

**TOWN COUNCIL AGENDA**  
**June 15 2015**  
**7:00 P.M.**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry, NH. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. 7:00 PM

**A. CALL TO ORDER**

**B. PUBLIC COMMENT**

**1.) Musquash Task Force Presentation**

**C. PUBLIC HEARING**

**1.) Ordinance #2015-04** – An Amendment to the Zoning Ordinance to Rezone Map 10 Lot 92 at 105 Hillside Avenue from Agricultural-Residential (AR-1) to Multi-Family Residential (R-III)

**2.) Ordinance #2015-05** – An Amendment to Municipal Code, Title IV, Chapter XIII, Health/Safety/Welfare, Regarding Individual Sewage Disposal Systems

**3.) RSA 31:95b** The Appropriation for Grants & Donations Made Available During Year

**D. OLD BUSINESS**

**E. NEW BUSINESS**

**1.) Order #2015-18** – The Distribution of Cemetery Acquisitions, Maintenance & Repairs Capital Reserve Fund  
**Presented by Steve Cotton**

**2.) Order #2015-19** – Expenditure of Maintenance Trust Funds for Various Projects  
**Presented by Steve Cotton**

**3.) Order #2015-20** – A Licensing of a Junkyard Pursuant to RSA 236  
**Presented by Richard Canuel (S & S Metals)**

**4.) Order #2015-21** – A Licensing of a Junkyard Pursuant to RSA 236  
**Presented by Richard Canuel (Londonderry Salvage)**

**5.) Order #2015-22** – A Licensing of a Junkyard Pursuant to RSA 236  
**Presented by Richard Canuel (Murrays Auto)**

**6.) Order #2015-23** – A Licensing of a Junkyard Pursuant to RSA 236  
**Presented by Richard Canuel (Hillside)**

**F. APPROVAL OF MINUTES**

Approval of June 1, 2015 Town Council Minutes

**G. OTHER BUSINESS**

1. Liaison Reports
2. Town Manager Report
3. Board/Committee Appointments/Reappointment

1.) Resignation of Laura El-Azem from the Planning Board

**H. ADJOURNMENT**

**I. MEETING SCHEDULE**

- A. Town Council Meeting – **07/20/15** Moose Hill Council Chambers, 7:00PM
- B. Town Council Meeting – **08/17/15** Moose Hill Council Chambers, 7:00PM
- C. Town Council Meeting – **09/07/15** Moose Hill Council Chambers, 7:00PM
- D. Town Council Meeting – **09/21/15** Moose Hill Council Chambers, 7:00PM

## LEGAL NOTICE

The Londonderry Town Council will hold PUBLIC HEARINGS on the following items:

- 1.) **Ordinance #2015-04** – An Amendment to the Zoning Ordinance to Rezone Map 10 Lot 92 at 105 Hillside Avenue from Agricultural-Residential (AR-1) to Multi-Family Residential (R-III)
- 2.) **Ordinance #2015-05** – An Amendment to Municipal Code, Title IV, Chapter XIII, Health/Safety/Welfare, Regarding Individual Sewage Disposal Systems

The Public Hearings are scheduled for Monday, June 15, 2015 at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053. A copy of the proposed amendments may be viewed at the Town Manager's office during regular business hours and online at [www.londonderrynh.org](http://www.londonderrynh.org).

Londonderry Town Council

## LEGAL NOTICE

The Londonderry Town Council will hold a PUBLIC HEARING on the following item:

- 1.) **RSA 31:95b** The Appropriation for Funds Made Available During Year

The Public Hearing is scheduled for Monday, June 15, 2015 at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053. A copy of the proposed amendment may be viewed at the Town Manager's office during regular business hours and online at [www.londonderrynh.org](http://www.londonderrynh.org).

Londonderry Town Council

**ORDINANCE #2015-04**  
*AN AMENDMENT TO THE ZONING ORDINANCE  
RELATING TO REZONING MAP 10, LOT 92  
105 HILLSIDE AVENUE*

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*WHEREAS* the Planning Board has received a request to rezone the above-referenced parcel from Agricultural-Residential (AR-I) to the zoning classification Multi-Family Residential (R-III); and

*WHEREAS* the Planning Board has recommended that the Town Council act favorably upon the request WITH CONDITIONS, including that the rezoning would take affect only upon final Planning Board approval and signature of the associated site plan; and

*WHEREAS* the rezoning would allow the construction of more affordable housing in Londonderry for seniors and families at a lower density than permitted under the Town's Workforce Housing Ordinance; and

*WHEREAS* the requested rezoning will create a transition between the Commercial II (C-II) Zone to the northwest, west and southwest of the parcel to the Agricultural-Residential (AR-I) zone to the east and southeast.

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that the Zoning Ordinance be amended to reflect the rezoning of Map 10 Lot 92 from Agricultural-Residential (AR-I) to the zoning classification Multi-Family Residential (R-III) with the conditions that there be no more than 57 units in the development, that there be no greater than six units per building attached in a row house configuration, and to become effective ONLY upon final Planning Board approval and signature of the associated site plan.

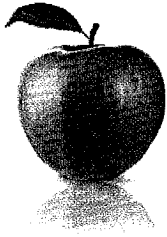
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John Farrell - Chairman  
Town Council

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Sharon Farrell  
Town Clerk

(TOWN SEAL)



**Town of Londonderry  
Planning and Economic Development Department**

268B Mammoth Road  
Londonderry, NH 03053  
Phone 603.432.1100 x 134  
[www.londonderrynh.org](http://www.londonderrynh.org)

**To:** Town Council  
**CC:** Building Department  
**From:** Cynthia A. May, ASLA  
**Date:** May 15, 2015  
**Subject:** **Rezoning Recommendation from the Planning Board  
Map 10 Lot 92**

On May 13, 2015, the Planning Board held a public hearing relative to the Zoning Ordinance and Zoning Map.

The Planning Board, by unanimous vote, recommends to the Town Council to approve rezoning Map 10 Lot 92 from the current zoning classification Agricultural-Residential (AR-I) to the zoning classification Multi-Family Residential (R-III), with the conditions that there be no more than 57 units constructed, that there be no greater than six units per building attached in a row house configuration, and that the approval be subject to Planning Board approval of a site plan.

The proposed rezoning would provide the Town with a greater variety in its housing stock, something called for in the 2013 Master Plan and reflected in current discussions with the Planning Board regarding zoning ordinance amendments. It would also provide a reasonable transition between the C-II uses to the west and the AR-I uses to the north and east.

A copy of the application, staff recommendation to the Planning Board, and the Planning Board minutes are attached.

Please feel free to contact me if you have any questions.

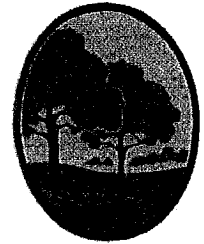


TOWN OF LONDONDERRY

Community Development Department

Planning & Economic Development Division

268B Mammoth Road
Londonderry, New Hampshire 03053
Phone: (603) 432-1100, x134 Fax: (603) 432-1128



REZONING APPLICATION

Name of Applicant: Hillside Senior Housing LLC (on behalf of Joseph Calderola) V E

Name of Lot Owner: Hillside Senior Housing LLC
(If different)

Address: 39 Blossom Rd. Windham, NH 03087

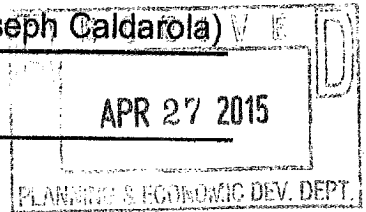
Telephone #: 603 560-502 or 603 674 5204

Date Submitted: 4/23/2015

Tax Map # 10 Lot # 92
(Please list all if multiple lots are involved)

Current Zoning: AR-I

Proposed Zoning: R-III



Please explain the purpose and justification for your rezoning request (attach additional sheets if necessary):

R-III will provide a reasonable transition from the adjoining commercial uses to the adjacent single family neighborhood. The Commercial C-2 zone abuts on two sides of the parcel. R-III would allow for two-family and townhomes at a lesser density than permitted under the current Inclusionary Housing Ordinance. The slope of the site lends itself to a mix of senior friendly and family housing types. R-III would allow for development of housing more affordable than single family homes yet without the limitations of Workforce Housing.

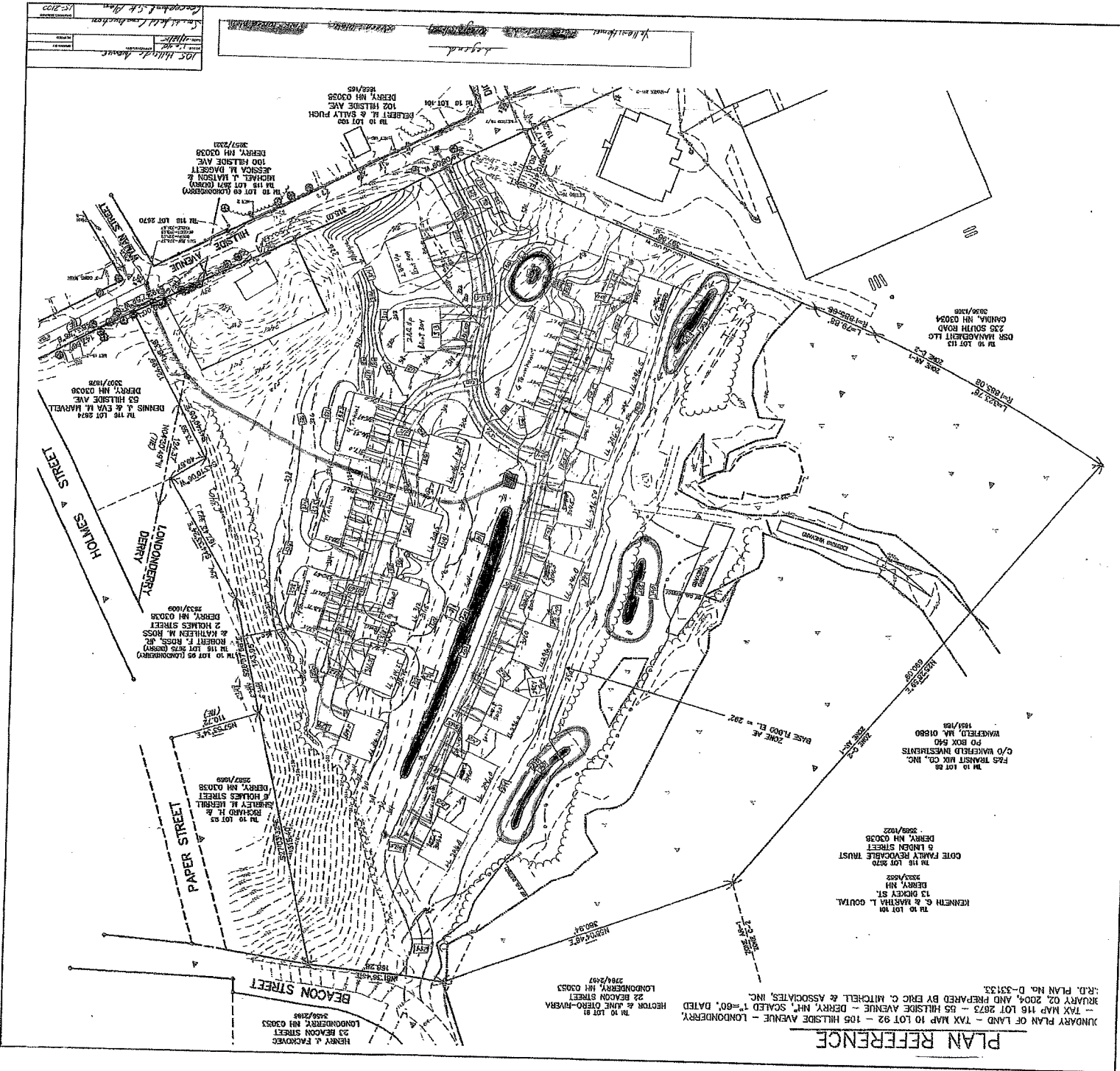
Currently the property is permitted for 96 units of Workforce Housing (by variances pertaining to minimum lot size and number of units per year) and Elderly Housing at 6 units per acre (or 57 units). In light of the ongoing work on potential zoning amendments, should this rezoning be granted, the applicant would accept a condition that limits the housing density to the higher of the current elderly housing density (6 units per acre) or the densities established by changes to the zoning ordinance as they pertain to the R-III zone.

