

Heritage Commission Meeting Minutes
Londonderry, New Hampshire
July 26, 2018

In attendance: Chairman Martin Srugis, Vice-Chairman Art Rugg; Commissioners Tom Bianchi, David Colglazier, Sue Joudrey; Alternate Commissioners Krystopher Kenney; Associate Planner Laura Gandia; Town Council Ex-officio Jim Butler (7:15) and

Absent: Commissioner Janet Cichocki, Alternate Commissioners Victoria Gorveatt, Jason Knights; and Kent Allen, Sexton.

Chairman Commissioner Srugis called the meeting to order at 7:00 PM in the Sunnycrest Meeting Room of the Town Hall.

Chairman Srugis appointed Krystopher Kenney to vote for Commissioner Cichocki. Mr. Srugis said that he would notify Kirby (Brown) to have Alternate Commissioner Kenney be appointed a Commissioner in place of Ms. Cichocki.

Vice-Chairman Rugg moved and Alternate Commissioner Kenney seconded a motion to accept the minutes of the May 24th meeting of the Heritage Commission. The motion carried 6-0-0.

A presentation was made by Doug MacGuire, Vice-President, DuBay Group, Windham, NH regarding the Meadows of Londonderry, 48 Old Nashua Road, Londonderry. The owner and applicant is DFC Development LLC, Windham, NH.

Mr. MacGuire said that they were proposing a development with 44 elderly housing units of single detached homes. He handed out several sheets of plan, elevation and perspective drawings for the 16-acre development. He said that there are several water features that they are using to advantage in the development. Mr. MacGuire said that they are installing 100 trees and over 700 bushes. There is three rail fencing along the walkways to help beautify the property.

Mr. MacGuire said that the cottage style homes have two bedrooms and 2.5 bathrooms. There is a master bedroom on the first floor. The second floors have a den along with the second bedroom. There are full basements. About half of the units have a walkout basement. Each unit has a 2-car garage. On the front there is a faux stone base with a vinyl clapboard and shake combination for the siding.

Chairman Srugis asked about the septic system. Mr. MacGuire said that they all have septic systems and there is central water well for the units.

Commissioner Colglazier asked about the size and colors. Mr. MacGuire said that they anticipate 3-4 colors. He said that the units vary from 2200 square feet to 2400 square feet.

Alternate Commissioner Kenney asked about the lighting plan. Mr. MacGuire said that there are twelve light posts for the street with full cut off LED sources.

Commissioner Joudrey liked the windows with divided lights.

Councilor Butler asked about trash collection. Mr. MacGuire said that there would be private curbside trash collection. He also noted that the streets were private.

Commissioner Bianchi asked about a pool. Mr. MacGuire said that there was not pool for this 55+ community. Mr. Bianchi asked about colors. Mr. MacGuire said that they could supply samples. He said that the developer has good experience with color selections for developments.

Commissioner Colglazier asked about lawn care. Mr. MacGuire said that it would be privately done. Mr. Colglazier asked about asked if the home ownership was limited to the house structure. Mr. MacGuire said that that was the current plan. It was determined that a homeowner's association would handle the use of common lands.

Commissioner Bianchi asked about the sign. Mr. MacGuire said that the sign was still in the design stages. He noted that a streetlight would be near the sign location, so some lighting for the sign might not be needed.

Commissioner Colglazier asked about decks. Mr. MacGuire said that the deck and or patio issue was still being planned. He said that a deck would add costs to the unit. There could also be patios on the walkout basement units.

Mr. Colglazier asked about fuel for heat. Mr. MacGuire said that it was going to be gas. They planned to have a common tank for three or four units with meters on each house.

Vice-Chairman Rugg reminded the applicant that the sign design and placement still needs to be approved by the Heritage Commission.

Chairman Srugis reviewed the basic configuration of the structure. He said that it would be recommended to the Planning Board.

A presentation was made by Matthew Routhier, Project Manager, Bedford Design Consultants, Manchester, NH and Paul Krukonis, Project Manager, KBRCO.COM, Londonderry, NH. for design review for a site plan for a structure at Six Mohawk Drive, with Maillet & Associates as the owner and applicant.

