

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF FEBRUARY 12, 2014 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**
4

5 Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem; Tom
6 Freda, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; Leitha Reilly, alternate member;
7 Maria Newman, alternate member; and Al Sypek, alternate member
8

9 Also Present: Cynthia May, ASLA, Town Planner and Planning and Economic
10 Development Department Manager; John R. Trottier, P.E., Assistant Director of
11 Public Works and Engineering; and Jaye Trottier, Associate Planner
12

13 A. Rugg called the meeting to order at 7:00 PM. He appointed A. Sypek to vote
14 for Chris Davies and M. Newman to vote for Scott Benson.
15

16 **Administrative Board Work**
17

18 A. Approval of Minutes – January 8, 2014
19

20 **M. Soares made a motion to approve and sign the minutes from the**
21 **January 8, 2014 meeting. L. Wiles seconded the motion.** No discussion.
22 **Vote on the motion: 8-0-0.**
23

24 The minutes for January 8, 2014 were approved and signed at the conclusion
25 of the meeting.
26

27 B. Plans to Sign – NeighborWorks Southern New Hampshire (Applicant) Site Plan,
28 Londonderry Lending Trust (owner), Map 12 Proposed Lot 59-4 and Lot 64, 73
29 Trail Haven Drive, Zoned AR-I [Conditionally Approved July 10, 2013]; and
30 NeighborWorks Southern New Hampshire (Applicant), Site Plan Amendment,
31 Londonderry Lending Trust (owner), Map 12 Lot 59-3, 73 Trail Haven Drive,
32 Zoned AR-I [Conditionally Approved July 10, 2013].
33

34 J. R. Trottier said all precedent conditions for approval have been met for the
35 NeighborWorks Southern New Hampshire site plan and that Staff recommends
36 signing the plans.
37

38 **M. Soares made a motion to authorize the Chair and Secretary to sign**
39 **the plans. L. Wiles seconded the motion.** No discussion. **Vote on the**
40 **motion: 8-0-0.**
41

42 J. R. Trottier said all precedent conditions for approval have been met for the
43 NeighborWorks Southern New Hampshire site plan amendment and that Staff
44 recommends signing the plans.
45

46 **M. Soares made a motion to authorize the Chair and Secretary to sign**
47 **the plans. L. Wiles seconded the motion.** No discussion. **Vote on the**
48 **motion: 8-0-0.**
49

1 A. Rugg said both plans would be signed at the conclusion of the meeting.

2
3 C. Plans to Sign – Hickory Woods Site Plan, Map 2 Lot 27, Phase II

4
5 This item was erroneously placed on the agenda and will be considered instead
6 at the March 5, 2014 meeting, pending the fulfillment of all conditions for plan
7 signature.

8
9 D. Plans to Sign – Brook Hollow Corporation (Owner and Applicant) Subdivision
10 Plan Amendment, Map 18 Lots 13-97 and 99, 140 Old Derry Road, Zoned AR-I
11 [Conditionally Approved October 2, 2013].

12
13 J. R. Trottier said all precedent conditions for approval have been met for the
14 Brook Hollow Corporation subdivision plan amendment and that Staff
15 recommends signing the plans.

16
17 **M. Soares made a motion to authorize the Chair and Secretary to sign**
18 **the plans. L. Wiles seconded the motion.** No discussion. **Vote on the**
19 **motion: 8-0-0.**

20
21 A. Rugg said the plans would be signed at the conclusion of the meeting.

22
23 A. Sypek recused himself from the Board for the following discussion.

24
25 E. Extension Request – Londonderry Fish & Game Site Plan, Map 8 Lots 12 & 13,
26 Musquash Meadow Road and High Range Road, Zoned AR-I [Conditionally
27 Approved November 6, 2013].

28
29 C. May referenced a letter from project engineer Eric Mitchell requesting a
30 one year extension of their conditional approval to November 6, 2014.
31 Additional time is needed to fully address all conditions of approval.

32
33 **M. Soares made a motion to grant a one year extension to November 6,**
34 **2014. L. Wiles seconded the motion.** No discussion. **Vote on the**
35 **motion: 7-0-0.**

36
37 The extension to November 6, 2014 was granted.

38
39 A. Sypek returned to the dais.

40
41 F. Regional Impact Determinations – Kestrel Estates Subdivision, Map 12 Lot 138;
42 Industrial Drive Extension & Consolidation, Map 14 Lots 45, 45-2 & 46; FedEx
43 Ground Facility Site Plan, Map 14 Proposed Lot 45-2; Wallace Farm Workforce
44 Housing Subdivision, Map 16 Lots 1 and 3; and Wallace Farm Workforce
45 Housing Site Plan, Map 16 Lots 1 and 3.

- 46
47
 - Kestrel Estates Subdivision, Map 12 Lot 138

48
49 C. May stated that Diamond Edge Realty Development, LLC is proposing
50 a 6-lot subdivision on Map 12, Lot 138. She said that Staff recommends

1 this project is not a development of regional impact, as it does not meet
 2 any of the regional impact guidelines suggested by Southern NH
 3 Planning Commission (SNHPC).

- 4
- 5 • Industrial Drive Extension and Consolidation, Map 14 Lots 45, 45-2, and
 6 46

7

8 C. May stated that Ballinger Properties LLC and Five N Associates
 9 General Partnership are proposing to extend Industrial Drive and
 10 consolidate and subdivide three existing lots into four new lots on Map
 11 14, Lots 45, 45-2, and 46. She said that Staff recommends this project
 12 is not a development of regional impact, as it does not meet any of the
 13 regional impact guidelines suggested by Southern NH Planning
 14 Commission (SNHPC).

- 15
- 16 • Fed Ex , Map 14 Proposed Lot 45-2

17

18 C. May stated that Scannell Properties is proposing to construct a
 19 warehouse/distribution facility with associated improvements on Map 14,
 20 Proposed Lot 45-2. She said this development meets one of the criteria
 21 expressed in the regional impact guidelines suggested by Southern NH
 22 Planning Commission (SNHPC), that being the determination in the
 23 associated traffic study that 500 daily vehicle trips will be added as a
 24 result of this development. Staff, however, still recommends that the
 25 project is not a development of regional impact because the majority of
 26 those vehicles will utilize the Airport Access Road and the Everett
 27 Turnpike and will therefore not impose any significant additional traffic
 28 on neighboring municipalities.

- 29
- 30 • Wallace Farm Workforce Housing Subdivision, Map 16 Lots 1 and 3; and
 31 Wallace Farm Workforce Housing Site Plan, Map 16 Lots 1 and 3

32

33 C. May stated that Wallace Farm LLC is proposing a lot line adjustment
 34 and consolidation along with the construction of 240 rental inclusionary
 35 (workforce) housing units with associated improvements. She said that
 36 Staff recommends this project is not a development of regional impact,
 37 as it does not meet any of the regional impact guidelines suggested by
 38 Southern NH Planning Commission (SNHPC).

39

40 **M. Soares made a motion to accept Staff’s recommendations that**
 41 **none of the aforementioned projects are determined to be of**
 42 **regional impact under RSA 36:56. L. Wiles seconded the motion.**
 43 **No discussion. Vote on the motion: 8-0-0.**

44

45 D. Discussions with Town Staff

- 46
- 47 • Kelley Road cell tower

48

49 C. May explained that Verizon is proposing to collocate on the new cell
 50 tower located on Kelley Road. The approved site plan enables the

1 Building Inspector to approve the addition of certain items within the
 2 compound identified in Attachment #1. One exception is a permanent
 3 500-gallon propane tank that would be used to supply the portable
 4 power generator. C. May asked if the Board had any concerns with this
 5 item also being handled administratively by Staff, which in this case
 6 would be the Building Inspector. A. Sypek verified for the Board that the
 7 tank is at a sufficient distance from all other items in the compound.
 8 There were no objections from the Board to allow Staff to handle the
 9 matter administratively.

- 10
- 11 • Third party review services RFP
- 12

13 C. May reported that four submissions were received in response to this
 14 Request for Proposals and that interviews have been scheduled for
 15 March 5 and 6. The Town Manager’s subsequent recommendation could
 16 be available in time for the March 12 meeting.

- 17
- 18 • Master Plan Implementation Committee
- 19

20 C. May stated that this Committee held their first meeting January 29,
 21 which she said was successful and resulted in establishing procedural
 22 rules for the group. The Committee will meet monthly for the time being
 23 and the first issue to be addressed is the zoning ordinance audit.
 24 Information is now available on the Town website and Facebook page
 25 and will be updated regularly. M. Soares added that Planning Board
 26 representative Chris Davies was elected Chair and member Barbara Mee
 27 was elected Vice Chair.

