

The Planning Board for the Town of Derry held a public meeting on Wednesday, June 17, 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, Randy Chase, Town Council Liaison, Brian Chirichiello, Town Administrator Representative, Derek Minervini, Michael Wood, Jacob Pelletier, Members, and Thomas Mauzy, Alternate

Members absent: Richard Malaby, Secretary, Bryan Fishman, Member, Z. Michael Appleton, Alternate

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

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

Mr. Pelletier was assigned to act as Secretary Pro Tem. Mr. Mauzy was seated for Mr. Fishman.

Escrow

#26-21

Project Name: Subdivision of Land, 343 Island Pond Road

Developer: GlennCo Construction Co.

Escrow Account: Same

Escrow Type: Cash Escrow

Parcel ID/Location: 17002, 343 Island Pond Road

The request is to approve a final release of cash escrow in the amount of \$4,945.00 for the above noted project. The amount to retain is zero.

Motion by O'Connor, seconded by Pelletier, to approve Escrow #26-21 as presented.

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

Minutes

The Board reviewed the minutes of the June 03, 2026 public meeting.

Motion by O'Connor, seconded by Pelletier, to approve the minutes of the June 03, 2026 public meeting as written.

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

Correspondence

Mr. Pelletier noted that the Board received:

- From the Town of Bow – a regional notification that on June 18th, the Bow Planning Board will review a Conditional Use Permit (CUP) application to erect a 190' telecommunications tower, and
- From the Town of Windham – a notification that the Windham ZBA determined that a proposed sports dome in that town will be a Development of Regional Impact (DRI).

Other Business**First Extension Request****PID 05069, 18 Cemetery Road****Sharon L. Butterfield, Trustee**

Ms. Robidoux explained the Planning Board approved a four lot subdivision for the Sharon L. Butterfield Rev. Trust on January 07, 2026. The conditions of approval allowed 6 months to meet the requirements. The applicant has been working diligently to secure required State approvals and is currently working with NH DES to secure the State subdivision approval. The applicant is requesting an additional 6 months to secure the necessary permits and construction escrow. The current approval expires July 07, 2026.

The recommendation is to grant a 6 month extension of the approval. The new expiration date would be January 07, 2027.

Mr. Nelson inquired why the State gets involved with subdivision approval. Ms. Robidoux explained that the State ensures the lots meet the requirements for supporting private septic systems and wells.

Mr. O'Connor added that he has heard of many projects in the recent past which have been delayed while waiting for NHDES approvals. Mr. O'Connor supports this extension request. Mr. Nelson believed that there were recent measures taken to streamline processes at the State level. Ms. Robidoux noted that when Governor Ayotte came into office, this was one of her directives, and there have been changes in permits such as Wetland and AoT.

Motion by O'Connor, seconded by Pelletier, to grant a 6 month extension of the subdivision approval for PID 05069, 18 Cemetery Road. The new expiration date will be January 07, 2027.

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

Fourth Extension Request
PID 35011-001, 14 Folsom Road
Stinson Hills, LLC

Ms. Robidoux explained that the Planning Board approved a 28,800 sf multi-building medical office site plan on February 19, 2020. The Board has since granted three extensions of the approval. The current approval expires July 15, 2026. The applicant has met all of the conditions of approval with the exception of establishment of escrow. Historically, the Board has not been asked to consider a 4th extension of approval. In this particular case there are some circumstances that are beyond the control of the applicant. The Alteration of Terrain permit is still in effect and will not expire until 2029. The property is subject to NH DOT takings for the Exit 4A project. When the project was originally approved, it was expected the Contract B portion of the DOT project would be completed and all construction along the frontage of this project would be completed. The DOT project was delayed. DOT also took a small portion of the property and secured temporary slope easements for construction purposes, which will not expire until 2034 or one year after the completion of the Exit 4A project. Currently, there is active roadway construction occurring at the access to this property, which would make development of the project problematic. For these extenuating reasons, the applicant is asking the Board to consider their request.

The recommendation is to grant a 24-month extension of the approval. The new expiration date would be July 15, 2028.

Mr. O'Connor added that there was a legal case with NH DOT that took over a year to resolve. Mr. O'Connor agreed that acquisitions for the Exit 4A project have also been delayed. Mr. O'Connor would be in favor of granting a 24-month extension of approval.

