

The Planning Board for the Town of Derry held a public meeting on Wednesday, November 01, 2017, 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; Michael Fairbanks, Secretary; Jim MacEachern (7:04 p.m.), Lori Davison, Frank Bartkiewicz, Maya Levin, Members; Mark Connors, Alternate

Absent: Randy Chase, Brian Chirichiello, Elizabeth Carver

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

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.

Mr. Connors was seated for Mr. MacEachern.

Escrow

#17-37

Project Name: Cowbell Corner

Developer: David and Catherine Frahm

Escrow Account: Same

Escrow Type: Letter of Credit

Parcel ID/Location: 04126 and 04127, Route 111 and Island Pond Road

The request is to renew Letter of Credit number FHA-1015P-Reduction, in the amount of \$136,080.00, drawn on Merrimack County Savings Bank for the above noted project. The expiration date will be October 28, 2018.

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

Mr. MacEachern was seated and Mr. Connors stepped down.

#17-38

Project Name: South Avenue Townhomes

Developer: David Barka

Escrow Account: 17 South Avenue LLC

Escrow Type: Letter of Credit

Parcel ID/Location: 30012, 17 South Avenue

The request is to approve a final release of cash escrow drawn on Enterprise Bank in the amount of \$1069.20 for the above noted project. The amount to retain is zero.

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

#17-39

Project Name: Groundhog Landscaping
Developer: 6-8 Bowers Road
Escrow Account: Same
Escrow Type: Cash Escrow
Parcel ID/Location: 02065, 8 Bowers Road

The request is to approve a final release of cash escrow drawn on Enterprise Bank in the amount of \$20,023.20 for the above noted project. The amount to retain is zero.

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

#17-40

Project Name: Subdivision of Land Map 3, Lots 104-5 and 104-5-1
Developer: Grace Homes and Excavation
Escrow Account: Same
Escrow Type: Cash Escrow
Parcel ID/Location: 03104-005, 31 Frost Road

The request is to approve a final release of cash escrow in the amount of \$5,767.20 for the above noted project. The amount to retain is zero.

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

#17-41

Project Name: 156 Hampstead Road
Developer: Mark Reed
Escrow Account: Same
Escrow Type: Cash Escrow
Parcel ID/Location: 09081-002, 156 Hampstead Road

The request is to establish cash escrow in the amount of \$9,428.40 for the above noted project. This is a non-interest bearing account. Mr. MacEachern confirmed the location of the lot.

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

#17-42**Project Name: 154 Hampstead Road****Developer: New Wave Diversified, LLC****Escrow Account: Same****Escrow Type: Cash Escrow****Parcel ID/Location: 09081, 154 Hampstead Road**

The request is to approve a final release of cash escrow in the amount of \$9,428.40 for the above noted project. The amount to retain is zero.

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

Minutes

The Board reviewed the minutes of the October 18, 2017, meeting.

Motion by MacEachern, seconded by Fairbanks to approve the minutes of the October 18, 2017, meeting as presented. The motion passed with Bartkiewicz and Levin.

Correspondence

Mr. Fairbanks advised the Board is in receipt of an updated copy of the Change of Use list for 2017. Highlights include Seacoast Sport Cycle moved to a new, larger location and their former space was filled with Monarch Motor Sports. Most of the changes are for storefronts; small businesses in Derry are opening or expanding.

Other Business

Mr. Sioras noted no plans were received for review for the November 15, 2017 meeting. Does the Board want to take a night off? The Board opted to schedule its next meeting for December 6, 2017.

Mr. Granese stated the Board will be moving forward with Phase II of the MHDR II zoning. He spoke with Mr. MacEachern, Mr. Sioras and Mrs. Robidoux. The town no longer has the recreation van but he feels the Board should view the area on either side of Folsom Road before moving forward. The Board could likely carpool. Mr. MacEachern said the subcommittee members carpooled when they viewed the area. It is not a large area. He suggested picking a few spots where cars could pull off the road and park safely and then the Board members can walk the various areas. Places to park could be on Madden Road, at the Police Station, and at the intersection of A and B Streets. That can be done on a Saturday with the focus being on the proposed Exit 4A corridor. A different Saturday can be chosen at a later date to look at other

areas such as the downtown. The Board needs to look at the effects the widening of the road will have on the neighborhoods so that it can form an opinion as to how far to the left or right of the existing roadway the zones will be. The Board can discuss it and then invite the Economic Development team to a meeting to listen to what they have to say.

Mr. Granese suggested meeting at Town Hall for about an hour after the site walk so that Board members can share their ideas as not everyone will be in the same vehicle. Mr. Sioras will coordinate that with Public Works so that the Board can have access to the building. Mr. MacEachern asked that a map of the area be provided for the group meeting.

The Board decided to hold the site walk on Saturday, November 18. The date will be changed if weather conditions warrant it. Ms. Levin and Mr. Connors cannot attend on that date. Mr. Sioras offered to take Board members to the area during the work day. Notice will be posted advising of the date and time. The Board will hold a workshop to discuss the site walk on December 6th.

