

1 The Planning Board for the Town of Derry held a public meeting on Wednesday, July 08, 2026,
2 at 7:00 p.m. The meeting was broadcast from the Derry Municipal Center, 14 Manning Street,
3 Third Floor meeting room, with a virtual option.

4
5 Members present: Dave Nelson, Chair, John O'Connor, Vice Chair, Richard Malaby, Secretary,
6 Randy Chase, Town Council Liaison, Brian Chirichiello, Town Administrator Representative,
7 Bryan Fishman, Derek Minervini, Michael Wood, Jacob Pelletier, Members, and Thomas Mauzy
8 and Andrew Young, Alternates
9

10 Members absent: Z. Michael Appleton, Alternate
11

12 Also present: Elizabeth Robidoux, Planning Director, Caroline Wilson, Planning Administrative
13 Secretary II, Abigail Burrill, Planning Intern
14

15 Mr. Nelson opened the meeting at 7:00 p.m. The meeting began with a salute to the flag.
16

17 Mr. Nelson welcomed Andrew Young, newly-appointed Planning Board Alternate.
18

19 **Escrow**
20

21 **#26-22**

22 **Project Name: 62 Lane Road 2 Lot Subdivision**

23 **Developer: McMaster Development**

24 **Escrow Account: Same**

25 **Escrow Type: Cash Escrow**

26 **Parcel ID/Location: 06059, 62 Lane Road**
27

28 The request is to establish cash escrow in the amount of \$13,193.38 for the above noted project.
29 This escrow will be non-interest bearing.
30

31 Motion by O'Connor, seconded by Malaby, to approve Escrow #26-22 as presented.
32

33 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
34 Nelson vote Yes. The motion passed.
35

36 **#26-23**

37 **Project Name: 18 Crystal Avenue Site Plan Amendment**

38 **Developer: Oracle Construction and Development, Inc.**

39 **Escrow Account: Same**

40 **Escrow Type: Cash Escrow**

41 **Parcel ID/Location: 30096, 18 Crystal Avenue**
42

43 The request is to establish cash escrow in the amount of \$10,559.88 for the above noted project.
44 This escrow will be non-interest bearing.
45
46

Motion by O'Connor, seconded by Malaby, to approve Escrow #26-23 as presented.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Minutes

The Board reviewed the minutes of the June 17, 2026 public meeting.

Motion by O'Connor, seconded by Malaby, to approve the minutes of the June 03, 2026 public meeting as amended. 17

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Chirichiello, Pelletier, and Nelson vote Yes. Fishman and Malaby abstained due to being absent. The motion passed.

Correspondence

The Board was provided with the quarterly Change of Use spreadsheet; the Town welcomed five new businesses this past quarter.

Mr. Malaby reported that the summer issue of the NHMA Town & City Magazine is available online; and a hard copy is available in the Planning office.

Other Business

None.

Planning Director and Chairman Updates

Ms. Robidoux noted that the next Planning Board meeting is August 5th. The Board will resume meeting twice per month in September.

The Housing Preferences Survey QR code will be available (DerryNH.gov, social media, etc.) until July 12; individuals of all ages should consider taking the survey.

Members are encouraged to consider which meeting dates in September / October they would like to have Sylvia von Aulock present the Plans Reading and Analysis workshop. Mr. Nelson has taken this workshop and recommended it; he suggested choosing an evening with a light agenda.

Mr. Nelson was pleased to announce that the Board now has a full roster of members and alternates.

Public Hearing**Brian & Laura Real Estate, LLC****PID 35014-005, 20 Folsom Road****Acceptance/Review****Reconfiguration of existing car wash site**

Ms. Robidoux explained the applicants have operated the existing car wash (Royal T) for almost 30 years. The use has been in existence since the 1970s and predates zoning. The widening of Folsom Road associated with the Exit 4A project reduced the property's existing front setback by approximately 30 feet. In 2024, the applicant acquired approximately 530 square feet from the adjacent former Salvation Army lot through coordination with NHDOT. That area is reflected on this plan. The State of NH installed a gravel service road to the southwest side of the property, and this area will be used as the major point of egress for the site. This necessitates relocation of the existing vacuums.

Neither Highway Safety nor Conservation Commission review were required for this project.

