

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF NOVEMBER 12, 2008 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 7:00 PM: Members Present: Art Rugg; John Farrell; Kathy Wagner, Ex-Officio;
6 Charles Tilgner, P.E., Ex-Officio; Rob Nichols; Lynn Wiles; Mary Soares; Laura El-
7 Azem; Chris Davies, alternate member; Melissa Nemon, alternate member; Greg
8 Warner, alternate member
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.;
11 Cathy Dirsra, Planning Department Secretary
12

13 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed M. Nemon to vote
14 for R. Brideau and C. Davies to vote for M. Soares until she arrives.
15

16 **Administrative Board Work**
17

18 A. Plans to sign - Alamo Fireworks Site Plan
19

20 The voluntary merger is in the read file and must be signed.
21

22 [M. Soares arrived at 7:05pm. C. Davies will now vote for R. Nichols until he
23 arrives.]
24

25 **G. Warner made a motion to authorize the Chair to sign the voluntary**
26 **merger. C. Davies seconded the motion.** No discussion. **Vote on the**
27 **motion: 9-0-0.** A. Rugg said the voluntary merger will be signed at the
28 conclusion of the meeting.
29

30 J. Trottier said all precedent conditions for approval have been met and the
31 staff recommends signing the plans.
32

33 **J. Farrell made a motion to authorize the Chair and Secretary to sign**
34 **the plans. G. Warner seconded the motion.** No discussion. **Vote on the**
35 **motion: 9-0-0.** A. Rugg said the plans will be signed at the conclusion of
36 the meeting.
37

38 [R. Nichols arrived at 7:06pm. C. Davies returned to alternate member
39 status.]
40

41 B. Extension Request - Dan's Floor Store Site Plan
42

43 T. Thompson referenced the letter from Charles Evans requesting a one year
44 extension, as they have not been able to secure a tenant that would warrant
45 them to move forward with the project. T. Thompson said there have been
46 no changes in ordinances or regulations that would impact the approved
47 plans.

1
2 **J. Farrell made a motion to grant a one year extension. C. Tilgner**
3 **seconded the motion.** No discussion. **Vote on the motion: 9-0-0.**
4 Extension granted.

5
6 C. Regional Impact Determinations

7
8 T. Thompson stated that New Harbor Properties, Inc. is proposing a 2 lot
9 subdivision and a Condominium Conversion of Existing Office Space on Map
10 10, Lot 1-1. He said that staff recommends this project is not a development
11 of regional impact, as it does not meet any of the regional impact guidelines
12 suggested by Southern NH Planning Commission (SNHPC).

13
14 **J. Farrell made a motion to accept staff recommendations that these**
15 **projects are determined not to be of regional impact under RSA**
16 **36:56. M. Soares seconded the motion.** No discussion. **Vote on the**
17 **motion: 9-0-0.** Regional impact determinations accepted.

18
19 D. Signing of Minutes – October 1 & 8

20
21 Minutes for October 1 and 8 have been signed.

22
23 E. Discussions with Town Staff

24
25 J. Trottier said staff met with Severino Trucking because they have purchased
26 a lot at the intersection of Kitty Hawk Landing and Grenier Field Rd. He said
27 they are the contractor doing the construction for the on/off ramps at Exit 5
28 and under RSA 155E they will be removing material from that lot.

29 T. Thompson said the Town attorney concurred with staff's interpretation that
30 this project is not required to file for an excavation permit under the
31 exemptions allowed for in our ordinance.

32
33 A. Garron reiterated that the new site finder is now on the town website. He
34 said that in regards to updating the Economic Development website, the
35 committee has reviewed the potential candidates, narrowed it down to three
36 and they will make their selection shortly. He also mentioned that the
37 Economic Development Task Force met Monday night and their guest speaker
38 was Gary O'Neil. G. O'Neil runs a marketing firm and he gave some insight as
39 to the direction the task force should take in order to establish a marketing
40 promotional strategy.

41
42 A. Garron reminded everyone that the master planning workshop will be held
43 November 24 at 7pm at the high school cafeteria.

44
45 T. Thompson displayed for the Board the updated website site finder and
46 outlined the features for them. A. Garron said that CDM (Camp Dresser &
47 McKee) is the consultant that helped us develop our map tools feature on the
48 Planning & Economic Development website. He said that CDM also helped us
49 develop the site finder tool and that John Vogl, our GIS manager, worked
50 hard with CDM to ensure that all the information was accurate. J. Vogl

1 provided all the macmay information for this project. A. Garron said that J.
2 Vogl will continually keep the site finder tool updated.

3
4 A. Rugg asked A. Garron if he knew whether or not we would get more
5 money from CTAP for the coming year. A. Garron said there has been funding
6 that was divided throughout the year. He said that \$15,000 was allocated to
7 each of the member communities within the CTAP area and Londonderry used
8 our \$15,000 for the small area master plan. He said they also made available
9 another \$10,000 that can be used for a project consistent with CTAP
10 (Community Technical Assistance Program) such as the I-93 widening. A.
11 Garron said there is an additional \$10,000 that we can use in collaboration
12 with other communities. The other assistance the CTAP is making available to
13 communities to deal with the impacts of the I-93 are; inclusionary zoning,
14 GIS assistance, open space development and many other programs. He said
15 that the money is just one aspect of the assistance.

16
17 J. Farrell said the Economic Development meeting that he attended this week
18 was in his opinion a very productive meeting. He hopes that we are
19 aggressive in our goals and said that this could take years in the long run. He
20 said they also presented the CIP to the Town Council.

21
22 A. Rugg said that November 17 is the grand opening of the bus terminal at
23 exit 5.

24
25 At 7:25pm A. Rugg turned over the Chair to J. Farrell because he had to
26 leave briefly for a Heritage Commission meeting. He also appointed C. Davies
27 to vote for him in his absence.

28
29 **Cont'd Plans/Workshops/Public Hearings/Conceptual Discussions**

30
31
32 A. Flexible Industrial District - Zoning Ordinance Workshop

33
34 T. Thompson gave the Board an overview of the ordinance and a brief
35 presentation (See attachment #1).

36
37 A. Garron said that if this is approved and any changes to the green area
38 were proposed the Planning Board would have to vote on approval of those
39 changes. J. Farrell asked if it's necessary to specifically address green space
40 in the ordinance, but T. Thompson & A. Garron said it's already mentioned in
41 the ordinance.

42
43 T. Thompson said the choices would be either to have an additional workshop
44 in December or a public hearing in December.

45
46 J. Farrell asked for public input but there was none. Consensus of the Board
47 was to move to a public hearing in December.

48
49 B. Historic Overlay District Workshop

50
51 K. Wagner recused herself from the Historic Overlay District Workshop.

1 T. Thompson gave his presentation (See attachment #2).

2
3 J. Farrell asked for public input.

4
5 A. Rugg returned at 7:48pm. J. Farrell remained the Chairman. [C. Davies
6 resumed role as an alternate]

7
8 Ken Lynch, 194 Mammoth Rd, would like to see the Board table this issue and
9 wait to see what the Heritage Committee decides on the possible legislation.

10 A. Rugg said that at this time the Heritage Commission is meeting in the next
11 room on the issue of possible legislation.

12
13 Steve Young, 7 Fiddlers Ridge, identified himself as formerly being on the
14 2004 Master Plan steering committee. At that time he was approached by
15 residents asking if the town could address the preservation of historic
16 properties in town. He said that in some cases in the past it was financially
17 better for the property owners to tear down historic homes and rebuild. S.
18 Young was also a member of the Historical Properties Preservation Task Force
19 and he gave his own property, Parmenter Farm, as an example of a historic
20 property that would financially benefit by tearing it down vs. restoring it.

