•a "park once" strategy



•mix of uses at build out



connected streets

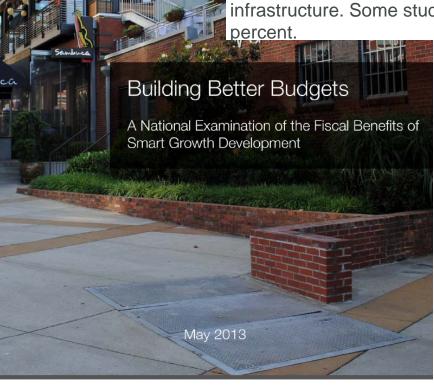


Infrastructure costs less.

Smart Growth America

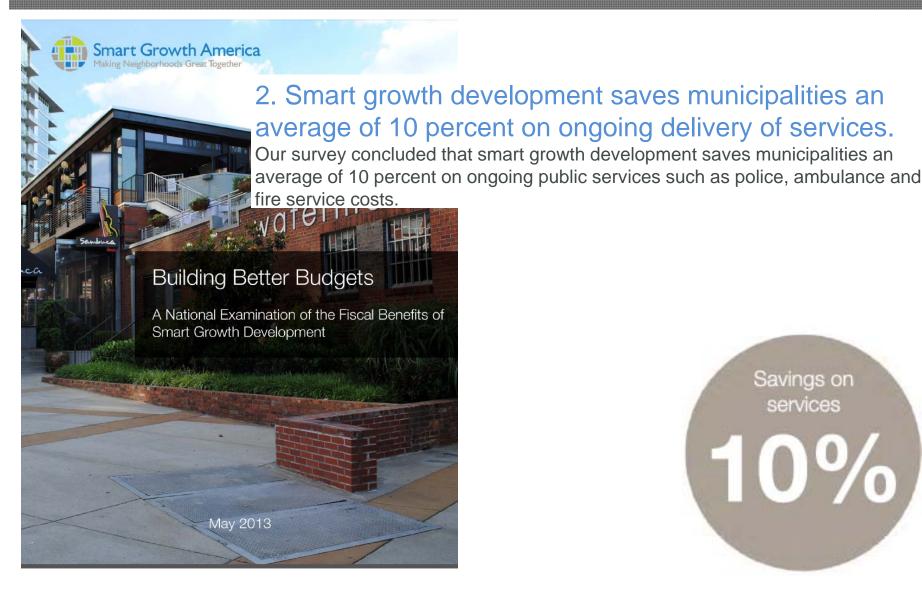


Our survey concluded that smart growth development would cost an average of 38 percent less than conventional suburban development for upfront infrastructure. Some studies have concluded that this number is as high as 50



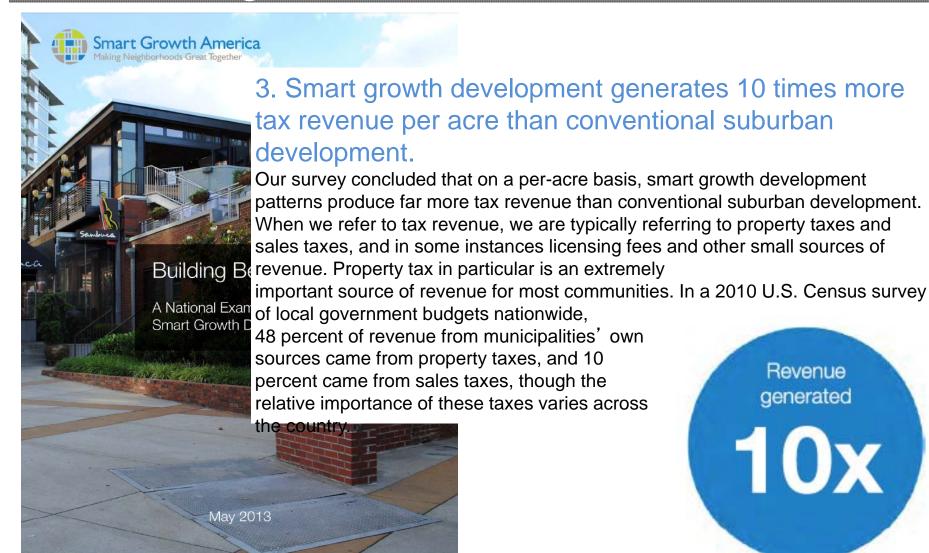


Services cost less.





