

The Planning Board for the Town of Derry held a public meeting on Wednesday, February 05, 2020, at 7:00 p.m., at the Derry Municipal Center (Third Floor Meeting Room) located at 14 Manning Street in Derry, New Hampshire.

Members present: John O'Connor, Chairman; Lori Davison, Vice Chair; Brian Chirichiello, Town Council Liaison; Randy Chase, Town Administrative Representative; Mark Grabowski, David McPherson (Secretary Pro-Temp); Mark Connors, Members; Jim MacEachern (7:12 p.m.), Alternate

Absent: Maya Levin, Dave Granese

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning & Economic Development Assistant

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

*Mr. McPherson was appointed Secretary Pro Temp*

## **Escrow**

### **#20-05**

**Project: Villages at Oakwood**

**Developer: Lifestyle Homes of Derry NH**

**Escrow Account: Same**

**Escrow Type: Performance Bond**

**Parcel ID/Location: 08039, 42 Tsienneto Road**

The request is to approve Release #1 in the amount of \$1,112,021.14, on Performance Bond #GM200101 – Great Midwest Insurance Company. The amount to retain is \$305,985.60.

Motion by Grabowski seconded by Davison as presented. The motion passed with all in favor.
--

**#20-06****Project: Villages at Oakwood****Developer: Lifestyle Homes of Derry NH****Escrow Account: Same****Escrow Type: Letter of Credit****Parcel ID/Location: 08039, 42 Tsienneto Road**

The request is to establish Letter of Credit #43340, drawn on Enterprise Bank in the amount of \$305,985.60 for the above noted project. The expiration date will be January 22, 2021.

Motion by Davison, seconded by McPherson to approve as presented. The motion passed with all in favor.

**#20-07****Project: Villages at Oakwood****Developer: Lifestyle Homes of Derry NH****Escrow Account: Same****Escrow Type: Performance Bond****Parcel ID/Location: 08039, 42 Tsienneto Road**

The request is to approve Release #2 in the amount of \$305,985.60, on Performance Bond #GM200101- Great Midwestern Insurance Company. The amount to retain is zero. This is the final release of the Bond.

Motion by Connors, seconded by Grabowski to approve as presented. The motion passed with all in favor.

**Minutes**

The Board reviewed the minutes of the January 15, 2020, meeting.

Motion by Connors, seconded by McPherson to approve the minutes of the January 15, 2020, meeting as written. The motion passed with Chase and Grabowski abstaining.

**Items from the Chairman**

Mr. O'Connor extended congratulations to the Board's Secretary Maya Levin and her family on the birth of their daughter. He also reported he spoke with Mr. Bartkiewicz today and Mr. Bartkiewicz has resigned from the Board for health reasons. Mr. Bartkiewicz has been a member of the Board for the past ten years. He has been consistent in attendance and participation and has been a valued member of the Board's site walks as he provided pictures of each site walk for the members who were unable to attend. Mr. Bartkiewicz was also one of

Derry's representatives to the Southern New Hampshire Planning Commission. He will be missed. The Board wishes him well and hopes he experiences better health this year.

Mr. O'Connor advised the School Board will hold its deliberative session this Saturday to discuss the proposed school budget. On Tuesday, there will be a Presidential Primary- voting locations are available online.

Yesterday, the FEIS for Exit 4A was approved. This is a fully funded project and will be moving forward. This ties into the Derry Master Plan goals.

### **Correspondence**

Mr. McPherson advised the Board has received a copy of the Fiscal 2020 Change in Use list. This is list of the Change in Use applications received by the Planning Department to date.

### **Other Business**

Schedule a Public Hearing – Proposed changes to the Zoning Ordinance, Article II, Word Usage and Definitions, Section 165-5, and Article XX, Livestock, Section 165-155, Nuisances Prohibited.

Mr. O'Connor stated the Board has been working on amendments to address nuisances. Definitions for Public and Private Nuisance are being proposed which will assist Code Enforcement in their efforts. Public Nuisance affects more than one or two people and has an affect on the neighborhood.