28

29 A. Rugg suggested taking the next agenda item out of sequence. There was no
 30 objection from Board members.

31

32 **Other Business**

- 33
- 34 A. Woodmont Commons PUD Master Plan – Annual Report to the Planning Board
- 35 on the status of the Woodmont Commons PUD in accordance with the General
- 36 and Subsequent Conditions of Approval of September 11, 2013 requiring that
- 37 the Applicant advise the Planning Board of its known and reasonably expected
- 38 development plans for the succeeding 24 months.
- 39

40 Attorney Ari Pollack of Gallagher, Callahan & Gartrell, representative of
 41 Pillsbury Realty Development, LLC, was joined by developer Mike Kettenbach,
 42 Emily Inness of the Cecil Group, and Jimmy D’Angelo of traffic consultant TEC
 43 to present the first annual Woodmont Commons Planned Unit Development
 44 (PUD) status report to the Board. The report is a condition of the approval of
 45 the PUD Master Plan which took place in September of 2013. A. Pollack
 46 presented six items of note to the Board (see also Attachment #2):

- 47
- 48 • The Development Agreement has been signed by all PUD property
- 49 owners as well as the Town of Londonderry and was recorded at the
- 50 Rockingham County Registry of Deeds in January;
- 51
- 52 • Approximately three acres of land proposed to be donated to the

Trustees of the Cemetery was reviewed briefly (pages 5 and 6, Attachment #2). This acreage had been purposefully left out of the PUD since the use would not be consistent with the PUD Master Plan. A meeting with the Trustees and the Town Sexton will take place soon to finalize the details, after which a subdivision plan can be submitted to the Planning Board. Once approved, ownership can be transferred to the Trustees. This is anticipated to take roughly four months, depending on the length of the Board's review process;

- An access road connecting Route 102 and Pillsbury Road and running between proposed subareas WC-3 and WC-/WC-1-GL was reviewed next (p. 7, Attachment #2). This road originated as a condition of approval of the Market Basket site plan in 2010. Before the Certificate of Occupancy was issued for the new grocery store, an access agreement was signed by the owners of Market Basket and Pillsbury Realty Development, LLC. The road was identified in the PUD Master Plan as "Primary Street – New Boulevard," but the final layout is not known at this time. It will act as one of the four gateways to the overall development and will provide traffic relief to the proposed PUD intersections along Gilcreast Road. The road is also expected to focus initial development on the commercial and retail aspects WC-1-GL, WC-1, and WC-2. Two conceptual layouts were offered on pages 10 and 11 of the presentation (Attachment #2). Technical sessions with Demoulas Super Markets will take place in the near future to determine the layout which will then be reviewed by Town Staff. These steps, along with an application submission to the Planning Board, are anticipated to take approximately six months (again, depending on the Board's review process), while construction is estimated at 18 months;
- The outcome of funding for I-93 and Exit 4A as determined by the State legislature could be known in the coming months and will have impact on the development. If funding is realized for one or both, A. Pollack said the result would be a positive one for the development as well as the community at large.
- Pillsbury Realty Development, LLC was invited to speak both at the Manchester Chamber of Commerce Infrastructure Committee and the Derry/Londonderry Chamber of Commerce in November of 2013. Another presentation was given in December at the Southern NH Regional Planning Commission (SNHPC). A. Pollack said Pillsbury Realty will continue to provide public briefings as invited.
- The fiscal impact analysis, as required by the Development Agreement, will be delivered to the Board at the end of 2014. It will include fiscal impacts associated with all 2014 PUD subdivision and site plan applications and provide a cumulative fiscal impact for the entire year. Since no construction occurred in 2013, there has been no change to the analysis that was approved as part of the PUD Master Plan.

A. Rugg asked the Board for input.

L. Wiles asked if there were any expectations to build within the next 24 months beyond construction of the access road. A. Pollack replied that until the access road is built, there is no real expectation of development. L. Wiles

1 also asked if the Pillsbury Realty's Woodmont Commons website will be
2 maintained and whether this presentation would be posted on it. A. Pollack
3 said he would pass along the suggestion. M. Newman asked if the two active
4 businesses at the eastern end of the old Market Basket building would be
5 removed along with the portion where the supermarket previously existed.
6 Mike Kettenbach said those tenants will remain in that overall plaza.
7

8 J. R. Trottier offered comments on the proposed access road, noting that it will
9 have to be reviewed by Staff and the Town's third party review consultant not
10 only in relation to the approved Master Plan, but in a scoping meeting with the
11 NH Department of Transportation (NHDOT) to assess impacts to other areas
12 under State jurisdiction. Off-site improvements will have to be discussed as
13 well, as will ongoing maintenance and ownership of that road.
14

15 A. Rugg asked for further comments from Staff. There were none.
16

17 A. Rugg asked for public input.
18

19 Mike Speltz, 18 Sugarplum Lane, asked what areas within the PUD were
20 considered priorities for development over the next 24 months, particularly if
21 the economy improves. A. Pollack stated that development obviously depends
22 on the market, but that the retail aspects of the southern tier have always
23 been viewed as the area of initial focus. A. Chiampa, 28 Wedgewood Drive,
24 asked if the design on Garden Lane has changed since it was last depicted in
25 the PUD Master Plan. A. Pollack stated that the access road and surrounding
26 area have been featured in several conceptual designs, including the Master
27 Plan, and that no final designs are available at this point. A. Rugg noted that
28 the version referred to in the Master Plan is, itself, purely conceptual.
29

30 There was no further public input.
31

32 A. Rugg noted that the Woodmont Commons annual report of 2014 was
33 complete.
34

35 **Public Hearings**

36

37 A. Aranco Realty, Inc. (Owner and Applicant), Map 16 Lots 66, 73, and 75 –
38 Application Acceptance and Public Hearing for formal review of a site plan for
39 the redevelopment of 137, 131 and 129 Rockingham Road as a Travel Center
40 and associated improvements, Zoned C-II.
41

42 A. Rugg stated that if this application is accepted as complete, the public
43 hearing will begin and the Board will have 65 days during which to render a
44 decision under RSA 676:4.
45

46 J. R. Trottier stated that there were no checklist items and that Staff
47 recommends the application be accepted as complete.
48
49

1 **M. Soares made a motion to accept the application as complete. L.**
2 **Wiles seconded the motion. No discussion. Vote on the motion: 8-0-0.**
3 The application was accepted as complete.
4

5 Jeff Merritt of Keach-Nordstrom Associates, Inc. stated that the project has not
6 changed significantly since a conceptual design was presented to the Board in
7 April of 2013. An associated voluntary merger of the three lots involved has
8 been submitted for approval as well. J. Merritt reviewed the existing conditions
9 and the aspects of the site that will be retained when a 15,000+ square foot
10 travel plaza replaces the current building. The plaza will include a convenience
11 store, a food service facility, which will utilize the existing drive thru footprint,
12 and retail space. He then reviewed the parking design, including 106 car
13 spaces, 17 tractor trailer stalls at the rear of the site, 10 stacked spaces for the
14 drive thru, and 19 gas pump spaces. The southernmost entrance/exit will
15 become the fourth leg of the intersection of Liberty Drive and Rockingham
16 Road and is being designed by the same engineering firm which designed the
17 rest of the signalized intersection. Off-site improvements will be performed,
18 including a left turn lane from Rockingham Road onto the site at that
19 intersection. Stormwater design was reviewed briefly, as was the proposed
20 landscaping, particularly along Rockingham Road where a bio-retention area
21 will be included.
22

23 [L. Reilly arrived at 7:50 PM].
24

25 T. Freda asked if any part of the application involved a company by the name
26 of RMZ, Inc. Property owner Floyd Hayes confirmed they are an existing
27 tenant. T. Freda then recused himself and left the dais.
28

29 A. Rugg asked for Staff input.
30

31 J. R. Trottier summarized the Planning Department/Department of Public
32 Works/Stantec memo. He noted that the revised driveway at Rockingham
33 Road is 36 feet in width which exceeds the maximum 24 feet allowed by the
34 zoning ordinance, however the Board has the ability to approve an exception
35 up to 36 feet. The Board can also grant an exception for the 25 foot width of
36 the proposed driveway at the Liberty Drive intersection which also exceeds the
37 maximum allowed in the ordinance. He said that Staff recommends
38 conditional approval of the site plan.
39

40 A. Rugg asked for Board input.
41

42 L. Wiles noted the potential for the center driveway to create traffic backup and
43 for accidents during the winter months when snow piles up along the front of
44 the lot at Rockingham Road. J. Merritt explained that the new design will only
45 allow passenger vehicles to exit via the center driveway, whereas large, slower
46 vehicles will not be able to access that part of the site and will instead be
47 routed to leave via the new signalized intersection. NHDOT was consulted on
48 this design since the applicant felt retaining the center driveway was crucial for
49 the success of the development. He added that there has not been a history of
50 accidents associated with that center driveway and that NHDOT has

1 determined that the configuration can be reexamined if an issue does develop.
2 Regarding snow storage along the front of the lot, J. Merritt offered that a note
3 can be added to the plan as a condition of final approval that site distance will
4 be maintained during the winter months. J. R. Trottier noted that some of the
5 accumulation of snow there is due to the State plowing Rockingham Road. F.
6 Hayes said he would maintain that site distance, regardless of how the snow
7 ends up along the front of the lot. A. Rugg confirmed with the owner that
8 overnight tractor trailer parking will be discouraged. He conveyed to the Board
9 that the Heritage Commission was satisfied with the building design, adding
10 that the Sunoco canopy design will not change because it is considered an
11 existing structure.

12
13 A. Rugg asked for public input. There was none.

14
15 **M. Soares made a motion to conditionally approve the site plan with**
16 **the following conditions:**

17
18 "Applicant", herein, refers to the property owner, business owner, or
19 organization submitting this application and to his/its agents, successors, and
20 assigns.

21
22 **PRECEDENT CONDITIONS**

23
24 All of the precedent conditions below must be met by the applicant, at the
25 expense of the applicant, prior to certification of the plans by the Planning
26 Board. Certification of the plans is required prior to commencement of any site
27 work, any construction on the site or issuance of a building permit.