Planning Department Comments (to be filled in by Town Staff):

Empty box for Planning Department Comments

**PLAN REFERENCE**

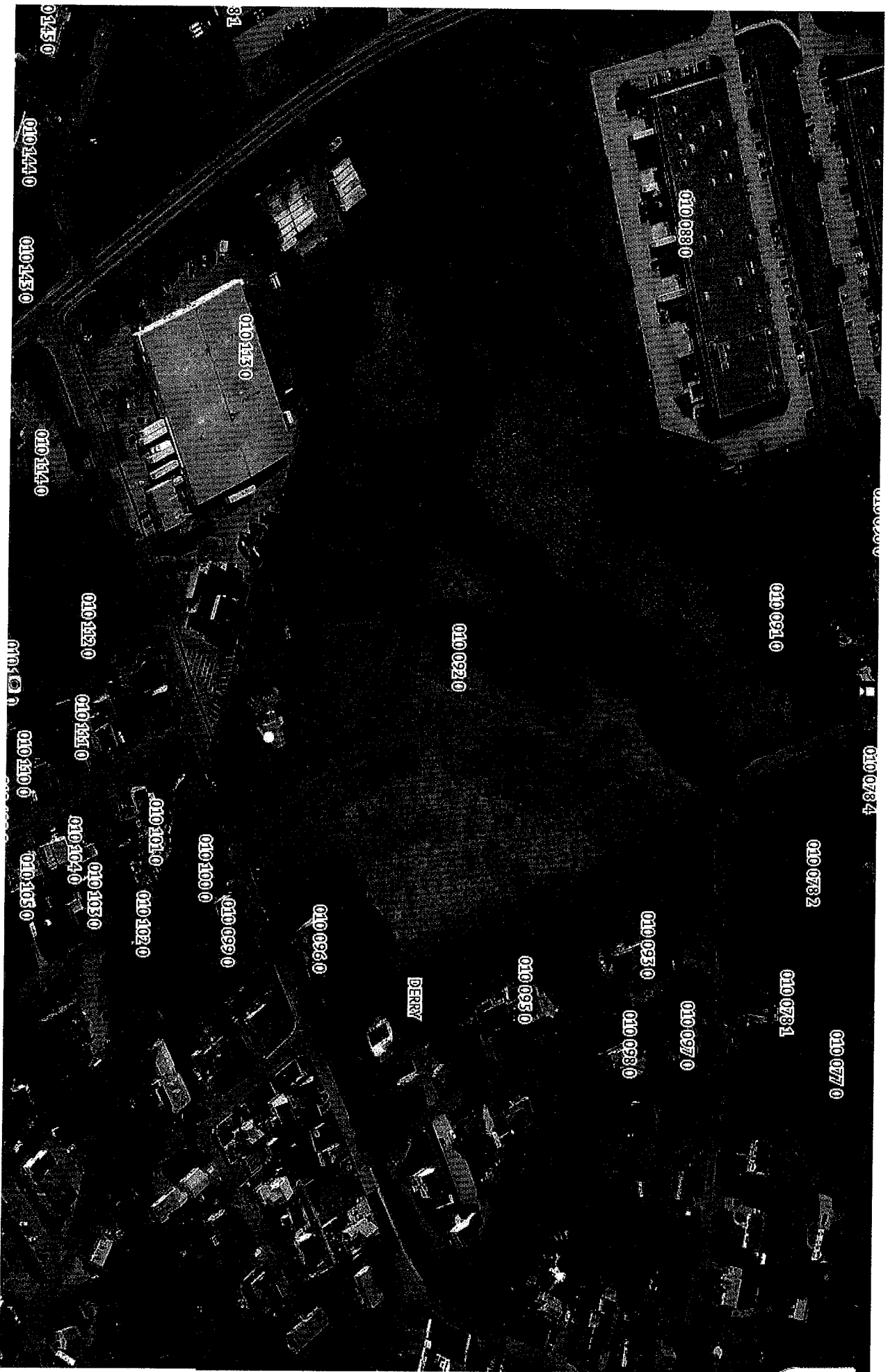
JUNDARY PLAN OF LAND - TAX MAP 10 LOT 92 - 105 HILLSIDE AVENUE - LONDONDERRY, NH  
 - TAX MAP 116 LOT 2073 - 65 HILLSIDE AVENUE - DERRY, NH, SCALED 1"=60', DATED  
 FEBRUARY 02, 2004, AND PREPARED BY ERIC C. MITCHELL & ASSOCIATES, INC.



*Legend*

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**MEMORANDUM**

To: Planning Board

Date: May 13, 2015

From: Cynthia A. May, ASLA  
Town Planner

Re: Rezoning Request: Map 10 Lot 92 (From AR-I to R-III)

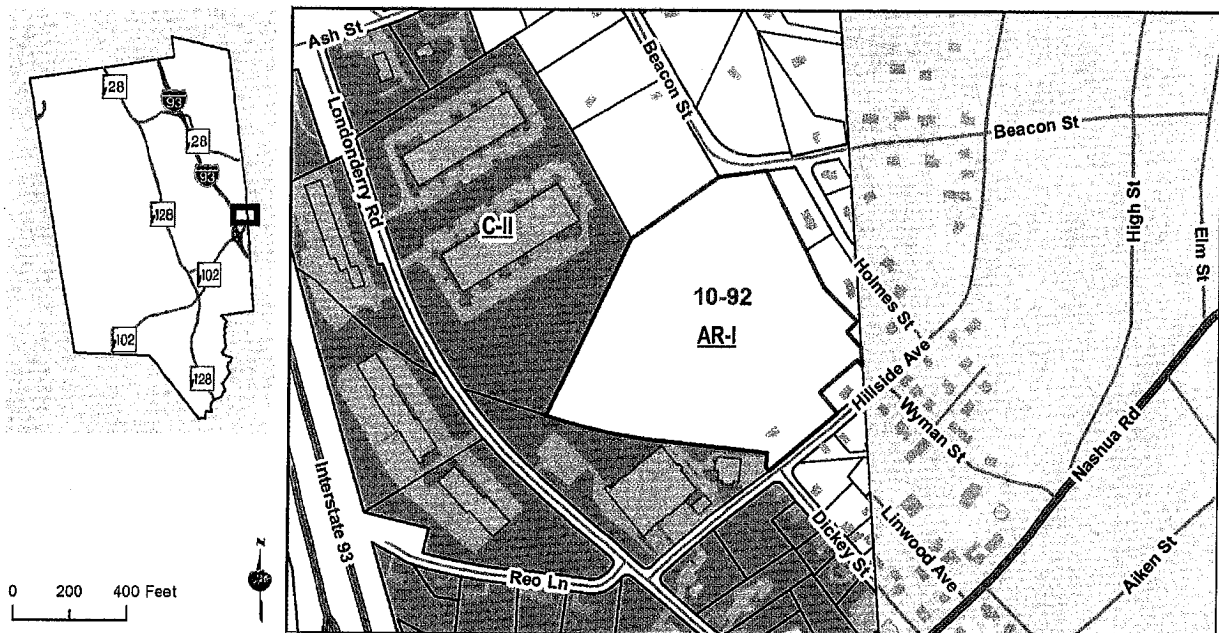
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The Planning & Economic Development Division has reviewed the above referenced rezoning request and we offer the following comments:

**Review Comments:**

The applicant requests the rezoning of the above referenced lot from AR-I to R-III. The parcel is located on Hillside Avenue and abuts the Derry town line. (Please see the map image below).

5/13/2015: Rezoning Application:  
105 Hillside Ave zoning change from AR-I to R-III



The Applicant would like to pursue a mixed development of two-family dwellings and townhomes for families and seniors, but at a lesser density than what is permitted under the Town's workforce housing ordinance. This would allow the Applicant to offer a housing type more affordable than the typical single family homes in Londonderry. The lot is bordered by Commercial-II (C-II) zoning to the northwest, west and southwest, and by Agricultural-Residential (AR-I) properties to the north, east and southeast, making the R-III zoning resonable as a transitional zone between the two.

**Staff Recommendation:**

The proposed rezoning would provide the Town with a greater variety in its housing stock, something called for in the 2013 Master Plan and reflected in current discussions with the Board regarding zoning ordinance amendments. It would also provide a reasonable transition between the C-II uses to the west and the AR-I uses to the north and east. As such, staff supports a Planning Board **RECOMMENDATION** to the Town Council that they approve the rezoning of Map 10 Lot 92, currently zoned AR-I (Agricultural-Residential), to R-III (Multi-Family Residential) as discussed at the May 13, 2015 Planning Board meeting.

1 B. Hillside Senior Housing (Owner and Applicant), Map 10 Lot 92 - Public Hearing  
2 to consider the applicant's request to rezone Lot 92 from Agricultural-  
3 Residential (AR-I) to Multi-Family Residential (R-III) at 105 Hillside Avenue.  
4

5 Developer Joe Caldarola of Portsmouth, NH spoke for owner Mike Lehrman of  
6 Hillside Senior Housing. He said:

- 7 • The parcel is 16 acres on Hillside Avenue. It abuts AR-I on two sides,  
8 and R-III on two sides;
- 9 • The original intent of the project was to qualify as workforce housing  
10 with seven to eight townhouses and up to 96 units. Two variances were  
11 received from the Zoning Board, however the project was then put on hold  
12 when proposed amendments to the workforce housing ordinance were  
13 announced;
- 14 • During project discussions, the applicant and owner determined that  
15 there would be more advantages to rezoning the parcel to R-III, particularly  
16 since the project would not have to meet the various conditions of the  
17 workforce housing ordinance;
- 18 • The lot has a steep thirty foot grade slope. The topography lends itself  
19 to smaller, higher value buildings that would still sell under as market rate  
20 housing;
- 21 • The new conceptual site plan shows duplexes on the down hillside with  
22 townhouses on the upper hillside. The duplexes would be offered both as  
23 one level, senior friendly units with a one car garage, and for families with  
24 three bedroom units and a second floor. This would address a need in the  
25 market currently not being met;
- 26 • The owner has met with the abutters to hear their concerns regarding  
27 the previous project of ninety six units.

28  
29 A. Rugg asked for Staff input.  
30

31 J. Vogl read into the record a letter from abutter Brenda M. Kelly of 100  
32 Hillside Avenue who was unable to attend the meeting (see Attachment #4).  
33

34 A. Rugg noted that this hearing was solely about rezoning of the property. He  
35 explained that the applicant would need to go before the Heritage Commission  
36 for recommendations on building design and landscaping, and then to Planning  
37 Board for site plan approval.  
38

39 C. May stated Staff supports a Planning Board recommendation to the Town  
40 Council that they approve the rezoning of Map 10 Lot 92 currently zoned  
41 Agricultural-Residential (AR-I) to Multi-Family Residential (R-III) as discussed  
42 at the May 15, 2015 Planning Board meeting because:  
43

- 44 • It reduces the number of units that could potentially be built if the  
45 applicant pursued their aforementioned workforce housing project;
- 46 • It addresses the need in Londonderry for that type of housing and its  
47 price point;
- 48 • It makes for a better community in terms of layout;
- 49 • The proposed duplexes and townhouses have a similar scale to single

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family homes.

A. Rugg asked for Board input.

C. Davies inquired as to what is permitted in R-III in the event this project did not proceed and another developer chose to develop the lot. C. May explained the rezoning could be made subject to this specific conceptual proposal (see Attachment #5) and its final approval (plan signature) by the Board. She told C. Davies that the resolution to be voted on by the Town Council contains that kind of project specific detail in the rationale for the change. J. Caldarola stated his engineer, Eric Mitchell & Associates, calculated that the maximum number of units allowed on this lot with an R-III zoning would be 57. J. Caldarola said he would be willing to give up the option of qualifying the plan under workforce housing with ninety six units, especially since this new proposal offers elderly housing in addition to family housing.

L. El. Azem asked J. Caldarola about the two points of access, one from Hillside Ave and the other from Beacon Street. J. Caldarola stated they have meet with Staff and the Fire Department regarding the access at Beacon Street. He said it would have an automatic gate and would only be used by Fire and Safety vehicles.

L. Reilly stated she likes the transition, that it is a good use of the space, and that the neighbors would likely appreciate the buffer to commercial lots.

A. Rugg asked for public input.

Bob Ross of 2 Holmes Street stated:

- Other than the first meeting, he has had limited conversations with J. Caldarola. He stated discussions were mainly held with residents that live on Hillside;
- The project was originally for senior housing, then changed to workforce housing, and is now multi-family;
- Of the 16.4 acres, he was told only 11 were considered buildable because of wetlands on the property;
- He has concerns regarding the proposed entrance having been moved further southwest along Hillside Ave compared to previous plans because that is the narrowest part of the road and winter snow drifts tend to accumulate there;
- He is in favor of the proposal for fewer units;
- He has concerns about the visibility of roof tops from the rear of his house on Holmes Street, about only having a vegetated buffer of 20-30 feet, about whether the buffer of trees can be removed by the owner, and whether the development will have an association

A. Rugg stated that site plan review before the Board would occur if and when the re-zoning is approved by the Town Council. At that time, a separation using fencing and vegetated buffer will be reviewed, traffic and soil studies will be performed, and off-site improvements for safety will be addressed. He encouraged the applicant to continue to work directly with the abutters.

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Robert Holden of 6 Homes Street stated:

- He is also in favor of fewer units;
- He echoed B. Ross concerns regarding the project going from senior housing to workforce housing to multi-family;
- He questioned the density factor and any future proposed changes to the number of units allowed. A. Rugg reiterated C. May's comment t that the rezoning of the lot would be made subject to the specifics of this conceptual proposal and final site plan approval. . C. May stated the rezoning would go to the Town Council with two meetings, the second meeting being a public hearing.
- He inquired about light pollution. C. May explained that such issues would be addressed during the site plan review before the Board.

Dennis and Eva Marvell of 53 Hillside Avenue in Derry stated:

- They share the same concerns in regards to the trees, traffic, roof tops, etc.
- E. Marvell asked what would happen if the rezoning is not approved and whether it could go back to workforce housing. C. May explained that under the proposed workforce housing ordinance, the workforce housing project proposed for this lot was one of two that would not be made subject to the proposed changes. Neither project had officially submitted an application to the Planning Board, but had initiated the site plan process in good faith with Staff and had first needed to seek relief from the Zoning Board. They therefore could go back to the workforce housing proposal, however under the ordinance, a variance in this situation would only be valid for a year and under the language proposed for the workforce housing ordinance amendments, the applicant would have 18 months to complete the site plan process.

A. Rugg brought the discussion back to the Board.

R. Brideau stated that when a previous developer, Elmer Pease, owned the property, his proposal for elderly housing included widening Hillside Ave. J. Caldarola stated the approval for those two buildings in the prior application required reconstruction of Hillside Ave from Londonderry Road up to Wyman Street in Derry. He stated they fully expect to have to address that. C. May indicated that the applicant had discussed traffic issues with Staff.