Motion by O'Connor, seconded by Pelletier, to grant a 24-month extension of the site plan approval for PID 35011-001, 14 Folsom Road. The new expiration date will be July 15, 2028.

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

Planning Board Goals

Ms. Robidoux suggested the Board determine which items to pursue, the priority level and timeframe for each, and which Board members might offer to take the lead on the efforts. From initial drafting to going before the Town Council, a reasonable estimate for a short-term turnaround time would be 3 months.

The Board reviewed and discussed the following potential goals:

Objective: CBD Amendments	Purpose: Create redevelopment and economic development opportunity
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This will be removed from the goals list as it is being addressed during this evening's Public Hearing.

Objective: MDR / LMDR Amendments	Purpose: Allow for reduced lot area when water or sewer is available
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Staff is finding that on lots in areas where public water and/or public sewer is becoming available, the ZBA is being asked to approve lot size reductions and/or frontage reductions. The ZBA has been approving a lot of those requests.

Mr. Nelson suggested that water or sewer availability might mean that the lots in that area should be in another zoning district.

Mr. O'Connor thought that with the expansion of the water project to Windham, perhaps that area could be added to the scope. Mr. Chase added that in the second phase of the water expansion project will include a storage tank on Warner Hill Road.

Mr. Nelson suggested this be addressed in the short term.

Objective: Create Non-Normative Workforce Housing Index	Purpose: Comply with State Law
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The Zoning Ordinance has workforce housing terms and conditions sprinkled throughout the entire document. Mr. Nelson and Ms. Robidoux thought that creating an index or appendix for all of the parts of the workforce housing regulations may be one way to comply with the State law.

Mr. O'Connor asked if the Town could still be held accountable with the regulations as they are right now. Mr. Nelson felt that a court would need to determine that. This would be a first step to rewriting the Zoning Ordinance and including a separate section for workforce housing.

Mr. O'Connor mentioned that former Director of Planning, George Sioras, used to provide the Board with Derry's progress with creating workforce housing. Ms. Robidoux explained that these statistics came from the American Community Survey, the census, and SNHPC. Ms. Robidoux can provide the Board with current data, and she believes that Derry is on track with providing its fair share of affordable housing, regionally.

Ms. Robidoux will reach out to legal counsel to ensure this type of index would be permissible.

Objective: Update language regarding ground / roof solar 15 kW requirement	Purpose: Needs clarification for the ground mounted and we don't provide direction for roof mounted
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Mr. Nelson did not believe that the wattage output should be the threshold for land use regulations; perhaps it could be the square footage of the footprint. Mr. Nelson felt that this matter may be split between land use and code enforcement. Ms. Robidoux clarified that when the current solar ordinance was enacted, the language was borrowed from State guidance at the time.

Objective: Update time limit on the non-conforming use provision	Purpose: Should be less than 12 months to avoid uses that have been eliminated from the zone from continuing
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176 *Ms. Robidoux explained that when zoning district provisions are updated, uses are removed from*
177 *the zones to reflect what is no longer desired in that zone. Ms. Robidoux felt that the continuation*
178 *of non-conforming uses is promoted with the 365-day period in which the non-conforming use can*
179 *be continued if reinstated. Ms. Robidoux suggested reducing this period of time to 3 or 6 months.*

180
181 *Mr. Nelson made note that if a non-conforming house or business is destroyed in a fire, one can*
182 *rebuild within the same footprint within 12 months. Ms. Robidoux explained that was a provision*
183 *for non-conforming structures; this would be looking at non-conforming uses.*

184
185 *Mr. Nelson is anxious about shortening the duration of grandfathering due to a use no longer*
186 *being conforming. For example, if an owner tries to sell their non-conforming business in order*
187 *to retire, sale of said business may be impossible if the existing use would no longer be allowed to*
188 *occur. Sometimes it takes a year to sell a business.*

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190 *Mr. Chirichiello added that water and sewer are being brought up Ryan's Hill in part to help the*
191 *evolution of the highest and best uses in that area.*