Revenue is greater.

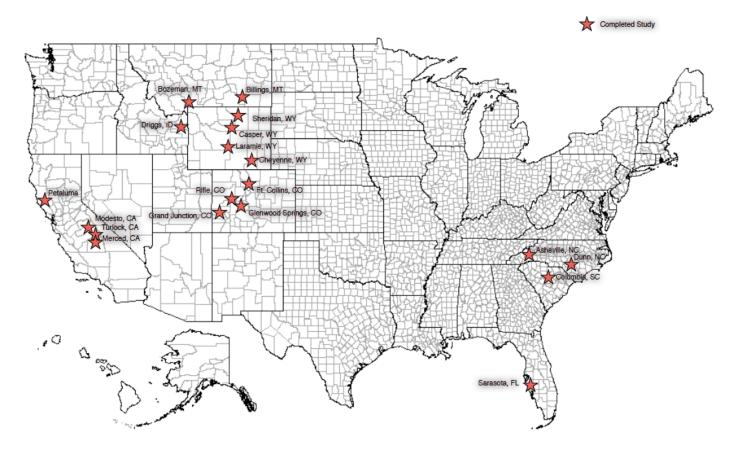


Revenue

generated

Has been analyzed in many places.

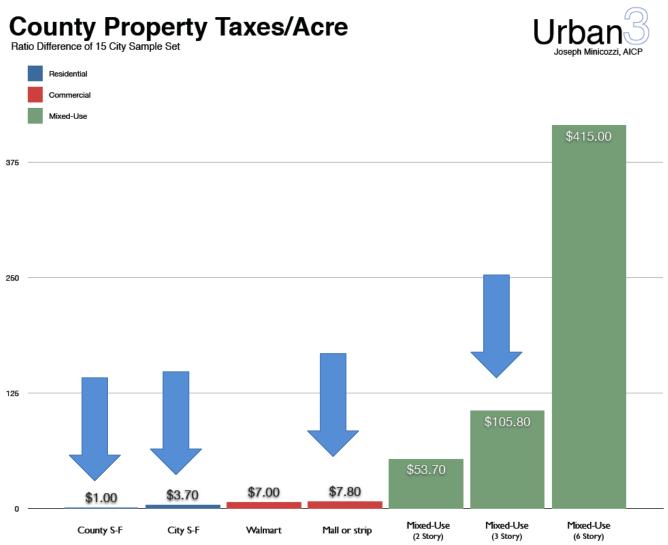




Source: The Value of Downtown by Joe Minicozzi

15 Case Studies

Revenue is greater for mixed-use environments.

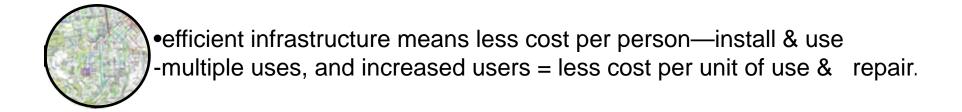


Source: The Value of Downtown by Joe Minicozzi

15 Case Studies

Woodmont Commons creates economic value:





Housing choice is also a measure of value.







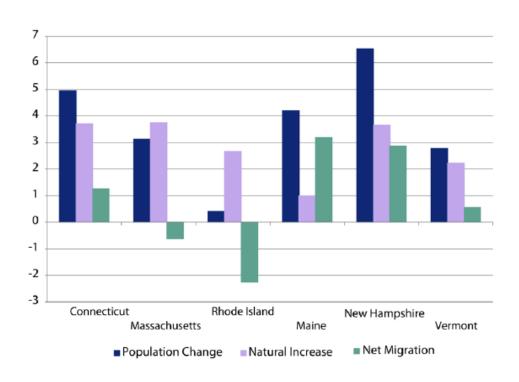






Because New Hampshire is growing.