L. Reilly asked for permission to go on the property to view the slope and topography. M. Lehrman, stated he had no objection to Board members or any abutters performing a site visit, and that he would arrange a tour. C. May explained a site walk would not be appropriate at this stage since no site plan has been submitted for review. If a quorum of members were to attend at the same time, she added that it would have to be an officially noticed meeting of the Board.

A discussion ensued about the number of proposed units allowed and their configuration.

1  
2 **C. Davies made a motion that the Planning Board make a**  
3 **recommendation to the Town Council that they approve the rezoning of**  
4 **Map 10 Lot 92, currently zoned AR-I, to R-III as discussed at the May**  
5 **13, 2015 Planning Board meeting, with the stipulation as noted in the**  
6 **Applicant's rezoning application that the housing density be limited to**  
7 **a density six units per acre or no more than 57 units and restrict the**  
8 **housing to townhouse style. L. Wiles seconded the motion.**  
9

10 As the Board was in the process of voting, J. Caldarola asked to be heard  
11 because of a concern over the restriction as stated. He asked if the style  
12 stipulation could be amended to say townhouses or duplexes of no more than  
13 six units to allow him more flexibility. Following more discussion, it was  
14 decided by the applicant, Staff and the Board that the style should be  
15 described as being limited to no more than 6 units per building in a row house  
16 configuration and a total of 57 units.  
17

18 **C. Davies made a motion to reconsider. L. El-Azem seconded the**  
19 **motion. No discussion. Vote on reconsideration of the motion, 7-0-0.**  
20

21 **C. Davies made a motion that the Planning Board make a**  
22 **recommendation to the Town Council that they approve the rezoning of**  
23 **Map 10 Lot 92, currently zoned AR-I, to R-III as discussed at the May**  
24 **13, 2015 Planning Board meeting, with the restriction as noted in the**  
25 **Applicant's rezoning application that there be no more than 57 units**  
26 **and that they be no greater than six units per building, attached in a**  
27 **row house configuration, and that the approval be subject to Planning**  
28 **Board approval of a site plan. L. Wiles seconded the motion. No**  
29 **discussion. Vote on the motion, 7-0-0.**  
30

31 A. Rugg stated the recommendation to rezone Map 10 Lot 92 from AR-I to R-  
32 III with the conditions stated would be forwarded to the Town Council.  
33

### 34 **Other Business**

35  
36 A. Second reading - Proposed Amendments to Planning Board Rules of Procedure:  
37 Proposed Section 3.3, Appointment of Liaisons:  
38

39 C. May read proposed Section 3.3, i.e. "The Board shall appoint regular  
40 members as liaisons to various Boards, Committees, Commissions and Ad-Hoc  
41 Committees by majority vote as needed."  
42

43 L. Reilly stated that history of the Board shows that several of the alternates  
44 have made significant contributions to the Board, and that they take an oath  
45 just like regular members. She said she is not opposed to the change, but  
46 explained that as an alternate, she has voted and been appointed to vote more  
47 than 50 percent of the time she has been in attendance. She asked the Board  
48 to consider that fact as the Board has only so many full members who may or  
49 may not be available at a given time. She suggested that alternates could be  
50 appointed to at least committees and sub-committees. A. Rugg explained the

# ORDINANCE 2015-05

An Amendment to Municipal Code, Title IV, Chapter XIII, Health/Safety/Welfare, regarding  
***Individual Sewage Disposal Systems***

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First Reading: 05/18/15

Second Read/Public Hearing: 06/15/15

Adopted: 06/15/15

***WHEREAS*** administrative changes require edits to Title IV Health/Safety/Welfare, Chapter XIII; and,

***WHEREAS*** Chapter XIII, SECTION VII - FEES FOR PLAN REVIEW, PERMITS, INSPECTIONS, needs to be revised to coincide with the latest NHDES updates.

***NOW THEREFORE BE IT ORDAINED*** by the Londonderry Town Council that the attached Municipal Code, Title IV, Chapter XIII, Individual Sewage Disposal Systems are hereby amended pursuant to the attachment is hereby adopted.

John Farrell, Chair  
Town Council

( TOWN SEAL )

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Sharon Farrell, Town Clerk

***A TRUE COPY ATTEST:***  
***06/15/15***



**CHAPTER XIII - INDIVIDUAL SEWAGE DISPOSAL SYSTEMS**

**SECTION I - AUTHORITY**

The enabling legislation is RSA 485-A. Provisions adopted under this section shall be in addition to any requirements imposed by the state for the installation, inspection and maintenance of sewage disposal systems.

The rules and regulations established by the State of New Hampshire Department of Environmental Services, Subsurface Systems Bureau (NH DES) form a part of this regulation to the extent that said regulations are excepted and added to by the provisions of this entire regulation.

**SECTION II -OBJECTIVE**

To provide regulations for adequate and safe sewage disposal installations which are to be located and constructed so to avoid contaminating any existing or future water source or water supply and to provide for the efficient, effective administration of those regulations.

**SECTION III - GENERAL**

Individual sewage disposal systems shall consist of a house sewer, septic tank, a distribution box, and acceptable leach field.

**SECTION IV – DEFINITIONS**

A. “Designer” - shall mean any individual who has demonstrated a sound working knowledge of the procedures and practices required in the site evaluation, design, and operation of subsurface sewage or waste disposal systems, and who holds a current Permitted Designer authorization from the New Hampshire Department of Environmental Services Subsurface Systems Bureau.

B. “Inspector” - shall mean the individual authorized by the Town Council to perform administrative and inspection responsibilities of this section.

**CHAPTER XIII - INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (Cont'd)**

**SECTION IV - DEFINITIONS (Cont'd)**

C. "Installer" - shall mean any individual or firm responsible for installing the subsurface sewage or waste disposal system in accordance with the intent of the approved plan who holds a current Permitted Installer authorization from the New Hampshire Department of Environmental Services Subsurface Systems Bureau.

D. "Owner" - shall mean the person in whose name the ownership of the property is legally recorded. The authority to perform any of the duties as herein described may be transferred to any other person, provided however, that the responsibility for proper performance of said duties shall remain with the property owner.

E. "Town" shall mean the Town Council of the Town of Londonderry or its appointed inspector. Appeals from the administrative decisions of the inspector shall be made directly to the Town Council.

F. NH DES shall mean the New Hampshire Department of Environmental Services Subsurface Systems Bureau.

**SECTION V - RESPONSIBILITY**

A. The designer shall be responsible for the accuracy of all technical data and compliance with all design criteria.

B. In the event of any question or dispute, the NH DES shall make the final determination of the accuracy of such data.

**SECTION VI - LOCATION AND INSTALLATION**

A. Location and installation of the sewage disposal system shall be such that, with reasonable maintenance, it will function in a sanitary manner and will not create a nuisance, health hazard or endanger the safety of any domestic water supply.

B. Consideration shall be given to the size and shape of the lot, slope of natural and finished grade, depth and fluctuation of ground water (all seasons of the year), proximity of existing or future water supplies, onsite structures and possible expansion of the system.

**CHAPTER XIII - INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (Cont'd)**

**SECTION VII - FEES FOR *PLAN REVIEW*, PERMITS, INSPECTIONS**

A. No sewage disposal system shall be installed, altered or maintained in the Town of Londonderry unless in conformity with these regulations as well as the pertinent regulations of the State of New Hampshire as may exist, be established or amended.

B. The designer must submit ~~four (4) sets of~~ plans, and the required NHDES application for the requested system to the Town for review and approval prior to submittal to the State: ~~Three (3) for the NH DES and~~ One (1) plan copy shall be provided for the Town of Londonderry. Review fee of thirty five dollars (\$35.00) shall accompany each plan submitted. If plans are rejected, no additional fees shall be required for a second review.

C. A permit for the installation and/or alteration of a sewage disposal system must be obtained from the Town of Londonderry-Health Officer, prior to the commencement of any work on a system.

D. A fee of thirty five dollars (\$35.00) shall accompany every application for a permit for the installation and/or alteration of a sewage disposal system.

E. A permit must be obtained before any drinking well is installed, and must be accompanied by a diagram of the location. A fee of thirty five dollars (\$35.00) must accompany each application.

F. The inspector may require inspections during the course of work at the following intervals:

1. House sewer inspection
2. Excavation (Bed Bottom)
3. Leach Field after placement, prior to backfill.

G. Minimum notice of 24 hours shall be given prior to the start of work or to request inspections of any above listed stages.

**CHAPTER XIII - INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (Cont'd)**

**SECTION VIII –RESPONSIBILITIES**

A. Designer - Responsible for the collection of all necessary technical data relative to any proposed system or alteration; for the design and layout of the systems; for the submitting of all prints and applications as required by the Town of Londonderry and NH DES.

B. Installer - To secure an installation permit and to construct the system or alter an existing system in accordance with all regulations and laws, and to notify the inspector for final inspection before backfilling.

C. Inspector - To maintain a file of all approvals issued by NH DES; to issue permits; to perform any inspections as he deems necessary; to return, within seven (7) days, a copy of the application receipt including any changes to the submitted plans as required or suggested by the inspector; to perform any other duties relative to individual waste disposal systems as specified by the Board of Health.

**SECTION IX - FINES AND PENALTIES**

A. A penalty in accordance with the provisions of RSA 676:17 shall be imposed upon the applicant for failure to comply with these regulations.

B. Each day of continuing failure to comply, after written notice of the violation(s) shall constitute a new offense.

*~~End of Section~~*

Town of Londonderry  
FY15 Grants and Donations

Fire Department

EMPG Grant-Generator - \$26,350.00  
LGC Wellness Grant - \$500.00

Police Department

LGC Wellness Grant - \$500.00  
Highway Safety (Seatbelt Enforcement) - \$2,761.20  
Alert Instructor - \$413.19

Finance Department

LGC Refunds - \$328,518.57

Donated Equipment:

PD - Charles George Trucking donated targets - \$2,448.04  
PD - Medpro Healthcare Group K9 Ballistic Vests - \$999.99

Total Unanticipated Revenues - \$362,490.99

# ORDER 2015-18

An order relative to  
*The Distribution of Cemetery Acquisitions, Maintenance & Repairs  
Capital Reserve Fund*

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First Reading: 06/15/2015  
Second Reading: Waived  
Adopted: 06/15/2015

**WHEREAS** the Town of Londonderry, by adoption of Article No. 12 at the March 12, 1996 Town Meeting, approved funding for the Cemetery Acquisitions, Maintenance and Repairs; and,

**WHEREAS** the Administrative Support Coordinator/Cemetery Sexton have completed the review of a dead Maple tree in the Glenwood Cemetery, and have made a recommendation to remove the tree; and,

**WHEREAS** the Administrative Support Coordinator/Cemetery Sexton further recommends that \$3,500.00 be withdrawn from the Capital Reserve Fund for Cemetery Acquisitions, Maintenance and Repairs;

**NOW THEREFORE BE IT ORDERED** by the Londonderry Town Council that the Town Treasurer is hereby directed and authorized to expend from the Cemetery Acquisitions, Maintenance and Repairs Reserve Fund the sum \$3,500.00.

---

John Farrell - Chairman  
Town Council

(TOWN SEAL)

---

Sharon Farrell - Town Clerk

**A TRUE COPY ATTEST:**  
**06/15/2015**

# **ORDER #2015-19**

An Order Relative to

## ***EXPENDITURE OF***

## ***MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS***

---

Reading: 06/15/2015

Adopted: 06/15/2015

***WHEREAS*** voters since 2003 have approved funding for the maintenance and repair of public buildings and grounds in the town; and

***WHEREAS*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$4,022.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

***NOW THEREFORE BE IT ORDERED*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$4,022.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

---

John Farrell, Chairman  
Town Council

---

Sharon Farrell  
Town Clerk

***A TRUE COPY ATTEST:***  
06/15/2015

**Expendable Maintenance Trust TC Order Request  
for Town Council Meeting "6/15/15"**

Description	Vendor	Amount
<p><b><u>HVAC Preventive Maintenance - Town Hall</u></b> Spring preventative maintenance on the 14 HVAC units at Town Hall. This E MTF request is for the labor/materials to replace the filters, clean the 14 exterior condenser units, troubleshooting Unit #8 which required R22 refrigerant to be added to resolve its issue.</p>	<p>SAM - Invoice #2015214 E MTF Request Amount</p>	<p>\$ 1,487.00 \$ 1,487.00</p>
<p><b><u>HVAC Preventive Maintenance - Senior Center</u></b> Spring preventative maintenance on the 2 HVAC units at the Senior Center. This E MTF request is for the labor/materials to replace the filters, and clean the 2 exterior condenser units.</p>	<p>SAM - Invoice #2015185 E MTF Request Amount</p>	<p>\$ 360.00 \$ 360.00</p>
<p><b><u>Fire Protection Dry System - Town Hall</u></b> The 4" riser pipe in the attic dry system developed a leak. This E MTF request is for the labor/materials to replace a section (approximately 10') of 4" black iron pipe with 4" galvanized pipe.</p>	<p>ASAP - Invoice #003534 E MTF Request Amount</p>	<p>\$ 925.00 \$ 925.00</p>
<p><b><u>Exterior Painting - Senior Center</u></b> The exterior siding/trim on the rear area of the Senior Center by the rear exit door is in need of preventative maintenance. This E MTF request is for the deposit to initiate the project which consists of scraping, caulking, primer &amp; finish coats of paint.</p>	<p>Craig Drouin - Quote 61015 Sr Center</p>	<p>\$ 1,250.00 \$ 1,250.00</p>
<p align="right"><b>Total Town Council E MTF Order</b></p>		<p>\$ 4,022.00</p>



# ORDER #2015-20

An Order Relative to

## ***THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236***

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First Reading: 06/15/2015

Second Reading: Waived

Adopted: 06/15/2015

***WHEREAS*** Vito J. Solomini, who resides at 39 Tsienneto Road, Derry, NH and is the owner of S & S Metals, 196 Rockingham Road, Londonderry, NH desires a license to continue operations of said business; and

***WHEREAS*** Vito J. Solomini, has complied with the requirements of RSA 236; 111-129 and

***WHEREAS*** the Londonderry Building/Health Inspector has inspected the premises and recommends insurance of the license;

***IT IS THEREFORE ORDERED*** by the Londonderry Town Council that Vito J. Solomini, doing business as S & S Metals, be granted a license to operate an auto recycling facility in accordance with RSA 236; 111-129.