The applicants obtained a variance from the State Fire Marshal to move the propane filling tank to its existing location. The three tunnel bays will remain. One of the two existing detail bays will be removed; the detail bay will be managed and operated by Royal T staff. Vending machines will move adjacent to the discontinued detail bay, and the eight vacuums (*Mr. J. Young corrected there are six vacuums*) will move against the wall of the existing building. The sign for the business has already been moved. The dumpster and shed are proposed to be moved to new locations that are outside of the traffic flow areas.

Access to the site is from Folsom Road through an 83-ft wide existing curb cut. Most trips generated by the site are expected to be pass-by trips and are therefore not anticipated to significantly increase traffic volumes in the corridor. Vehicles will enter the site from Folsom and circulate to the rear of the site into the wash bays. Customers utilizing the propane tanks or vacuums will turn left to those service areas. Customers at these locations will exit via the service road. Customers who just utilize the wash bays will exit to Folsom Road via the right only exit. The median does not permit a left-hand turn out of the site from this location.

It appears there is adequate parking on site for staff and customers. The regulations do not include a parking calculation for car wash use, so the Board will need to make a finding of fact with regard to parking.

Stormwater needs were addressed, and a drainage report is included in the application.

The existing driveway opening interrupts the public sidewalk (proposed as part of the highway construction). The driveway is intended to accommodate one lane in and one lane out for the car wash operations. The town is requesting the installation of a raised median island within the existing curb cut to establish separate entrance and exit lanes (27 feet on the side closest to the Police Department and 24 feet on the side closest to the propane tank). The intent is to

accommodate pedestrian movements and comply with ADA requirements. An 83-foot uninterrupted driveway opening increases pedestrian risk when pedestrians are required to cross a large, undefined and unprotected vehicular area. The proposed median narrows and defines the pedestrian crossing location while reducing conflict zones between pedestrians and vehicles. The proposed configuration is consistent with accepted access management principles and presents a safer and more efficient access arrangement than the existing unchanneled curb cut. The State of NH DOT currently owns the right of way where the pedestrian refuge off-site improvements are proposed. The land won't revert back to the Town of Derry until the completion of the current phase of construction. The off-site improvements are recommended by the Director of Public Works and the Engineering Coordinator. Town staff has requested authorization from NHDOT to construct the proposed pedestrian refuge island within the State right-of-way prior to completion of the Exit 4A project. At the time of this report, NHDOT has not yet responded.

An interim solution would be to stripe a gore area of diagonal striping, creating a visual island between the entrance and exit lanes. This would need to be striped with Thermoplastic paint for durability. It is understood this would be an ongoing maintenance item for the landowner.

Staff also noted potential vehicle and pedestrian conflicts near the relocated vacuum stations and propane filling area where maneuvering space is limited. These areas should be carefully evaluated to minimize conflicts between circulating vehicles and pedestrians. Several waivers are being requested as part of checklist items. Where this is an existing site, containing existing non-conformities, the waivers are being presented to bring the site into conformity as much as possible. Staff recognizes that the applicant is doing the best with what is available to them.

Requested waivers include:

1. LDCR Section 170-63A.(2) to allow parking spaces closer than 10 feet to the property line
2. LDCR Section 170-63D (1) to allow parking spaces to be less than 9 x 20'
3. LDCR Section 170-63D (3) to allow one way drive aisle to be less than 18' wide
4. LDCR Section 170-64 to not require a landscape plan
5. LDCR Section 170-67B (1) to allow the screened dumpster to be closer than 25 feet to the property line
6. LDCR Section 170-62B (4) to allow one way drive aisles to the wash bay to be less than 11 feet wide.

Staff recommends the Board review the plan as presented, determine regional impact, and discuss the proposed offsite improvements and determine if the pedestrian refuge island is the best solution for the site.

Mr. Nelson noted that the preceding information was detailed and extensive; were these items not resolved since being addressed by the TRC? Ms. Robidoux explained the offsite improvement

issues arose after the TRC meeting. The main issue is that neither the Town nor the car wash own the section in question; NHDOT does. Until it reverts back to the Town, the Town can only make a recommendation.