FIGURE 1. NEW ENGLAND DEMOGRAPHIC CHANGE, 2000 TO 2010



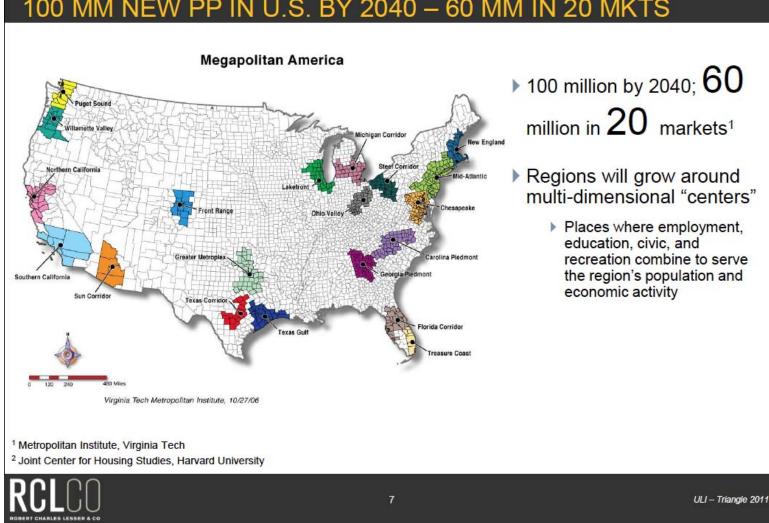
Source: U.S. Census 2000, 2010 and FSCPE Estimates

New Hampshire gained 80,700 residents (a 6.5 percent increase) between 2000 and 2010. The state's population on April 1, 2010, was 1,316,470. This 6.5 percent gain is greater than that of any other northeastern state...

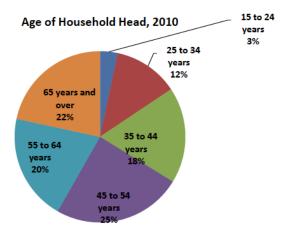
Source: New Hampshire Demographic Trends in the Twenty-First Century by The Carsey Institute, University of New Hampshire

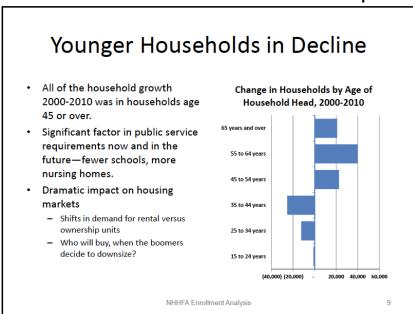
New Hampshire is part of a region.

FROM METROPOLITAN TO MEGAPOLITAN 100 MM NEW PP IN U.S. BY 2040 – 60 MM IN 20 MKTS



Lack of Options = your young are moving away.





In a Nutshell

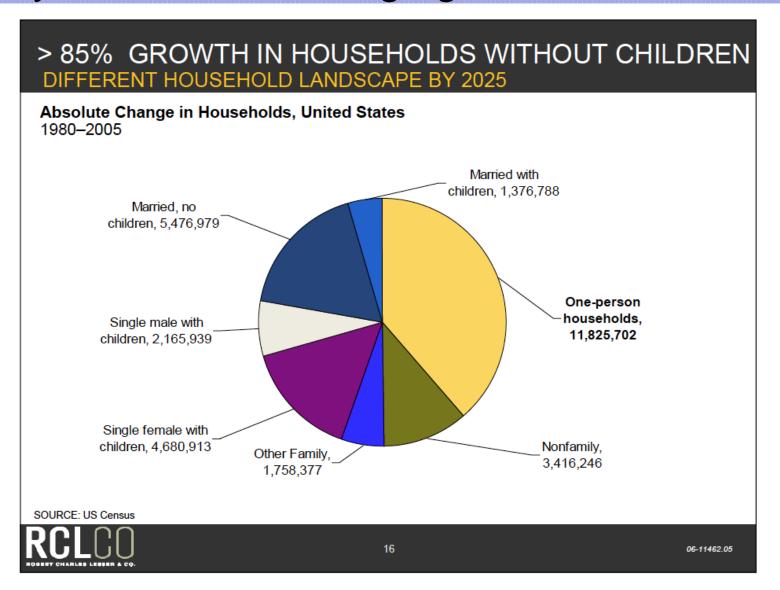
- Demographic trends point to slower NH growth and shifts in housing occupancy that are tilted away from stable/growing school enrollment.
 - Pertinent underlying factors include:
 - Slower Growth. New Hampshire's total population is growing at only half the prior rates and, therefore, NH is needing fewer new housing units than in past decades.
 - Sizable Vacancies. In 2010 almost 100,000 NH housing units were vacant, including over 30,000 year-round and 65,000 second homes.
 - Ageing Demographics. All of the state's household growth 2000-2010 was among
 households headed by someone over age 55. Nearly half of the state's household
 heads are over age 55, generating few school age children—all of the state's
 population growth in the last decade was over age 55. Population under age 20
 declined in the past decade.
 - Shifting Household Composition. Two-thirds of the state's occupied housing units in 2010 had no one under age 18 living in them. Only 20 percent consisted of married couple families with children under age 18. Non-family households are increasing five times faster than married couple families.
 - Smaller Households Dominate. Almost two-thirds of the state's housing units were
 occupied by only 1 or 2 people in 2010 and these smaller households dominated
 the state's growth between 2000 and 2010.