Tom Dolan - Chairman  
Town Council

( TOWN SEAL )

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Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:***  
***06/15/2015***



**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

**MEMORANDUM**

To: Town Council

From: Richard G. Canuel, Senior Building Inspector *RC*

Date: June 5, 2015

Subject: S&S Metals Recycling, Inc., 196 Rockingham Rd.

An inspection of the subject junkyard was conducted on this date to determine compliance with license conditions in preparation for renewal.

No adverse conditions were observed during inspection that would prohibit renewal of this license.

The applicant continues to work with DES to maintain compliance with the recommended Best Management Practices (BMP). Due to the nature of the junkyard operation as determined by DES, Mr. Solimini is now being required to obtain permit approval from the state as a scrap metal recycling facility for the non-automotive metals received at this site.

In addition to the annual junkyard license, Mr. Solimini is now required to obtain a license as a Secondhand Dealer, in accordance with the Municipal Code, Title IV, Chapter XII, which coincides with the annual July 1<sup>st</sup> renewal expiration. This license is completely separate from the junkyard license. I have informed Mr. Solimini of this requirement.

**Recommendation:** Based on the recent inspection and other visits to the property during the year, it appears that the applicant is operating within the requirements of their license, and renewal of the license is recommended.



**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

May 28, 2015

Mr. Vito J. Solomini  
39 Tsienneto Road  
Derry, NH 03038

Re: S&S Metals 196 Rockingham Rd., Londonderry, NH Map 15 Lot 66

Dear Mr. Solomini:

It is time once again to begin the process of renewing your Junkyard Dealers license for the upcoming year in accordance with the provisions of RSA 236:121, II. As you know, this annual license expires on July 1<sup>st</sup> each year.

A renewal application form is attached for your convenience. **The Town Council is scheduled to review your application at their June 15, 2015 meeting.**

Please complete the application and return the form along with the required paperwork and application fee in the amount of \$250 prior to the scheduled hearing date.

Prior to the application hearing an inspection of the premises will need to be conducted by this office for the purpose of determining that your junkyard operation remains in compliance with the conditions of your license. **An inspection appointment has been tentatively scheduled for Thursday, June 4, 2015 11:00 am.** Please contact this office to confirm that this date and time is acceptable.

As you may know, the Town Council amended the Secondhand Dealers License ordinance in June of 2014. The one significant change in the ordinance requires that all license renewals shall be due by July 1<sup>st</sup> each year.

Enclosed for your convenience is a Secondhand Dealers License application. Please complete the application and submit to the Building Department, along with the license fee of \$50.00 no later than July 1, 2015. For your reference, a copy of the Secondhand Dealer ordinance is enclosed.

If you have questions at any time, please do not hesitate to contact me. Your cooperation in this matter is greatly appreciated.

Sincerely,

Richard G. Canuel  
Senior Building Inspector  
Enforcement Officer

# ORDER #2015-21

An Order Relative to

## ***THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236***

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First Reading: 06/15/2015

Second Reading: Waived

Adopted: 06/15/2015

***WHEREAS*** Anthony Iodice, who resides at 211 Rockingham Rd, Londonderry, NH and is the owner of Londonderry Salvage, 211 Rockingham Road, Londonderry, NH desires a license to continue operations of said business; and

***WHEREAS*** Anthony Iodice, has complied with the requirements of RSA 236; 111-129 and

***WHEREAS*** the Londonderry Building/Health Inspector has inspected the premises and recommends insurance of the license;

***IT IS THEREFORE ORDERED*** by the Londonderry Town Council that Anthony Iodice, doing business as Londonderry Salvage, be granted a license to operate an auto recycling facility in accordance with RSA 236; 111-129.

Tom Dolan - Chairman  
Town Council

( TOWN SEAL )

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Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:***  
***06/15/2015***



**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

May 28, 2015

Mr. Anthony Iodice  
211 Rockingham Road  
Londonderry, NH 03053

Re: Londonderry Salvage Facility 211 Rockingham Rd., Map 15 Lot 23

Dear Mr. Iodice:

It is time once again to begin the process of renewing your Junkyard Dealers license for the upcoming year in accordance with the provisions of RSA 236:121, II. As you know, this annual license expires on July 1<sup>st</sup> each year.

A renewal application form is attached for your convenience. The Town Council is scheduled to review your application at their June 15, 2015 meeting.

Please complete the application and return the form along with the required paperwork and application fee in the amount of \$250 prior to the scheduled hearing date.

Prior to the application hearing an inspection of the premises will need to be conducted by this office for the purpose of determining that your junkyard operation remains in compliance with the conditions of your license. **An inspection appointment has been tentatively scheduled for Thursday, June 4, 2015 at 2:00 pm.** Please contact this office to confirm that this date and time is acceptable.

If you have questions at any time, please do not hesitate to contact me. Your cooperation in this matter is greatly appreciated.

Sincerely,

Richard G. Canuel  
Senior Building Inspector  
Enforcement Officer



**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

**MEMORANDUM**

To: Town Council

From: Richard G. Canuel, Senior Building Inspector *RC*

Date: June 5, 2015

Subject: Iodice Junkyard Inspection, 211 Rockingham RD.

An inspection of the subject junkyard was conducted on this date to determine compliance with license conditions in preparation for renewal.

No adverse conditions were observed during inspection that would prohibit renewal of this license.

The applicant continues to work with DES to maintain compliance with the recommended Best Management Practices (BMP).

There are presently less vehicles on site compared to previous years, and the condition property is in a much cleaner state. The applicant has scaled back operations, and only processes the minimum number of vehicles to maintain his state license.

**Recommendation:** Based on the recent inspection and other visits to the property during the year, it appears that the applicant is operating within the requirements of their license, and renewal of the license is recommended.

# ORDER #2015-22

An Order Relative to

## ***THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236***

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First Reading: 06/15/2015

Adopted: 06/15/2015

***WHEREAS***

Edward Dudek, Jr., who resides at 36 Strafford Lane, Bedford, NH and is the owner of Murrays Auto Recycling, 55 Hall Road, Londonderry, NH desires a license to continue operations of said business; and

***WHEREAS***

Edward Dudek, Jr. has complied with the requirements of RSA 236; 111-129 and

***IT IS THEREFORE ORDERED*** by the Londonderry Town Council that Edward Dudek, Jr., doing business as Murrays Auto Recycling, be granted a license to operate an auto recycling facility in accordance with RSA 236; 111-129.

Tom Dolan - Chairman  
Town Council

( TOWN SEAL )

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Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:***  
***6/15/2015***



**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

May 28, 2015

Mr. Edward Dudek  
55 Hall Road  
Londonderry, NH 03053

Re: Murray's Auto Recycling 55 Hall Rd., Londonderry, NH Map 15 Lot 13

Dear Mr. Dudek:

It is time once again to begin the process of renewing your Junkyard Dealers license for the upcoming year in accordance with the provisions of RSA 236:121, II. As you know, this annual license expires on July 1<sup>st</sup> each year. A renewal application form is attached for your convenience.

Please complete the application and return the form along with the required paperwork and application fee in the amount of \$250 prior to the July 1<sup>st</sup> expiration date.

Prior to the application hearing an inspection of the premises will need to be conducted by this office for the purpose of determining that your junkyard operation remains in compliance with the conditions of your license. **An inspection appointment has been tentatively scheduled for Thursday, June 4, 2015 at 10:00 am.** Please contact this office to confirm that this date and time is acceptable.

If you have questions at any time, please do not hesitate to contact me. Your cooperation in this matter is greatly appreciated.

Sincerely,

Richard G. Canuel  
Senior Building Inspector  
Code Enforcement Officer



# ORDER #2015-23

An Order Relative to  
***THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236***

---

First Reading: 06/15/15

Adopted: 06/15/15

***WHEREAS*** Kenneth Hill, who resides at 7 Litchfield Rd., Londonderry, NH, and is the owner of Hill's Salvage Facility, 7 Litchfield Rd., Londonderry, NH desires a license to continue operations of said business; and

***WHEREAS*** Kenneth Hill has complied with the requirements of RSA 236; 111-129 and

***WHEREAS*** the Londonderry Building/Health Inspector has inspected the premises and recommends issuance of the license;

***IT IS THEREFORE ORDERED*** by the Londonderry Town Council that Kenneth Hill, doing business as Hill's Salvage Facility, be granted a license to operate an auto recycling facility in accordance with RSA 236; 111-129.

---

John Farrell - Chairman  
Town Council

( TOWN SEAL )

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Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:***  
***06/15/15***




**TOWN OF LONDONDERRY**  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

**MEMORANDUM**

To: Town Council

From: Richard G. Canuel, Senior Building Inspector 

Date: June 5, 2015

Subject: Hill Auto Salvage Inspection, 7 Litchfield Rd.

No year-end inspection of the subject junkyard was conducted on this renewal cycle. Mr. Hill has discontinued operations, and there currently no junk vehicles on site for processing. All junk vehicles and debris have been removed from the property, and the yard is in a clean state.

Although Mr. Hill had stated to me previously that he wanted to retain his junkyard license, he has not yet submitted a renewal application.

**Recommendation:** Based on visits to the property during the year, it appears that the applicant is operating within the requirements of their license, and renewal of the license is recommended upon submittal of the application and payment of the license fee.



TOWN OF LONDONDERRY  
**Building, Health & Zoning Enforcement**

268 Mammoth Road  
Londonderry, New Hampshire 03053  
432-1100 ext. 115 Fax: 432-1128

May 28, 2015

Mr. Kenneth Hill  
7 Litchfield Road  
Londonderry, NH 03053

Re: Hill's Salvage Facility 7 Litchfield Rd., Londonderry, NH Map 12 Lot 20

Dear Mr. Hill:

It is time once again to begin the process of renewing your Junkyard Dealers license for the upcoming year in accordance with the provisions of RSA 236:121, II. As you know, this annual license expires on July 1<sup>st</sup> each year.

A renewal application form is attached for your convenience. **A hearing with the Town Council is scheduled for June 15, 2015** for the purpose of reviewing your application.

Please complete the application and return the form along with the required paperwork and application fee in the amount of \$250 prior to the scheduled hearing date.

Considering that there are no active junkyard operations being conducted presently, a year-end inspection of the junkyard will not be conducted this year.

If you have questions at any time, please do not hesitate to contact me. Your cooperation in this matter is greatly appreciated.

Sincerely,

Richard G. Canuel  
Senior Building Inspector  
Enforcement Officer

# LONDONDERRY TOWN COUNCIL MEETING MINUTES

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1  
2 **June 1, 2015**  
3

4 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth  
5 Road, Londonderry, NH.  
6

7 Present: Councilor Tom Dolan; Vice Chairman Jim Butler; Councilors Tom Freda and Joe Green; Town  
8 Manager Kevin Smith; Executive Assistant Kirby Wade; Absent: Chairman John Farrell  
9

## 10 **CALL TO ORDER**

11  
12 Vice Chairman Butler opened the meeting with the Pledge of Allegiance led by the Boy Scouts, James,  
13 Nick, Jake, Sean and Patrick. This was followed by a moment of silence for all those who serve us here  
14 and abroad in uniform and for all first responders, especially Londonderry's first responders.  
15

## 16 **PUBLIC COMMENT**

17  
18 Vice Chairman Butler stated that there is going to be a question and answer session about the Kinder  
19 Morgan Gas Pipeline on June 18th at the Londonderry High School Cafeteria. Kinder Morgan will be  
20 there to answer questions from the public.  
21

22 Pollyann Winslow, 4 Heathstone Drive, introduced Pamela Cyran, the new reporter for the Union  
23 Leader. The Council welcomed Cyran.  
24

## 25 **NEW BUSINESS**

26  
27 Vice Chairman Butler introduced Order #2015-15, expenditure of Maintenance Trust Fund for various  
28 projects in the amount of \$5,641.28. Steve Cotton presented Order to the Council. Councilor Dolan  
29 suggested bringing up Order #2015-16, the distribution of cemetery acquisitions, maintenance and repair  
30 Capital Reserve Fund in the amount of \$2,500.00 as well. Cotton presented the Order. Motion to  
31 approve Order #2015-15 and Order #2015-16 made by Councilor Green and second by Councilor Dolan.  
32 Chair votes 4-0-0.  
33

34 Vice Chairman Butler introduced Janusz Czyzowski, Public Works Director, to give an update on  
35 Pettengill Rd. (See attached slides)  
36

37 Vice Chairman Butler introduced Order #2015-17, the distribution of Fire Equipment Capital Reserve  
38 Funds. Chief Darren O'Brien presented the Order. Chief O'Brien stated that the Order is for the third  
39 and final power stretcher to replace the existing manual stretcher that are in the ambulances. Motion to  
40 approve Order #2015-17 made by Councilor Dolan and second by Councilor Freda. Chair votes 4-0-0.

# LONDONDERRY TOWN COUNCIL MEETING MINUTES

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## APPROVAL OF MINUTES

Motion to approve the Town Council minutes from May 18, 2015 made by Councilor Green and second by Councilor Dolan. Chair votes 4-0-0.