Motion by O'Connor, seconded by Malaby, to accept jurisdiction of the amended site plan before the Board for Brian & Laura Real Estate, LLC, PID 35014-005, 20 Folsom Road.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Motion by Chase, seconded by Malaby, pursuant to RSA 36:56, the Board finds the proposal as presented at this time meets the definition of a development of regional impact.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote No, this is an existing use that is being reconfigured due to the expansion of Exit 4A and does not meet the definition of regional impact. The motion passed.

Motion by O'Connor, seconded by Malaby, to open the Public Hearing.

All members present vote Yes. The motion passed.

Jordan Young, PE, with Atlantic Civil Engineering, and Brian Messina, property co-owner, were recognized.

Mr. J. Young explained the car wash building is about 40' from the new right of way line. The applicant is proposing to move the vacuum stations from against the building to the west side of the property. A parking space is being proposed on either side of the propane tank. The dumpster pad would be moved to the northwest corner of the building with two new parking spaces. The applicant wanted more parking spaces for employees and customers drying their cars off. The area in the front used to serve as parking, but this now belongs to NHDOT.

The state installed a service road on the left side of the property, which will serve as an exit-only for vehicles that travel out of the wash bays. There are four self-serve bays on the right side which will be allowed to exit to Folsom Road (right turn only).

The entrance is divided by the curbed island. Until construction is completed for the Folsom Road widening, the Town does not have jurisdiction to enforce structures inside of the right of way that were not previously approved. The proposed solution is to paint to block off the same area and to direct traffic towards the exit. This doesn't stop vehicles from entering and going to the propane; but that would be the only time that vehicles drive in front of the building. All other traffic will go behind the building.

No members of the Public rose to be heard at this time.

Mr. Chase asked for clarification on where a propane-only customer would enter the site; Mr. J. Young indicated there is one entrance only. Mr. J. Young added that 95% of the customers are for

the car wash, and only 5% are for propane. There might be 9-10 vehicles per day that come in for propane. Mr. J. Young felt it would be rare that a vehicle would be exiting one of the bays at the same time that a vehicle would be entering for propane. The property owners do not see this as an issue. Customers can only access the propane tank one way; there are Do Not Enter signs and a painted arrow on the pavement. If someone is in one of the two new parking spaces next to the propane tank, they would need to back out. There is no site entry via the service road nor is there a Do Not Enter sign at the intersection of the service road and Folsom Road.

Mr. L'Heureux added that the service road is under the jurisdiction of the State. The right of way will revert to the Town's jurisdiction when the entire Exit 4A project is complete (including Contract C, projected to be finalized in 2036, but to be determined). Mr. Chirichiello inquired if the applicant envisioned many vehicles entering via the service road. Mr. Messina believed that most customers would use the business' actual entrance at Folsom Road; they are used to coming in that way. Propane customers have been entering and turning left to access the propane for thirty years.

Mr. Chirichiello mentioned that he has witnessed that the car wash has a robust business, but now there is limited space in the front of the property. Mr. Messina clarified that much of the traffic flow uses the tunnel wash, which is to the left side, and those customers will have to U-turn to the right. The other four bays are self serve automatic wash, with a maximum of one car exiting every 4-5 minutes.

Mr. Mauzy asked if customers could only take a right onto Folsom Road when exiting the site via the service road; Mr. Messina stated this is correct, unless NHDOT were to install a traffic light at that intersection.

Neither members of the Board nor members of the Public rose to comment further.

Motion by O'Connor, seconded by Malaby, to close the Public Hearing.

All members present vote Yes. The motion passed.

Mr. Nelson stated that the construction of Exit 4A is the justifying criteria for the waiver requests.

Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-63A (2) to allow parking spaces closer than 10 feet to the property line. 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.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

277 Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-63D (1) to
278 allow parking spaces to be 9' x 18' in size, where 9' x 20' in size is required. After review of the
279 waiver request, the Board finds that specific circumstances relative to the plan, or conditions of
280 the land in such plan, indicate that the waiver will properly carry out the spirit and intent of the
281 regulations.

282
283 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
284 Nelson vote Yes. The motion passed.

285
286 Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-62B (4) to
287 allow the drive aisles leading to the wash bays to be 10.5' wide where 11 feet are required. After
288 review of the waiver request, the Board finds that strict conformity to the regulations would pose
289 an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and
290 intent of the regulations.

291
292 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
293 Nelson vote Yes. The motion passed.

