

The Planning Board for the Town of Derry held a public meeting on Wednesday, May 06, 2026, at 7:00 p.m. The meeting was broadcast from the Derry Municipal Center, 14 Manning Street, Third Floor meeting room, with a virtual option.

Members present: Dave Nelson, Chair, John O'Connor, Vice Chair, Richard Malaby, Secretary, Randy Chase, Town Council Liaison, Derek Minervini, Michael Wood, Jacob Pelletier, Members, and Thomas Mauzy, and Z. Michael Appleton, Alternates

Members absent: Brian Chirichiello, Town Administrator Representative, Bryan Fishman, Member

Also present: Elizabeth Robidoux, Planning Director, Caroline Wilson, Planning Administrative Secretary II, Beverly Donovan, Economic Development Director

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

Mr. Mauzy was seated for Mr. Fishman.

Escrow

#26-13

Project Name: Site Plan Determination

Developer: Kenneth and Tunde Eyring

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 32033, 4 Lenox Road

The request is to establish cash escrow in the amount of \$12,161.25, for the above noted project. This escrow will be non-interest bearing.

Motion by O'Connor, seconded by Malaby, to approve Escrow #26-13 as presented.

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

#26-14

Project Name: Loading Dock Addition

Developer: G&P Holdings, LLC

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 35015-003, 4 Tinkham Avenue

The request is to establish cash escrow in the amount of \$8,697.45, for the above noted project. This escrow will be non-interest bearing.

Motion by O'Connor, seconded by Malaby, to establish Escrow #26-14 as presented.

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

#26-15

Project Name: 33 East Derry Road

Developer: Crystal DOT Realty

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 38002, 33 East Derry Rd.

The request is to establish cash escrow in the amount of \$59,259.50, for the above noted project. This escrow will be non-interest bearing.

Motion by O'Connor, seconded by Malaby, to establish Escrow #26-15 as presented.

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

Minutes

The Board reviewed the minutes of the April 15, 2026 public meeting.

Motion by O'Connor, seconded by Malaby, to approve the minutes of the April 15, 2026 public meeting as written.

Roll Call Vote: Wood, Minervini, O'Connor, Mauzy, Malaby, Nelson, vote Yes, with Chase and Pelletier abstaining due to absence. The motion passed.

Correspondence

Mr. Malaby announced that the latest edition of *New Hampshire Town and City Magazine* is available electronically.

The Board was informed by Michael McCormick that the roof and exterior walls of 61 Crystal Avenue are being painted. Renderings of a similar project were given as examples of the final appearance.

Other Business

2nd Reading of Policy & Procedures

As there were no questions or comments, a second clean read will be scheduled for the May 20th meeting, with a vote to follow on June 03.

**Architectural Design Review - Sign in WRB
PID 05039, 1 Scottish Way, Unit 1
State Farm Insurance/ARJ Financial Services**

Ms. Robidoux explained that the Town of Derry Zoning Ordinance, Section 165-101.12 (A)(14), requires that all new signs proposed in the West Running Brook District be reviewed by the Planning Board prior to the issuance of a sign permit. State Farm Insurance will be moving from 10 Manchester Road to Unit 1 in the new commercial building located at 1 Scottish Way. Staff recommends the Board approve the proposed signage.

Motion by O'Connor, seconded by Malaby, pursuant to the Town of Derry Zoning Ordinance, Article XII, Signs, Section 165-101.12, Signs in the WRB, to approve the sign design presented for State Farm Insurance, Parcel 05039, 1 Scottish Way, Unit 1, as presented. The Board finds the sign is compatible with the surrounding buildings, meets the regulations contained in the Ordinance, and compliments the surrounding architecture.

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

Planning Director and Chairman Updates

Ms. Robidoux noted that there were no recent TRC meetings to report on. Five cases are scheduled for the May 20th Planning Board meeting, please let Ms. Robidoux know as soon as possible if you will not be present to ensure there is a quorum. There is a Planning and Zoning conference facilitated by NH Office of Planning and Development this Saturday, May 9th; please let Ms. Robidoux or Ms. Wilson know if you are interested in attending.

Lastly, Sylvia Von Aulock, Executive Director of the Southern NH Planning Commission, is retiring at the end of this month. Ms. Von Aulock will be greatly missed; but the commission will be in great hands with Nate Miller stepping into the Executive Director position, and Suzanne Nienaber stepping into the Deputy Director position. Please let Ms. Robidoux if you would like to attend the retirement celebration for Ms. Von Aulock.

Mr. Nelson did not have any updates.

Workshop #5 - To discuss proposed changes to Article VI, District Provisions, Section 165-33, Central Business District.

Mr. Nelson recapped the Board's progress thus far with the rework of the Central Business District.