## TOWN MANAGER REPORT

Town Manager Smith stated that the reason he is late to the meeting is because he was attending the first annual New Hampshire Commercial Real Estate Awards put on by the New Hampshire Commercial Investment Board of Realtors. The new UPS project won three awards.

Vice Chairman Butler read in a letter of resignation from Ben LaBrecque of the Conservation Commission. Motion to accept the resignation made by Councilor Dolan and second by Councilor Green. Chair votes 4-0-0.

## ADJOURNMENT

Motion to adjourn made by Councilor Dolan and second by Councilor Freda. **Chair votes 4-0-0.**

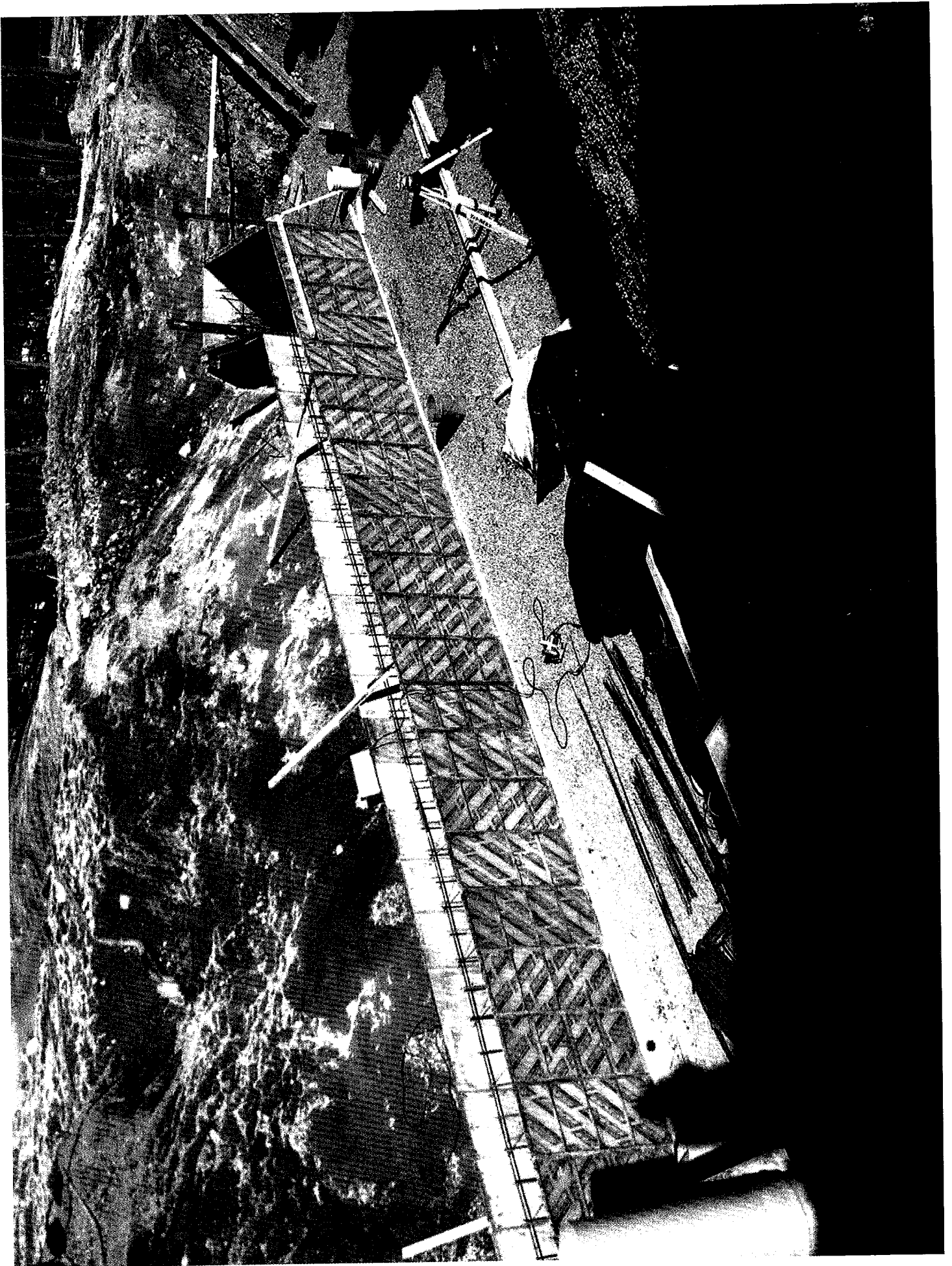
Notes and Tapes by:  
Minutes Typed by:  
Approved by:

Kirby Wade  
Kirby Wade  
Town Council

Date: 06/01/2015  
Date: 06/05/2015  
Date: 06/15/2015

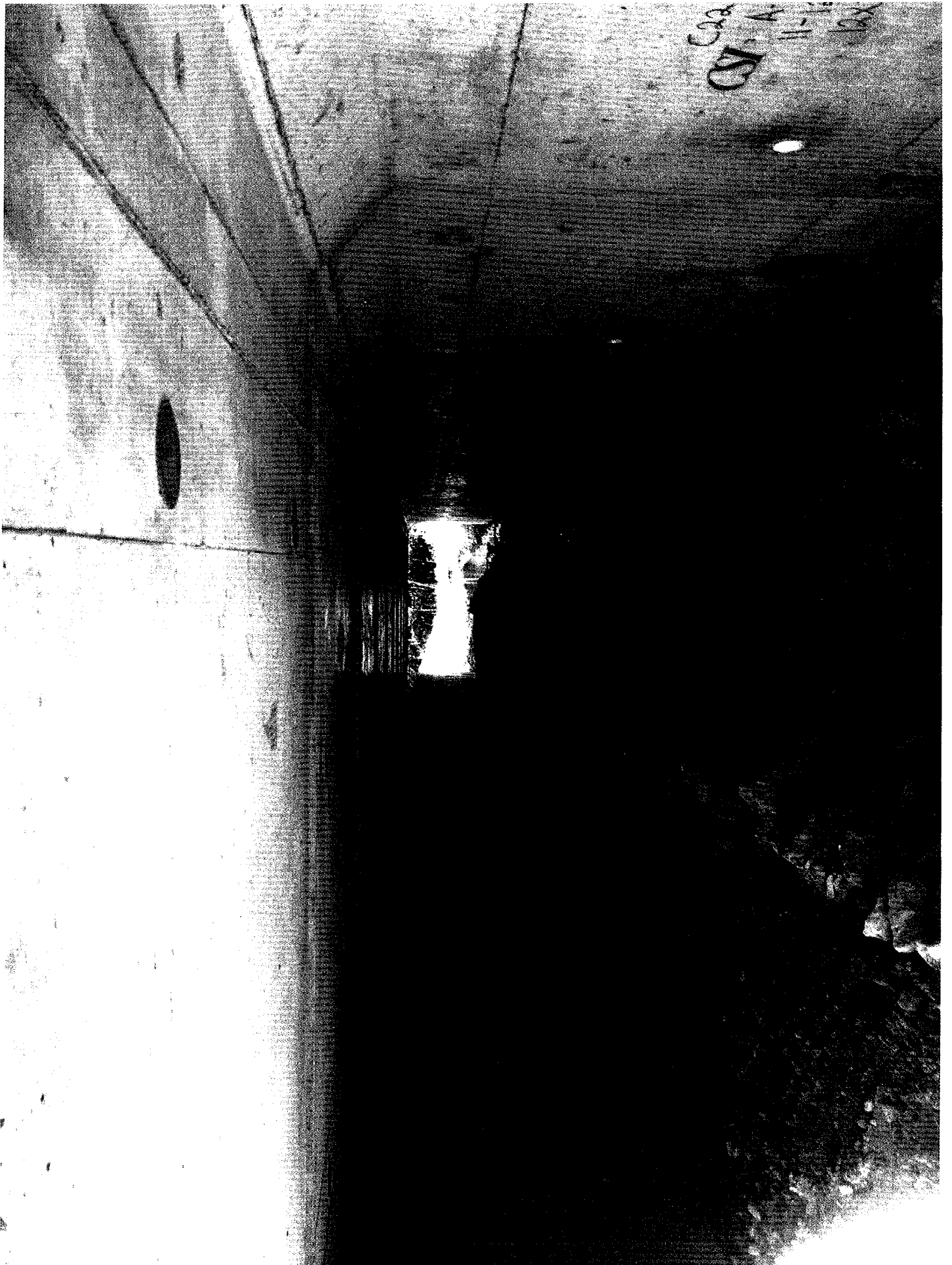
# Pettengill Road and the Pettengill Road Sewer Construction



