

The Planning Board for the Town of Derry held a public meeting on Wednesday, November 03, 2021, at 7:00 p.m. The meeting was broadcast from the Derry Municipal Center, 14 Manning Street, Third Floor meeting room with all members of the Board physically present.

Members present: John O'Connor, Chairman; Jim MacEachern, Vice Chair; David Nelson, Secretary; Randy Chase, Town Administrative Representative; David Clapp, James Hultgren, David Granese, Members; Andy Myers, Alternate

Absent: Brian Chirichiello, Mark Connors

*Denotes virtual attendance.

Also present: George Sioras, Planning Director; Mark L'Heureux, Engineering Coordinator

Mr. O'Connor opened the meeting at 7:00 p.m. The meeting began with a salute to the flag. Mr. O'Connor advised that although Emergency Order #12, as issued by Governor Sununu has expired, Board members are allowed to attend the meeting remotely, provided there is a quorum of members physically present in the meeting room. He provided the appropriate links for members of the public to join the meeting virtually via a MAC, PC, or by phone. He then introduced the staff and Board members.

Mr. Myers was seated for Mr. Connors.

Escrow

#21-18

Project Name: Valerie Estates

Developer: American Excavating

Escrow Account: Same

Escrow Type: Performance Bond

Parcel ID/Location: 02081, 62.5 Bedard Avenue

The request is to approve a final release of Bond #837075552 – Ohio Casualty Insurance Group - in the amount of \$54,451.44 for the above noted project. The amount to retain is zero.

Motion by MacEachern, seconded by Granese to approve as presented.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed.

Minutes

The Board reviewed the minutes of the October 20, 2021, meeting.

Motion by MacEachern, seconded by Nelson to approve the minutes of the October 20, 2021, meeting as amended.

Chase, MacEachern, Myers, Nelson, and O'Connor voted in favor; Granese, Clapp, and Hultgren abstained, and the motion passed.

Correspondence

None.

Other BusinessRecommendation to Accept Valerie Lane as Town Road

Mr. L'Heureux stated Valerie Lane is located off Bedard Ave. This used to be a lot owned by Pennichuck Water Works. The Board had approved a five-lot subdivision. Utilities and road work are complete, A Builts are received, and the request is to accept the road as town owned for responsibility and maintenance. Mr. L'Heureux confirmed the street was constructed to town specifications.

Motion by MacEachern, seconded by Granese to recommend Town Council accept Valerie Lane as a Class V, town road.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson and O'Connor voted in favor and the motion passed.

Chairman/Planning Director Updates

Mr. Sioras had nothing to report.

Mr. O'Connor reminded the Board there will be a viewing tomorrow evening of *Communities and Consequences II* at the Derry Opera House. The film deals with housing, and housing shortages. Following the viewing there will be opportunity for discussion. This is sponsored by the Greater Derry Chamber of Commerce.

Public Hearing**Robert Carleton & Nicole A. Chalfant****PID 29042, 9 Hillside Avenue****Estate of Samuel Low****PID 29043, 5 Hillside Avenue****Acceptance/Review****Lot Line Adjustment**

Mr. Sioras provided the following staff report. The purpose of the plan is for a lot line adjustment between the two parcels. Town department signatures are not required on a lot line change. There are two waiver requests from S & H Land Services. Staff supports the waiver requests as wetland mapping and topography are not required for a lot line change. The two homes are in existence. No state approvals are required. Staff recommends approval of both the waiver requests and the lot line adjustment.

Rob Degan, S & H Land Services, represented the applicants. Mr. Carleton and Ms. Chalfant were present and he had a notarized letter from the Low family, authorizing him to speak on their behalf this evening. The letter was provided for the file. The Estate of Low applied for and received a variance to allow subdivision of 5 Hillside Avenue. The Carleton's approached them and asked for the lot line adjustment instead which is being presented this evening.

The Carleton's would acquire a strip of approximately 50 feet; which moves the lot line away from the existing home. There is a wide-open grassy lawn between the two homes. A waiver is being requested from the topography and wetland requirement as no new development is proposed.

Motion by MacEachern, seconded by Granese to accept jurisdiction of the lot line adjustment plan for Robert Carleton & Nicole A. Chalfant; PID 29042, 9 Hillside Avenue and the Estate of Samuel Low, PID 29043, 5 Hillside Avenue.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed.

Motion by MacEachern, seconded by Granese to open the public hearing.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed. The floor was open to the public.

There was no public comment.

Motion by MacEachern, seconded by Granese to close the public hearing.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed. Review of the plan returned to the Board.

Mr. L'Heureux indicated there were no comments from Public Works.

Mr. Myers inquired if other than acquiring more land to make the Carleton lot bigger, was there any other reason for the request. Mr. Degan was not aware of any. Mr. Carleton stated the house was too close to the previous lot line. Mr. Myers inquired of Mr. Sioras if this made the lot conforming. Mr. Sioras said 10,000 square feet per lot is required with town water and sewer to create a lot. This lot would meet that requirement at 28,843 square feet after the adjustment. Both lots meet the requirement both before and after the adjustment.

Motion by MacEachern, seconded by Granese to grant the following waivers from the Land Development Control Regulations as after review of the waiver request the Board finds that specific circumstances relative to the plan, or conditions of the land in such plan, indicate that the waiver will properly carry out the spirit and intent of the regulations: LDCR Section 170-24.A.11, Topography, and LDCR Section 170-24.12, Wetland mapping.

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed.

Motion by MacEachern, seconded by Granese to approve pursuant to RSA 676:4 III – Expedited Review, with the following conditions: Subject to owner's signature; Subject to on-site inspection by the Town's engineer; Establish escrow for the setting of bounds or certify the bounds have been set; Note approved waiver (s) on the plan; Obtain written approval from the Planning Director/designee that the GIS disk is received and is operable and it complies with LDCR Section 170-24.C; Conditions precedent shall be met within 6 months; Submission of the appropriate recording fees, payable to the Rockingham County Registry of Deeds. [This includes the \$25.00 LCHIP fee, recording fees for the mylar and the Notice of Decision.]

Chase, Clapp, MacEachern, Myers, Hultgren, Granese, Nelson, and O'Connor voted in favor and the motion passed.

Board Member Comments

Mr. Granese thanked the Town Council members who voted for him last evening. He has been a member of the Board for over 14 years in various positions.

There was no further business before the Board.

Motion by MacEachern, seconded by Granese to adjourn.

Chase, Clapp, MacEachern, Myers, Hultgren, Nelson, Granese and O'Connor voted in favor and the meeting stood adjourned at 7:16 p.m.

Approved by: _____
Chairman/Vice Chairman

Approval date: _____