21
22 Janet Griffin, 211 Mammoth Rd, said she doesn't agree with the idea of a
23 resident saying that they would have to tear down a historic home vs
24 changing it to commercial to maintain the historic value.

25
26 Dennis Griffin, 211 Mammoth Rd, said he is worried about the wording in the
27 ordinance that states that properties adjacent to commercial can become
28 commercial.

29
30 J. Griffin said if everyone on Mammoth Road could change their property to
31 commercial she would feel better about it because then everyone could add
32 that selling point to their property. The Board's consensus was that their
33 intent is not to see all properties on Mammoth Rd turn into commercial
34 property.

35
36 A. Garron said that the owners of historic properties came to the workshops
37 and voiced their concerns and their wishes for determining the historic
38 overlay district. He said that much of what we are discussing was compiled to
39 include input from the owners of the historic properties.

40
41 Barbara & John Joyce, 196 Mammoth Road, have been there for 45 years and
42 Barbara said she does not want to see commercial property across from her
43 home. She said the traffic is terrible and traffic consistently turns in her
44 driveway, including police cars. John Joyce asked how they can keep historic
45 properties as they were when they are no longer what they used to be. He
46 feels they should keep the historic homes as they are and make no changes.

47
48 Ken Lynch said he likes the idea of having all 16 of the home owners and the
49 abutters come to a workshop to discuss the issues.

50

1 Consensus of the Board was to hold another workshop with the historic
2 property owners and the abutters. T. Thompson said he would try to
3 schedule it with the January Heritage Commission meeting.
4

5 Dennis Griffin asked if the front lot on Chase Rd has been sold. T. Thompson
6 said he does not have that information. He said the historic home doesn't
7 have frontage on Chase Rd and they have asked to be removed from the list.
8

9 J. Farrell said he hopes that the media and the town website will encourage a
10 large attendance at the workshop. He said we will try to schedule a workshop
11 for January 2009.
12

13 C. Conceptual Discussion - Claudette Adams
14

15 J. Farrell said that because the Adams are not present they will move on to
16 the next item on the agenda.
17

18 D. Street Renumbering/Renaming Workshop - West Broadway Addresses in
19 Londonderry
20

21 Karen Marchant, Assessor and James Bilodeau, Fire Department, presented
22 their reasons for renumbering/renaming addresses for West Broadway in
23 Londonderry (see attachment #3).
24

25 J. Bilodeau said they are having problems responding to 911 calls due to
26 incorrect addresses and street numbering. He would like to see this
27 addressed by a public hearing or actually visiting the residents. K. Marchant
28 said they want to change West Broadway to Nashua Road, which it has
29 always been listed as in the Londonderry assessing department.
30

31 Consensus of the Board was to have Fire and Assessing attempt to gain
32 voluntary compliance, and bring the issue back to the Planning Board for a
33 public hearing if unsuccessful.
34

35 **Other Business**
36

37 None.
38

39 **Adjournment:**
40

41 **K. Wagner made a motion to adjourn the meeting. A. Rugg seconded the**
42 **motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at
43 9:11pm.
44

45 These minutes prepared by Cathy Dirsra, Planning Division Secretary.
46

47 Respectfully Submitted,
48

49
50 Mary Wing Soares, Secretary



FI District

Zoning Ordinance Amendments

Workshop Discussion

November 12, 2008



Key Aspects of Ordinance Development

- *Easy to use*
 - *Clearly demonstrates the objectives of the Master Plan*
 - *Planning Board discretion/flexibility through conditional use permits*
 - *Fosters quality in economic development and environmental stewardship*
 - *Allows uses consistent with the vision from the Master Plan*
-

Summary of Proposed Ordinance

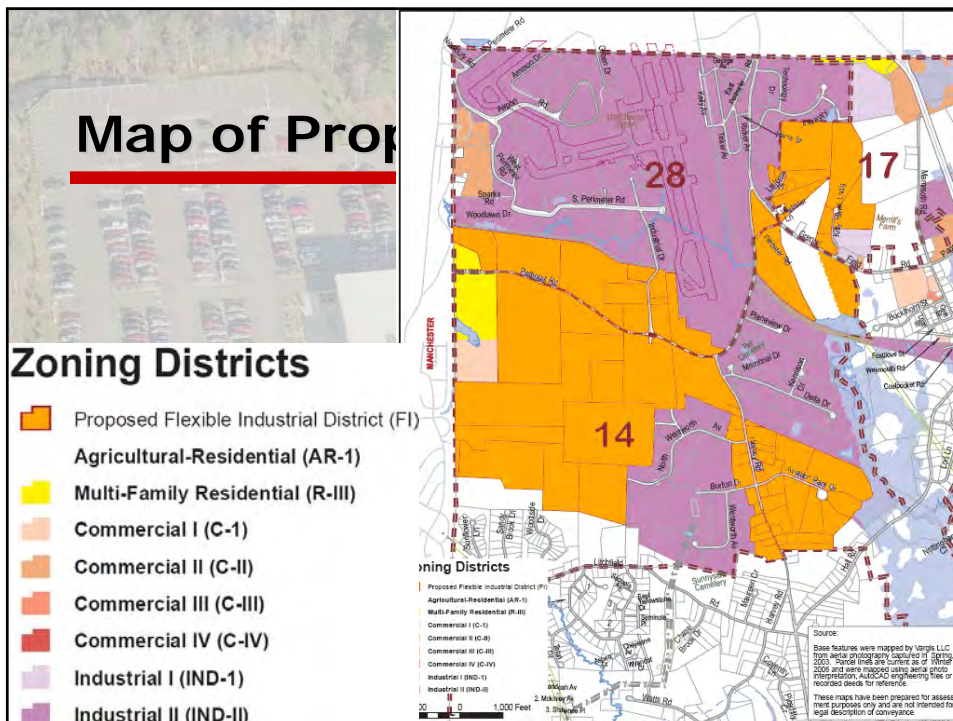
- Amend the Permitted Use Table to add uses associated with the new Flexible Industrial District and add new Section 2.2.2, FI District Services Use Table.
 - Amend Section 2.5, Industrial District to add new Section 2.5.1.2.3 – Flexible Industrial District.
 - Amend Section 2.5, Industrial District to add new Section 2.5.3 – Flexible Industrial District (including the objectives & characteristics and standards of development within the new district).
 - Amend the Zoning Map to rezone lots in the Airport/Pettingill Road Area to the new FI District.
-

Summary of Proposed Changes Discussed in July

- Cleaned up language in Objectives & Characteristics section.
 - Changed all references of “open space” to “green space.”
 - Reduced minimum green space requirement from 33% to 25%.
 - Clean up of language for easements (when provided, not a requirement) for open space.
 - Clarified Conditional Use Permit Language for what CUP’s can be used for.
-

Summary of Proposed Changes Discussed in July (cont'd)

- Added additional CUP Criteria relative to LEED building and site standards and Transportation Demand Management methods.
- Increased building size thresholds for when a CUP is required.



