

The Planning Board for the Town of Derry held a public meeting on Wednesday, May 16, 2018 at 7:00 p.m., at the Derry Municipal Center (3rd Floor Meeting Room) located at 14 Manning Street in Derry, New Hampshire.

Members present: David Granese, Chairman; John O'Connor, Vice-Chairman, Lori Davison, Secretary; Brian Chirichiello, Town Council Representative; Frank Bartkiewicz, Mark Connors, Members

Absent: Jim MacEachern, Randy Chase, Maya Levin, Elizabeth Carver

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning & Economic Development Assistant; Mark L'Heureux, Engineering Coordinator.

Mr. Granese called the meeting to order at 7:00 p.m. The meeting began with a salute to the flag. Mr. Granese then noted the emergency exits, the location of meeting materials, and introduced the Board members and staff.

Escrow

#18-09

Project Name: Subdivision Plan Map 9 Lot 139

Developer: Kevin Coyle

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 09139, 40 Old Chester Road

The request is to approve Release #1 in the amount of \$32,076.00 for the above noted project. The amount to retain is \$26,859.60.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

#18-10

Project Name: Subdivision of Map 06 Lot 058

Developer: Linda Rutter

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 06058, 52 Lane Road

The request is to establish cash escrow in the amount of \$25,958.88 for the above noted project. The escrow is non-interest bearing.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

Minutes

The Board reviewed the minutes of the May 02, 2018, meeting.

Motion by O'Connor, seconded by Bartkiewicz to approve the minutes of the May 02, 2018, meeting as written. The motion passed with all in favor.

Correspondence

Ms. Davison reported the Board is in receipt of a copy of an escrow renewal reminder letter that has been sent to DJ Development, LLC with regard to the 19 Kendall Pond Road project.

The Board has also been copied on correspondence notifying interested parties of a NH DOT meeting to be held on Thursday, May 24, 2018 beginning at 6:30 p.m. at West Running Brook School, Gym 1. The purpose of the meeting is to hold a Joint Public Officials and Public Information Meeting to seek input on the proposed Exit 4A interchange study, range of reasonable alternatives (routes) and recommendation for the selection of a proposed action plan. The public is invited to attend. Information will be presented to citizens and public officials regarding the proposed project and to solicit public input to ensure project decisions meet public transportation needs, community goals, and protect and enhance the environment.

Other Business

Other – Zoning Changes

Mr. Sioras reported the Town Council unanimously approved the proposed amendment to move the 7 properties from the Medium High Density Residential II to the Central Business District. That change takes effect in 30 days.

Summer Schedule

Mr. Sioras discussed the summer schedule. Typically, the Board meets only once a month during the months of July and August. It was determined the Board would meet on July 18 and August 1st. The regular schedule will resume in September.

Joint Meeting/Workshop

Mr. Chirichiello reported the Town Council Chairman has requested a joint meeting to be held between the Town Council and the Planning Board. This meeting will take place on a Thursday evening in either June or August. Mr. Granese said he had been advised of the request and after speaking with Planning Staff will discuss dates with the Town Administrator and the Town Council Chair.

Proposed Zoning Amendment – General Commercial II

Mr. Sioras advised the Board has been provided with a proposed zoning change that has to do with Medical Office. The suggested amendment is to add medical office and health service facilities to the General Commercial II zone. The Board would need to discuss this in a workshop. Mr. Granese asked that this be placed on the June ~~02~~06, 2018 agenda for a workshop.

Other

Mark Connors stated during the last meeting, there had been discussion with regard to Board member comments on social media. Prior to and after the meeting comments had been made to Mr. Connors specific to what he had posted on social media regarding a recent purchase of property in town. He has printed out that social media discussion from the Derry School's Facebook page, and the private message he received from another Board member cautioning him about posting on social media. He would like this placed into a public record. After the meeting last week when it was suggested he may need to recuse himself if the property in question came before the Planning Board, he phoned the Town Council Chairman, Town Administrator, and had discussion with legal counsel. He does not feel he needs to recuse himself based on the social media post and will not do so. If the Board feels he needs to recuse himself, he would like the Board to seek a legal opinion on the matter. He has also reviewed the Planning Board Handbook relative to recusals. Mr. Granese stated this portion of the agenda is not the place to discuss this matter and any discussion of this type should have been sent through the Planning office. Mr. Granese moved to the public portion of the agenda. Mr. Connors kept speaking and was named out of order by the Chairman. Mr. Connors was advised by the Chairman if he wants to recuse himself from a matter it is Mr. Connors' decision to do so. Mr. Connors asked if the Chair cared to apologize to him or should Mr. Connors initiate a censure process. The Chair moved the agenda forward to the public hearing.