Mr. Sioras reported the Board had requested the last round of proposed changes be reviewed again by legal counsel. Attorney Keith has done that and provided her opinions in a letter to the Board, which is under Attorney Client Privilege. She cautioned against adding the word "continual" to the definitions. Staff recommends scheduling a public hearing on March 4, 2020.

Motion by Davison, seconded by Connors to schedule a public hearing for March 04, 2020, to discuss proposed changes to the Town of Derry Zoning Ordinance, Article II, Word Usage and Definitions, Section 165-5, and Article XX, Livestock, Section 165-155, Nuisances Prohibited.

Grabowski, McPherson, Chirichiello, Davison, Connors, Chase and O'Connor voted in favor and the motion passed.

## Public Hearing

### **Pursuant to RSA 674:1, Ia through 674:4 and 675:6, I, II and III, to adopt the revised Master Plan for the Town of Derry.**

Mr. O'Connor noted the Board is holding a public hearing to adopt the updated Master Plan. The hearing has been duly noticed and the consultants who developed the plan are present this evening.

*Mr. MacEachern entered the meeting and was seated for Ms. Levin.*

Mr. Sioras explained staff has been working on the update for the last 18 months with the consultant team. Three public forums were held to gather information, surveys were conducted community wide, with the older population, and the 20+ age group. Public comment boards were placed in the Municipal Center, the two Libraries, Veteran's Hall and Marion Gerrish Center. Boards were also placed at Pinkerton Academy during Senior Class lunch periods to capture input from the student population. The town received over 400 survey responses, and this plan includes information gathered from other efforts such as the First Impressions, and the Town Council Downtown Visioning Forum. There has been a broad range of input and comments from the public, community, and other stakeholders. All the Boards, Committees and Departments were interviewed. Staff is happy with the results of the plan and there was Planning Board member participation at the forums. Volume I contains the Plan and recommendations. Volume II and III contains back up data and a summary of the existing conditions. The last update was done in 2010. He thanked the Town Council for approving funding for this update in the Fiscal 2019 budget. The process began in the fall of 2018. Staff has enjoyed working with the consultant team made up of Daphne Politis of Community Circle; Jeff Maxtutis of BETA Group, Marth Lyon of Martha Lyon Landscape Architecture, LLC and Judi Barrett of Barrett Planning Group. Ms. Politis and Mr. Maxtutis are present this evening to answer any questions the Board might have.

Daphne Politis, Community Circle, presented. This has been a comprehensive process. They tried to invite and involve as many people as possible and there was a broad range of stakeholder participation. The consultant team conducted an inventory and assessment of the town's existing conditions. They did that in a number of categories such as housing and population, economic development, natural resources, open space and recreation, cultural and historic resources, traffic and circulation, public facilities and services, and land use and zoning. They looked at sustainability and climate change as it related to the Town of Derry and what could be done to address those potential impacts. A set of Visions and Goals was created with the stakeholder participation. They are as follows. Make Derry a Destination through downtown improvements, town character, reputation, history, and available natural resources. Encourage Economic Activity by utilizing the growing creative economy and the opportunities available on Route 28 South. Address the Opportunities and Challenges posed by Exit 4A, through the creation of a vision for the area, development and redevelopment. Promote Derry as a Place to Live, by addressing needs such as housing, the various age groups from millennials to senior citizens, transportation, stabilization of neighborhoods, and appropriate public facilities and services.

Promote Health and Wellness through walking, biking, recreation for all ages, local and healthy food, community gathering, finding ways to add fitness to everyday life, and by addressing substance abuse. Conserve Energy and Plan for Resilience through energy conservation, alternatives modes of transportation, sustainable development practices and the mitigation of the impacts of climate change.

Ms. Politis explained each of the six goals has several objectives, or sub-goals, and then 5 strategies for each one of the objectives. This makes the plan achievable and obtainable. They then came up with the top twelve recommendations based on their experience and best practices. The twelve key recommendations are interdisciplinary and are as follows.