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193 *Mr. Nelson suggested assigning this a lower priority in order to enable further research.*
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Objective: Tiny Home / Cottage Court Ordinance or Requirements	Purpose: To provide more opportunity for affordable housing
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196 *Mr. Nelson mentioned that in years past when cluster subdivisions were proposed, the majority*
197 *of feedback was negative. Mr. Chirichiello added that in the 1980s, many wanted larger parcels*
198 *to enable privacy. However, land is so expensive now, that new developments have reverted back*
199 *to smaller lots.*

200
201 *Mr. Chirichiello mentioned that a neighboring town was currently seeing pushback to a proposed*
202 *tiny home subdivision, and he wondered why that was. Mr. Chirichiello would be eager for the*
203 *Board to take field trips to local communities with successful tiny home / cottage court*
204 *developments. Mr. Nelson agreed, and added that this is a hot topic that the Board should address*
205 *as soon as possible.*

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207 *Mr. O'Connor added that Dartmouth Hospital has built housing for their workers. On the*
208 *seacoast, a private nursing home built 30 townhouses for staff as well as a kindergarten.*

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210 *Mr. Nelson suggested this item be assigned a medium to medium-high priority.*
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Objective: Add requirements for travel trailers
and temporary storage

Purpose: To assist Code Enforcement

Ms. Robidoux explained that there are travel trailers ("RVs") that are staying on lots for longer periods of time and essentially serving as ADUs without going through the required process. There are also temporary storage containers (such as "Pods" or shipping containers) which are becoming permanent; there is nothing in the Zoning Ordinance to enable enforcement.

Mr. O'Connor suggested that the Property Maintenance Committee be consulted for these matters. Ms. Robidoux explained that the Property Maintenance Committee has been disbanded.

Mr. Nelson felt that this was more of a permitting and code compliance issue than a land use issue. Ms. Robidoux explained that other towns have provisions in their zoning ordinances for travel trailers and storage trailers.

Ms. Robidoux will speak with Code Enforcement Director Keri Owen (not present) about drafting some proposed language for these provisions.

Objective: Add definition for "Town"

Purpose: To clarify "Town" means Town of
Derry

Mr. Nelson felt that it was implied that "Town" means "Town of Derry" within the Derry Zoning Ordinance. Ms. Robidoux explained that the clarification is needed in the term, "Town approved road," as frontage on such is required to build on a lot in Derry. In cases in which lots are in multiple towns, it has been suggested that said road did not need to be in Derry. Mr. Nelson felt that if there was frontage on a Class V, town-maintained road, perhaps it wouldn't matter which town it was in. Mr. Nelson suggested the Board consider what is being regulated with this. Mr. Chase added that lots on town lines might trigger requirements for developments of regional impact.

Mr. Nelson suggested "Class V road" replace "Town approved road." Ms. Robidoux will research this. Mr. Chase added that clarifying that "Town" means "Town of Derry" would not actually solve the issue, and perhaps it should be looked at with a different perspective.

Objective: Review the sign ordinance (banner
signs, off premise, permitting)

Purpose: To clean up clutter, provide
enforcement authority for the lease of off
premise signs

Ms. Robidoux mentioned that there were many off-premise signs in town. Mr. Chase added that the term off-premise signs could also refer to signs that advertise for businesses in remote locations. Whether off-premise signs were the same thing as billboards, and what defined a billboard, was discussed. Mr. Nelson was hesitant to alter rules about signage. Mr. O'Connor added that the recent Supreme Court rulings on signs were very specific and great care should be taken when altering our sign ordinance.

Mr. Nelson inquired how a billboard on Rte. 28 which is leased to a local business for advertising differed from a sign on Birch Street advertising for another business. Ms. Robidoux is aware that the content of signs shall not be regulated, however, sign location / placement is what might be regulated by the Ordinance.

Ms. Robidoux will discuss this topic with Code Enforcement Director, Keri Owen. This will be a long-term goal.

Objective: Driveway turnarounds	Purpose: To prevent backing into public streets
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Mr. Nelson suggested requiring turnarounds on new lots so that residents would not be backing their vehicles out into the roads. Mr. Chase added that there is a provision for driveways greater than or equal to 150' in length to have turnarounds installed for emergency apparatus.

Objective: Revamp the Zoning Ordinance to make it easier to understand	Purpose: Assists the public
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Ms. Robidoux mentioned this was a goal from the Master Plan. Mr. Nelson suggested that it be placed at the bottom of the priority list, as it is a major undertaking. Mr. Nelson suggested flattening the document.