Workshop #1 – Central Business District/Traditional Business Overlay District – Begin discussion and review of permitted uses and zone requirements

Mr. Sioras advised he took the initiative to schedule a workshop based on discussions the Board had at a joint workshop it held on May 17, 2017. At that time, the Board had discussed zoning and permitted uses in the downtown. The Board had decided to focus on the Medium High Density Residential district change. The agenda for this evening was fairly light, so he asked Mrs. Robidoux to place a workshop on the schedule to discuss the minimum size of apartments in the downtown and on what floor they would be allowed. This is to start the discussion. Anne Struthers, the Economic Development Coordinator, has some recommendations and the Board had provided some guidance back in May.

Mr. Granese said the original change in the downtown took place in May of 2015 when the Board changed zoning to only allow residential use on the third floor and up. That was the big discussion at that time. The reason the Board made the change was to restrict the construction of apartments that had housing on the first and second floor. Ms. Struthers has recommended removing that restriction. He would like to know the reasoning behind that recommendation. Mr. Fairbanks mentioned the changes occurring in downtown Manchester. Mr. Granese felt the town was more similar to Exeter. Mr. Fairbanks asked if there are a lot of offices on the second floor in Derry. He recalled the conversation from 2015 and one of the property owners telling the Board the spaces would not be leased as office. Mr. Sioras explained there have not been any new office uses on the second floors. When the zoning was originally put into place for the Central Business District, the Board wanted retail on the first floor, office on the second floor, and residential could be on the third floor and above. Nothing happened in the downtown other than at 6 West Broadway. There have been no conversions of existing buildings and no new buildings have been constructed. They are looking at it again, based on past discussion.

Mr. MacEachern said he had no problem going back and looking at residential uses on the second floor and above but felt the Board needed to tread lightly. There has been no activity in

the downtown with regard to new construction to say that it is working or not. He feels the Board needs Ms. Struthers' assistance to determine the longer view. The Master Plan needs to be redone next year, per the RSAs. When the town does that, it will have a better idea of the vision for Derry and then the Board can align the zoning appropriately.

Mr. MacEachern went on to state the Board will need to look at the maps. The Board may want to have residential behind as an option. For example if someone built a new four story building, the Board might want the whole building to be office. This would keep business and office on the street. Where does the Board want to do certain things? The Board needs feedback from everyone involved. All of the zoning goes together. He would not want to do it piece by piece. He feels the Board should look at some of the uses and to a better job of re-defining some of the uses such as light manufacturing. He suggested working with the Economic Development Advisory Committee. With the advent of Exit 4A, now is the time to get this work done. There needs to be a timeline created for 2018 that makes sense.

Mr. Granese said he would want to hear from the property owners to get a better idea of what they want; they may want something that is different than the Board's vision. Mr. MacEachern added that is why there is a public input session for the Master Plan.

Mr. Connors asked if the Board could separate the requirements for existing construction from the requirements for new construction. Mr. Sioras said the Board can write the zoning that way if it wants to. Mr. Connors stated many people who would in the past have rented the second floor offices are now working from home. The market for small office is gone. The second issue is that the existing building stock is not ADA compliant; they are all walk ups without elevators. For the existing buildings, maybe the Board should allow housing on the second floor. Businesses can't locate there without elevators. New buildings could have the requirement that housing be on the third floor and above because they will be required to include elevators in the construction if they are more than one floor. Micro apartments can be dangerous. If they are rented by young professionals, that is a good thing but Derry may attract a different renter. He wondered if the Board should look at the limitation in the regulations regarding 1 and 2 bedroom apartments. He is aware of one building in town where the first floor is the business but the second floor is the living space for the family. People living in apartments in the downtown will walk downtown to the businesses located there.

Mr. Granese said when apartments were allowed on the second floor, there are properties available in the downtown where someone could have built a six story building with 115 apartments. Mr. MacEachern reviewed the current buildings in the downtown and their heights. There is the building owned by Red Oak that is three stories; Santander Bank is 3 stories; Cash for Gold is 2 stories; the Pet Supply building has been removed, Smash Music is two stories, 6 West Broadway is three stories, with business on the first and second floors. The footprint is small for the older buildings. The hope would be for a plan where the existing building comes down or gets added to. The tallest building in the downtown is the senior housing. Mr. Granese noted someone could purchase a few buildings and put up an apartment building. Mr. Sioras reminded the Board there is an outstanding site plan approval to put a new building on the open land where the farmer's market takes place. There are some older buildings in the downtown that are not in the best shape.

Mr. O'Connor asked when the RFP for Abbott Court closed. Mr. Sioras replied the end of October. Mr. O'Connor would like information on why more housing is needed. Will the Board need to undo the zoning change it just recommended to Town Council if there is a need for more workforce housing? Mr. Granese said a taller building can be constructed on Abbott Court. For example, perhaps one floor could be a garage for residents, one floor a garage for the public, the next retail or restaurants that have decks adjacent to the rail trail and then housing above. Another idea would be to charge people to park in the downtown, which is something other towns do. This would add parking and provide revenue for the town.