294
295 Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-63D (3) to
296 allow one way drive aisle to be 10.5' feet wide where 18 feet is required. After review of the waiver
297 request, the Board finds that strict conformity to the regulations would pose an unnecessary
298 hardship to the applicant and the waiver would not be contrary to the spirit and intent of the
299 regulations.

300
301 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
302 Nelson vote Yes. The motion passed.

303
304 Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-64 to not
305 require a landscape plan. After review of the waiver request, the Board finds that strict conformity
306 to the regulations would pose an unnecessary hardship to the applicant and the waiver would not
307 be contrary to the spirit and intent of the regulations.

308
309 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
310 Nelson vote Yes. The motion passed.

311
312 Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-67B (1) to
313 allow the screened dumpster to be 18' to the property line where 25 feet is required. After review
314 of the waiver request, the Board finds that specific circumstances relative to the plan, or conditions
315 of the land in such plan, indicate that the waiver will properly carry out the spirit and intent of the
316 regulations.

317
318 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
319 Nelson vote Yes. The motion passed.

The Board finds the proposed plan provides safe and efficient vehicular and pedestrian access, and the design and construction of the access ways are adequate to accommodate the anticipated volume of traffic proposed by the development.

The Board finds the proposed parking plan is adequate for the site and meets the parking density requirements for the use.

The Board finds the stormwater management as proposed is designed to control the post development runoff so that it does not exceed predevelopment runoff.

Motion by Malaby, seconded by Pelletier, that the Board makes Findings of Fact, as listed above.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Mr. Nelson asked Mr. L'Heureux if the Engineering Department had any remaining concerns; Mr. L'Heureux said no.

Motion by Malaby, seconded by Pelletier, that after review and deliberation of the amended site plan application for PID 35014-005, Brian and Laura Real Estate, LLC, the Board finds the applicant has satisfied the general requirements of the Land Development Control Regulations, or in cases where the regulation cannot be met, has satisfied the waiver requirements. Therefore, the motion is to Approve pursuant to the RSA 676:4 I – Completed Application, with the following conditions:

Conditions Precedent:

1. Subject to owner's signature
2. Establish appropriate escrow as required to complete the project
3. Note approved waiver (s) on the plan
4. Obtain written approval from the Planning Director/designee that the GIS submission is received and is operable and it complies with LDCR 170-61.C
5. Subject to receipt of applicable state or local permits relating to the project
6. Completion of the suggested offsite improvements, to include the addition of appropriate striping at the entrance, to be reviewed by Derry Engineering staff.
7. Conditions precedent shall be met within 6 months.

Condition Subsequent:

1. Subject to on-site inspection by the Town's engineer

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

MTM Realty Trust (Owner)

GR Development, LLC (Applicant)

PID 35015-002, 10 Manchester Road

Acceptance/Review

Site Plan, demolish existing retail building and construct a new 4,325 SF car wash

Ms. Burrill explained the applicant is requesting to demolish the existing multi-tenant commercial building to redevelop the property with a new 4,325 SF car wash facility known as "Washville." The ZBA determined this was a permitted use in the zone (Commercial Service Establishment), located in the Industrial II zoning district and did not require a variance. The Highway Safety Committee reviewed the proposal and Conservation Commission review was not required. The proposed site plan reconstruction includes a 110-foot tunnel wash with 3 wash lanes and 22 vacuum units. The use and construction of this site will require a new gas line from Tinkham Ave and will also connect the existing sewer line directly to the onsite sewer manhole. Connections to existing water service on Tinkham Ave are also required.

Throughout the review process, staff comments have focused primarily on traffic circulation and site access. The original concept plan for this development showed access through the Applebee's site (14 Manchester Road) via the signalized intersection. To date, the applicant has been unable to secure an easement for this access. Staff requested the access through Applebee's be removed from the plan until such time as the easement has been secured. The existing curb cut on Manchester Road is proposed to be discontinued. At the time NHDOT reviewed and approved this request, the plan still showed the access easement through 14 Manchester Road. NHDOT has not provided insight to date, as to whether they feel removal of the access easement affects the traffic flow onto Manchester Road.

A new portion of sidewalk will be constructed along the frontage when the curb cut is discontinued. Parking appears adequate for the use. The Board will need to make a finding that it is adequate as the regulation does not have a calculation for 'car wash.'