Section

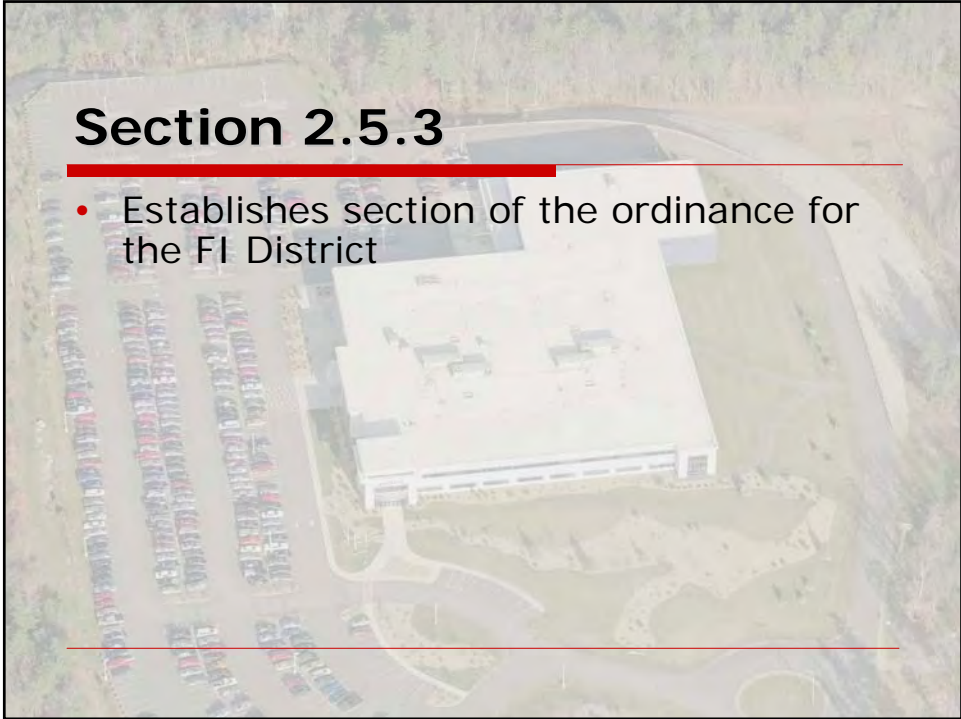
- Add ne

FI District Services Use Table	FI
Accessory Uses up to 3,000 sq. ft. - Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	P
Accessory Uses from 3,001 – 20,000 sq. ft. Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	C
Automotive Repair up to 3,000 sq. ft.	P
Automotive Repair from 3,001 to 10,000 sq. ft.	C
Computer Services up to 3,000 sq. ft.	P
Computer Services from 3,001 to 10,000 sq. ft.	C
Service/Commercial Businesses up to 3,000 sq. ft. (Including restaurants and gas stations)	P
Service/Commercial Businesses from 3,001 to 10,000 sq. ft. (Including restaurants and gas stations)	C
Daycare up to 3,000 sq. ft.	P
Daycare from 3,001 to 10,000 sq. ft.	C
Health Clubs up to 3,000 sq. ft.	P
Health Clubs from 3,001 to 10,000 sq. ft.	C
Personal Service Businesses up to 3,000 sq. ft.	P
Personal Service Businesses from 3,001 to 10,000 sq. ft.	C

se Table.

Section 2.5.1.2.3

- Add new Section 2.5.1.2.3 – Establishing FI District as a sub district of the Industrial Zone
- Add new Section 2.5.2.3.1 – Points to the use table in Section 2.2 for FI District Permitted Uses.
- Add new Section 2.5.3.2.2 – Points to the specific standards of the FI District in Section 2.5.3.



Section 2.5.3

- Establishes section of the ordinance for the FI District



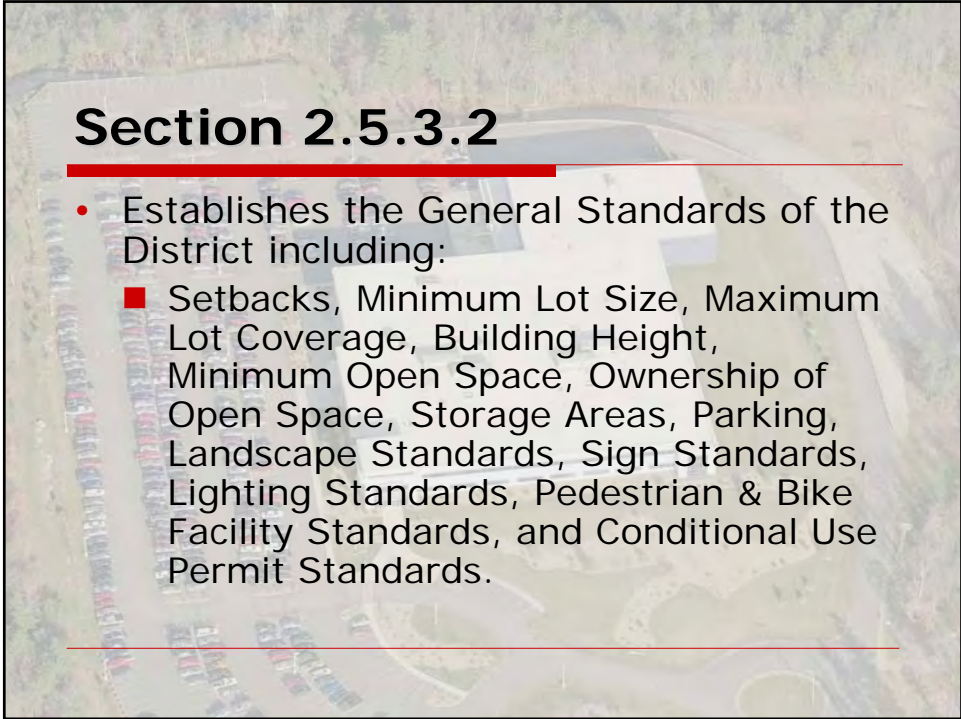
Section 2.5.3.1

- Establishes the objectives &

2.5.3.1 Objectives and Characteristics

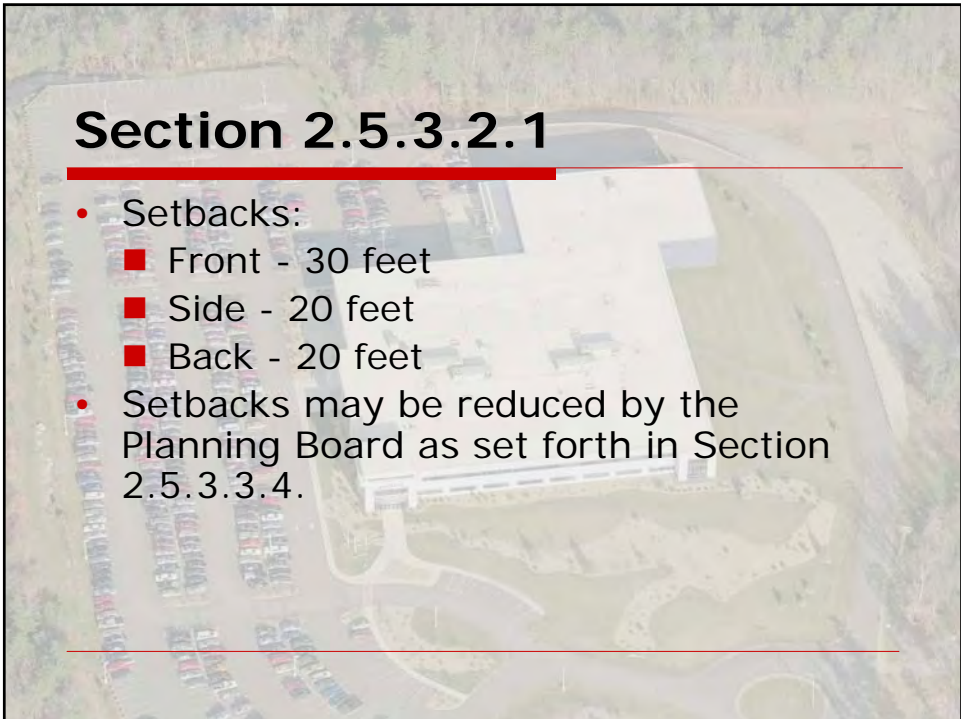
The Flexible Industrial District (FI) is intended to allow for the development of gateways to the Town of Londonderry, centers of commerce, and employment centers for the Southern NH region.