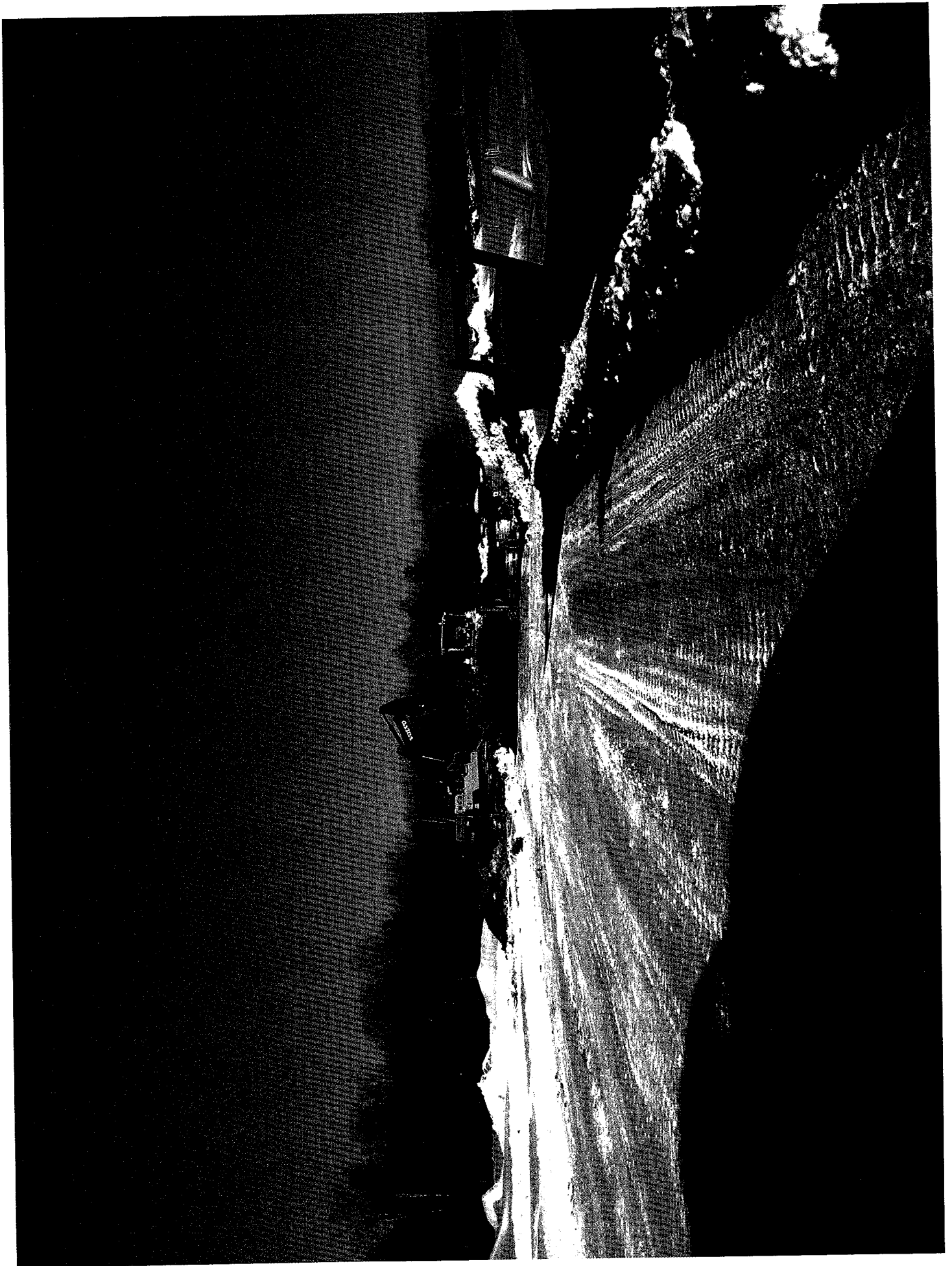


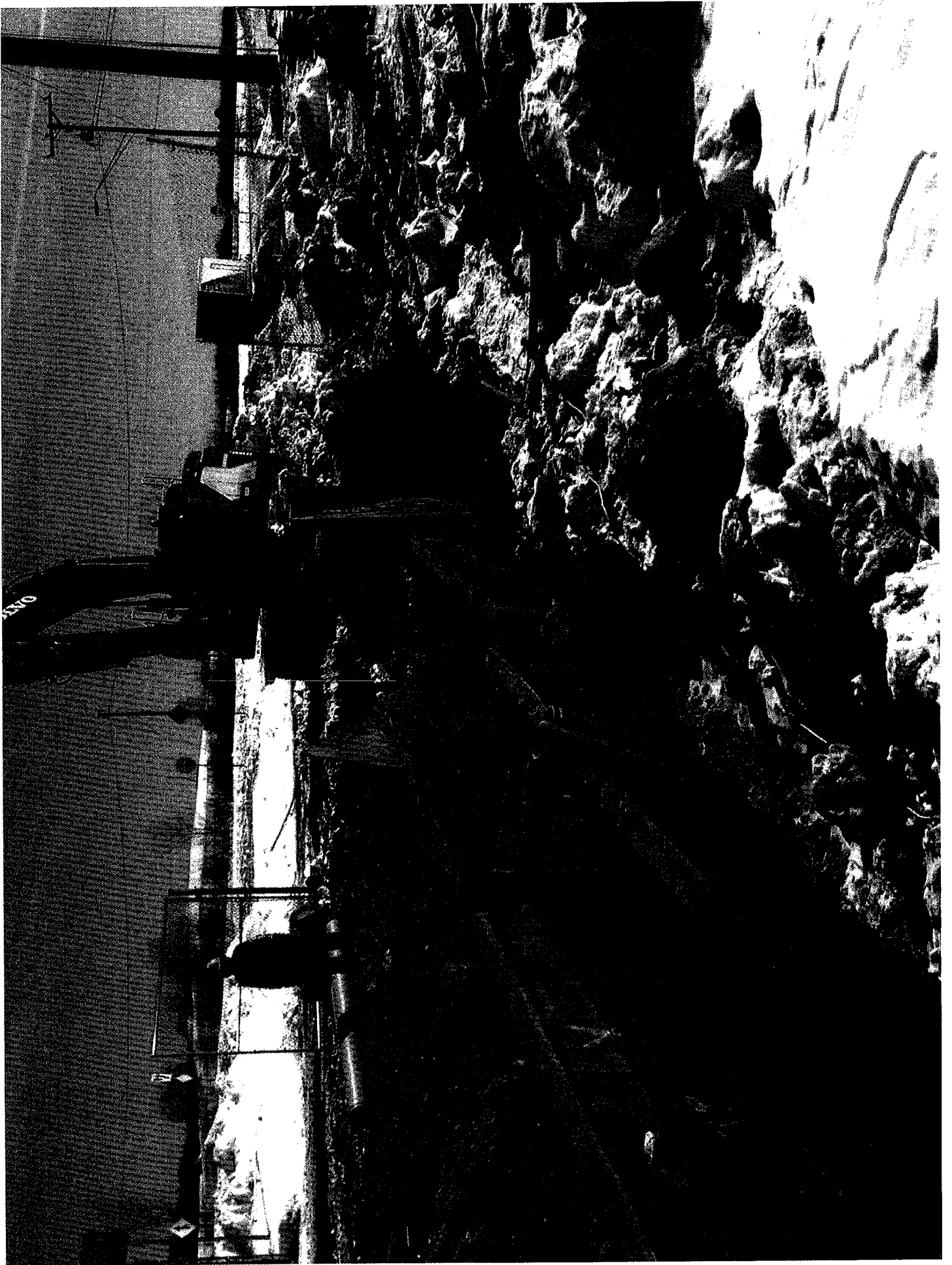


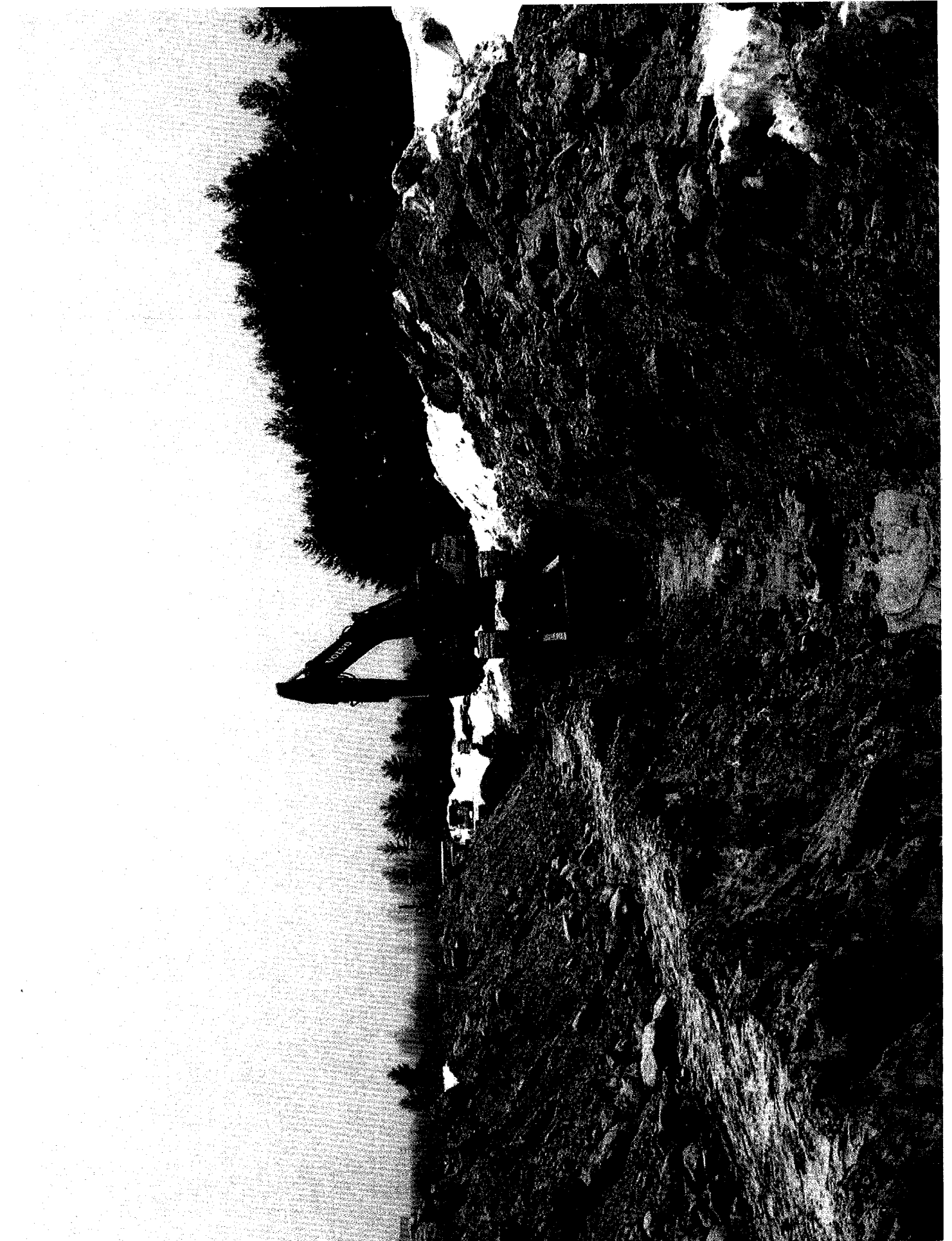


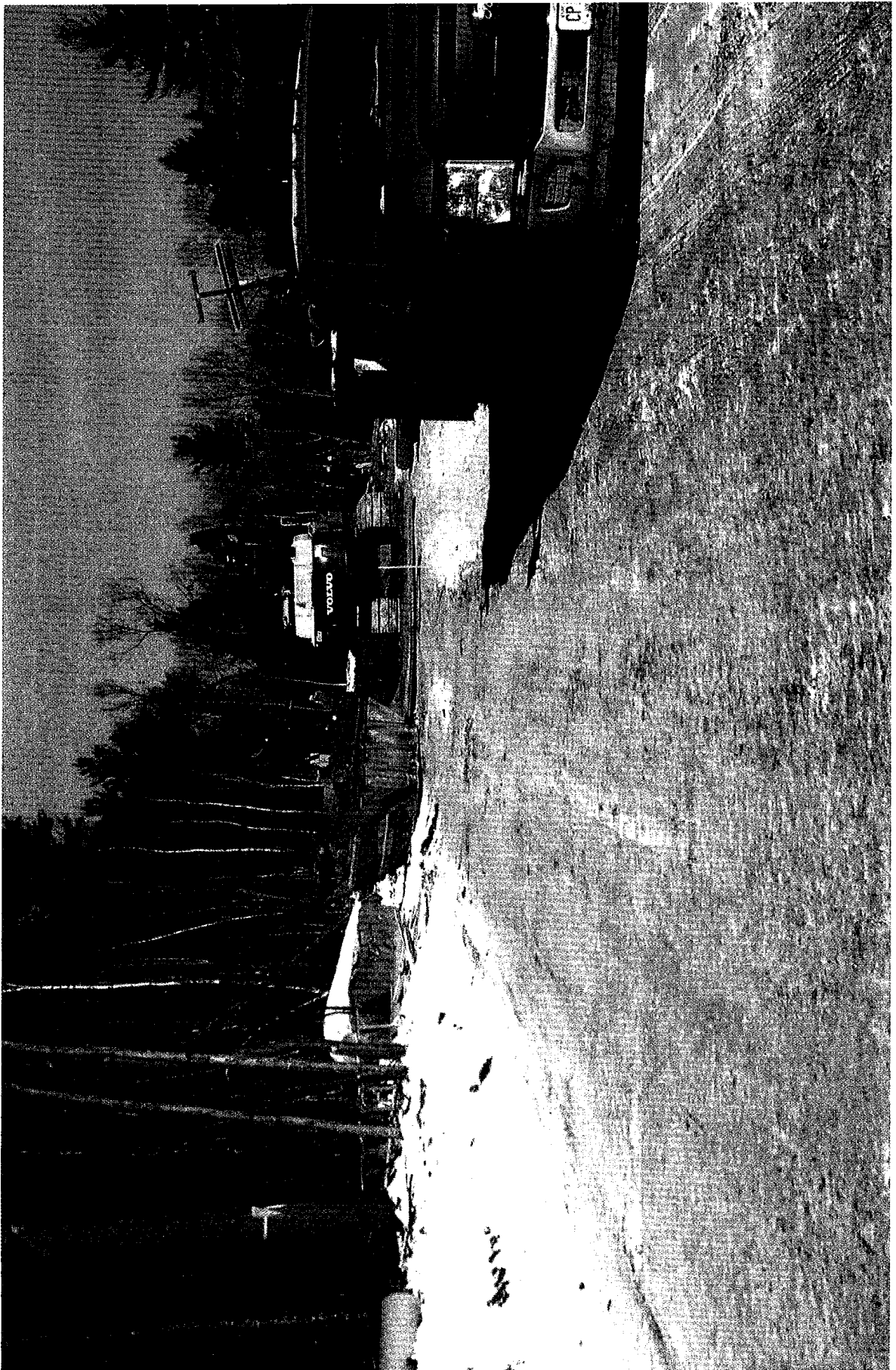


C-23  
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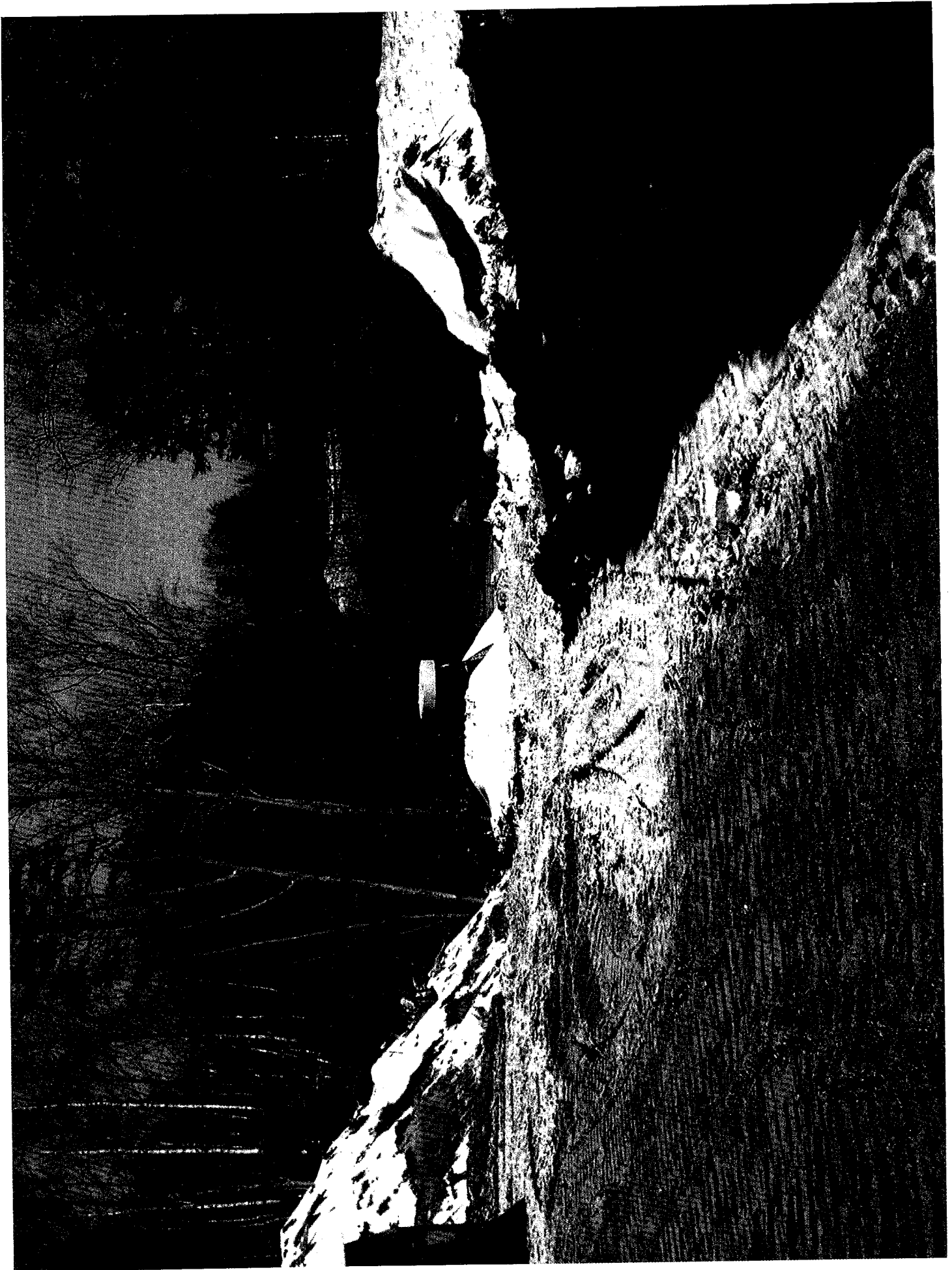