The proposed site design requires vehicles exiting Tinkham Avenue to make an unprotected left turn onto Manchester Road. Staff remains concerned that this movement may present operational and safety challenges during periods of heavier traffic. The traffic study conducted by GPI presented 11 left turns during weekday PM peak, and 36 left turns during Saturday midday. The town's peer review engineer was asked to review the plan in relation to staff concerns. Please see the VHB review. At a minimum, staff recommends the applicant continue to seek easement approval to benefit 10 Manchester Road from the landowner at 14 Manchester Road.

There are monitoring wells on site – some related to the former Hadco (7 Manchester Rd), the remainder were put in place to monitor groundwater following a spill at the former gas station at this location. Two wells were decommissioned in 2021, they will be cut sub-grade as needed. The well to remain (located near Manchester Road) is noted. The Environmental Coordinator expressed

some concern regarding the soil management process during construction. The development team has indicated they have Soils Management Plan ready if required. The Hood Park Watershed Management Plan revealed Tinkham Ave as a problem area; stormwater discharges from the roadway's closed drainage system into Shields Brook. The applicant was asked to provide infiltration along Tinkham Ave, which they have done. To address the concern, they added deep sump catch basins. Per their Stormwater Management Report, the stormwater design measures proposed for the project will result in increased stormwater recharge, improve stormwater quality and reduce peak discharges to Tinkham Avenue. The applicant has indicated that the proposed car wash will operate without the use of PFAS-containing cleaning products.

An architectural design package is included. The Industrial II district requires a Medium High level of compliance.

A waiver is being requested from LDCR Section 170-67B.(1) to allow the dumpster to be located 5.5 feet from the north property line, where 25 feet is required, and from LDCR Section 170-65C, to not require the stormwater design to achieve 50% removal of Total Nitrogen and Total Phosphorus.

NH DOT issued a permit on March 23, 2026 to alter the driveway on Manchester Road, to eliminate the curb cut on Manchester Road. (DOT-DRI-004566). NH DOT confirmed today that they are aware there is no access through Applebee's, and this does not pose any issues to them. Local water and sewer connection permits are required as necessary.

Staff recommends the Board determine regional impact, and review the proposed site plan and architectural design rendering.

Ms. Robidoux clarified that NH DOT first reviewed the proposal when the plan still showed the access easement with Applebee's. Mr. Bollinger with GPI informed Staff that, as of today, NH DOT did not have any issue with the unprotected left; noting that people could hit the light at Applebee's and turn left that way. When Staff heard that the Applebee's landowner had not responded to inquiries about the easement, it was thought best to take the easement off of the plan to prevent future confusion.

Mr. O'Connor inquired if there is no official easement from the owners of the Applebee's property, then how can the Board approve the plan? Mr. Nelson explained that the easement has been removed from the plan. If the applicant is able to obtain the easement with Applebee's, the applicant would be asked to come back to the Board to amend the site plan. Mr. Dougherty with Washville explained that they are still seeking the easement.

Motion by Malaby, seconded by Pelletier, to accept jurisdiction of the site plan before the Board for GR Development, PID 35015-002, 10 Manchester Road.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Relative to regional impact, Mr. Nelson inquired if the projected water consumption would affect the regional water system. Mr. Dougherty explained that 60% of the wastewater is recycled. The water demand is about 21,000 gallons per day, resulting in 18,000 gallons of wastewater a day.

Mr. L'Heureux explained that this was not a significant impact to Derry's water system.

Mr. O'Connor added that the Manchester Water Works will be expanding its source to include the Merrimack River, which will greatly supplement the capacity.

Motion by Malaby, seconded by Pelletier, pursuant to RSA 36:56, the Board finds the proposal as presented at this time meets the definition of a development of regional impact.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote No, this is one commercial use replacing another commercial use; and it will most likely not be a destination, but will rely on bypass traffic. Traffic will not be significantly more and the water consumption will not be out of line with what the Town's system can handle. The motion passed.

Motion by Chirichiello, seconded by Pelletier, to open the Public Hearing.

All members present vote Yes. The motion passed.

Patrick McLaughlin, CE, with GPI and Frank Dougherty with Washville were recognized.

Mr. McLaughlin clarified that three pay lanes converge to a single wash lane. 22 vacuum units will service 20 available parking spaces.