- 28
29 1. The Applicant shall obtain all project permits, indicate the permit approval
30 numbers in note 14 on the cover sheet and provide copies of all permits for
31 the Planning Division's files per section 4.13 of the Site Plan Regulations
32 and Item XII of the Site Plan Application & Checklist.
33
34 2. The Applicant's signal exhibit plan for the off-site improvements does not
35 indicate the same proposed driveway configuration at the NH Route
36 28/Liberty Drive intersection consistent with the latest revised site plans.
37 The revised site plan indicates a four (4) island at the intersection with
38 Liberty Drive. We recommend a six (6) foot island be provided consistent
39 with the other intersection islands acceptable to the NHDOT. NHDOT
40 recently reviewed the revised intersection configuration and made some
41 recommendations to the design as noted in the February 5, 2014 e-mail
42 from NHDOT to the Applicant. The Applicant shall update the signal plan to
43 be consistent with the revised site plan design and obtain final approval
44 from NHDOT. Upon NHDOT approval, the Applicant shall provide final and
45 complete off-site improvements plans for the project in the plan set in
46 accordance with Section 3.08 of the Site Plan Regulations and Item XI.4 of
47 the checklist and consistent with the NHDOT driveway permit approval.
48
49 3. The Applicant shall address the following relative to the revised project
50 drainage report:

- 1 A. Update the pre-development and post development comparison
- 2 summary table (Table D-1) to include abutting lot 16-5 to clarify how
- 3 compliance with the regulations is achieved (no increase in runoff) as
- 4 typically requested by the Town.
- 5 B. The outlet device height of 1.85" for the first weir at the detention
- 6 pond is not consistent with the elevation difference between the first
- 7 and second weir (222.0 -224.15). Update as necessary and review
- 8 and revise the outlet structure detail on sheet 24 accordingly to be
- 9 consistent with the design. In addition, update the 50-year pond
- 10 routing analysis accordingly.
- 11 C. The 25-year post development pond routing calculations provided for
- 12 pond BR includes storage below the outlet invert elevation (331.45)
- 13 that is typically not allowed by the Town. Revise the analysis to
- 14 eliminate storage volume below the outlet structure invert elevation
- 15 and verify compliance with the regulations is achieved.
- 16
- 17 4. The Applicant shall address and clarify the following relative to updated and
- 18 submitted traffic report for the project:
- 19 A. Background Growth: The Traffic Impact and Access Study (TIAS)
- 20 indicates that the single family-detached housing project (phase 1
- 21 and phase 2) on Auburn Road was included in the traffic analysis.
- 22 The backup information provided shows that 72 vehicles 28 in the AM
- 23 peak hour and 46 vehicles in the PM peak hour from this
- 24 development are directed south on Auburn Road toward Route 28 in
- 25 2011. We note the 2014 no-build volumes indicate an increase of 33
- 26 vehicles in the AM peak hour and 21 vehicles in the PM peak hour at
- 27 the Auburn Road/Route 28 intersection over the 2013 existing
- 28 volumes, but there was no information provided to explain the
- 29 increase in vehicles in this scenario. Also, no information is included
- 30 for the breakdown between the 50 homes in 2014 and the 138
- 31 homes in 2024 as indicated Background Traffic Growth section of the
- 32 traffic report.
- 33 In addition, the 2024 no-build AM peak hour volumes for the right
- 34 turn from Auburn Road to Route 28 are shown as 407 vehicles.
- 35 However, when the existing volume of 311 is increased by 1% per
- 36 year for 11 years and the 72 trips from the residential development
- 37 are added, the volume should be 419 vehicles, a difference of 12
- 38 vehicles. The Applicant should provide trip distribution, traffic
- 39 networks (in graphic format), calculation and assumptions for each of
- 40 these analysis years that document how this development was
- 41 included in the No-Build traffic volumes.
- 42 B. Internal Trip Component: It is unclear how the 20% retail to retail
- 43 internal capture was determined for the AM peak hour. The data
- 44 provided in the attachment to the Response to comments
- 45 memorandum shows 20% for the PM peak hour, but does not include
- 46 data for the AM Peak hour. Since the ITE trip generation manual
- 47 indicates that if no data is available no internal capture should be
- 48 used, the Applicant shall explain how this percentage was determined
- 49 and provide calculations supporting this determination.

- 1 C. Pass-By Trip Component: The information provided indicates that for
 2 the PM peak, a shopping center has a 34% pass by rate, a
 3 convenience store has a 66% pass by rate and a fast food restaurant
 4 has a 50% pass by rate. Using the square footages of each of these
 5 uses as 9,000 SF, 3,000 SF and 3,080 SF respectively, the weighted
 6 average for the PM peak is 43.6%. Since there is no data for pass-by
 7 trips in the AM peak for a shopping center, the weighted average
 8 pass-by rate is 22.5%. Both of these rates are lower than the overall
 9 52% pass-by rate that is presented.
- 10 D. Trip Distribution: The TIAS indicated that the trip distribution is
 11 based on "existing site distribution, travel patterns, population
 12 proportion, regional land development, and site accessibility
 13 (including the signalized south driveway)". The calculations provided
 14 indicate a distribution of 65% to the North, 20% to the South, 10%
 15 to Auburn Road, and 5% to Liberty Drive for a total of 95%. Also,
 16 the Auburn Road and Liberty Drive percentages do not agree with
 17 those presented in the report. In addition, the response indicates
 18 "...the TIAS reflects further adjustments due given the traffic signal,
 19 the limited use of the center site driveway and other factors."
 20 However, the calculations provided do not indicate what these
 21 adjustments and/or other factors are, and how they were used to
 22 develop the distribution percentages. The Applicant shall provide
 23 complete documentation and clear calculations supporting the
 24 percentages used.
- 25 E. The Applicant shall revise the report, incorporating all the comments
 26 included above and those addressed in a response to comments
 27 letter, into a complete, revised and updated traffic report to the
 28 Planning Department for the Town's file. The revised, updated and
 29 complete traffic report shall be stamped by a professional engineer
 30 licensed in New Hampshire as required by the regulations.

- 31
- 32 5. The Applicant shall combine the three lots via voluntary merger prior to the
 33 final approval of the site plan.
- 34
- 35 6. The Applicant shall provide a digital (electronic) copy of the complete final
 36 plan sent to the Town at the time of signature by the Board in accordance
 37 with Section 2.05.n of the regulations.
- 38
- 39 7. Outside consultant's fees shall be paid within 30 days of conditional site
 40 plan approval.
- 41
- 42 8. Financial guaranty if necessary.
- 43
- 44 9. Final engineering review
- 45

46 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
 47 certified the approval is considered final. If these conditions are not met within
 48 **120 days** to the day of the meeting at which the Planning Board grants
 49 conditional approval the board's approval will be considered to have lapsed and
 50 re-submission of the application will be required. See RSA 674:39 on vesting.

1
2 **GENERAL AND SUBSEQUENT CONDITIONS**
3

4 All of the conditions below are attached to this approval.
5

- 6 1. **No construction or site work for the proposed site plan may be**
7 **undertaken until the pre-construction meeting with Town Staff has**
8 **taken place, filing of an NPDES-EPA Permit and the site restoration**
9 **financial guaranty is in place with the Town.** Contact the Department
10 of Public Works to arrange for this meeting.
11
- 12 2. The project must be built and executed exactly as specified in the approved
13 application package unless modifications are approved by the Planning
14 Division & Department of Public Works, or if Staff deems applicable, the
15 Planning Board.
16
- 17 3. All of the documentation submitted in the application package by the
18 applicant and any requirements imposed by other agencies are part of this
19 approval unless otherwise updated, revised, clarified in some manner, or
20 superseded in full or in part. In the case of conflicting information between
21 documents, the most recent documentation and this notice herein shall
22 generally be determining.
23
- 24 4. All site improvements must be completed prior to the issuance of a
25 certificate of occupancy. In accordance with Section 6.01.d of the Site Plan
26 Regulations, in circumstances that prevent landscaping to be completed
27 (due to weather conditions or other unique circumstance), the Building
28 Division may issue a certificate of occupancy prior to the completion of
29 landscaping improvements, if agreed upon by the Planning Division & Public
30 Works Department, when a financial guaranty (see forms available from the
31 Public Works Department) and agreement to complete improvements are
32 placed with the Town. The landscaping shall be completed within 6 months
33 from the issuance of the certificate of occupancy, or the Town shall utilize
34 the financial guaranty to contract out the work to complete the
35 improvements as stipulated in the agreement to complete landscaping
36 improvements. **No other improvements shall be permitted to use a**
37 **financial guaranty for their completion for purposes of receiving a**
38 **certificate of occupancy.**
39
- 40 5. As built site plans must to be submitted to the Public Works Department
41 prior to the release of the applicant's financial guaranty.
42
- 43 6. It is the responsibility of the applicant to obtain all other local, state, and
44 federal permits, licenses, and approvals which may be required as part of
45 this project (that were not received prior to certification of the plans).
46 Contact the Building Division at extension 115 regarding building permits.
47

48 **L. Wiles seconded the motion. No discussion. Vote on the motion:**
49 **7-0-0.**
50

1 The plan was conditionally approved.

2
3 T. Freda returned to the dais.

4
5 B. Hickory Woods, LLC (Applicant and Owner) - Public Hearing regarding a
6 request for an exemption from residential development phasing requirements
7 in accordance with the provisions of Section 1.3.4 of the Londonderry Zoning
8 Ordinance for Hickory Woods, 304 Nashua Road, Map 2 Lot 27, Zoned C-II, an
9 Elderly Housing project approved by the Londonderry Planning Board on July
10 31, 2013.

11
12 Attorney Morgan Hollis of Gottesman and Hollis, representative of Hickory
13 Woods, LLC, stated that the first three units within Phase I are under
14 construction and that approval of the condominium documents is expected
15 shortly from the State Attorney General's office. A misinterpretation by the
16 applicant has resulted in this request to allow the construction of 30 units per
17 year instead of the limit of 15 under Section 1.3.3 of the zoning ordinance.
18 The aforementioned condo documents include a requirement of 100% elderly,
19 using the definition that there must be one person aged 55 or over occupying a
20 given unit at all times. The Town's ordinance, however, limits the phasing of
21 elderly housing developments to 15 units a year per phase if not 100% of the
22 occupants are aged 55 and over. The applicant expects demand for units to
23 exceed his ability to construct them under that restriction. Since the applicant
24 foresees the project being tax positive for the town while not creating
25 significant demand on Town infrastructure, permission is being sought to build
26 30 units per year to meet anticipated market demands. A Declaration of
27 Covenants was submitted to give the Town strict enforcement rights on the
28 matter, the language of which has been approved by the Town Attorney (see
29 Attachment #3). M. Hollis noted that under local and State regulation, the
30 condo documents will also not permit any occupants 21 years and younger.