It is the desire of the Town of Londonderry that all of these activities be developed in a manner that both serves the business interests contained in the district, and in a manner that that conveys a campus atmosphere to those arriving here. Traffic circulation and alternate modes of transportation need to be provided for, as does parking for employees and visitors alike. A wide variety of industrial, supporting commercial development, and open space & recreational amenities are desired, in accordance with the various planning efforts undertaken by the Town in recent years (primarily the 2004 Master Plan, which includes, the 2003 Londonderry Business Park Design Charrette). All of these activities are envisioned as being developed in a manner that involves significant amounts of landscaping, retention of significant amounts of undeveloped open space, the retention of native plant materials, a high level of quality in individual building and site design, and flexibility on the part of the Town so as to achieve the design suggested in those documents.



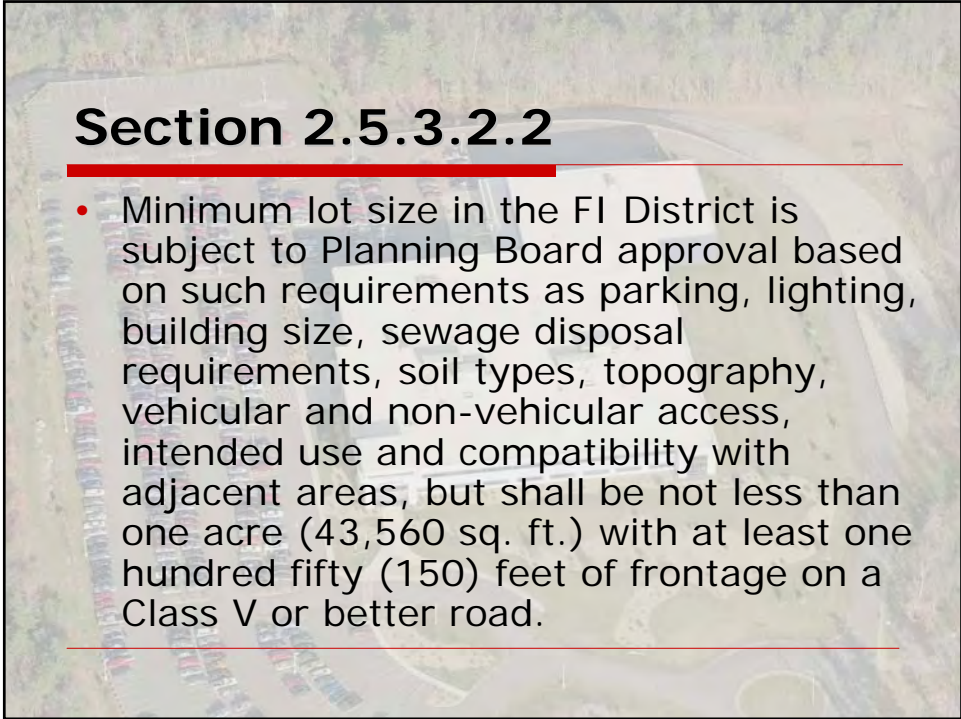
Section 2.5.3.2

- Establishes the General Standards of the District including:
 - Setbacks, Minimum Lot Size, Maximum Lot Coverage, Building Height, Minimum Open Space, Ownership of Open Space, Storage Areas, Parking, Landscape Standards, Sign Standards, Lighting Standards, Pedestrian & Bike Facility Standards, and Conditional Use Permit Standards.
-



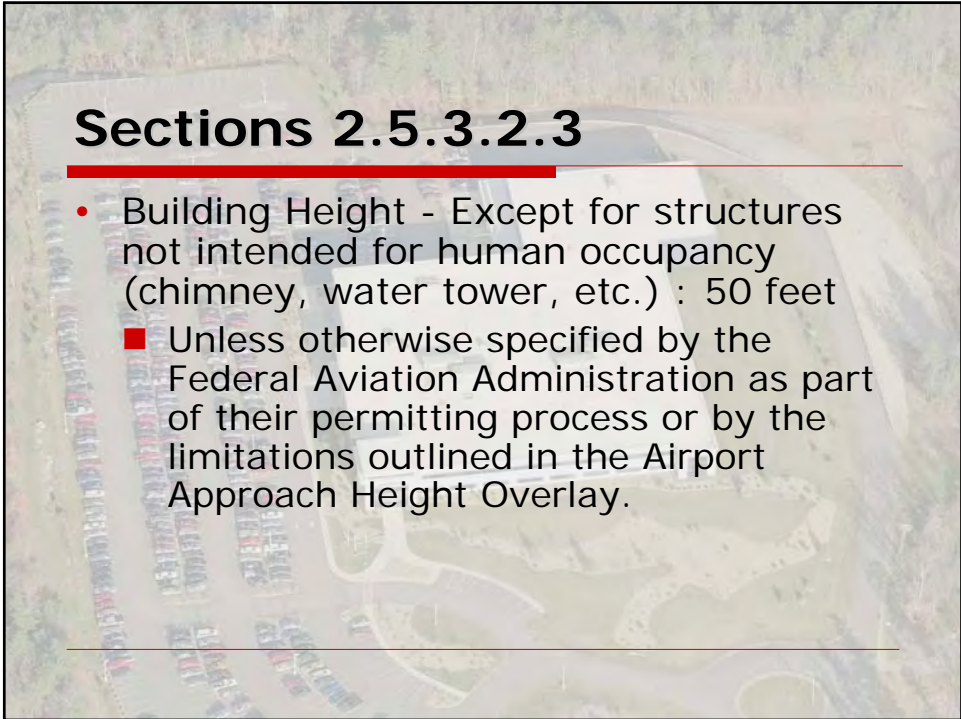
Section 2.5.3.2.1

- Setbacks:
 - Front - 30 feet
 - Side - 20 feet
 - Back - 20 feet
 - Setbacks may be reduced by the Planning Board as set forth in Section 2.5.3.3.4.
-