Objective: Create language for unscreened dumpsters in high visibility areas	Purpose: Prevent unsightly commercial storage along highly traveled areas
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Mr. Chirichiello suggested this change; he clarified that he felt that dumpsters placed right next to the road were unsightly. Mr. Nelson stated that the Board cannot do site reviews on residential properties, unless they are multifamily, in which case they are treated as commercial developments. The Board has one chance to enforce location and screening of dumpsters, and that is during site plan review. In the case that businesses are not complying with their approvals, it would be the purview of Code Enforcement to review. The Planning Board has the option to hold a condition compliance hearing and potentially revoke a site plan approval. The new permitting portal will have a "Service Requests" feature to aid with enforcement action.

Objective: Expand uses in GC II	Purpose: Look at zoning in totality and remove non-viable uses. Perhaps not restrict to medical type uses.
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Ms. Robidoux mentioned that this request came from Economic Development Director, Beverly Donovan, who is attending the meeting remotely. There are some vacant properties in the GC II district that keep going on and off the market; potential buyers show interest in the parcels for uses that are not permitted in that zone. Ms. Donovan hoped the Board would consider the impact of the opening of Exit 4A and discuss expanding economic opportunities in the area. Ms. Robidoux explained that there have been requests for contractor bays / warehouses with small retail, rather than medical uses for these lots.

Mr. Nelson suggested that the lack of land of industrial areas has drawn buyers to consider lots in this area. Mr. Chirichiello would like more information on the proposed uses for these lots.

Ms. Robidoux will discuss this further with Ms. Donovan. It was noted that there are four General Commercial (GC) zoning districts in Town; perhaps this should be streamlined.

Mr. Nelson suggested the Board form small committees to work on these goals. Some are more technical, but others are more impactful to people and will require outreach. Following the Exit 4A Gateway District visioning process as a model was suggested. Ms. Robidoux will revise the goals based on this evening's discussion and it will be brought back to the Board for review and implementation.

Planning Director and Chairman Updates

Ms. Robidoux reminded the Board members to inform staff if interested in attending the NNECAPA conference in October.

The Planning Board's next meeting is July 08.

Please review the materials regarding the development of regional impact in Windham and submit any comments to Ms. Robidoux within the next couple of weeks. She will provide a memo to Windham's Town Planner, Mr. Mello.

The Board was provided flyers with QR codes for the Housing Readiness Pilot Program collaboration with SNHPC. Planning Intern, Ms. Burrill and Liliana Vornehm from SNHPC attended the Farmers' Market today to educate attendees about the program.

Ms. Burrill explained the survey is geared toward those that live and/or work in Derry and in the surrounding communities. It asks participants to provide a rating from 1 to 5 stars to gauge interest in which housing types may be preferred in various areas of Town. Survey results will be evaluated by SNHPC, which may base long-term regional planning on the findings. Ms. Burrill felt that many attendees seemed very interested in the program. All are encouraged to take the survey.

Public Hearing

Public hearing to discuss proposed changes to the Town of Derry Zoning Ordinance, Article II, Word Uses and Definitions, Section 165-5, Definitions to AMEND the definition of "Front Lot Line", and "Parking Facility", and to ADD a definition for "Multi-level Parking Facility"

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

All members present vote Yes. The motion passed.

No members of the Public rose to be heard in-person or online.

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

All members present vote Yes. The motion passed.

Motion by Chirichiello, seconded by Pelletier, to find 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.

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

Motion by Chirichiello, seconded by Pelletier, to accept the proposed changes to the Town of Derry Zoning Ordinance, Article II, Word Uses and Definitions, Section 165-5, Definitions to AMEND the definition of "Front Lot Line", and "Parking Facility", and to ADD a definition for "Multi-level Parking Facility", and to move these changes forward to Town Council for review and approval.

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

Public Hearing to discuss proposed changes to the Town of Derry Zoning Ordinance Article VI, District Provisions, Section 165-33, Central Business District to AMEND Subsection A, Purpose; Subsection B, Permitted Uses; Subsection C (1 through 6) Area and Dimensional requirements to include minimum lot area, front yard depth, and building height; to AMEND Subsection F, Prohibited Uses; Subsection G, Parking; and to DELETE Subsection H, Special Exception Uses

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

All members present vote Yes. The motion passed.