Yard Depth - Section 165-33.C (4) – currently the ordinance allows a maximum front yard depth of 8 feet. The proposed revision is:

- a. When the Lot Width (at the front lot line) is 75 feet or less, the maximum yard depth shall be 8 feet of the average of the existing yard depths for 100 feet in every direction along the street, whichever is greater, and

b. When the Lot Width (at the front lot line) is greater than 75 feet, the maximum yard depth shall be 25 feet.

In other words, aspect ratios play into the proposed provisions.

Parking - Section 165-33.G – the proposed wording is:

1. All off street parking areas shall be provided in such a way that no vehicle will be required to or will be likely to back into the street, access drive.

The dangers of vehicles backing into the street was discussed in the Board's district walk in February.

2. No parking, storage, or display of vehicles shall be allowed between the front lot line and a line parallel with the front of the structure closest to the front lot line.

This basically means that you can't park cars in front of the building. Although, in looking at the GIS, Mr. Nelson observed that the lot lines are not exactly where one would think they would be. Paved sections of streets are not exactly indicative of the lot lines. The Planning Board cannot prevent folks from parking in the right of way, that would be a Town Council action. The intent would be to prevent heavily parking in front of buildings.

3. Parking shall otherwise be as provided in Chapter 170, Land Development Control Regulations.

The idea was to provide more flexibility for landscape and layout. The Board's consensus was to not see strip-mall type parking along the front.

GIS imaging of the CBD from Mr. Nelson's laptop was shared. The limits of the CBD were noted. The lots primarily looked at during the district walk were along Birch Street and South Ave. There are some sizable parcels, did the Board wish to make special provisions for those lots?

Ms. Robidoux suggested that with the redevelopment of Abbott Court, there will be some potential for existing multifamily and single family lots in the South Ave. and Central Ct. area to be redeveloped sooner than some of the lots down Birch Street.

Most of the lots on Central Ct. were observed to have over 75' of frontage. Ms. Robidoux felt that the 25' maximum front setback was more appropriate to retain the character of that section of neighborhood. Mr. Chase noted that only two properties in that section of Central Ct. were set back. Mr. Nelson clarified that the question is whether redevelopment here would more likely be in the form of adaptive reuse or teardown. Mr. Chase mentioned that 23 Central Ct. would be a teardown, as it was destroyed by fire; and a variance is being sought to allow all residential use. Mr. Chase mentioned Storer Ct.; it is more like a driveway, so if it were redeveloped, there would not be much of a streetscape. Mr. Chase is not opposed to the 25' maximum setback, but he would not like to see a piecemealed product.

Mr. Nelson summarized that in the case of teardowns to be redeveloped, the 25' maximum might be acceptable. Mr. Minervini would not want to see a developer tear down a building and construct in its place a building with a greater front setback just because the lot is a little larger. Mr. Nelson said that will be up to the developers. Mr. Chase did not feel it would be a bad idea, on the even side of Central St., the houses are fairly close to the road, while the odd side is more saw-toothed.

Ms. Robidoux summarized: for lots wider than 75', the maximum yard depth should be 25' OR the average of the existing yard depths in a direction of 200', whichever is less. There was no objection to this wording.

Mr. Wood wondered if the distance should be measured in the number of lots instead of feet. Mr. Nelson added that lots can be merged and unmerged.

Definition of Front Lot Line (Relative to Corner Lots): Ms. Robidoux asked the Board to clarify whether the front lot line was the line which the front of the building faces, or the line to which the driveway is connected.

Mr. O'Connor recounted discussions on the reworking of 2010 Census procedures for addressing. Mr. O'Connor would prefer to use the front door location as the correlation for front lot line, as the Fire Department does. Mr. Chase confirmed that the Fire Department is the Town's addressing authority, and preferred to remain aligned with that system. Mr. Nelson stated that on corner lots, nothing would stop someone from parking along the side street that the lot does not derive its frontage from, which could be a loophole. Mr. Chase felt that there has to be compromises; the streetscape can't feasibly be maintained all the way around.

Ms. Robidoux confirmed the revised Front Lot Line definition to be: "That lot line which directly abuts the street side of the lot, except for lots which have multiple lot lines which abut streets, in which case the front lot line shall be deemed to be that lot line abutting a street from which the address as designated by the Fire Department is located."

Architectural Design Regulations: Mr. Nelson did like the idea of putting Mr. Pelletier's suggested Architectural Design regulations into the Architectural Design section of the LDCR. However, cupolas and other structures being allowed to be above the maximum height of structures should not be allowed to supersede the Zoning Ordinance, unless there is a provision in the Ordinance for a Conditional Use Permit to allow otherwise. ("No building or structure within this district shall be higher than 425' above sea level as measured to the highest point of the roof, except where a Conditional Use Permit...")