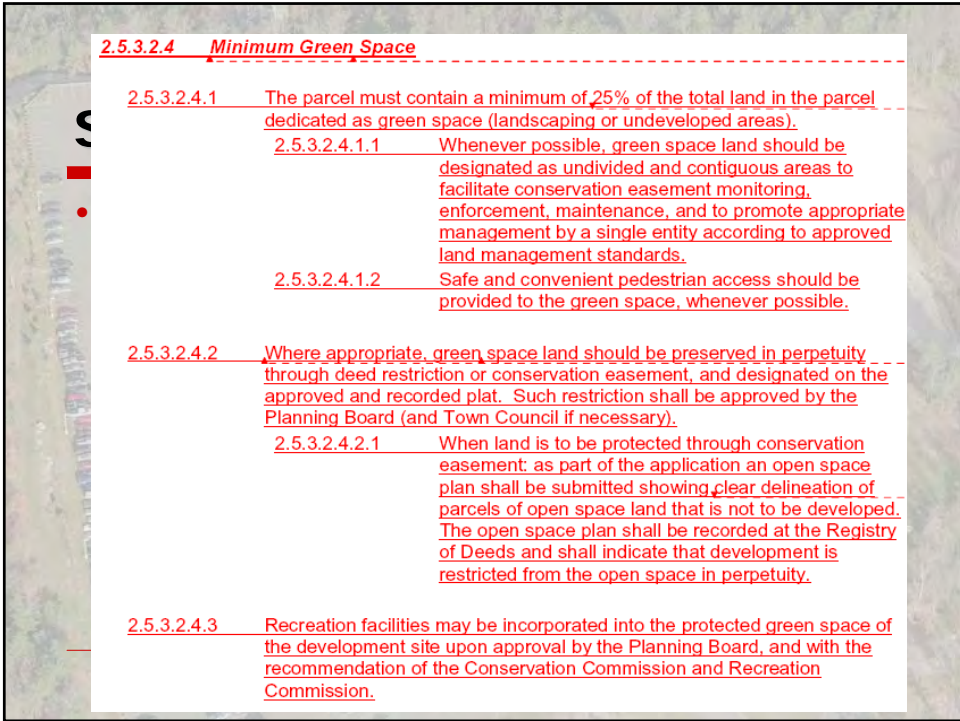
Section 2.5.3.2.2

- Minimum lot size in the FI District is subject to Planning Board approval based on such requirements as parking, lighting, building size, sewage disposal requirements, soil types, topography, vehicular and non-vehicular access, intended use and compatibility with adjacent areas, but shall be not less than one acre (43,560 sq. ft.) with at least one hundred fifty (150) feet of frontage on a Class V or better road.
-



Sections 2.5.3.2.3

- Building Height - Except for structures not intended for human occupancy (chimney, water tower, etc.) : 50 feet
 - Unless otherwise specified by the Federal Aviation Administration as part of their permitting process or by the limitations outlined in the Airport Approach Height Overlay.
-



2.5.3.2.4 Minimum Green Space

2.5.3.2.4.1 The parcel must contain a minimum of 25% of the total land in the parcel dedicated as green space (landscaping or undeveloped areas).

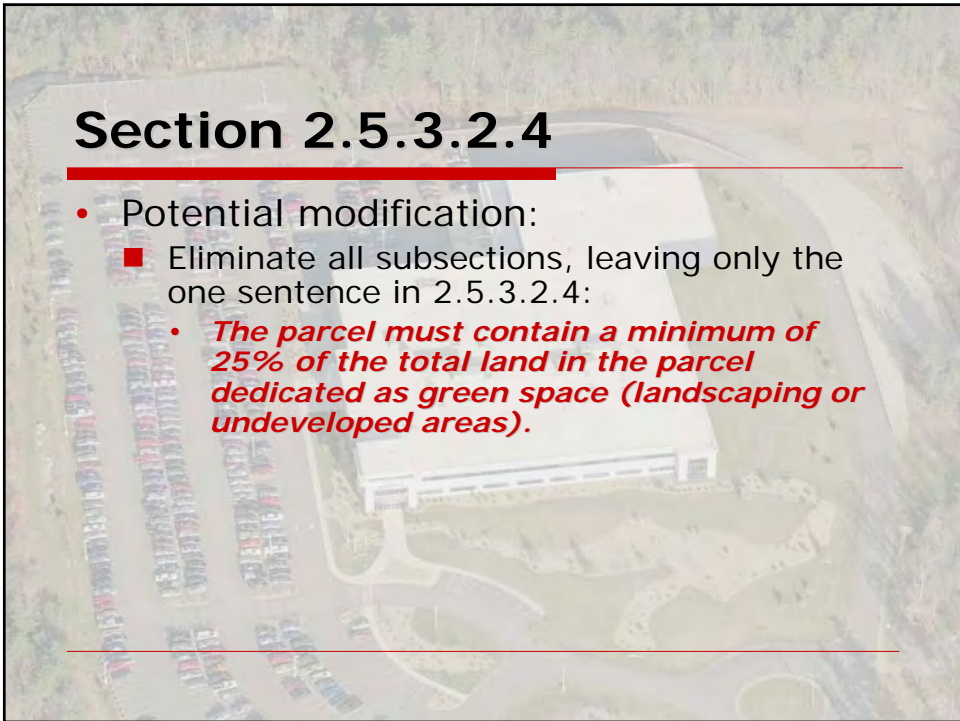
2.5.3.2.4.1.1 Whenever possible, green space land should be designated as undivided and contiguous areas to facilitate conservation easement monitoring, enforcement, maintenance, and to promote appropriate management by a single entity according to approved land management standards.

2.5.3.2.4.1.2 Safe and convenient pedestrian access should be provided to the green space, whenever possible.

2.5.3.2.4.2 Where appropriate, green space land should be preserved in perpetuity through deed restriction or conservation easement, and designated on the approved and recorded plat. Such restriction shall be approved by the Planning Board (and Town Council if necessary).

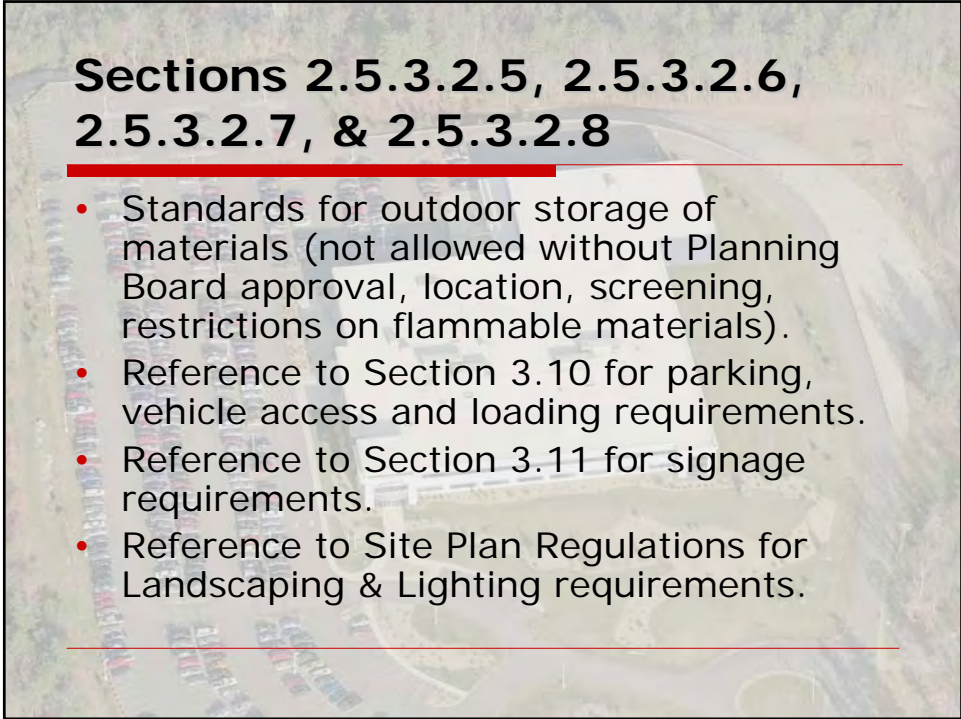
2.5.3.2.4.2.1 When land is to be protected through conservation easement: as part of the application an open space plan shall be submitted showing clear delineation of parcels of open space land that is not to be developed. The open space plan shall be recorded at the Registry of Deeds and shall indicate that development is restricted from the open space in perpetuity.

2.5.3.2.4.3 Recreation facilities may be incorporated into the protected green space of the development site upon approval by the Planning Board, and with the recommendation of the Conservation Commission and Recreation Commission.