The structure will have 5,840 square feet on two floors. There, will be a beauty parlor on the first floor and office space on the second floor for other tenants.

Alternate Commissioner Kenney asked about the lack of windows above the front overhang roofline. Mr. Krukonis said that there was a stairway in the front and windows would not be included in the stairwell.

Mr. Kenney said that the building looked very plain and boxy, in his opinion.

Mr. Krukonis said that the vinyl clapboard siding was a softer yellow color than what was printed on a perspective drawing that was circulated to the Commission. There were some white vertical clapboard sections between the windows on the sides on the first and second floors. Mr. Krukonis said that the white sections were meant to break up the large flat sides.

Commissioner Colglazier asked about the landscape plan. Mr. Routhier presented a drawing with the various plants and trees. When asked about purple lilacs, Mr. Routhier said that he liked lilacs, but he did not put them around a structure like this because they will not take a beating in this type of application.

Councilor Butler said that he did not like the plan of the structure as it was presented. Alternate Commissioner Kenney agreed that he did not like the looks and he would not vote to approve the plan.

Mr. Routhier showed some more elevation plans. Also, some different photographs were shown that had a different yellow and white plan.

The Commission and the applicants worked out a plan for them to bring in two new plans where the Commission could approve of one plan. It was noted that the printed drawing was not as good as the elevation that was projected on the screen.

A presentation was made by Jeff Kevan, Principal, TF Moran, Bedford, NH and Tim Carleton, Reeds Ferry Sheds, Hudson, NH for the property at 3, 5, & 7 Tracey Lane, tax map 2, lots 34-0, 34-4 and 34-5 Londonderry. The property in question has portions of it in Hudson, but serves as one facility for several operations of Reeds Ferry Sheds.

Mr. Kevan described the three parcels of land and the buildings thereon.

Commission members Butler, Kenney and Colglazier elicited the following information as described by Mr. Kevan. The applicant wants to add 2000 square feet to a 10,000 sq. ft. metal building and add more paved surfaces to connect the different areas of the property. The metal building addition

will be built and painted to match the rest of the building. There will also be a large outdoor materials storage rack with a roof over it.

The large paved areas to be added will house employee parking and delivery truck parking. There are some new paved areas to help connect the behind the scenes areas. The added pavement will be addressed by new retention ponds. There will also be some additional landscaping to coincide with the hardscape alterations. There will be new fencing to coincide with and extend current fences.

The sign on the metal building will be replaced with a Reeds Ferry Sign.

The Commission approved of the plans as described and shown on their drawings for recommendation to the Planning Board.

Mr. Carleton noted that the same plans are also being presented to officials in Hudson since the town boundary passes through all three parcels.

A lot line adjustment was presented by Associate Planner Laura Gandia. The action is to create a new residential lot at 81 and 83 Litchfield Road. The applicants are Steven and Madeline Saulnier and O. & M.T. Allen. The Commission approved of the adjustment.

Amy Kizak, GIS Manager/Comprehensive Planner, described the Apple Way project. She described a handout about marketing Byways and project methods that can be used to advertise and grow interest in the byway.

Several maps will be available on mobile platforms to highlight the Apple Way. Ms. Kizak is working to make those maps available in the near future.

Councilor Butler was concerned about the trees that were cut near Mack's store area. Stump grinding was suggested to eliminate the evidence of trees having been cut.

Commissioner Bianchi asked about being able to mark the Apple Way by some symbols on the roads. He also asked about a kiosk for the Apple Way. He was concerned about further marketing for the Apple Way.

Ms. Kizak suggested that brochures could be available at some of the farm stands.

The Commission had several different suggestions of small things that could be done.

Vice-Chairman Rugg introduced the Capital Improvement Plan project submission for 2020-2025. The specific project would be for Town Common Drainage. The project budget amount is \$235,000.

Vice-Chairman Rugg moved and Councilor Butler seconded a motion to have the Heritage and Historic District Commission support the Londonderry Capital Improvement Plan for the Town Common Drainage Project. The Motion carried 7-0-0.

Vice-Chairman Rugg reported briefly on the 300th Anniversary Project that is taking place in Derry, Londonderry, Windham and Derryfield. Derry will celebrate on April 11, 2019. Windham will celebrate during the 2019 Strawberry Festival and Londonderry will celebrate during the 2019 Old Home Days.