Mr. McLaughlin explained that the multi-use building to be demolished presently houses Enterprise Rent A Car. The current right-in, right-out driveway along the center of the frontage on Manchester Road will be eliminated. The proposed curb cut at Tinkham Ave. will be the sole entrance/exit; and the existing parking encroaching on Tinkham Ave. will be curbed up. There is a historical cross connection between the businesses on this parcel and the abutting parcel with Applebee's; the team has identified that all rights associated with this access are expired. Neither party contests that it continues to be used.

A new pedestrian sidewalk connection will be provided to the sidewalk on Manchester Road. Customers pulling into the pay lanes are first-come, first-served. The three lanes merge into a single lane. If a customer wanted to use the vacuums first, that is two-way. There are two bypass scenarios in the event there is a service issue. The location of the trash enclosure was selected due to the green space that will be added and the curb cut to be removed. The team also did not wish to encumber the existing sewer easement that traverses the property.

There will not be any trenching into Manchester Road for any new utility hookups. Sewer can be reconnected via existing infrastructure within the property boundaries. Water will be a new connection on Tinkham Ave. An overlay of the Tinkham roadway associated with the trenchwork will be required; this has been discussed with DPW. Gas comes off of Tinkham via a new service.

Electric runs along the bottom boundary via overhead lines that come through an easement currently and serves Applebee's. They will be relocating and working with the utility company to realign some electrical easements as needed.

The redevelopment proposal includes a ~9,500 SF reduction in impervious coverage. This aims to provide groundwater recharge and increase greenspaces. The existing conditions allow stormwater to flow in an uncontrolled manner out into the right of way and into the roadway system. The redevelopment will include a closed drainage system, deep sump catch basins with hooded outlets, and a hydrodynamic separator unit before connecting into the roadway system. The architectural renderings are in the packet.

Mr. O'Connor inquired about the soil contamination and the wells that samples were taken from. Mr. Dougherty explained that this site is across from / down gradient from a contamination site (Hadco) on Manchester Road. There are wells onsite for the monitoring of the (Hadco) site, and also for monitoring the subject site. The subject site was formerly a gas station, there is some information on underground storage tanks, but the team did not locate them in the environmental site assessment that was performed. Out of respect for the Town, they have agreed to monitor the soils during construction with a PID meter. It detects volatile organic compounds, and if a certain threshold is reached, a notification is triggered with the state to manage any compounds that are found. The Town has asked for a soil management plan in anticipation of this happening, and the applicant has done so.

Mr. Nelson inquired about how many trips per day the Washville in Concord, NH received. Bob Bollinger, Traffic Engineer from GPI was recognized. Mr. Bollinger explained that in order to come up with a realistic trip generation for the proposed Washville site in Derry, an aggregate of the trip generation data from Methuen, MA, Tyngsboro, MA, and Concord, NH locations was used. Mr. Bollinger stated it may be more important to note that the weekday AM peak hour is not significant / is within single digits of the current traffic. The weekend PM peak hour traffic is an overall decrease of what is presently there. The largest overall delta is during Saturday midday; an estimated 95-vehicle increase is expected. Based on that, they did not feel there would be any significant alteration to prevailing traffic patterns.

Mr. Bollinger stated that NH DOT issued a driveway permit for this project in March. The matter of the cross access agreement with Applebee's is ongoing. As of today, NH DOT advised that the permit issued in March is still valid.

Bonnie Bean, Pastor of Journey Church, 5 Tinkham Ave., was recognized. Ms. Bean explained the church currently has an offsite sign located at the corner of Manchester Road and Tinkham Ave. The church was told that the land the sign is on was owned by the owner of 10 Manchester Road. The church and Palaestra Gymnastics Academy (8 Tinkham) have been paying rent to have space on this sign. Ms. Bean stated the church and the gymnastics academy would like to keep their signage there. The Salvation Army (recently moved into 5 Tinkham) and The Sewing Diva Quilt & Gift Shop (recently moved into 8 Tinkham) would also like to use the sign. Ms. Bean would at least like to get the sign back if it is removed.

Ms. Bean was also concerned with the water usage of the car wash, as well as the left hand turn out of Tinkham Ave. She felt that this was already a difficult turn; could the Town consider installing a traffic light there?