Definitions - Parking Lot, Parking Structure: The intent is to prohibit new surface-level-only parking facilities to be constructed within the district, and to allow new parking structures (parking garages).

Mr. Pelletier supports the splitting of the definition, and suggested excluding the parking of unregistered vehicles. Whether a developer might pave a lot to park "junk" cars, or "classic"

cars, was discussed. If this were a paid parking situation, then it would be a self-regulating. It is unlikely that someone would pay to park any number of "junk" cars. Mr. Chase would hesitate to put that restriction on the multi-level parking facility provisions.

Purpose Statement: Ms. Robidoux asked the Board to verify that the proposed Purpose Statement correctly identifies the intent of the changes. The Purpose Statement does not appear in the body of the regulations, rather, it appears in the Record of Amendments, and it is provided to Town Council for their consideration of the proposed changes.

Currently it reads: "The proposed changes recognize the changing landscape of southern New Hampshire where increased housing density, height of buildings, and commercial market trends require some form of adaptation to create opportunity for economic growth and development in the core area of the downtown, while maintaining the historical character of the Central Business District. The changes recognize the smaller lot sizes and land use patterns that have emerged in the District."

The Board did not object to this Purpose Statement. It was confirmed that the Purpose Statement supports the Town's Master Plan.

A first reading of the revised changes will be done during Other Business at the May 20th Planning Board meeting. If there are no other changes, then a Public Hearing can be scheduled to accept and recommend the changes for acceptance by Town Council.

Workshop #1 – To discuss proposed changes to the Architectural Design Requirements in the LDCR

To capture the proposed requirements for buildings in the CBD with increased height, a new Section 170-86.3, Design Elements Specific to the CBD, has been created:

A. General. In addition to the requirements outlined above, the following architectural design standards shall apply to all structures in the Central Business District.

B. Architectural Element Exceptions: Non-habitable architectural features and appurtenances including, but not limited to, clock towers, cupolas, steeples, bell towers, and chimneys may exceed the maximum elevation limit established by up to twenty (20) feet, provided that such features do not collectively exceed thirty-three percent (33%) of the total gross roof area.

Mr. Nelson suggested cross referencing the Architectural Design Regulation section in the LDCR and in the Zoning Ordinance.

C. Performance and Design Standards for Increased Height: To mitigate the visual impact of building mass and preserve pedestrian scale, any building or structure exceeding six (6) stories or sixty-five (65) feet in height, as measured from the average finished grade at the street frontage, shall comply with the following standards during Site Plan Review:

1. Upper Story Step Setbacks: The exterior front wall of any story located at a height greater than sixty-five (65) feet above the average finished grade shall be set back a minimum of ten (10) feet from the primary exterior front wall of the lower stories.

2. No uninterrupted length of any façade shall exceed one hundred fifty (150) horizontal feet. Façades exceeding 150 feet in length shall incorporate wall plane projections or recesses having a minimum depth of three (3) feet to reduce perceived building mass.

3. Building designs shall incorporate varied roof lines, utilizing features such as gables, hip roofs, dormers or decorative parapets, to prevent continuous, monotonous roof planes.

4. Rooftop Mechanical Screening: All rooftop mechanical equipment, including but not limited to HVAC units, elevator overruns, and ventilation systems, shall be fully screened from public view from adjacent street level and abutting properties. Screening shall be architecturally compatible with the primary structure and may utilize parapet walls or enclosed architectural features.

Mr. Nelson suggested adding "Solar Panels" to "Rooftop Mechanical Screening."

Mr. Chase felt the language enhances the amendments in the Zoning Ordinance. Mr. Mauzy wondered if lighting fixtures would be included with rooftop mechanical equipment; Mr. Nelson did not think so, but such lighting would only be used for maintenance of the equipment.

Board Member Comments

Mr. Chase congratulated Mr. Malaby for being appointed to the Southern NH Planning Commission.

Mr. Nelson congratulated the Fishman family on the birth of their son.

Mr. Mauzy attended yesterday's "A Hard Road to Travel" workshop and found it very informative, especially regarding Class VI roads. The workshop recording will be distributed to the Board.

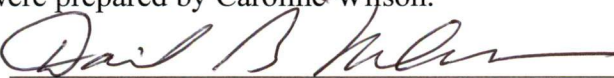
Mr. Appleton is working to recruit a new alternate Board member.

Motion by Chirichiello, seconded by Malaby to adjourn.

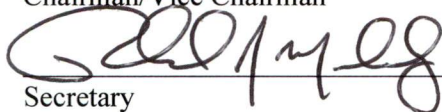
All members present voted Yes. The motion passed, and the meeting was adjourned at 7:57pm.

The minutes were prepared by ~~Caroline Wilson~~.

Approved by:



Chairman/Vice Chairman



Secretary

Approval date: May 20, 2026