NHHFA Enrollment Analysis

NH Household Composition 2010: Less Than One-Third of the State's Housing Unit Include Someone Under Age 18

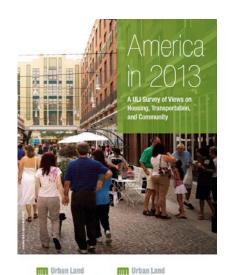
Source: Housing and School Enrollment In New Hampshire: A Decade of Dramatic Change by Applied Economic Research

Family structure is changing.



People desire choices.

Where Americans Want To Live: New ULI Report, America In 2013, Explores Housing, Transportation, Community Preferences Survey Suggests Strong Demand for Compact Development

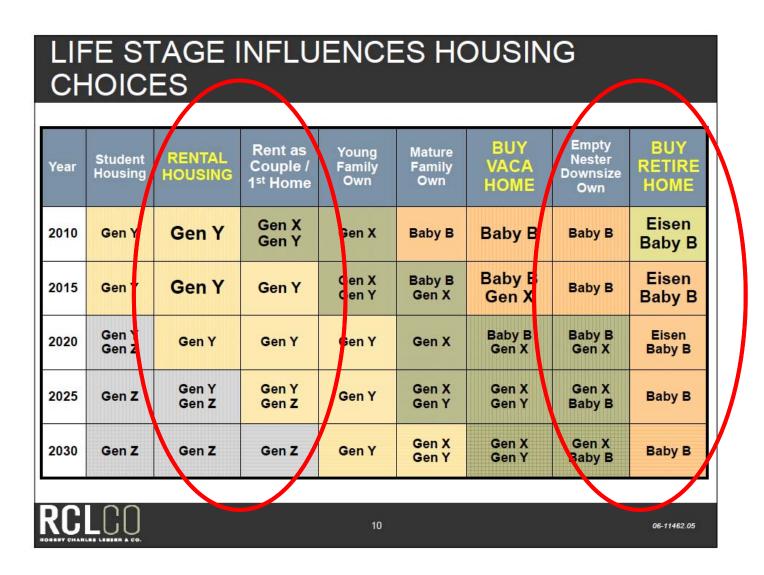




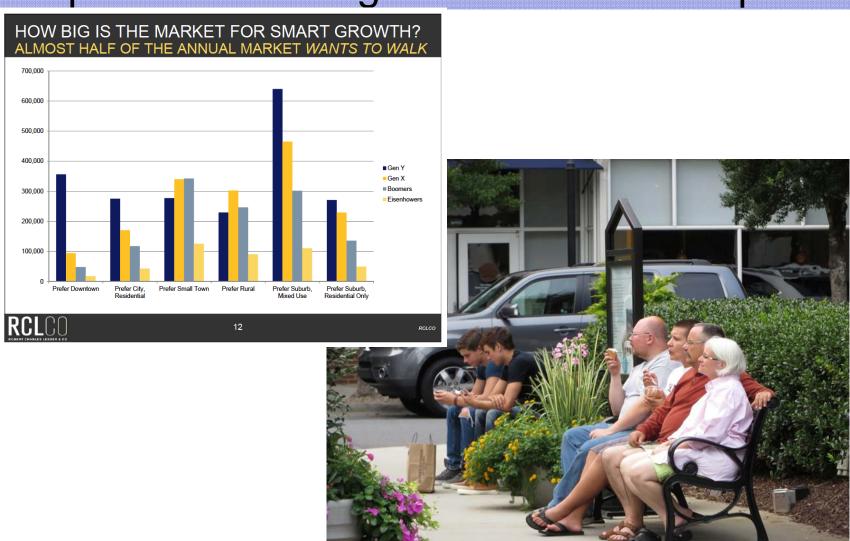
