

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF January 30, 2012 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

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

8 Members Present: Art Rugg; Mary Soares; Lynn Wiles; Chris Davies; Tom Freda,
9 Ex-Officio; Rick Brideau, CNHA, Ex-Officio; John Laferriere, Ex-Officio; Leitha
10 Reilly, alternate member; and Maria Newman, alternate member
11

12 Also Present: André Garron, AICP; Cynthia May, ASLA; John Trottier, P.E.; Libby
13 Canuel, Community Development Secretary
14

15 A. Rugg called the meeting to order at 7 PM. He appointed L. Reilly to vote for D.
16 Coons.
17

18 **Administrative Board Work**
19

20 A. Non-Public Session per RSA 91-A:2(b) Consultation with Legal Counsel
21

22 A. Rugg stated that the Planning Board would be entering in a non-meeting in
23 order to consult with Town legal counsel. He explained that approximately two
24 hours prior to the January 19, 2012 meeting when the Board was to vote on a
25 recommendation of the RFP Sub-Committee regarding the third party Review
26 Consultant for the Woodmont Commons project, the applicant's attorney
27 informed the Town attorney of a potential conflict of interest. The Board then
28 tabled the matter to investigate the issue. A. Rugg stated that with the
29 Board's due diligence now complete, a non-public session would take place at
30 this time to confer with Town Counsel.
31

32 The Board left the Town Council Chambers to attend the non-public meeting at
33 7:03 and returned at 7:30 PM.
34

35 B. Woodmont Commons PUD Review Services – Sub-Committee recommendation
36 to the Planning Board for the 3rd Party Review Consultant Selection and Price
37 Proposal Opening [**Tabled from the January 19, 2012 Special Planning**
38 **Board Meeting to a future date.**]
39

40 **A. Rugg entertained a motion to remove this agenda item from the**
41 **table. M. Soares so moved. L. Wiles seconded the motion. No**
42 **discussion. Vote on the motion: 9-0-0.**
43

44 A. Rugg stated that after discussions with the Town attorney, it has been found
45 that there is no legal conflict related to the firm of Howard/Stein-Hudson
46 Associates, who will be removing the law firm Robinson & Cole from their
47 proposal.
48

1 L. Reilly, Chair of the RFP Sub-Committee, explained that Howard/Stein-
2 Hudson had been chosen out of four strong candidates on January 17, 2012
3 based on their thorough review of the application, their anticipation of potential
4 questions, their experience with similar projects, and their well-rounded team.
5 She said the Sub-Committee therefore recommends that the Planning Board
6 hire Howard/Stein-Hudson Associates to act as the third party review
7 consultant for the Woodmont Commons project.
8

9 A. Rugg asked for Board input. There was none.
10

11 **M Soares made a motion that the Planning Board hire Howard/Stein-**
12 **Hudson (HSH) as the third party consultant. L. Wiles seconded the**
13 **motion.** A. Rugg noted that doing so was based on the removal of Robinson &
14 Cole from the list of partners working with HSH. No further discussion. **Vote**
15 **on the motion, 9-0-0.**
16

17 A. Rugg stated that no public comment would be accepted. Ari Pollack,
18 attorney for the applicant, asked for a clarification. A. Rugg directed him to
19 speak with Town Counsel.
20

21 A. Garron opened the cost bid submitted by HSH. He announced that the total
22 cost for the scope of work as outlined in the Request for Proposal is \$139,830,
23 with an additional \$42,710 allowance for "recommended optional services." A
24 contract will need to be created and an escrow account established in order to
25 proceed with the application review. The cost-related impact related to the
26 removal of Robinson & Cole will need to be examined by staff. B. Mayer
27 advised that in order to expedite the process, the full amount as stated at this
28 meeting should be put into the escrow account, after which any reduction
29 based on the removal of Robinson & Cole can be returned immediately to the
30 applicant. A. Rugg noted that the bid documents are open to the public and
31 will be posted on the Town website.
32

33 New Plans 34

35 A. Pillsbury Realty Development, LLC, Map 10, Lots 15, 23, 29C-2A, 29C-2B, 41,
36 41-1, 41-2, 42, 45, 46, 47, 48, 50, 52, 54-1, 58, 59, and 62 – Application
37 Acceptance and Public hearing for formal review of the Woodmont Commons
38 Planned Unit Development (PUD) Master Plan **[Tabled from the December**
39 **14, 2011 Planning Board Meeting.]**
40

41 **A. Rugg entertained a motion to remove the Public Hearing from the**
42 **table. M. Soares so moved. L. Wiles seconded.** No discussion. **Vote on**
43 **the motion, 9-0-0.**
44

45 The Board had originally anticipated providing a 10-day window for the
46 consultant once hired to review the appropriate materials and make a
47 determination of application completeness. To be consistent, the consensus of
48 the Board was to hold a special public hearing on February 16, 2012 in the
49 Moose Hill Council Chambers, contingent upon the establishment of the
50 aforementioned escrow account by February 2.

1
2 A. Rugg asked for public comment. There was none.
3

4 **M. Soares made a motion to continue the Public Hearing to February**
5 **16, 2012, contingent upon escrow being received by February 2, 2012**
6 **and Howard/Stein-Hudson having ten business days to review the**
7 **application materials. L. Wiles seconded. No discussion. Vote on the**
8 **motion, 9-0-0.**
9

10 A. Rugg stated that the Public Hearing to determine application acceptance
11 based on the completeness of the Woodmont Commons application will be held
12 on January 16, 2012 at 7:00 PM in the Moose Hill Council Chambers.
13

14 **Other Business**

15
16 M. Soares offered a reminder that the Deliberative Session of the Londonderry
17 Budgetary Town Meeting will be held February 6, 2012 and the Deliberative
18 Session of the Londonderry School District Meeting will take place on February
19 10, 2012. Both will take place at the Londonderry High School Cafeteria.
20

21 **Adjournment:**

22
23 **M. Soares made a motion to adjourn the meeting. L. Wiles seconded**
24 **the motion. Vote on the motion: 9-0-0. Meeting adjourned at 7:44 PM.**
25

26 These minutes prepared by Jaye Trottier and Libby Canuel, Community
27 Development Department Secretaries.
28

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30
31 Respectfully Submitted,
32

33
34
35 Lynn Wiles, Secretary