Mr. Nelson explained that traffic lights on State roads (such as Manchester Road) are controlled by the State. With respect to traffic flow, the applicant indicated that most times of the day Washville will be at parity with the existing uses and the only increment projected to increase traffic was midday Saturday. Ms. Bean explained the church's peak hours are Sunday mornings and midday; and the gymnastics academy peak hours are in late afternoon and evening on weekdays. Mr. Nelson felt this would probably not be a major overlap in timing. Mr. Nelson did not feel there was much the Town could do as far as traffic devices on a State road. Mr. Nelson does know that the State does not like to put stop lights too close to one another.

Mr. L'Heureux expressed concern for queuing at Tinkham Ave. at peak periods. Mr. L'Heureux remains concerned about the access easement with Applebee's not being in place; he encouraged the owner to continue to seek out the easement. In the coming years with the opening of Exit 4A, the left hand turns will become even more difficult. It is important to have connectivity with other businesses as far as getting people in and out of sites and putting them in better positions to utilize signalized intersections. The ideal pattern would be right in, right out of Tinkham Ave.

Mr. Nelson inquired if there was an alternate way to enter or exit the Tinkham Ave.; Ms. Bean explained it is a dead end street.

Mr. Dougherty acknowledged that the potential future planning of the intersection of Tinkham Ave. and Manchester Road was to be determined / under the State's jurisdiction.

Mr. Dougherty explained that, based on the calculations discussed earlier, there will not be any adverse impact to abutters in regards to the water usage.

Mr. Dougherty explained the offsite sign mentioned by Ms. Bean is in the State right of way, and is not on the 10 Manchester Road property. However, Washville would like to accommodate Ms. Bean and the other tenants' request by placing their signs beneath Washville's proposed pylon sign, at Washville's expense. Ms. Robidoux explained Washville's proposed pylon sign is at the corner of Tinkham Ave. and Manchester Road. Mr. Nelson inquired if there would be any issues with off premise signs in regards to zoning regulations. Ms. Robidoux explained that there needs to be an agreement between the property owner and the sign's business owner; that was secured previously. Ms. Robidoux felt that, before the survey was done, everyone thought that the sign was on the 10 Manchester Road property. Ms. Robidoux explained that sign permits will be required, and would let the applicant know if anything additional is required. Mr. Dougherty stated that Washville will complete any necessary permitting and will be glad to feature the other businesses on the new sign at Washville's expense.

Mr. Chirichiello inquired about hours of operation. Mr. Dougherty explained that the car wash will be open Monday through Saturday, 7:30am – 7pm, and Sunday 8am-5pm. The operation is fully staffed with 3-5 employees at all times. There is no self service. The vacuums are not

operational when the facility is closed. If customers vacuuming their vehicles generate excess noise, employees will ask those customers to quiet down.

Mr. Nelson felt that the architectural renderings were appropriate for the Industrial-II zoning district; was this their standard look? Mr. Dougherty explained that they wanted to strike a balance between the Washville look and what the Town of Derry's regulations required. For example, the long wash tunnel wall was broken up with canopies. Various materials were used in the façade.

Mr. Minervini inquired if there would be sufficient employee parking; there are three spaces including one accessible space, with up to 5 employees on a shift. Mr. Dougherty explained that they have found with their 28 locations that not all of their employees drive; some are high schoolers that carpool with friends or walk. This helped achieve the design goal to minimize paved surfaces where possible.

Motion by O'Connor, seconded by Pelletier, to close the Public Hearing.

All members present vote Yes. The motion passed.

Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-67B.(1) to allow the dumpster to be located 5.5 feet from the north property line, where 25 feet is required. 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.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Mr. Chase asked Mr. L'Heureux if he was amenable to the Board granting the waiver from LDCR Section 170-65C, to not require the stormwater design to achieve 50% removal of Total Nitrogen and Total Phosphorus. Mr. L'Heureux said yes; it is a difficult site, exfiltration into the ground is not something that should be done when there is potential contamination. The site is known to have a lot of ledge.

Motion by Malaby, seconded by Pelletier, to grant a waiver from LDCR Section 170-65C, to not require the stormwater design to achieve 50% removal of Total Nitrogen and Total Phosphorus. After review of the waiver request, the Board finds that strict conformity to the regulations would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Mr. Nelson thanked the applicant for making modifications to their corporate look to benefit Derry's regulations. It was noted that granite is being installed in the lower part of the façade.