31
32 A. Rugg asked for Staff input.

33
34 C. May confirmed that the Declaration of Covenants was approved by the Town
35 Attorney, who also verified that under the Town's ordinance, the ability to build
36 30 units per year would have only been automatic if 100% of the occupants
37 were 55 or older, therefore the applicant's remedy was to make this request.
38 She said Staff agrees with the request, since building the development over
39 three years instead of six will decrease the impact caused by construction to
40 the surrounding neighborhoods and roadways and will decrease the overall cost
41 of the development.

42
43 A. Rugg asked for Board input. All Board members agreed with Staff's
44 conclusion. L. Reilly asked if granting this exemption would limit any other
45 elderly housing projects as a result. C. May said it would not. T. Freda asked
46 if there is an exception to the 21 and younger prohibition for handicapped
47 individuals. M. Hollis said there is no such exception.

48
49 A. Rugg asked for public input.
50

1 James DiBurro, 10 Priscilla Lane, submitted a formal letter of concern in order
2 to "protect his interests" regarding the planting of a vegetated buffer between
3 his house and the development. A. Rugg said the letter will be forwarded to
4 Staff. C. May said the issue was addressed on the approved site plan. J.
5 DiBurro asked that it be noted that the applicant's representative he has dealt
6 with, John Kalantzakos, has been very accommodating. He said he had no
7 objection to the phasing issue at hand.

8
9 There was no further public input.

10
11 **M. Soares made a motion to grant the exemption to the phasing**
12 **ordinance. L. Wiles seconded the motion. No discussion. Vote on the**
13 **motion: 8-0-0.**

14
15 M. Hollis verified with Staff that once Phase II is signed by the Board (see item
16 "C" under Administrative Board Work), some of the units in Phase II can be
17 built even though not all the units in Phase I have been built.

- 18
19 C. Growth Management Ordinance – Public Hearing regarding the Determination
20 of Growth Sustainability.

21
22 C. May gave a brief presentation related to the Growth Management Ordinance
23 (GMO) and the need to make the annual determination of Growth
24 Sustainability, in this case for 2014 (see Attachment #4). Since two of three
25 of the 2002 GMO criteria have not been met and three of the three criteria of
26 the 1998 GMO have not been met, Staff recommended that the Planning Board
27 make the determination that the Town of Londonderry will be in a period of
28 sustainable growth in 2014 and there will be no cap on the number of building
29 permits issued.

30
31 A. Rugg asked for input from the Board.

32
33 L. Reilly asked if the information provided in the Staff memo (see Attachment
34 #5) was indicating that some of the surrounding towns such as Derry,
35 Manchester and Windham are not in a period of sustainable growth. C. May
36 said the information is used to compare to Londonderry's statistics and makes
37 no judgment on the growth sustainability of other towns. T. Freda questioned
38 a repeating number in a table on page three of the Staff memo regarding the
39 total number of housing units in surrounding towns in 2012. C. May said the
40 error would not impact the findings presented and that corrected figures would
41 be presented to the Board at the March 5 meeting.

42
43 A. Rugg asked for input from the public. There was none.

44
45 **M. Soares made a motion to determine that the Town of Londonderry**
46 **will be in a period of sustainable growth through December 31, 2014**
47 **and there will be no cap on the number of building permits issued**
48 **during that time. L. Wiles seconded the motion. No discussion. Vote on**
49 **the motion: 8-0-0.**

50

1 D. Elderly Housing Unit Limitation Determination – Discussion regarding the
2 determination in accordance with Section 3.6.6 of the Zoning Ordinance
3 whether the total number of existing and proposed elderly housing units
4 exceeds a number representing the percentage of units greater than the
5 percentage of persons age 55 and older residing in Londonderry.
6

7 C. May stated that as was done in 2013, Staff has investigated whether the
8 number of elderly housing units that have been both proposed and built in
9 town exceeds the actual population of residents 55 and over. She referred to a
10 memo created by Staff (see Attachment #6), which shows that of the 24,129
11 residents in Town (based on the 2010 US Census), 22.1% are 55 years old or
12 older. The total number of elderly housing units, both existing and proposed,
13 accounts for 6.5% of the Town's total housing supply. Since the zoning
14 ordinance states the percentage of elderly housing in town cannot exceed the
15 percentage of Londonderry residents 55 and over, the current amount is well
16 within that limit. M. Soares questioned whether there was an additional cap on
17 the overall percentage of elderly housing units in town. C. May verified that
18 the only restriction is the one addressed in Staff's memo but noted that the
19 forthcoming zoning ordinance audit would present the opportunity to
20 reexamine the ordinance and propose any desired changes.
21

22 **Adjournment:**
23

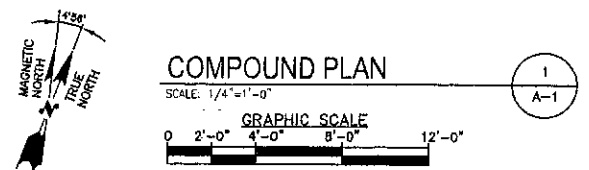
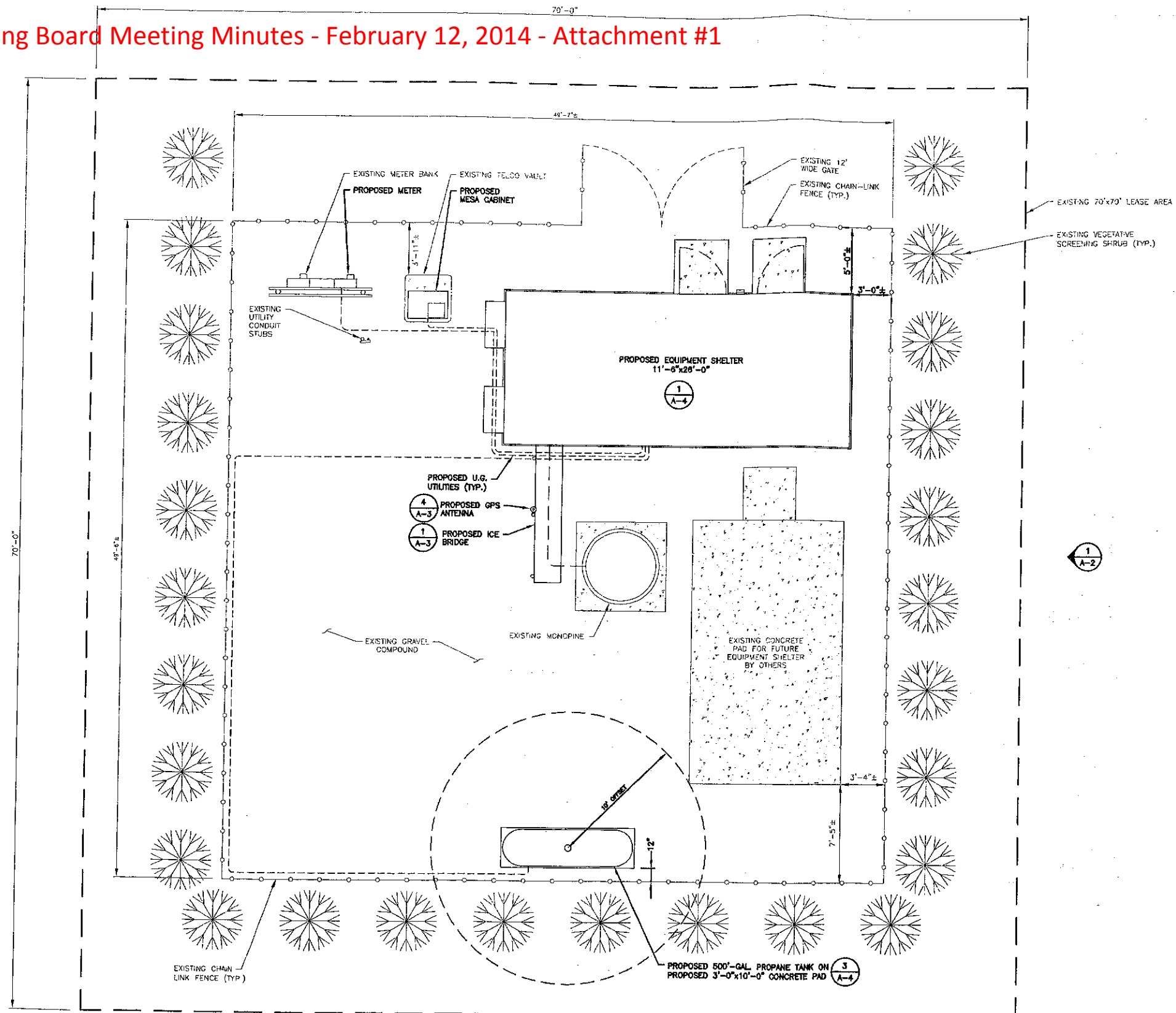
24 **L. El-Azem made a motion to adjourn the meeting. M. Newman seconded**
25 **the motion. Vote on the motion: 8-0-0.**
26

27 The meeting adjourned at 8:35 PM.
28

29 These minutes prepared by Associate Planner Jaye Trottier
30

31 Respectfully Submitted,
32
33
34
35

36 Lynn Wiles, Secretary



NOTE:
AN ANALYSIS OF THE CAPACITY OF THE EXISTING STRUCTURE TO SUPPORT THE PROPOSED LOADING HAS NOT BEEN COMPLETED BY HUDSON DESIGN GROUP, LLC. DRAWINGS ARE SUBJECT TO CHANGE PENDING OUTCOME OF A STRUCTURAL ANALYSIS.

NOTE:
1. VERIFY AZIMUTHS W/ RF ENGINEER.
2. EQUIPMENT SHELTER DESIGN PROVIDED BY OTHERS.