Chairman Srugis asked to have a letter from David Ellis¹ included in the minutes. His letter is about the development of the property at 2 Litchfield Road where the property owner wants to have a small financial institution build an additional structure for their offices with the possibility of a drive-up window.

Vice-Chairman Rugg moved and Alternate Commissioner Kenney seconded a motion to adjourn. The motion carried 7-0-0 at 8:55.

David Lee Colglazier,
Secretary

¹ David J. Ellis
1 Wilshire Drive
Londonderry NH 03053

July 25th, 2018

Londonderry Zoning Board of Adjustment,
268B Mammoth Road
Londonderry, NH 03053

Attn: Laura Gandia,
Cc: Planning Board, Historic District Commission & Town Council
Re: Tax map 12, parcel 68, 2 Litchfield Road

Dear Ms. Gandia,

I wish to urge the Board to reject the appeal for a zoning variance at 2 Litchfield Road on the basis that such variance would violate zoning ordinance 2006-03 and also the Town's Historic Preservation Easement as detailed in Rockingham County Registry of Deeds 4708-2498.

The appeal that has been filed seeks a variance from Section 2.2.2 Use Table, Zone C-III so that it may be used as a financial institution with an ATM inside the building (aka a retail bank). This property is subject to zoning ordinance 2006-03 that further restricts the C-III use to "residential and office space" (clause 2). That ordinance expressly states that "no retail operations are allowed at that location". Furthermore, zoning ordinance 2006-03 is associated with a Historic Preservation Easement that was conveyed to the Town of Londonderry with deed 4708-2498. That deed requires that the owner shall not change the use of the buildings without approval by the Town of Londonderry Planning Board and the Historic District Commission.

Section 1 of the appeal argues in part that it is not contrary to the public interest because of other large developments nearby (clause b). At least one of those cited was itself the subject of considerable controversy, acquiring a variance only to avoid potentially costly litigation. To the best of my knowledge, none of those other developments were encumbered by a preservation ordinance equivalent to 2006-03 or by a Historic Preservation Easement. Because we have failed to adequately protect some nearby properties does not mean we should relinquish the protection on those that we have managed to protect. It would therefore seem that much of the argument in clause b is irrelevant.

Section 2 of the appeal argues that a financial institution with an ATM (aka a retail bank) is equivalent to any of several financial services that are permitted (clause a). It is not. Those services involve clients, usually by appointment and in limited numbers. A retail bank, with or without an ATM, has many frequent customers who will be driving to the premises throughout business hours. If, as is often the case with other banks, the ATM is sited in a lobby area with key card access, then customers will not be limited merely to business hours. To claim that a bank does not serve the motoring public because it does not have a drive-through window is hyperbolic (clause c). A car is the only realistic way to access this property, that access being less than 200 feet from the stop line of a busy intersection. Given that the Historic Preservation Easement detailed by deed 4708-2498 states that the owner will preserve "the façade and elevations of the structures on the property, including, without limitation, all exterior doors, doorframes, windows, window sash, window frames, wall sheathing, clapboards and other decorative elements" I wonder how that can satisfy the security requirements of a retail bank with an ATM without further more extreme variances.

Sections 3 and 4 of the appeal seems to argue that a variance should be granted because the applicant has already failed to comply with the Historic Preservation Easement detailed by deed 4708-2498 by having allowed, and continuing to allow, the buildings to deteriorate! The easement states "The exterior of the single-family home and barn on the property shall be maintained in their current or better condition in a manner consistent with their historic architectural character" (clause 2.1 – current being the condition of the property in 2006). That easement does not require the Town to grant variances in order to entice the owner to perform such obligated maintenance.

The foregoing express some of my concerns. In closing I feel that many of the claims made in the appeal are hyperbolic and that the Zoning Board of Adjustment should take great care when reviewing them. This appeal is not only seeking a variance to zoning C-III but also to zoning ordinance 2006-03 and the Historic Preservation Easement detailed by deed 4708-2498.

Sincerely,

David J. Ellis
Ph. 432-2161