- Develop a Downtown Revitalization Plan. The town has that in process. That is about improving the downtown in terms of economic activity and turning it into a ‘living room’ for the town where it is walkable, accessible and has opportunities for gathering.
- Complete a feasibility study for multi-generational Community Center. That would be for older adults to support socializing, health and for multi-generational opportunities. It could also provide a place for the youth to go.
- Design and plan a town-wide pedestrian and bike network with associated amenities. This includes sidewalks, Safe Routes to School, bike paths, and a trail system with parking and improved signage.
- Support older adults who wish to age in place. Help them to stay in their homes, or encourage smaller, appropriately located housing. Access to socialization is important, isolated seniors is a real problem in this region.
- Attract young adults to live in town. When asked why they live here, moved here, or how to keep them here, they expressed an interest in having more to do in the downtown. This provides a stimulus to the economy and social network. Being environmentally sensitive was important to them.
- Develop a vision and plan for the Exit 4A Gateway. Exit 4A will have the most challenges, and the town will need to stay ahead of those. There needs to be regulatory mechanisms and a vision.
- Develop a strategic plan for implementing the opportunities provided by the Cultural District. There are many cultural venues and art communities in Derry; they should be brought together to create an economic development tool.
- Develop a plan to promote heritage tourism (including historic buildings and legacy stories). There are many “firsts” in Derry and that is something that can be used to the town’s advantage. Those “firsts” include Robert Frost, Alan Shepard, the first potatoes, HP Hood and Sons, Londonderry Linen, etc. Make Derry a destination.
- Develop a Climate Change Adaptation and Resiliency Plan. Every community must do one of those now and in there should be a line item in the budget that addresses that.
- Encourage more community gatherings through events, activities, recreation and entertainment for families, younger and older adults.
- Develop a Health and Wellness Campaign. Promote healthy food, fitness, healthy lifestyles focusing on both physical and mental health.
- Explore a variety of affordable housing options for older and younger adults with access to recreation.

Mr. O'Connor noted the consultants identified eight key capital expenditures that will likely be used in the budgetary process. Those include the relocation of the Police Headquarters to mitigate the impacts of Exit 4a; the upgrading of the Fire Department stations and related facilities; additional recreational facilities; an Intergenerational Recreation and Community Center; additional services and facilities for older adults; retrofitting municipal facilities with renewable energy sources and other energy reduction measures; walking/biking infrastructure, such as sidewalks, crosswalks, bike trails and the Rail Trail; and streetscape improvements in the downtown.

Motion by MacEachern to open the public hearing, seconded by Davison. The motion passed with all in favor and the floor was open to the public.

Mr. O'Connor noted the Implementation Plan was created months ago and input was received on the Implementation Plan with regard to the Lead, Partners, and Priority. This is the final result of the work done by a lot of people.

Jim Morgan, 5 Eastgate Road, wanted to thank the Board members for their work and efforts over this last year and to extend his thanks to the citizens who took the time to come to the meetings and forums. He felt the consultants did an excellent job and this process had a lot of out of the box techniques to get input. He thanked the Board again for their efforts. He is aware the Board held over 23 workshops this year.

There was no further public input.

Motion by MacEachern to close the public hearing, seconded by Connors. The motion passed with all in favor and discussion came back to the Board.

Mr. Connors commented the Recreation Department did a simultaneous study that was undertaken by a different consultant. Will that Study be incorporated into this Master Plan? Mr. Sioras said it would be included, but it would be added as an Appendix to this Plan once it is complete and adopted in February. Mr. Connors asked if the priorities in the Implementation Plan would change based on the outcome of the Recreation Study. Mr. Sioras said the Recreation Department was included in the interview process for the Master Plan. A lot of the information is the same in both documents. Ms. Politis noted there is a chapter devoted to Recreation in the Master Plan (Volume II). Mr. Sioras added if the Recreation Study is adopted, some of the items might be added to the Fiscal 2021 budget, based on recommendation in the Recreation Study.