FOR CONSTRUCTION

PREPARED FOR:

100 FIBERGUS PARKWAY
WESTBOROUGH, MA 01581
(508) 330-3330 TEL

PREPARED BY:

Hudson Design Group, LLC
160 OSGOOD STREET
N. ANDOVER, MA 01845
TEL: (978) 557-5553
FAX: (978) 359-5568

COMPOUND PLAN

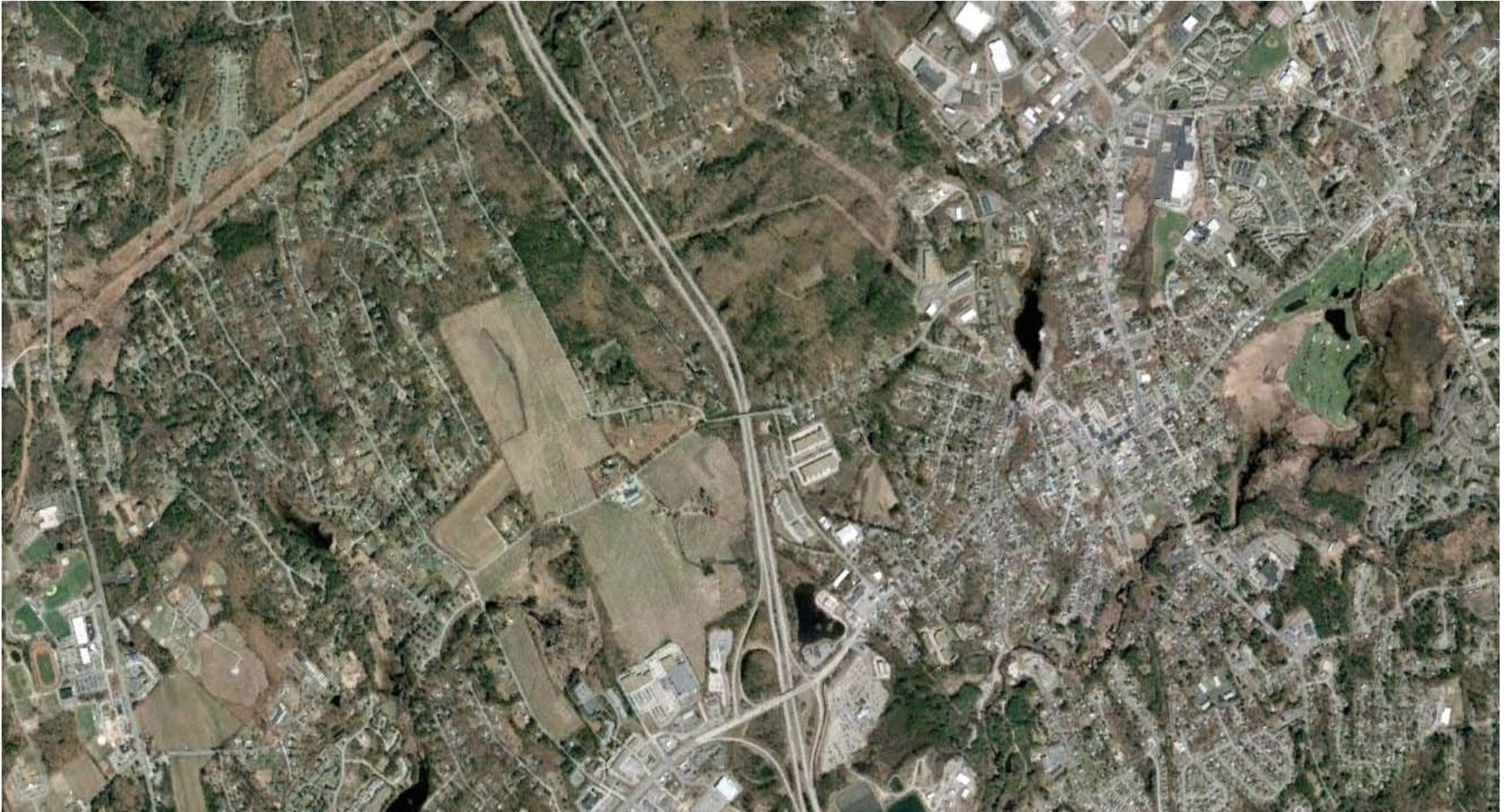
REV	DATE	DESCRIPTION	BY	CHK	APPD
1	12/19/13	ISSUED FOR REVIEW	SC	JK	DPL
2	01/14/14	FOR CONSTRUCTION	GH	JK	DPL
2	01/20/14	REVISED PER COMMENTS	STB	JK	DPL

STATE OF NEW HAMPSHIRE

DANIEL P. HAMM
No. 1013
REGISTERED ENGINEER
PROFESSIONAL ENGINEER

LONDONBERRY 3 NH
28 KELLEY ROAD
LONDONBERRY, NH 03053

A-1



Woodmont Commons PUD

Compliance with Planning Condition 2

“Commencing with the second Planning Board meeting in January 2014, and every other January thereafter, the Applicant will advise the Planning Board of its known and reasonably expected development plan for the succeeding 24 months.”

2014 Update Discussion Topics

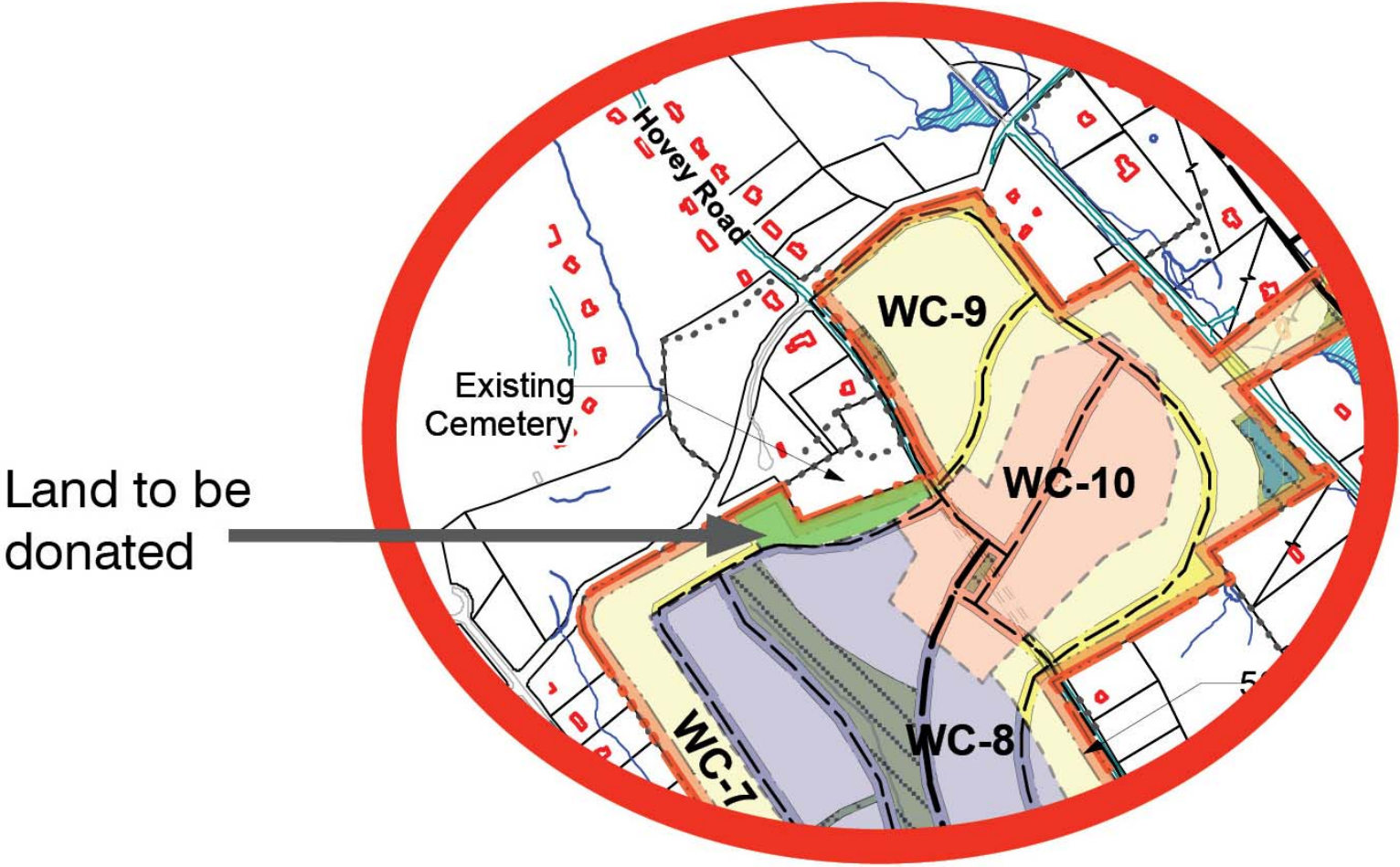
- Record Woodmont Commons Development Agreement
- Donation of Cemetery Land
- “Access Road” Design/Construction
- State funding for I-93
- Summary of Public Briefings
- Briefing for Next 24 Months
- Questions

Compliance with Planning Condition 1

“The Development Agreement shall be recorded at the Rockingham County Registry of Deeds.”

REGISTERED: January 29, 2014 at the Rockingham County Registry of Deeds after being signed by all PUD land owners and the Town of Londonderry.