640 Motion by Malaby, seconded by Pelletier, to find that pursuant to LDCR 170-85, that the
641 application as presented demonstrates substantial compliance with the Architectural Design
642 Regulations. This property is located in the Industrial II zoning district and meets a Medium High
643 of compliance as outlined in Section 170-84.

644
645 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Chirichiello, Pelletier, Malaby, and Nelson
646 vote Yes. The motion passed.

647
648 The Board finds the proposed plan provides safe and efficient vehicular and pedestrian access, and
649 the design and construction of the access ways and walkways are adequate to accommodate the
650 anticipated volume of traffic proposed by the development.

651
652 The Board finds the proposed parking plan is adequate for the site, and meets the parking density
653 requirements for the use.

654
655 The Board finds the landscape plan meets the intent of the regulations.

656
657 The Board finds the stormwater management as proposed is designed to control the post
658 development runoff so that it does not exceed predevelopment runoff.

659
660 The Board finds the utility construction standards are met.

661
662 The Board finds exterior lighting, snow storage provisions, and erosion and sediment control
663 provisions are adequate.

664
665 Motion by Malaby, seconded by Pelletier, that the Board makes Findings of Fact, as listed above.

666
667 Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and
668 Nelson vote Yes. The motion passed.

669
670 Mr. Fishman inquired if condition #7, "submission of correspondence from NH DOT confirming
671 they have reviewed the amended plan (removing the access easement to 14 Manchester) and DOT
672 is still satisfied a new permit is not required and meets best practices for safety" should be struck.
673 Mr. Nelson felt that it seemed to be reasonable to ask for. Ms. Robidoux added that this condition
674 has been met.

675
676 Mr. Minervini wondered if a condition precedent should be added regarding the signage that
677 Washville has offered to provide for the neighboring organizations. Mr. Chase felt that the Board
678 would not have jurisdiction over such a civil agreement. It is a gesture of goodwill on the
679 applicant's part. Mr. Dougherty stated that Washville looks forward to working with their
680 neighbors.

Motion by Malaby, seconded by Pelletier, that after review and deliberation of the site plan application for PID 35015-002, GR Development, the Board finds the applicant has satisfied the general requirements of the Land Development Control Regulations, or in cases where the regulation cannot be met, has satisfied the waiver requirements. Therefore, the motion is to Approve pursuant to the RSA 676:4 I – Completed Application, with the following conditions:

Conditions Precedent:

1. Comply with the VHB review letter(s)
2. Subject to owner's signature
3. Establish appropriate escrow as required to complete the project
4. Note approved waiver (s) on the plan
5. Obtain written approval from the Planning Director/designee that the GIS submission is received and is operable and it complies with LDCR Section 170-61.C
6. Subject to receipt of applicable state or local permits relating to the project.
7. Submission of written correspondence from NH DOT confirming they have reviewed the amended plan (removing the access easement to 14 Manchester) and DOT is still satisfied a new permit is not required and meets best practices for safety.
8. Conditions precedent shall be met within 6 months.

Conditions Subsequent:

1. Subject to on-site inspection by the Town's engineer
2. If a plume is hit during construction, the Soils Management Plan will be submitted and there will be onsite inspection by the Town Engineer and Environmental Coordinator.

Roll Call Vote: Chase, Wood, Minervini, O'Connor, Fishman, Chirichiello, Pelletier, Malaby, and Nelson vote Yes. The motion passed.

Board Member Comments

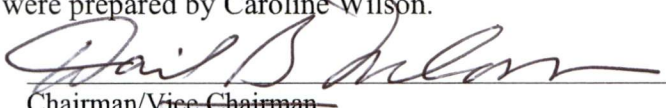
None.

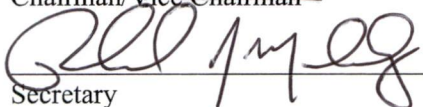
Motion by Malaby, seconded by Pelletier to adjourn.

All members present voted Yes. The motion passed, and the meeting was adjourned at 8:38pm.

The minutes were prepared by Caroline Wilson.

Approved by:


Chairman/Vice Chairman


Secretary

Approval date: August 05, 2026