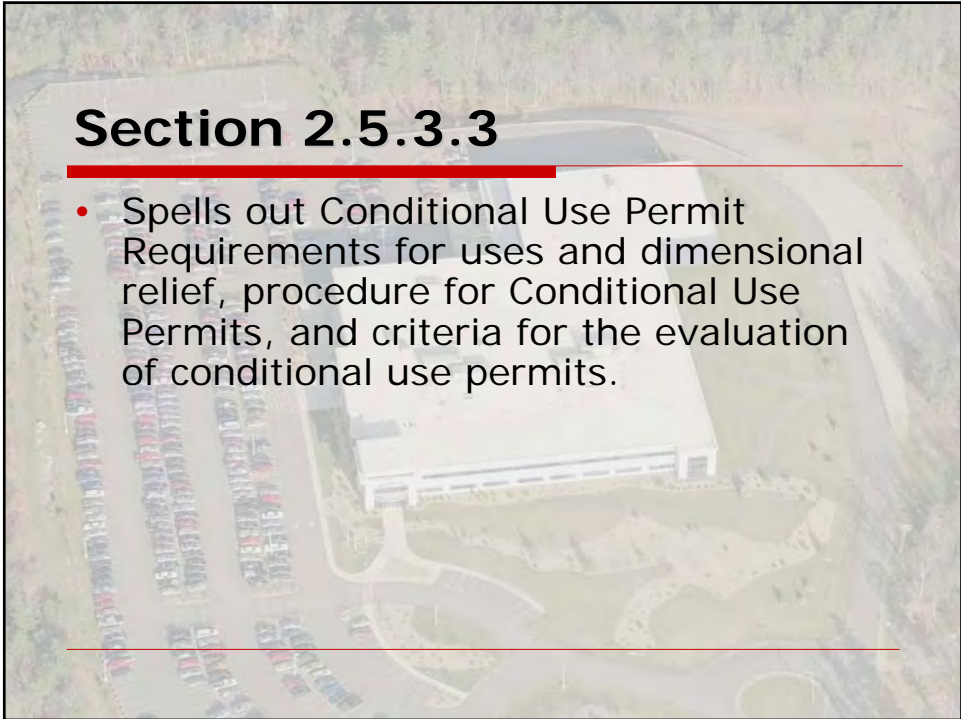
Section 2.5.3.2.4

- Potential modification:
 - Eliminate all subsections, leaving only the one sentence in 2.5.3.2.4:
 - ***The parcel must contain a minimum of 25% of the total land in the parcel dedicated as green space (landscaping or undeveloped areas).***



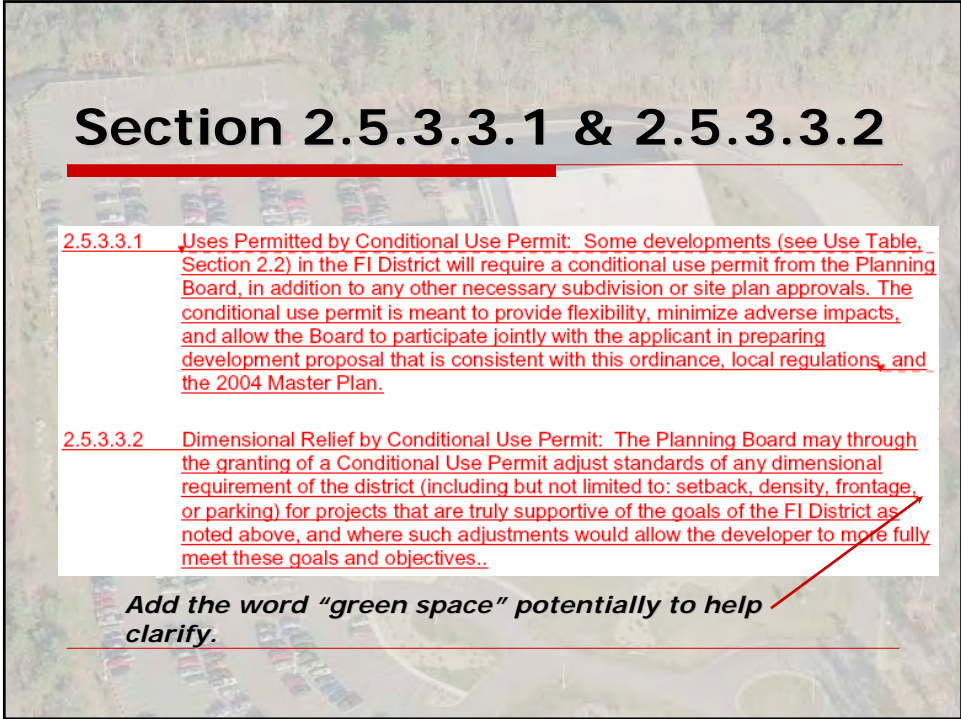
Sections 2.5.3.2.5, 2.5.3.2.6, 2.5.3.2.7, & 2.5.3.2.8

- Standards for outdoor storage of materials (not allowed without Planning Board approval, location, screening, restrictions on flammable materials).
 - Reference to Section 3.10 for parking, vehicle access and loading requirements.
 - Reference to Section 3.11 for signage requirements.
 - Reference to Site Plan Regulations for Landscaping & Lighting requirements.
-



Section 2.5.3.3

- Spells out Conditional Use Permit Requirements for uses and dimensional relief, procedure for Conditional Use Permits, and criteria for the evaluation of conditional use permits.
-

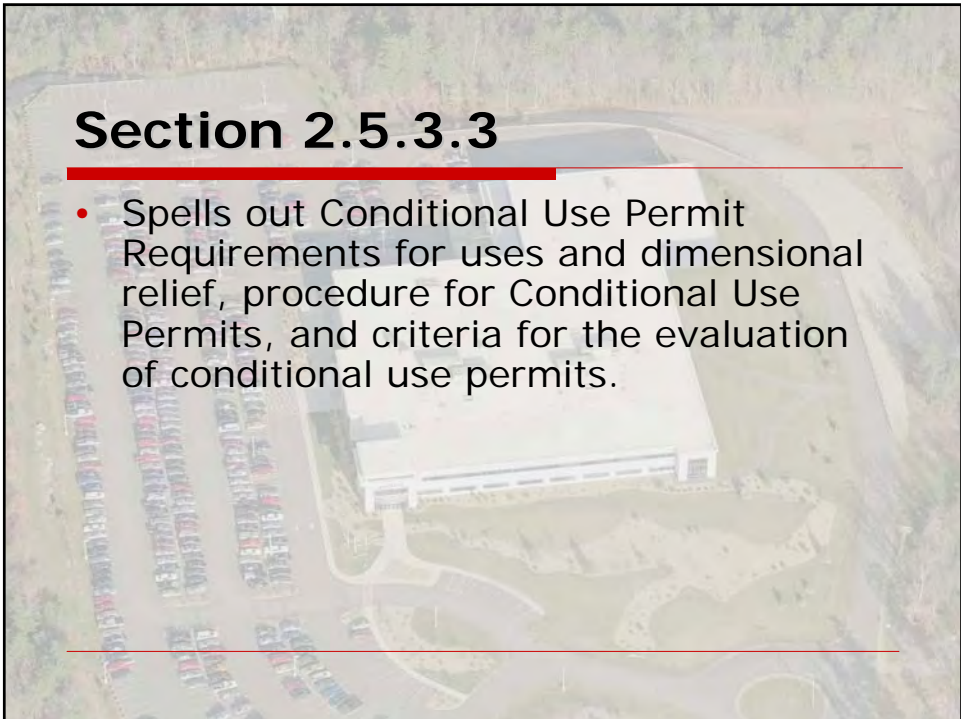


Section 2.5.3.3.1 & 2.5.3.3.2

2.5.3.3.1 Uses Permitted by Conditional Use Permit: Some developments (see Use Table, Section 2.2) in the FI District will require a conditional use permit from the Planning Board, in addition to any other necessary subdivision or site plan approvals. The conditional use permit is meant to provide flexibility, minimize adverse impacts, and allow the Board to participate jointly with the applicant in preparing development proposal that is consistent with this ordinance, local regulations, and the 2004 Master Plan.