Percentage Indicating a Preference for These Community Attributes

Shorter commute but smaller home		61%
Close to shops, restaurants, and offices	53%	
Mix of incomes	52%	
Available public transportation	51%	_
Mix of homes 48	8%	

The people making these choices are.....



People are choosing to live in walkable places.



Woodmont Commons creates Housing Choice:



•multiple building types—from single family to condominiums



•housing that is stand alone, to mixed-use



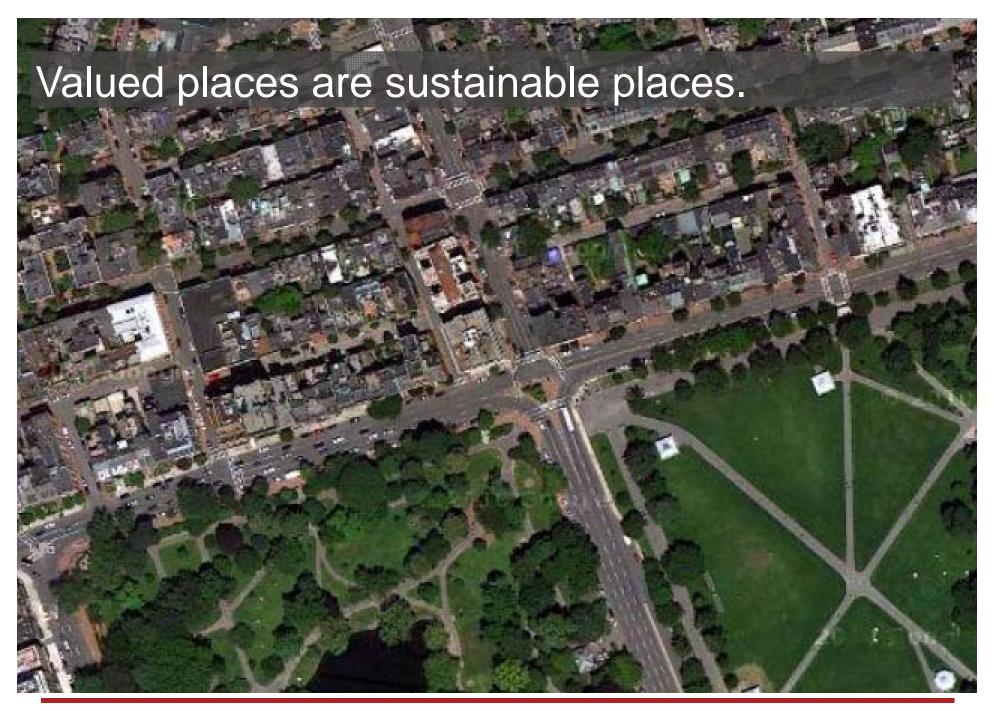
•for single family, lots that are big and small