Donation of Land to Cemetery

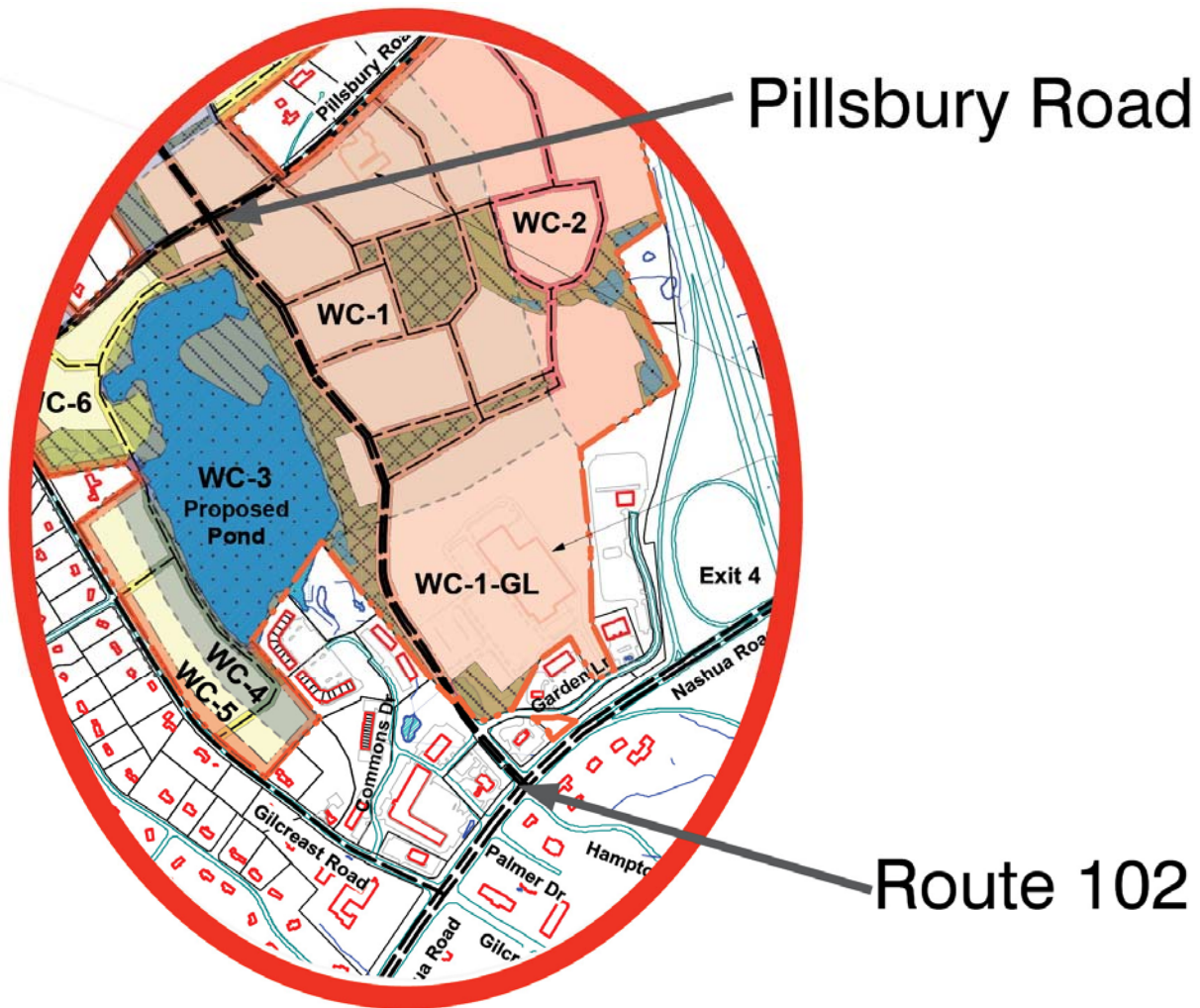


Donation of Land to Cemetery

- Per Development Agreement and as discussed with Planning Board
- Up to 3 acres of land outside PUD and north of WC-8 and WC-10
- Process
 - Meeting with Trustees of Trust Funds
 - Subdivision Application to separate the donated area
 - Transfer ownership to Trustees
- **Anticipated Timeframe: 4 Months**

“Access Road”

Connection between Route 102 and Pillsbury Road



“Access Road”

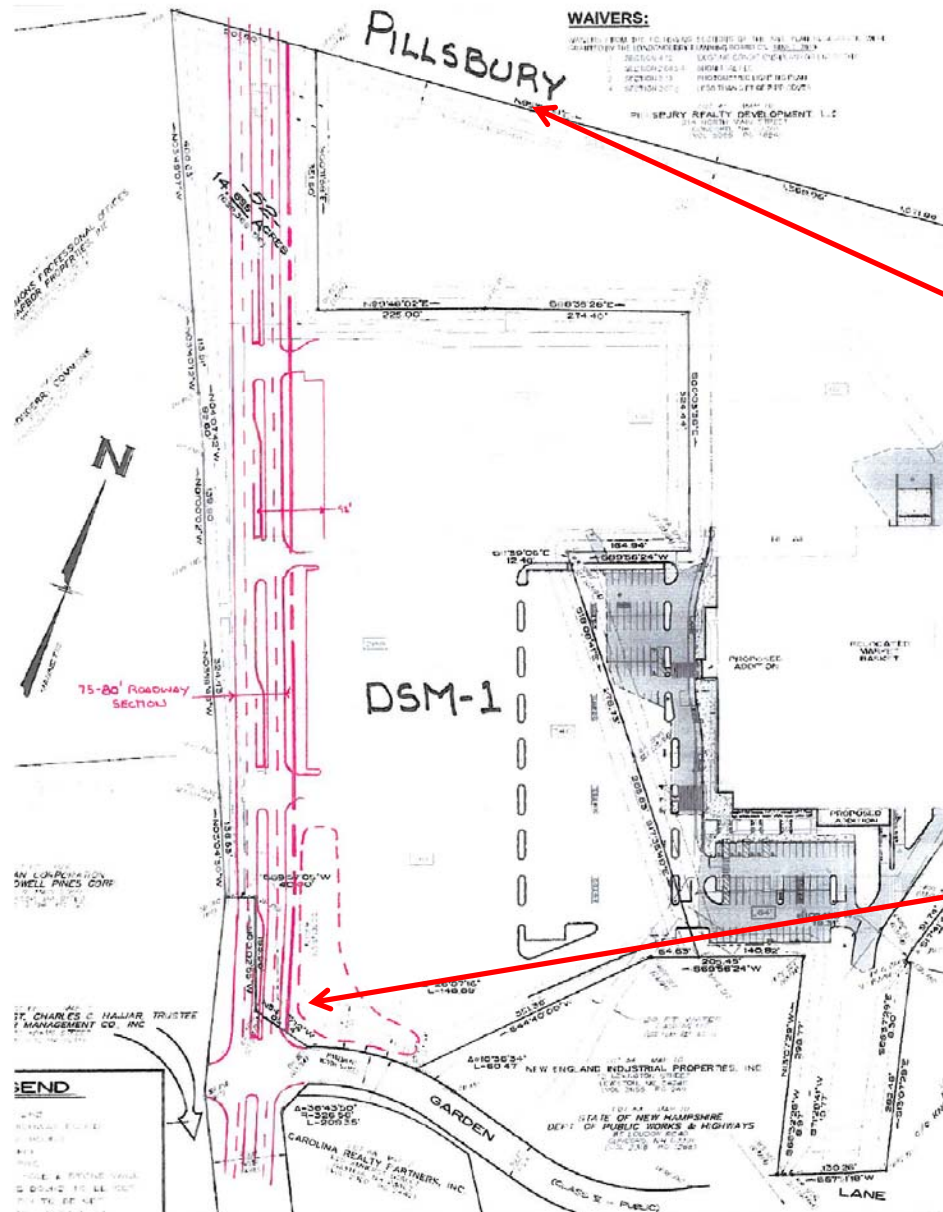
- Joint venture between DSM and Pillsbury
 - Arose out of planning approval for relocation of Market Basket supermarket in 2010
- Timing of construction linked to approval of PUD Master Plan
- Shown as “Primary Street – New Blvd” in Master Plan but final layout undefined

“Access Road”

- Gateway to PUD

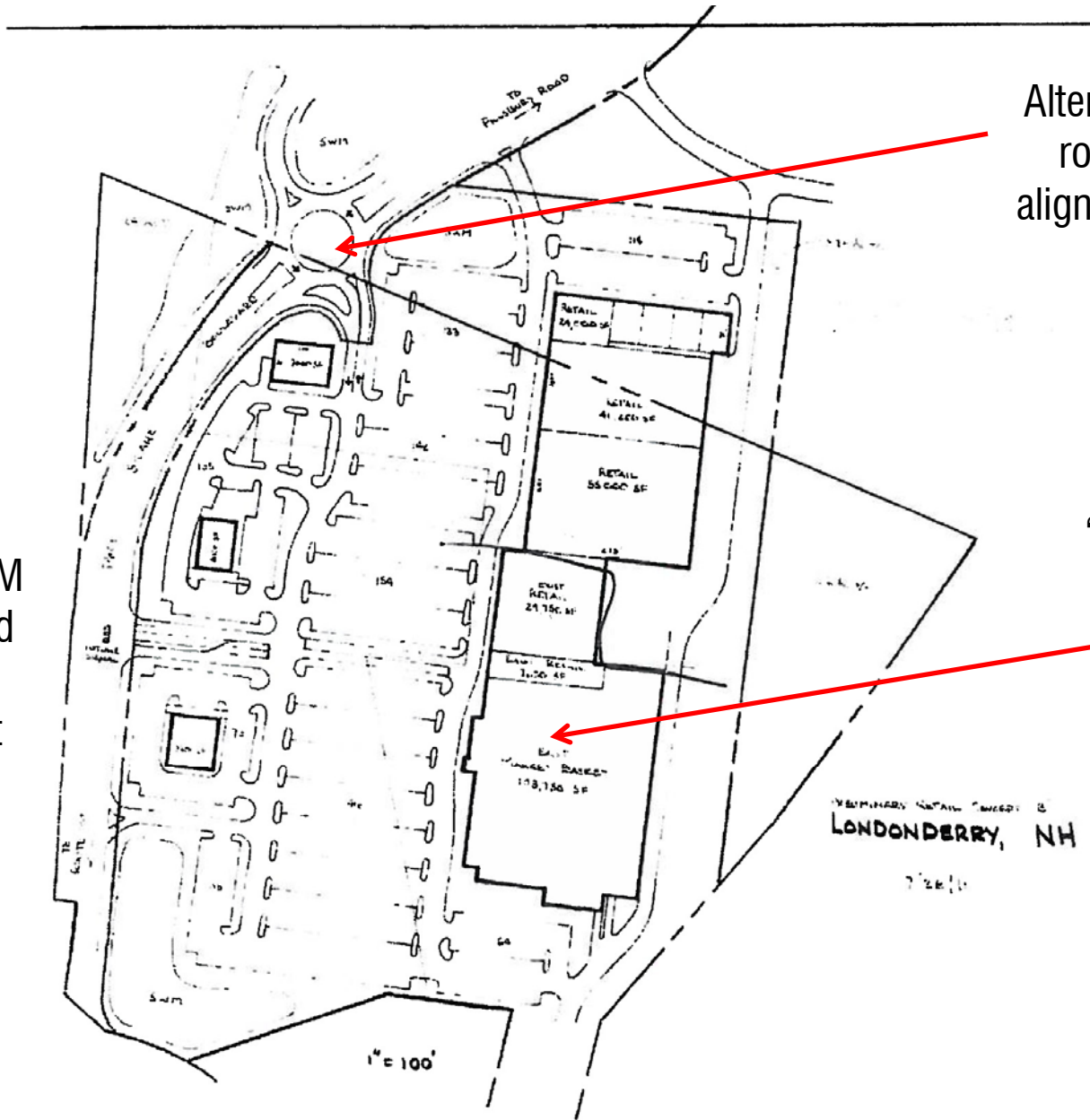
- Based on Access Agreement and conditional approval of Market Basket relocation by Planning Board
- Connects Route 102 with Pillsbury Road
- Provides traffic relief along Gilcreast Road
- Unlocks WC-1-GL, WC-1, and WC-2 for development
- Allows early development focus on commercial/retail users