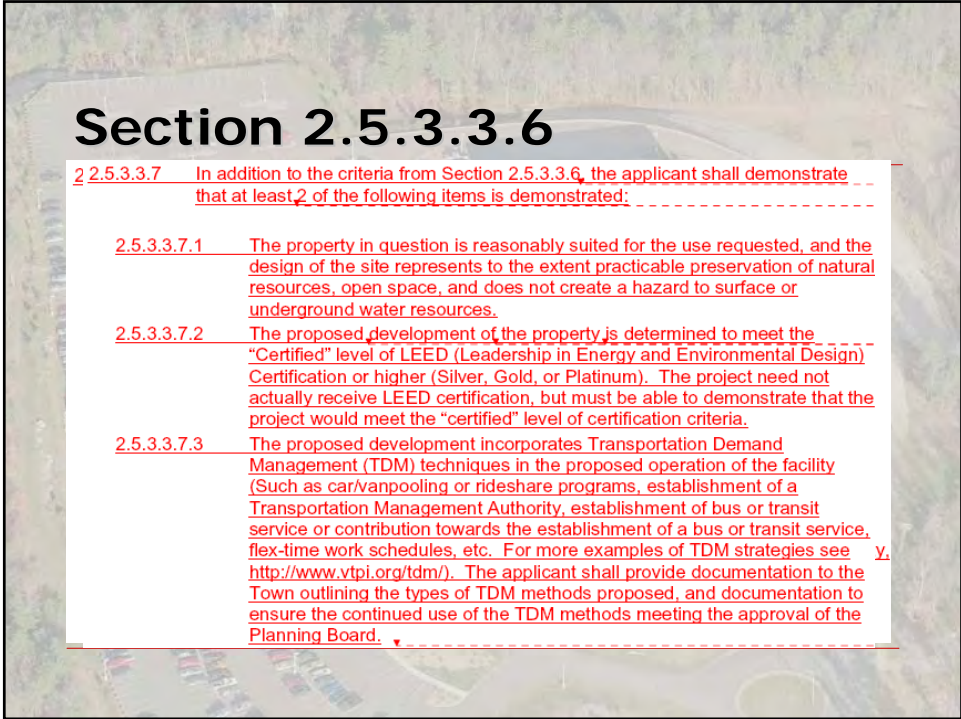
2.5.3.3.2 Dimensional Relief by Conditional Use Permit: The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement of the district (including but not limited to: setback, density, frontage, or parking) for projects that are truly supportive of the goals of the FI District as noted above, and where such adjustments would allow the developer to more fully meet these goals and objectives..

Add the word "green space" potentially to help clarify.



Section 2.5.3.3


- Spells out Conditional Use Permit Requirements for uses and dimensional relief, procedure for Conditional Use Permits, and criteria for the evaluation of conditional use permits.
-



Section 2.5.3.3.6

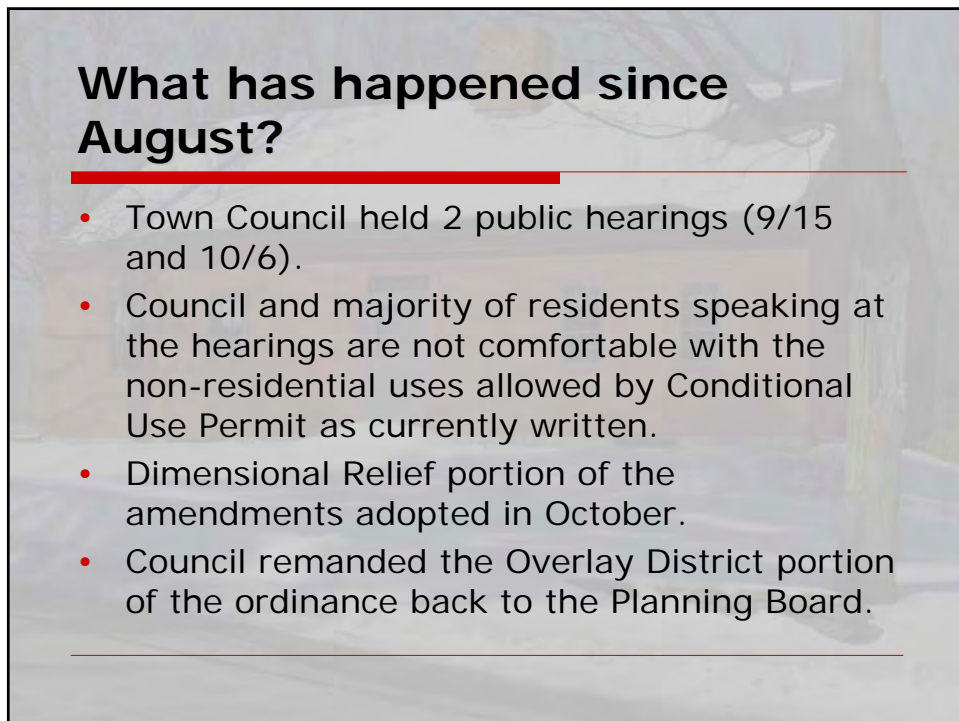
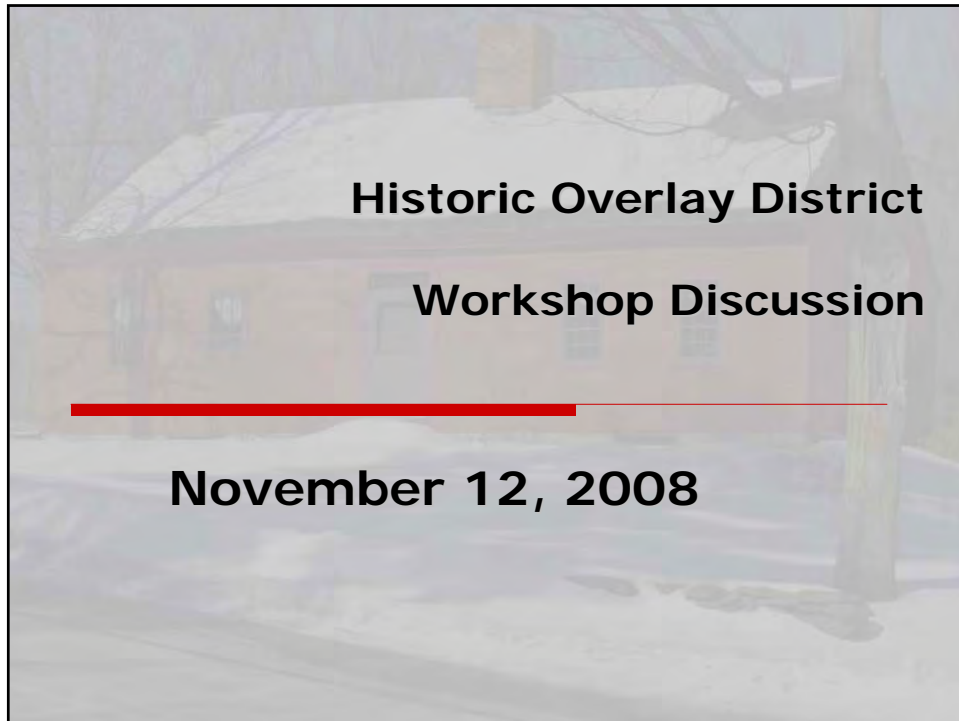
2.5.3.3.7 In addition to the criteria from Section 2.5.3.3.6, the applicant shall demonstrate that at least 2 of the following items is demonstrated:

- 2.5.3.3.7.1 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.5.3.3.7.2 The proposed development of the property is determined to meet the "Certified" level of LEED (Leadership in Energy and Environmental Design) Certification or higher (Silver, Gold, or Platinum). The project need not actually receive LEED certification, but must be able to demonstrate that the project would meet the "certified" level of certification criteria.
- 2.5.3.3.7.3 The proposed development incorporates Transportation Demand Management (TDM) techniques in the proposed operation of the facility (Such as car/vanpooling or rideshare programs, establishment of a Transportation Management Authority, establishment of bus or transit service or contribution towards the establishment of a bus or transit service, flex-time work schedules, etc. For more examples of TDM strategies see <http://www.vtpi.org/tdm/>). The applicant shall provide documentation to the Town outlining the types of TDM methods proposed, and documentation to ensure the continued use of the TDM methods meeting the approval of the Planning Board.