•larger housing at perimeter, matching those that exist

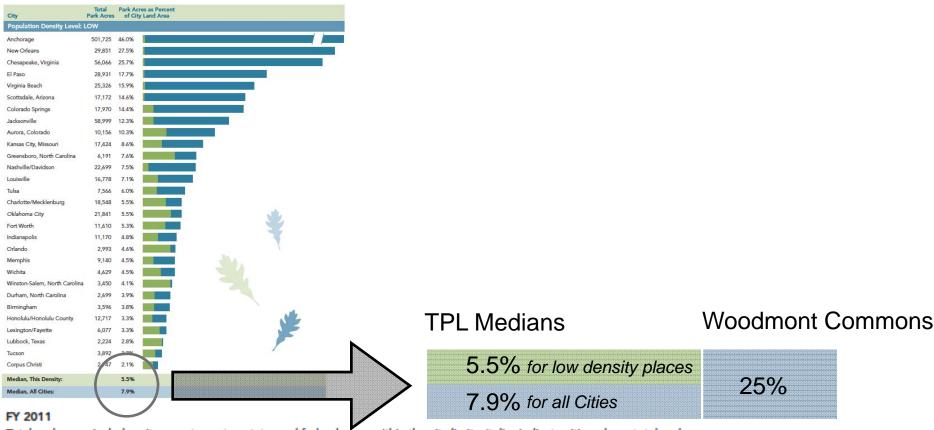


•allows for multi-generational housing types



Sustainable places are about balance.

3. ACRES OF PARKLAND AS PERCENTAGE OF CITY AREA



Total park acres includes city, county, metro, state, and federal acres within the city limits. Italics indicate cities whose total park acres includes both land and water.

Designed areas are parklands that have been created, constructed, planted, and managed primarily for human use. They include playgrounds, neighborhood parks, sports fields, plazas, boulevards, municipal golf courses, municipal cemeteries, and all areas served by roadways, parking lots, and service buildings.

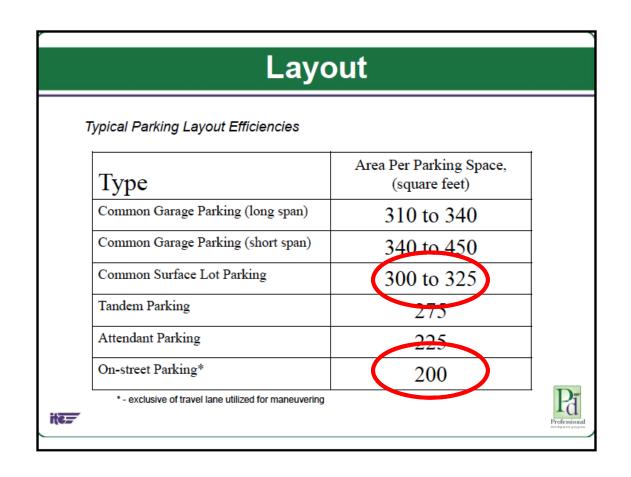
Natural areas are either pristine or reclaimed lands that are open to the public and left largely undisturbed and managed for their ecological value (i.e., wetlands, forests, deserts). While they may have trails and occasional benches, they are not developed for any recreation activities beyond walking, running, and cycling.

Sustainable places can also be measured.



Smart Growth describes how, when done well, development can help create more economic opportunities, build great places where people want to live and visit, preserve the qualities people love about their communities, and protect environmental resources.

Woodmont Commons will be built Sustainably.



Source: ITE - Institute of Transportation Engineers

Woodmont Commons will be Sustainable.



•provides for people at all stages of their life.



•promotes healthy living by fostering walking & outdoor activity.



•strikes a proper balance between a variety of open spaces and Smart Growth.



•Woodmont Commons will contribute to Londonderry's economical sustainability.



Questions and Answers

Planning Board Meeting Minutes - August 14, 2013 - Attachment #2

Art Rugg

From:

Jack@Falvey.org

Sent:

Saturday, August 10, 2013 5:44 PM

To:

Art Ruga

Subject:

Fw: Letter for Art Rugg; Please Forward to Him

planning felle

Attachments:

Press Clippings-Hug The Trees.docx

From: Mary Tetreau

Sent: Saturday, August 10, 2013 8:32 AM

To: Jack@Falvey.org

Subject: Letter for Art Rugg; Please Forward to Him

Jack – please forward this letter to Art Rugg and CC me on it. Thanks. I don't have Art's email handy because we have a new computer.

Art - Please read this letter at the Aug 14 planning board meeting. Thanks, Mary

Dear Art,

I regret that I can't attend this week's Planning Board meeting because I will be at my family reunion in Maine.