Public Hearing**Maple Rock, LLC for Hannaford Brothers Company, LLC****Owner: SUSO 4 Derry, LP****PID 08280-002, 35 Manchester Road****Acceptance/Review****Site Plan Determination, Addition of grocery pick up**

Mr. Sioras provided the following staff report. The Board has seen a version of this plan before. The original approval lapsed. The applicant is Hannaford Brothers. The purpose is for the addition of a grocery pick up location at the existing Hannaford Supermarket. All town departments have reviewed and signed the plan. There are no waivers requested. Staff recommends approval of the application.

J. M. Lord of Maple Rock, LLC presented for the applicant. Mr. Lord explained the first Hannaford To Go was permitted by the Board back in 2014. Following that approval, there were changes to the Hannaford organization and focus was in other areas of the northeast. They are now back before the Board to request approval of essentially the same plan from 2014. The proposal has the same layout with one change. The original approval had a concrete area; when they constructed/installed this in Saratoga, they realized the design caused drainage and snow removal issues. The design has been amended but it is basically the same layout. The staging area will be where the former café was inside the building. The process for Hannaford To Go is as follows. Customers call in their orders ahead of time and are assigned a pick up time. Hours of operation are between 10:00 a.m. and 8:00 p.m. with peak hours between 10:30 to 12:30 and then again between 5:00 and 7:00 p.m. When the customer arrives, they will pull up to a call box and announce their arrival. They will then pull forward to the gull wing where a store associate will bring out their groceries, collect payment, and load the groceries in the vehicle.

Mr. Lord explained they will stripe out the pick up areas, add the call box and gull wing. The amount of time between arriving at the call box and driving away from the gull wing is about 5 minutes.

Motion by O'Connor seconded by Bartkiewicz to open the public hearing. The motion passed with all in favor and the floor was open to the public.

There was no public present to comment.

Motion by O'Connor seconded by Bartkiewicz to close the public hearing. The motion passed with all in favor and review returned to the Board.

Mr. O'Connor stated he recalled the original plan from April of 2014. During that public hearing there had been discussion about the drainage and grates in this area of the parking lot which would be addressed by the applicant. That infrastructure is in bad shape. Will that be addressed by this application? Mr. Lord said they will fix the area affected by their project. The original plan had called for the concrete area and the correction of the drainage. In this plan, the stormwater sheet flows to an existing catch basin.

Mr. Chirichiello asked for an explanation of the four parking spaces noted on the plan for this project. Mr. Lord explained on occasion, a particular item is not available. In that case, the store associate will choose the next best thing. If there is a queue, in order to verify with the customer if the change was okay or not, the associate will have the customer pull into one of these spaces. Mr. Chirichiello noted none of the assigned spaces are handicap spaces. Mr. Lord stated the customer does not leave their vehicle at any time during the pick up transaction. There are four spots designated, but they may only need two of them.

Mr. O'Connor commented the Londonderry Hannaford has a pick up service. He has observed the operation. Mr. Lord said Londonderry has a park and call system; the Derry location will be a queue system. The Board felt what was proposed was a better system.

Mr. Connors asked if Hannaford owned the parking lot. There are some issues on the main access into the site in the form of pot holes, etc. Mr. Lord said Hannaford has a pad lease for the building. Because their project will be in this area of the parking lot, they will address the issues in their area.

Mr. L'Heureux explained this version of the plan has less construction than the 2014 plan; Public Works has no issues with the plan. They had discussed modification of the catch basin with the sink hole. It is out of alignment. He suggested Hannaford touch base with the property owner because there are many pot holes. The land owner may want to patch those as a courtesy for their customers.

Motion by O'Connor, seconded by Bartkiewicz to accept jurisdiction of the site plan determination application before the Board for Hannaford Brothers Company, LLC (Owner SUSO 4 Derry, LP), PID 08280-002, 35 Manchester Road.

Chirichiello, O'Connor, Davison, Connors, Bartkiewicz and Granese voted in favor and the motion passed.

Motion by O'Connor, seconded by Bartkiewicz to approve, pursuant to LDCR Section 170-51 – Site Plan Determination, with the following conditions: Subject to owner's signature; Subject to on-site inspection by the Town's engineer; Establish appropriate escrow as required to complete the project (if required); Obtain written approval from the IT Director that the GIS disk is received and is operable and complies with LDCR Section 170-61; Conditions precedent shall be met within 6 months.

Chirichiello, O'Connor, Davison, Connors, Bartkiewicz and Granese voted in favor and the motion passed.

Mr. Lord advised they should begin construction by the end of July.

There was no further business before the Board.

Motion by Bartkiewicz, seconded by Chirichiello to adjourn. The motion passed with all in favor and the meeting adjourned at 7:21 p.m.

Approved by: _____
Chairman/Vice Chairman

Secretary

Approval date: _____