Where do we go from here?

- Depending on feedback from the public and property owners this evening:
 - Additional Workshop in December, or
 - Public Hearing in December



Where do we go from here?

- HDC working with State Reps on legislation for tax incentives (separate from Overlay Discussion)
- Planning Board needs to determine how to properly incentivize the participation of property owners in the Overlay District taking the Council and public testimony into consideration
- Staff needs direction from the Board before drafting any changes.

What was heard:

- high volume type uses - restaurants, retail sales, need appropriate controls
- concerns about property values
- "preserving the old houses, but don't go commercial"
- "not opposed to preserving historic properties, opposes commercial use"
- "spot zoning"
- "commercial creep"
- Comparison to home occupation requirements
- "too much discretionary power"

MEMO

Fire Department
280 Mammoth Road
Londonderry, NH 03053

Town of Londonderry,
NH

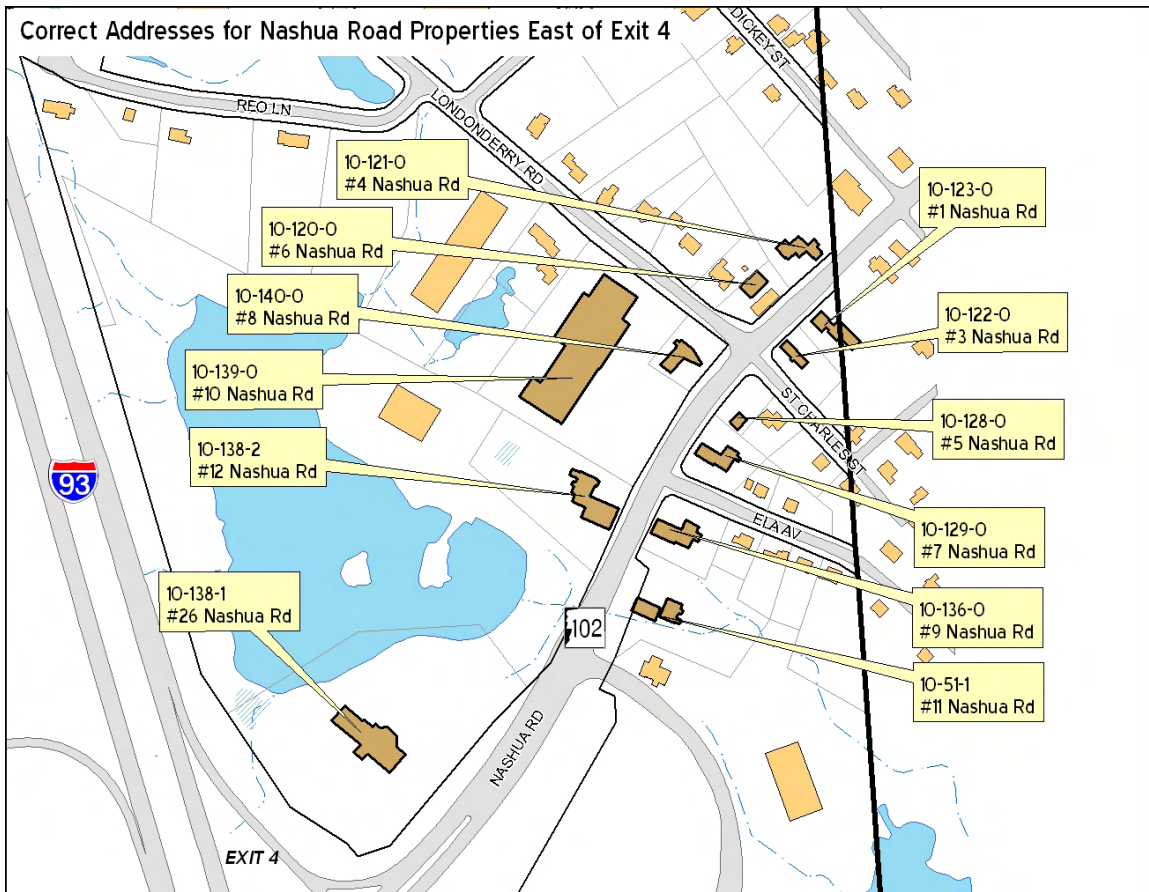
To: Planning Board
From: Jim Bilodeau
CC:
Date: 11/7/08
Re: Clarification of Nashua Road addresses

This memo is drafted to clarify the address numbers for residents and businesses on Nashua Road in Londonderry who presently use numbers on West Broadway as their mailing address. This applies to a total of 12 properties (see map and table below). Town's records list these properties with a Nashua Road address as there is no West Broadway in Londonderry.

Emergency Services have had delays in responding to incidents in this area due to the public using incorrect addresses. For example: a Motor Vehicle Accident at Nashua Road and Londonderry Road was reported as West Broadway and Londonderry Road. Our records show no such location. As a result, the public had an unacceptable delay in services.

Non-emergency town functions have also experienced difficulties. The tax collector's office has had problems resolving inquiries about these properties because people use the West Broadway address and not Nashua Road. Taxpayers have expressed confusion to the Assessing department, stating that they own property in Londonderry and thus would like their address to be a Londonderry address.

As a remedy, we will inform the public that the Town of Londonderry does not have a West Broadway. We will inform the public of the correct numbers to use and ask them to conform to our Street Addressing Guide by changing their addresses by April 1, 2009. The correct addresses are depicted in the map below.



Map/Lot	Property Owners	Correct Street #'s	Property Use
10-121-0	115 WEST BROADWAY LLC	4 Nashua Rd.	Office Building
10-120-0	ES + E REALTY LTD PARTNERSHIP	6 Nashua Rd.	Lukoil Service Station
10-140-0	ARANOSIAN OIL COMPANY INC	8 Nashua Rd.	Sunoco Service Station
10-139-0	DERRY PLAZA	10 Nashua Rd.	Derry Plaza / Sherwin Williams / Laundry / Luisa's
10-138-2	MOTIVA ENTERPRISES, LLC	12 Nashua Rd.	Shell Station w/Car Wash
10-138-1	BURGER KING CORP	26 Nashua Rd.	Fast Food
10-123-0	116 WEST LLC	1 Nashua Rd.	Ritz Camera
10-122-0	3 NASHUA ROAD LLC	3 Nashua Rd.	Best Mortgage
10-128-0	BROWNELL, RICHARD A	5 Nashua Rd.	Brownell Insurance Center
10-129-0	SEVEN NASHUA ROAD LLC	7 Nashua Rd.	Gas Station
10-136-0	FORTIER ENTERPRISES INC	9 Nashua Rd.	Gas Station (Future Restaurant)
10-51-1	ASABA REALTY LLC	11 Nashua Rd.	Mobil Gas Station