Conceptual layout created in 2011 based on conditional approval of Market Basket and used as “vision” for master planning WC-1-GL



Boundary between Pillsbury Realty and DSM land: WC-1-GL and WC-1

Southern gateway to Woodmont Commons



Alternate road alignment

“Relocated” Market Basket Opened 2011

Alternative alignment presented to Pillsbury by DSM for an enhanced DSM redevelopment

PRELIMINARY RETAIL CONCEPT
LONDONDERRY, NH

“Access Road” Process

- Technical sessions with DSM to finalize layout
 - Discussion of enhanced approaches
 - Requires demolition of some or all of former supermarket building
- Design Review by Town Staff
- Application Review by Planning Board
- **Anticipated Timeframe: Design 6 months;
Construction 18 months**

I-93 Funding

- Waiting for outcome of 2014 State Legislative Session
- **Legislative Timeframe: 4 months**

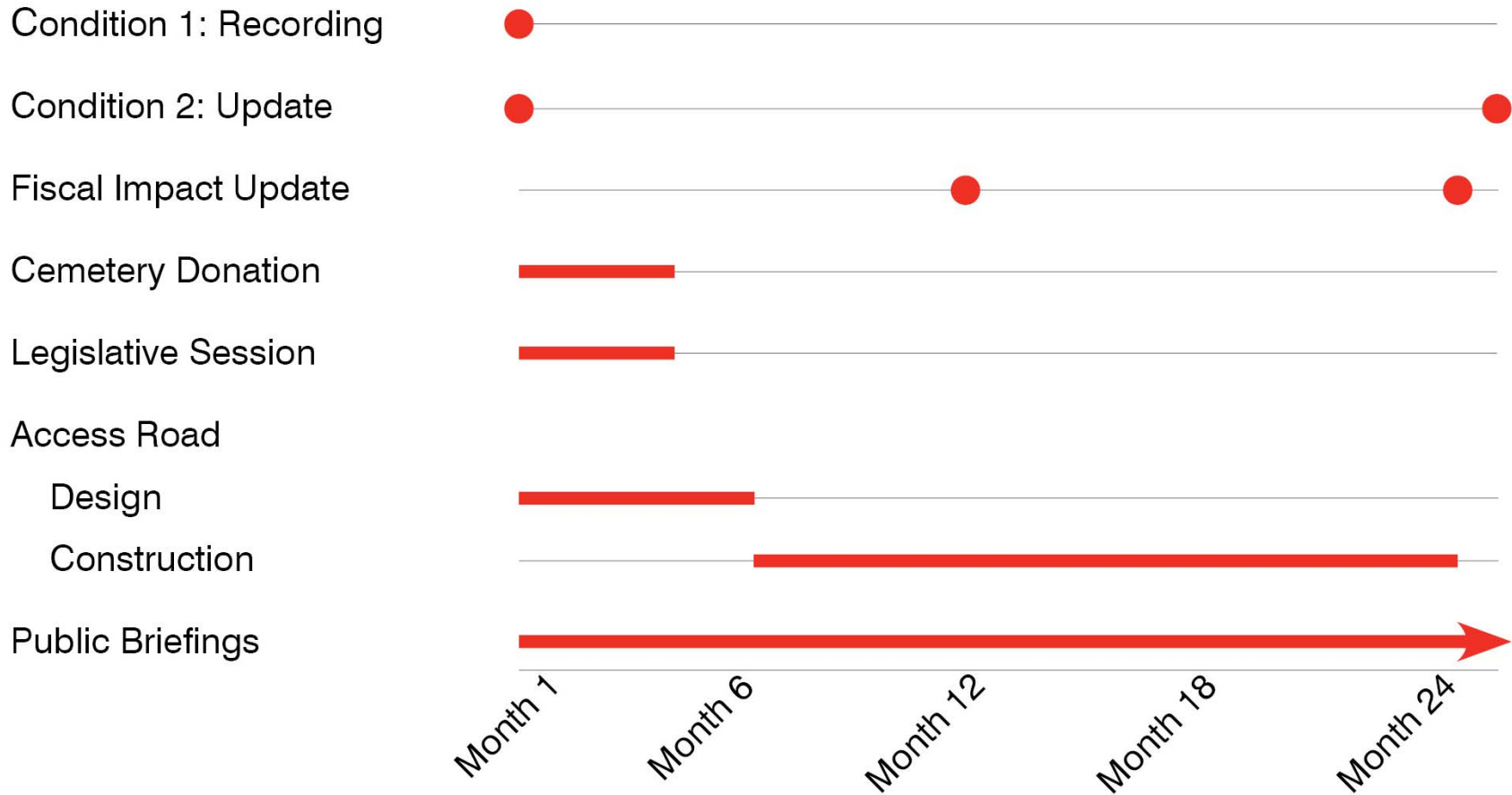
Public Briefings (ongoing)

- Manchester Chamber of Commerce: Infrastructure Committee (November)
- Derry/Londonderry Chamber of Commerce (November)
- Southern NH Regional Planning Commission (December)
- **Timeframe: Ongoing**

Fiscal Impact Analysis

- Development Agreement requires an annual update
 - 2014 PUD Subdivision or PUD Site Plan Applications will be evaluated
 - No physical construction occurred in 2013
 - No change to original analysis as a result of 2013 activity
 - Will reassess cumulative fiscal impact for 2014
- **Timeframe: By December 31, 2014**

Rough Chronology



Questions

Grantor: Hickory Woods, LLC
Grantee: Town of Londonderry

**DECLARATION OF COVENANTS AND RESTRICTIONS AS TO USE AND
OCCUPANCY OF PROPERTY IDENTIFIED AS TAX MAP 2, LOT 27
OF TOWN OF LONDONDERRY TAX MAPS**

On this ____ day of _____, 2014, **NOW COMES**, Hickory Woods, LLC, a New Hampshire limited liability company, having a mailing address of 100 Andover Bypass, Suite 203, North Andover, Massachusetts 01845 (hereinafter the "Declarant"), being the owner of certain property located in the Town of Londonderry, County of Rockingham and State of New Hampshire, identified as Tax Map 2, Lot 27 (hereinafter the "Property") on a certain plan of land entitled "Condominium Site Plan, Hickory Woods, Tax Map 2, Lot 27, West Road/NH Route 102, Londonderry, New Hampshire 03053" prepared for Hickory Woods, LLC, prepared by Benchmark Engineering, Inc. and being recorded in the Rockingham County Registry of Deeds as Plan # _____, and hereby covenants with the Town of Londonderry, a municipal body, having a principal place of business at 268B Mammoth Road, Londonderry, New Hampshire 03053, that the Property shall be used and occupied subject to the following restrictions on its use and occupancy:

1. The Property is hereby subjected to the provisions of RSA 354-A:15, relative to housing for older persons (hereinafter an "Elderly Housing Residence"). Occupancy of all Elderly Housing Residences shall be limited consistent with the conditions of approval of the Londonderry Planning Board adopted on July 31, 2013, which requires that 100% of units be occupied by at least one person who is 55 years of age or older and no occupants may be under 22 years of age.