Ms. Robidoux explained that the proposed changes to the requirements in the Central Business District include an amendment to the purpose of requirements in the district; an increase in density for multi-unit, mixed-use residential from 12 units per acre to 24 units; a decrease in minimum unit size from 800 square feet to 400; removing the limit on the number of bedrooms required; removing the restriction on where commercial space shall be located in mixed use buildings while defining the percentage of commercial space that will be required in the building; adding medical office as a permitted use in the district and removing the prior term 'parking facilities' and replacing it with 'multi-level parking facility'. The changes also add a requirement to connect to municipal sewer for conversions and new developments.

Changes to enhance and protect the streetscape include amending the maximum front yard depth to vary in terms of the lot width. For lots that are 75 feet or less wide, the front yard depth shall be

8 feet, or the average of existing depths for 100 feet in every direction, whichever is greater. For lots that are 76 feet or wider, the maximum yard depth shall be 25 feet, or the average of the existing yard depths for 200 feet in every direction, whichever is less. Structure height has been increased from a maximum of 350 feet to 425 above sea level. The prohibited use section has been amended to delete the list of prohibited uses as Derry has a permissive zoning ordinance, which means if the use is not listed, it is not permitted. Off street parking has been clarified to ensure that parking is not situated in a manner that requires a vehicle to back into the town roadway, and to prohibit parking or storage of vehicles in the front setback. Special Exception uses have been removed.

No members of the Public rose to be heard in-person or online.

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

All members present vote Yes. The motion passed.

Motion by Chirichiello, seconded by Pelletier, to accept the proposed changes to the Town of Derry Zoning Ordinance Article VI, District Provisions, Section 165-33, Central Business District to AMEND Subsection A, Purpose; Subsection B, Permitted Uses; Subsection C (1 through 6) Area and Dimensional requirements to include minimum lot area, front yard depth, and building height; to AMEND Subsection F, Prohibited Uses; Subsection G, Parking; and to DELETE Subsection H, Special Exception Uses, and to move these changes forward to Town Council for review and approval.

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

Public Hearing to discuss proposed changes to the Town of Derry Land Development Control Regulations, Article XIV, Architectural Design Review Regulations, to DELETE Section 170-84. A (2) (c), and to ADD Subsection 170-86.3, Design Elements Specific to the Central Business District

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

All members present vote Yes. The motion passed.

No members of the Public rose to be heard in-person or online.

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

All members present vote Yes. The motion passed.

Motion by Chirichiello, seconded by Pelletier, to find the proposed changes correct an oversight during creation of the Neighborhood Commercial District in 2025, AND, the changes preserve the streetscape in the Central Business District.

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

Motion by Chirichiello, seconded by Pelletier, to approve the proposed changes to the Town of Derry Land Development Control Regulations, Article XIV, Architectural Design Review Regulations, to DELETE Section 170-84. A (2) (c), and to ADD Subsection 170-86.3, Design Elements Specific to the Central Business District, as presented this evening. The changes would become effective immediately.

Mr. Nelson suggested that the Zoning amendments and the LDCR amendments should be effective on the same date to avoid conflict. Mr. Chirichiello and Mr. Pelletier accepted the suggested amendment to the motion.

The changes will become effective concurrent with the Town Council's effectivity date.

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

Board Member Comments

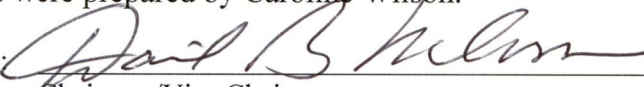
None.

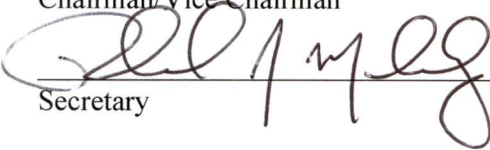
Motion by ~~Chirichiello~~Malaby, seconded by Pelletier to adjourn.

All members present voted Yes. The motion passed, and the meeting was adjourned at 8:29pm.

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

Approved by:


Chairman/Vice Chairman


Secretary

Approval date: July 08, 2026