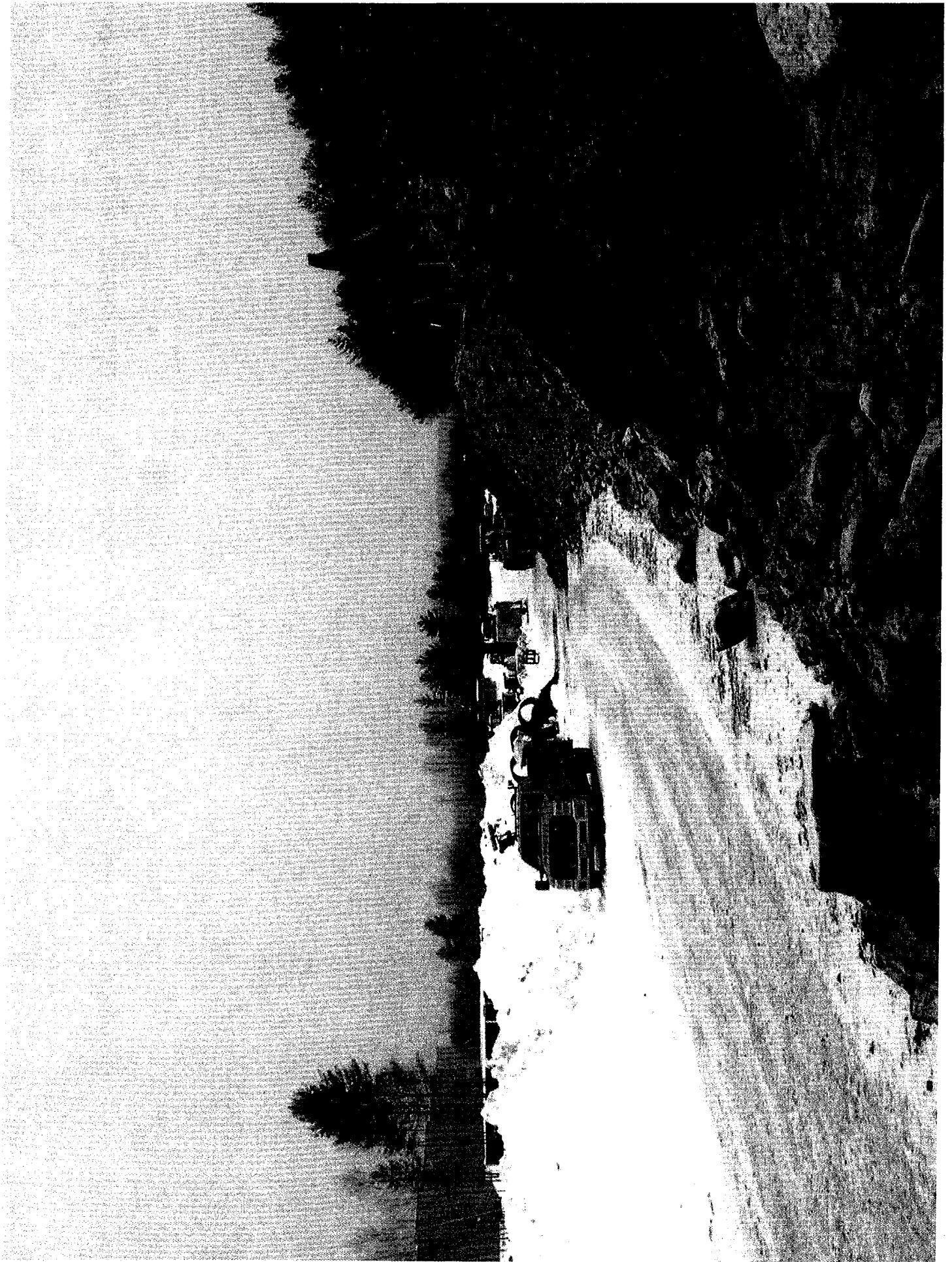




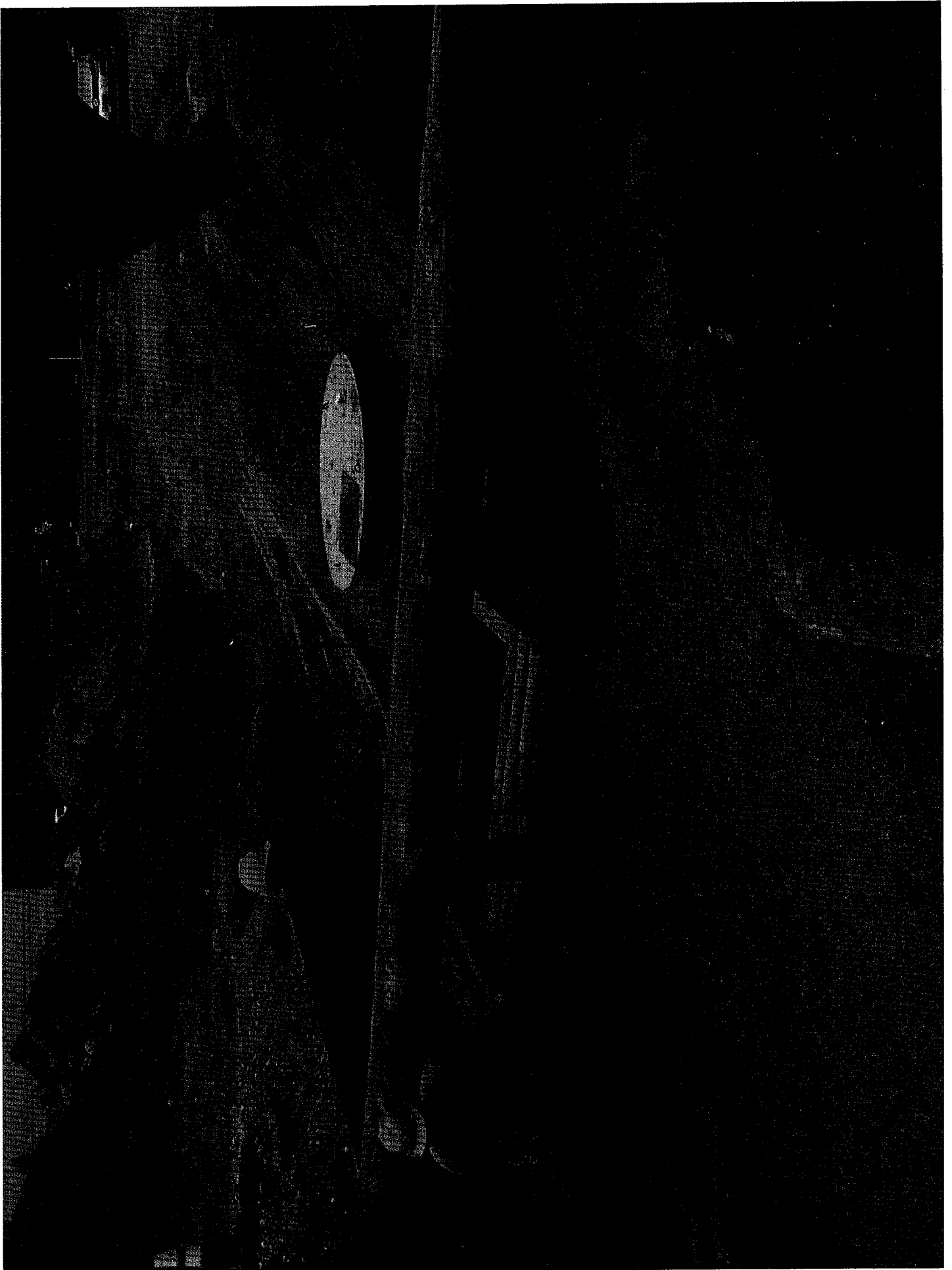




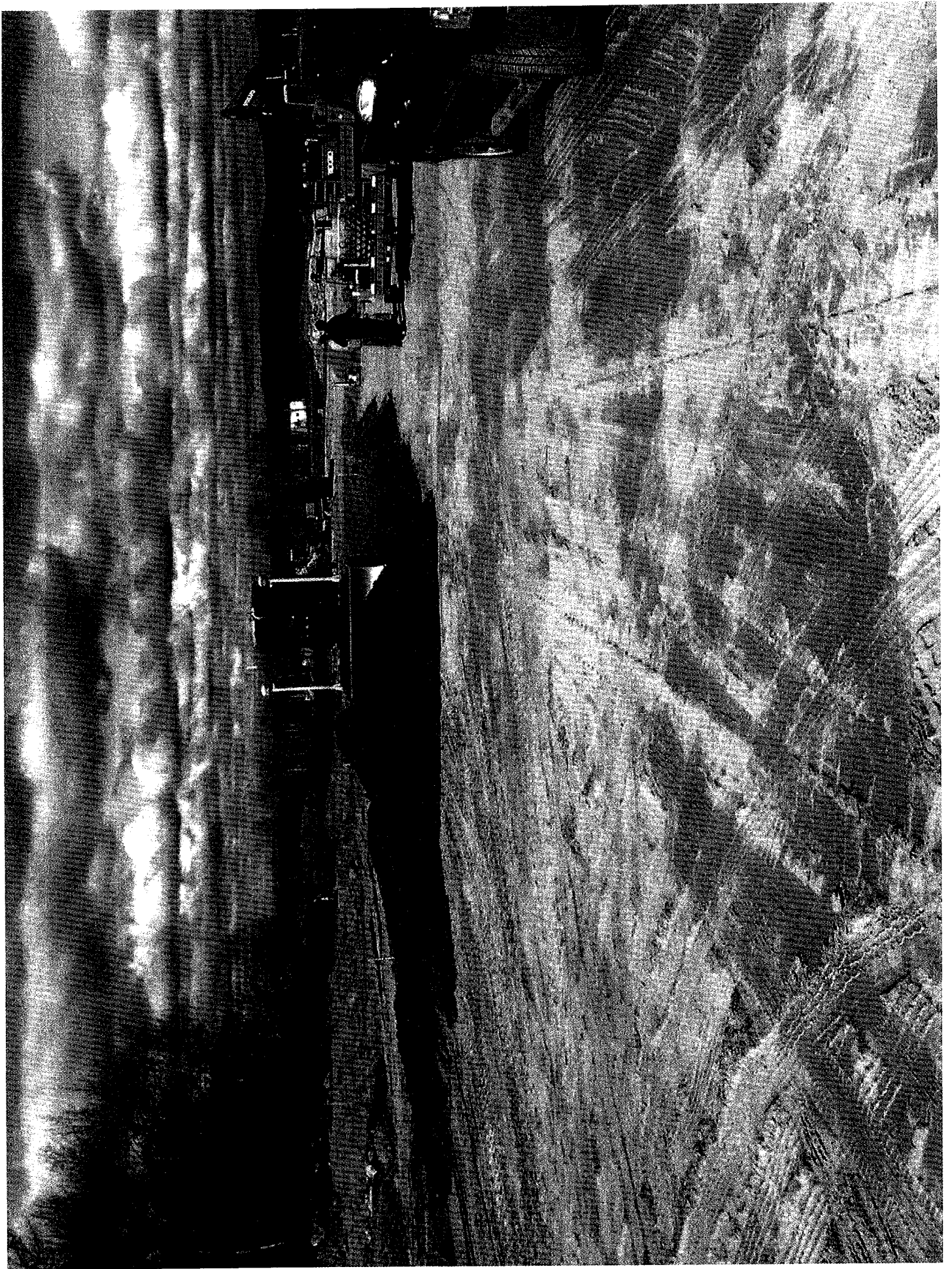




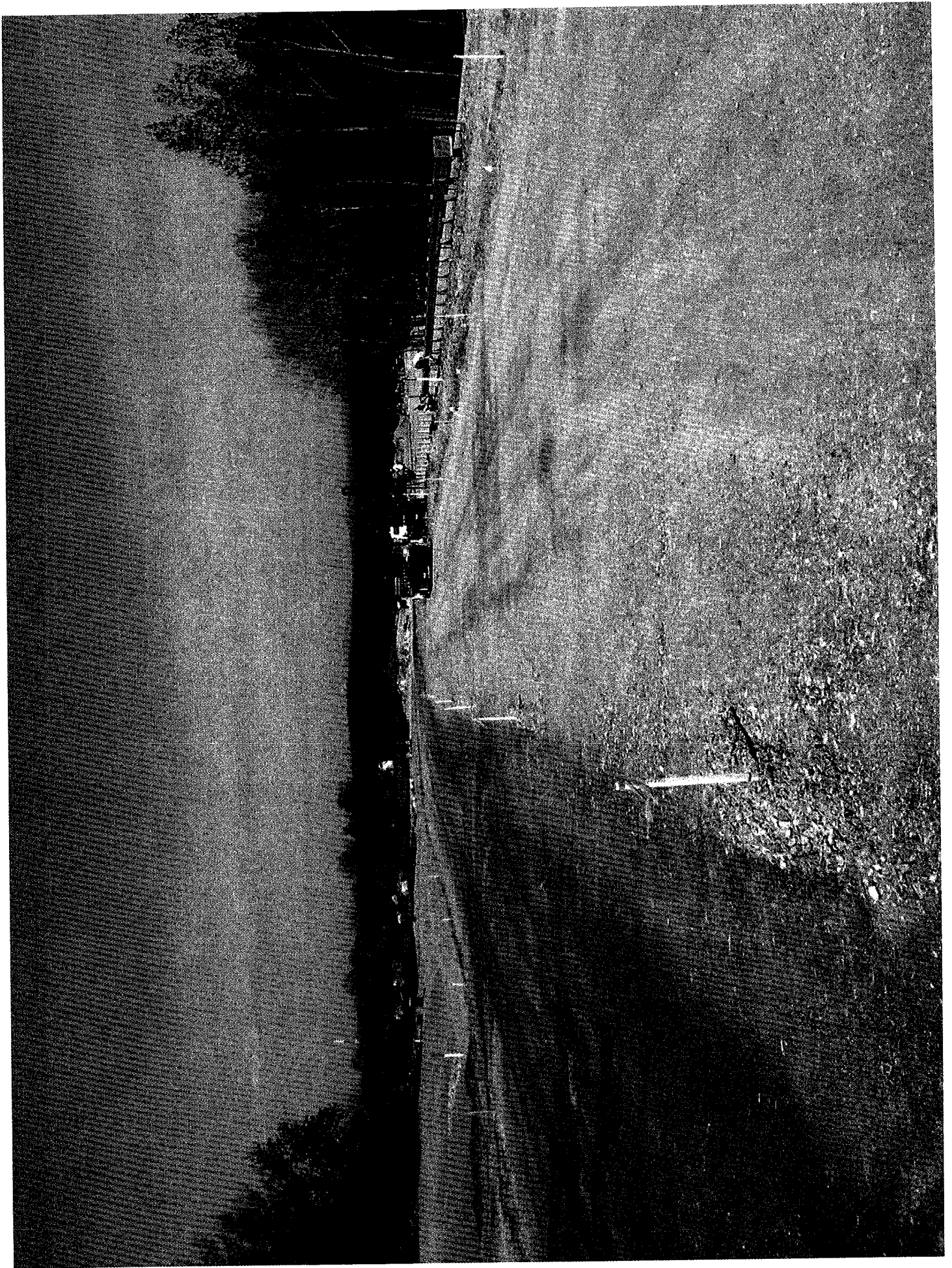


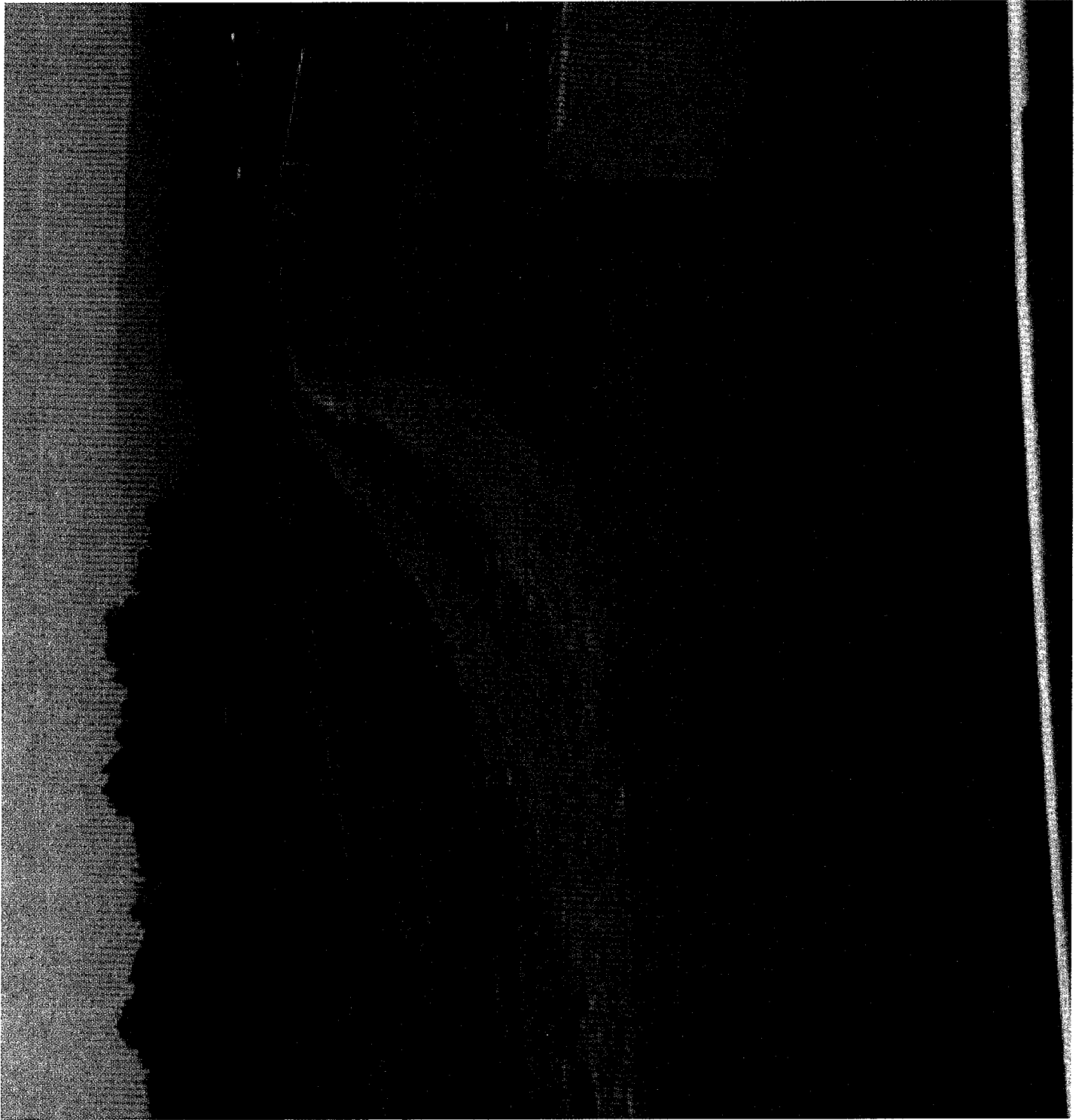