Mr. MacEachern stated he did not see a description of the educational facilities in the Summary, or information about working with the school system and Pinkerton. Ms. Politis said it would be contained in Volume II, under Chapter 7, which covers public services and facilities, specifically page 7-2. That sections contains a discussion of the schools and covers the inventory and assessment. Mr. MacEachern said he was looking for the future planning for Pinkerton Academy and the School District. Ms. Politis noted the Master Plan is the town's plan, not the school's plan. Mr. O'Connor reminded the Board at the last discussion it had been stated that

information would not be added into this plan because it is not under the purview of the Board. Derry is an SB2 town and it is up to the School District to do its own planning. The items of interest for this plan concern things like electricity. Mr. MacEachern said this is the Town Master Plan which he would assume would include everything in the town. Ms. Politis directed the Board's attention to Objective 4.6.5, located on page 4-69 of Volume I. These strategies seemed to be the most appropriate degree to discuss the schools because they are a separate entity from the Town. This is where the Plan talks about supporting their efforts and collaboration. Mr. MacEachern said the last Master Plans had extensive sections dedicated to the schools. Mr. Sioras explained those past sections referenced the schools. During the meetings with the Superintendent of Schools and Headmaster, Ms. Connors-Krikorian and Headmaster Powers provided recommendations and the recommendations were incorporated. The schools do their own plans and are referenced in Objective 4.6. This Master Plan update is very different from those done in the past. It is not in the format with which the Board would be more familiar. Mr. MacEachern said he is used to seeing a larger section on Pinkerton and the schools because this is a Master Plan for the whole town and the schools impact the tax rate. Part of what the Board does is plan for the whole town, which includes the schools. He felt they owed it to the citizens to do that. Ms. Politis pointed out there are several pages in this Plan that are devoted to the schools and to Pinkerton Academy. What specifically was missing? Mr. MacEachern explained he would like to see their individual future plans included. Ms. Politis stated the enrollment figures are included as well as the plans that were in place at the time of the interviews. This Plan is a snapshot in time. The school plans will change over time because they are based on enrollment numbers and the pedagogy. That determines the amount of space they need. Mr. O'Connor noted the schools have said they need to keep track of enrollment and there has been discussion about closing a school if the enrollment numbers go below 2000. There has even been some discussion about closing two schools and building one new one.

Mr. Grabowski said he is a former School Board member. He also would have liked to see more information on the schools. He recognizes there are three entities in town. This is an outstanding document for what it is. How it is encompassed is the issue, not the fact that there are three entities. The State requires the Planning Board to create and update a Master Plan; the State does not require this of the schools or Pinkerton Academy. The School District struggles to create a master plan of its own and he would advocate for regulations at the state level that requires the school districts to create Master Plans. Schools are responsible for 2/3 of the tax rate and are the biggest employer in town. They are also a main reason young people move to Derry. They should have the same planning requirements as the Board.

Mr. Connors said he was involved in the 2010 update of the Master Plan and does not recall a very large section devoted to the schools. In looking at the 2010 Plan, the school data is very similar in scope to what is included in this update; it mostly covers enrollment figures. The state requires specific topics in the Plan from the Board with regard to transportation, land use, community facilities, recreation, energy, and land conservation. The town reaches out to the school system and Pinkerton for information. Mr. Connors posed if the school system was part of the Town budget, he believed it would be included under the community facilities section, but it is a separate entity.

Motion by Davison, in accordance with New Hampshire RSA 674:4, Master Plan Adoption and Amendment, and New Hampshire RSA 675:6, Method of Adoption, that the Board, by a majority vote of the Board's members, adopts the 2020 Master Plan. McPherson seconded the motion.

Grabowski, McPherson, Chirichiello, Davison, MacEachern, Connors, Chase and O'Connor voted in favor and the motion passed.

Mr. O'Connor asked the Board members to sign the certification, which will be forwarded to the Town Clerk.

### **Workshop #1 – Planning Board goal setting - 2020**

Mr. O'Connor suggested since the Master Plan has just been adopted, that the Board members spend a few weeks reviewing it and come back on March 04, 2020, with their suggestions.

### Other

The Capital Improvement Plan will be presented to the Board at its next meeting on February 19, 2020.

There was no further business before the Board.

Motion by MacEachern, seconded by Davison to adjourn. The motion passed with all in favor and the meeting stood adjourned at 7:44 p.m.

Approved by: \_\_\_\_\_  
Chairman/Vice Chairman

\_\_\_\_\_  
Secretary

Approval date: \_\_\_\_\_