Mr. O'Connor recalled back in 2015 when the zoning subcommittee was meeting, he heard from the business owners that they wished the two hour parking limit would be enforced. The town does rent a few spaces for the winter in the Abbott lot. Mr. Granese commented when the parking on Merchant's Row is full, people park on Manning Street which takes away from parking for businesses located on Manning Street. There are absentee landlords with buildings for sale, but the buildings are very expensive. Some could be taken down and replaced with three story buildings. If a developer with money came in and purchased property, the downtown could be revitalized.

Mr. Granese said the big discussion point is housing on the second floor and if it should be allowed in the CBD/TBOD. He wants to hear from the property owners to see what they feel about that; they may want the ability to rent apartments on the second floor to increase their revenue.

Mr. MacEachern said this all ties into the Master Plan and getting everyone together to discuss it. The Board is required by RSA to update the Master Plan. Allowing business only on Broadway in buildings that can be up to four stories, with apartments located behind is an alternative option. He is not sure which option is the right one. Maybe the town should allow business on the first floor and the option to have housing above that. Currently, they are talking about six properties. He would also want to hear from the property owners on Broadway, the economic development team, and citizens in general. The Board should take what comes from the Master Plan and coordinate the zoning to what that document says.

Mr. Sioras said staff has been asked to see what the cost would be to update the Master Plan for Fiscal 2019. Town Council will decide if the update will be included in the budget. The RSA charges the Planning Department to update the Master Plan. Mr. Connors stated that is a year away; does the Board have to wait a year to make any decisions? Mr. MacEachern said the Board could collect data now. Mr. Granese said it will take a few years to update the Master Plan. Should the Board send out a survey with specific questions to a specific group such as the landowners in the downtown, and the EDAC to see what they want? The survey can come back to the Board and the Board can work off that rather than having one large visioning meeting. Then the Board can hold a workshop to discuss the results. Mr. MacEachern thought that was a good starting point. The Board could form a Strategic Planning Group such as was formed in the 1990s which can be limited to a development plan for the downtown. This could be a low dollar event and could have break off groups to get ideas. The basis of the meeting could be "we have all of these forms and ideas now how do we put it together?" This could be completed by spring

and would give Mr. Sioras data for the Master Plan. Alternatively, the Board can work with UNH Cooperative Extension, or Southern New Hampshire Planning Commission. The cost of the Master Plan update can be inexpensive or very expensive. Mr. Sioras recalled the quote obtained last year was in the \$75,000.00 range, and that quote stipulated Planning and other departmental staff would be doing some of the work on the plan. There is a big range in pricing for a project of this size; it can be up to \$150,000.00.

Mr. MacEachern felt a lot could be done in-house. The Board can map a strategy and create a project plan to be shared with the Town Administrator over the next few months. This is work for staff but he did not feel the town needed to pay extreme amounts of money for a consultant. It is the Planning Board's job to create and update the Master Plan.

A motion was made and seconded to adjourn and then discussion continued.

Ms. Davison suggested holding a Town Hall forum type meeting where people can stream the meeting and email in. Mr. Granese thought that was a good idea but the Board can also hold a workshop. There are some property owners who live out of state and could not attend. A survey would be a good start. This can be discussed at the next meeting. People who live in the area can be spoken to face to face, and then go to a meeting.

Mr. Connors noted Survey Monkey is a good survey tool as it will tabulate the data. Mr. Granese pointed out not all townspeople have internet.

Mr. MacEachern felt the Board needed to set goals and objectives and figure out how to get there. Mr. Sioras could then present this to Mr. Caron; the end objective may be this is the bones for the Master Plan or should the Board only deal with the CBD/TBOD. The Board needs to find out how to tie all of this with Exit 4A. In 2018, the Board may need to meet more often.

Mr. Sioras said an RFP for consulting services can go out and then he could follow up with Mr. Caron. This year the Master Plan is a specific goal from the Town Council. He will follow up on this. Mr. MacEachern noted the law requires the town to have a Master Plan and update it; the law does not require the town to spend money on it.

Mr. Granese recapped the site walk will take place on November 18th. After the site walk, the Board will meet in the first floor cafeteria. Between now and then, he would ask the Board members to think about ideas for a questionnaire or survey. If Board members run into downtown property owners, ask them what they want to see. The viewing public can email any suggestions to the Planning Department.

Ms. Davison asked if the Board should also be asking the consumers what they want to see in the downtown for businesses. Maybe people don't want to live in micro apartments. The owners may have different ideas. Mr. Granese said the Board should start with the property owners. It may be the current owners have been approached to sell their buildings to a developer who would like to put in apartments on the second floor, but since that is not allowed, the sale went nowhere.

Board members will be notified if weather will interfere with the plan for the site walk on November 18, 2017. Mr. Sioras noted traditionally, the Board only holds one meeting in December.

There was no further business before the Board.

Motion by MacEachern, seconded by Bartkiewicz to adjourn. The motion passed and the meeting stood adjourned at 8:01 p.m.
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Approved by: _____
Chairman/Vice Chairman

Secretary

Approval date: _____