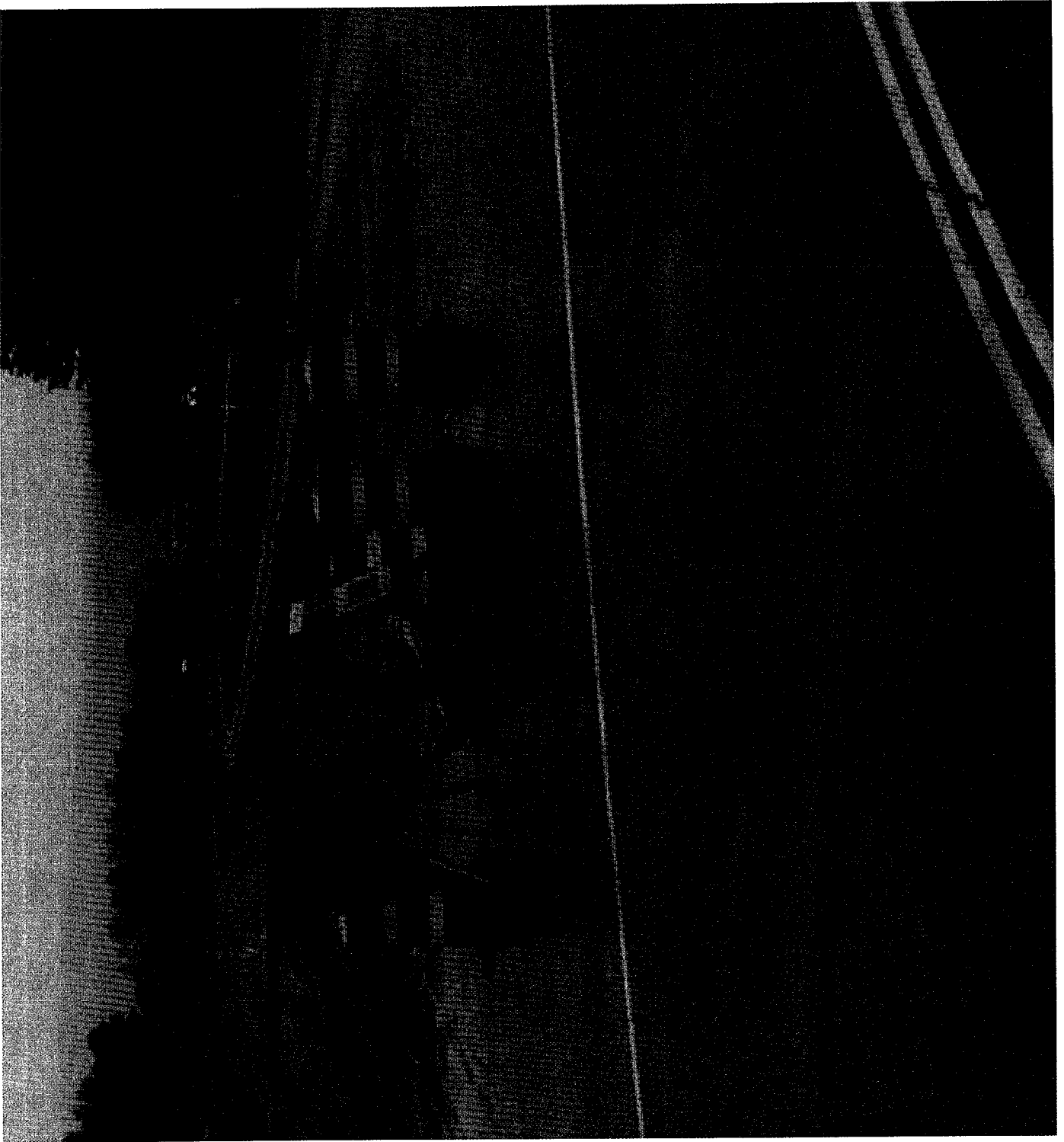






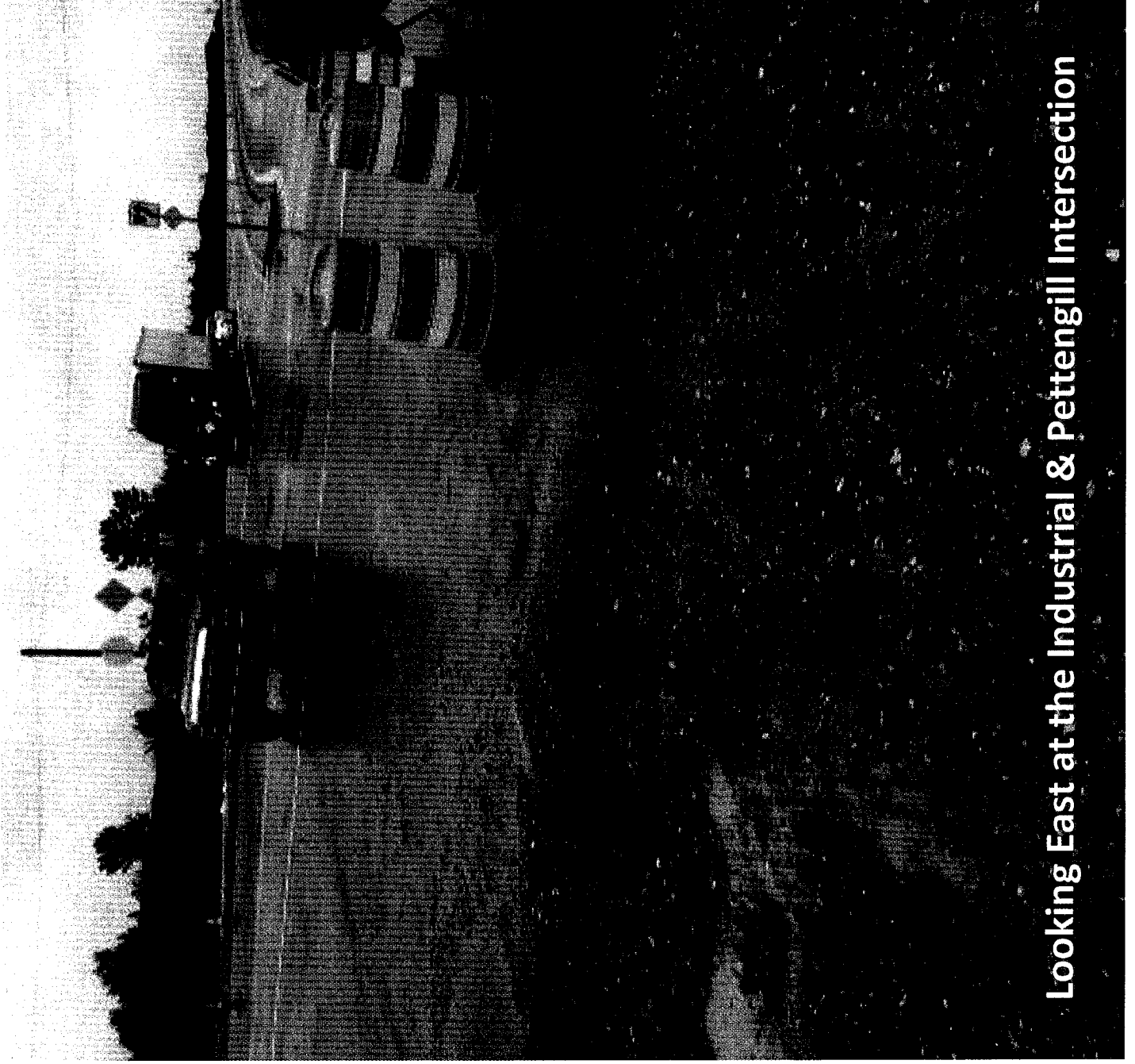








Looking West at the Industrial & Pettengill Intersection



Looking East at the Industrial & Pettengill Intersection

