

1 **LONDONDERRY, NH PLANNING BOARD**  
2 **MINUTES OF THE MEETING OF January 19, 2012 AT THE MOOSE HILL**  
3 **COUNCIL CHAMBERS**  
4

5 ***Special Planning Board Meeting for Sub-Committee 3rd Party Review***  
6 ***Consultant Recommendation to Planning Board***  
7

8 Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem; Chris Davies;  
9 Rick Brideau, CNHA, Ex-Officio; Dana Coons; Leitha Reilly, alternate member; Maria  
10 Newman, alternate member  
11

12 Also Present: André Garron, AICP; Cynthia May, ASLA; Libby Canuel, Community  
13 Development Secretary  
14

15 A. Rugg called the meeting to order at 7 PM.  
16

17 **Administrative Board Work**  
18

19 A. Woodmont Commons PUD Review Services – Sub-Committee recommendation  
20 to the Planning Board for the 3rd Party Review Consultant Selection and Price  
21 Proposal Opening  
22

23 A. Rugg explained that staff received information from the Town’s legal counsel  
24 earlier in the evening noting a potential conflict regarding one of the candidates for  
25 third party review. He said the Board would be entering into a Non-Public Session  
26 per RSA 91-A:3(II)(c) to consult with the Town Attorney.  
27

28 **D. Coons made a motion to go into Non-Public Session at 7:03 PM per RSA**  
29 **91-A:3(C) for the purpose of meeting with legal Counsel. M. Soares**  
30 **seconded.**  
31

32 **Roll call vote: Aye, Arthur Rugg; Aye, Mary Soares; Aye, Lynn Wiles; Aye,**  
33 **Laura El-Azem; Aye, Rick Brideau; Aye, Chris Davies; and Aye, Dana Coons.**  
34

35 **D. Coons made a motion to go out of Non-Public Session at 7:51 PM. M.**  
36 **Soares seconded. The motion was approved, 7-0-0.**  
37

38 **D. Coons made a motion to seal the minutes of the Non-Public Session**  
39 **indefinitely. M. Soares seconded the motion. No discussion. Vote on the**  
40 **motion 7-0-0.**  
41

42 A. Rugg explained that the Town Attorney was notified at approximately 4:30 PM  
43 today that a potential conflict exists with one of the four candidates for third party  
44 review. He expressed his disappointment that this was not disclosed earlier since  
45 all relevant information has been available for two weeks. Further information will  
46 need to be obtained, he stated, and subsequent consultation will need to take  
47 place with the candidates and the applicant before the Board can make a fair and  
48 honest decision. He entertained a motion to table this agenda item until a future  
49 point when, at the call of the Chair, the matter will be revisited.

1  
2 **D. Coons made a motion to table the agenda item. M. Soares seconded the**  
3 **motion. No discussion. Vote on the motion 7-0-0.**

4  
5 The agenda item regarding Woodmont Commons PUD Review Services was tabled  
6 to a later date. A. Rugg noted that per State statute, notice of the meeting will be  
7 posted with a minimum of 24 hours notice.

8  
9 **Other Business**

10  
11 A. The Planning Board will discuss Senate Bill 291 regarding requirements for  
12 impact fees collected by municipalities for the construction of or improvements to  
13 state highways.

14  
15 After the January 11 meeting when this topic was introduced, A. Garron had  
16 emailed details to the Board members. He stated that the language proposed to  
17 be added to RSA 674:21(V)(j) would allow municipalities to include State highways  
18 in its impact fee collection program. Londonderry includes three such highways  
19 that intersect with multiple town roads: Routes 102, 128 and 28. As Londonderry  
20 residents make regular use of these highways and the town's ongoing growth has  
21 necessitated improvements, A. Garron suggested it would be logical for the Board  
22 to support it. He offered a draft letter for the Board to review in the event they are  
23 in favor of the language proposed in the bill. A. Rugg noted that the bill will clarify  
24 the Town's collection of impact fees with regard to State highways. He added the  
25 Southern New Hampshire Planning Commission is in support of the legislation.

26  
27 **M. Soares made a motion to authorize the Chair to sign the letter prepared**  
28 **by staff on behalf of the Londonderry Planning Board in support of the**  
29 **proposed legislation. L. Wiles seconded the motion. No discussion. Vote on**  
30 **the motion, 7-0-0.**

31  
32 The Chair will sign the letter on behalf of the Planning Board.

33  
34 **Adjournment:**

35  
36 **D. Coons made a motion to adjourn the meeting. M. Soares seconded the**  
37 **motion. Vote on the motion: 7-0-0. Meeting adjourned at 8:00 PM.**

38  
39 These minutes prepared by Jaye Trottier and Libby Canuel, Community Development  
40 Department Secretaries.

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42  
43  
44 Respectfully Submitted,

45  
46  
47  
48 Lynn Wiles, Secretary