I would like to convey my disappointment that no one from Woodmont reached out to me in connection with the SWAT (Save Woodmont Apple Trees) rally on Sunday Aug 4. Our goal was to draw attention to the plight of the apple trees and rally to request that 600 trees be saved for a public park (open space) along Gilcreast Rd.

This event received enormous publicity in the Union Leader, Eagle Tribune, Derry News, and Londonderry Times, often on the front page. Mike Kettenbach neither called me nor attended the event. Attorney Ari Pollack did not return my call, nor did he return repeated calls from reporters.

Rather Woodmont posted "No Trespassing" signs in response to the rally. As I said at the rally, "We respect Woodmont's No Trespassing signs and will not set foot on Woodmont land." Rather we used Mack's Apples U-Pick 4 with permission to park and rally on the north side of Pillsbury Rd., across from Woodmont, and marched down the non-Woodmont side of Gilcreast to our 2nd rally point, at a house near Cortland Rd.

One of my goals was to get Mike Kettenbach's attention. Because he will never live in Londonderry, or at Woodmont, being a resident of Boston, and living in a very expensive residence in a fine neighborhood there. "Can you hear me now, Mike?" as in the phone call ads.

I would like to have a meeting with a representative or two of Woodmont and the leadership of SWAT. I would prefer that one of Woodmont's people not be a lawyer. Mike K would be fine as this person. Perhaps over a cup of coffee or lunch or breakfast. I would like to find some common ground. As I have said repeatedly to reporters (but has not been printed), I want Woodmont to succeed. I have often thought it might be a nice place for my husband Phil and me to retire to. I am interested in a dialogue. I have listed my cell below for Mike K and Ari and Nancy Michels and will be available all week at that number.

People attended the rally from New Jersey, Manchester, Derry, and Londonderry. Many people in cars gave us a thumb's-up sign, flashed their lights in encouragement as we marched along Gilcreast. People care deeply about these orchards. I read the Robert Frost poem, "Into My Own" at the rally.

1. Into My Own

ONE of my wishes is that those dark trees, So old and firm they scarcely show the breeze, Were not, as 'twere, the merest mask of gloom, But stretched away unto the edge of doom.

I should not be withheld but that some day Into their vastness I should steal away, Fearless of ever finding open land, Or highway where the slow wheel pours the sand.

I do not see why I should e'er turn back, Or those should not set forth upon my track To overtake me, who should miss me here And long to know if still I held them dear.

They would not find me changed from him they knew—Only more sure of all I thought was true.

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Copyright of Robert Frost

He was a Derry resident and often wrote poems about or mentioning trees, including "Mending Wall," an excerpt of which follows:

From "Mending Wall," copyright Robert Frost

Oh, just another kind of out-door game, One on a side. It comes to little more: There where it is we do not need the wall: He is all pine and I am apple orchard. My apple trees will never get across And eat the cones under his pines, I tell him. He only says, 'Good fences make good neighbors'. Spring is the mischief in me, and I wonder If I could put a notion in his head: 'Why do they make good neighbors? Isn't it Where there are cows? But here there are no cows. Before I built a wall I'd ask to know What I was walling in or walling out, And to whom I was like to give offence. Something there is that doesn't love a wall, That wants it down.'

Attached are some of the articles about Woodmont, which I would like to be entered into the record of these hearings (by reading the titles of the articles only). After my vacation I will send you some more articles.

I want to conclude by thanking you as Chair and Mary Wing Soares as Vice Chair of the Planning Board for your hard work on Woodmont, as well as the rest of the Planning Board. I believe Woodmont is the biggest thing to affect Londonderry in 50 years; the last big thing was the building of Rte. 93. Thanks to everyone for listening to my letter and Robert Frost's beautiful poems, and I hope you have a lively discussion about open space.

Sincerely, Mary

Mary Tetreau

Not for reading below, but please give or email a copy of letter to Mike Kettenback, Ari Pollack, and Nancy Michels – after you have read it.

15 Isabella Rd.

Londonderry, NH 03053

603-490-9027 (cell) - I will be available on this phone all week. Best number to use.

603-437-5320 (home)