2. The use and occupancy of each Elderly Housing Residence located on the Property shall be by at least one (1) person age fifty-five (55) or older. Provided, however, that the following conditional exceptions shall apply:

a. In the event of the death of one (1) occupant which shall result in the use and occupancy by a person or persons who have previously occupied that Elderly Housing Residence and who are less than fifty-five (55) years of age, such occupancy shall be allowed to continue until the next conveyance or transfer of the record title to that Elderly Housing Residence at which time the use and occupancy by at least one (1) person age fifty-five (55) or older must be re-established.

b. In the event of (i) divorce, (ii) legal separation or (iii) abandonment by a person in relationship with other occupants of an Elderly Housing Residence which shall result in the use and occupancy by a person or persons who have previously occupied that Elderly Housing Residence who are less than fifty-five (55) years of age, such occupancy shall be allowed to continue until the next conveyance or transfer of the record title to that Elderly Housing Residence, at which time the use and occupancy by at least one (1) person age fifty-five (55) or older must be re-established.

c. The term "abandonment" shall mean an uninterrupted and permanent cessation of occupancy and residency. The terms "person in relationship with other occupants of an Elderly Housing Residence", shall mean either a person who has a direct familial relationship with any other occupant, or who has cohabited with another person in common residency. The occupants of any Elderly Housing Residence who shall claim entitlement to this exception shall be required to file an affidavit with the Condominium Board, attesting to the fact that the initial occupancy was established in conformity with the age fifty-five (55) or over condition and that events have occurred since that time which entitle those occupants to qualify the Home under this exception. The affidavit shall be signed under penalties of perjury.

d. No rental, lease, or other tenancy shall be made or entered into unless at least one (1) of the lessees occupying the Elderly Housing Residence shall be at least fifty-five (55) years of age or older and unless such rental, lease or tenancy shall be for a period of at least one (1) year.

e. Except as otherwise provided herein, no guest or other invitee under the age of twenty-two (22) years of age shall be permitted to occupy any Elderly Housing Residence for a period of more than two (2) months. No such occupancy shall occur unless at least one (1) person age fifty-five (55) or older also inhabit the Elderly Housing Residence at the same time as such guest or invitee.

3. In the event of a violation of any of the conditions set forth in this Declaration of Covenants, the Town of Londonderry shall, after a thirty (30) day written notice to cease the violation, have the right to enforce the covenants in any court of competent jurisdiction. The Town of Londonderry shall have the ability to enforce all equitable or legal remedies deemed appropriate, including but not limited to the requirement that the Elderly Housing Residence be sold or, where appropriate, a person or persons be evicted. All costs, including legal fees, shall be recoverable by the Town of Londonderry against the Elderly Housing Residence owner if the Town of Londonderry is successful and such costs shall be deemed a charge against the Elderly Housing Residence.

4. Each buyer of an Elderly Housing Residence on the Property shall execute at closing an Affidavit and submit proof of his or her age.

5. The covenants as to restriction of use and occupancy shall be a permanent encumbrance upon the Property, shall run with the land and shall be binding upon the successors and assigns of the Declarant hereof as owner of the Property, or any portion or subdivision

thereof, including any Elderly Housing Residence created thereon by declaration of condominium pursuant to New Hampshire RSA 356-A.

IN WITNESS WHEREOF, I have hereunto set my hand on the day and year first above-written.

HICKORY WOODS, LLC

Witness

By: _____
Name: _____
Title: Manager

STATE OF NEW HAMPSHIRE
COUNTY OF _____

On this the _____ day of _____, 2014, before me, personally appeared _____, Manager of Hickory Woods, LLC, known to me or satisfactorily proven to be, the person whose name is subscribed to the foregoing instrument, and being duly authorized so to do, made oath that he executed the same as his free act and deed for the purposes therein contained on behalf of Hickory Woods, LLC.

Before me,

Justice of the Peace/Notary Public

2013/2014 Growth Management Ordinance - Determination of Growth Sustainability

Public Hearing

February 12, 2014

How the Annual Evaluation Works

- Requirements spelled out in Section 1.4 of the Zoning Ordinance
 - Board must also make a determination based on the 1998 Ordinance (former Section 1304)
 - Determination must be made by March 1 of each year
 - Current Ordinance requires 2 of 3 criteria to be met to declare “unsustainable growth” and limit building permits
 - 1998 Ordinance requires 3 of 3 criteria to be met to declare “unsustainable growth” and limit building permits
-

What are the Criteria?

- The present year number of building permits authorized by the Building Department exceeds the average rate of dwelling unit authorizations in Londonderry over the six preceding calendar years
 - A percentage increase in housing units over the preceding calendar year equal to [or greater than] the rate of increase in housing units for that preceding year summed across the six municipalities which abut Londonderry (Auburn, Derry, Hudson, Litchfield, Windham & Manchester)
-

What are the Criteria? (cont'd)

- The maximum rate of dwelling units authorizations whose projected demands can be adequately serviced and provided with facilities at a prudent level of fiscal strain, based upon the following:
 - School enrollment vs. school capacity
 - Strain on public facilities
 - Percentage of total budget appropriations made up of capital improvements
-

Criterion 1: 6 year average analysis

- The average number of permits authorized over the preceding six years is **30.8**. In 2013, Londonderry authorized 29 permits ($29 < 30.8$).

■ **CONDITION NOT MET**

- Given that the first condition was not met, Section 1304 of the 1998 GMO will not meet the conditions of unsustainable growth.
-

Criterion 2: Local vs. Region

- The number of housing units authorized by the Londonderry Building Division grew by **0.34198%** between 2012 and 2013; the number of housing units authorized by the building departments in abutting municipalities grew by **0.54835%** between same period ($0.34198\% < 0.54835\%$).

■ **CONDITION NOT MET**

Conclusion

- Given that two of three of the 2002 GMO criteria have not been met and three of the three criteria of the 1998 GMO have not been met:
 - **Staff recommends that the Planning Board make a determination that for 2014, the Town of Londonderry will be in a **period of sustainable growth**, and there will be **no cap** on the number of building permits issued.**
 - This decision will end on **December 31, 2014**.
-

MEMO

Planning and Economic Development
Department
268B Mammoth Road
Londonderry, NH 03053

Town of Londonderry, NH

To: Planning Board
From: John Vogl, GIS Manager/Planner
CC:
Date: February 7, 2014
Re: 2014 GMO Determination

The Planning Board, in accordance with section 1.4 - Growth Management and Innovative Land Use Control of the zoning ordinance must make a determination of sustainability prior to March 1, 2014. The Board must also make a GMO determination using Section 1304 of the 1998 Growth Management Regulations as well.

Both versions of the GMO will be combined this year because the end result will be the same. The current GMO requires that 2 of 3 criteria from Section 1.4 must be met to make a determination of "unsustainable growth." Also, in accordance with Section 1304 of the 1998 Ordinance, 3 of 3 criteria must be met to make a determination of "unsustainable growth."

Evaluation:

In accordance with the Londonderry Growth Management and Innovative Land Use Control Regulation Section 1.4 (2002 GMO Version) and Section 1304 (1998 GMO Version), a determination of unsustainable growth occurs when two of three (or 3 of 3 of 1998 GMO) of the following findings are made:

- A. *The present year number of building permits authorized by the Building Department exceeds the average rate of dwelling unit authorizations in Londonderry over the six preceding calendar years;*

*The average number of permits authorized over the preceding six years is 30.8. In 2013, Londonderry authorized 29 permits. Whereas 29 is less than 30.8, **this condition is not met.***

Section 1304 of the 1998 GMO requires that 3 of 3 conditions be met. Given that the first condition was not met, Section 1304 of the 1998 GMO will not meet the conditions of unsustainable growth. The remainder of the analysis will focus solely on the 2002 GMO.

- B. *A percentage increase in housing units over the preceding calendar year equal to [or greater than] the rate of increase in housing units for that preceding year summed across the six municipalities which abut Londonderry (Auburn, Derry, Hudson, Litchfield, Manchester, and Windham).*

The number of housing units authorized by the Londonderry Building Division grew by 0.34198% between 2012 and 2013; the number of housing units authorized by the building departments in

*abutting municipalities grew by 0.54835% between same period. Whereas 0.34198% is less than 0.54835%, **this condition is not met.***

Section 1.4 of the 2002 GMO requires that 2 of 3 conditions be met. Given that the first 2 conditions were not met, Section 1.4 of the 2002 GMO **will not meet the conditions of unsustainable growth.** No further analysis of the remaining criteria is necessary.

**Building Permit Source: US Census Bureau Building Permit Data, 2013.
<http://censtats.census.gov/bldg/bldgprmt.shtml>*

Conclusion:

Given that two of three of the 2002 GMO criteria have not been met and three of the three criteria of the 1998 GMO have not been met, Staff recommends that the Planning Board make a determination that for 2014, the Town of Londonderry will be in a period of sustainable growth, and there will be no cap on the number of building permits issued.

This decision will end on December 31, 2014.

2014 Growth Management Ordinance (GMO) Determination

Criteria 1: The present year number of building permits authorized by the Building Department exceeds the average number of dwelling unit authorizations in Londonderry over the six preceeding calendar years;

Permits Issued by Mun									
Year	Londonderry	Auburn	Derry	Hudson	Litchfield	Manchester	Windham	Abutters	
2013	29	22	46	58	19	87	68	300	
2012	16	28	22	34	12	122	46	264	
2011	26	28	20	9	8	290	53	408	
2010	21	15	23	38	13	195	75	359	
2009	24	4	18	24	20	98	34	198	
2008	41	4	74	29	13	176	50	346	
2007	57	11	159	52	48	199	61	530	
Avg. Permits Issued Preceeding 6 Years	30.8								
# Permits Issued This Year	29								

Criteria 2: A percentage increase in housing units over the preceeding calendar year equal to [or greater than] the rate of increase in housing units for that preceeding year summed across the six municipalities which abut Londonderry (Auburn, Derry, Hudson, Litchfield, Manchester and Windham)

Total Housing Units									
Year	Londonderry	Auburn	Derry	Hudson	Litchfield	Manchester	Windham	Abutters	
2012	8,480	8,480	8,480	8,480	8,480	8,480	8,480	50,880	
2013	8,509	8,502	8,526	8,538	8,499	8,567	8,548	51,180	
Numeric Increase (2012-13)	29							300	
Rate of Increase (2012-13)	0.34198%							0.58962%	
Percent Increase for abutting Municipalities	0.54835%								
Percent Increase for Londonderry	0.34198%								

**Building Permit Source: US Census Bureau Building Permit Data, 2013*

<http://censtats.census.gov/bldg/bldgprmt.shtml>

Maximum sustainable Growth

Highest figure that does not exceed a 2.0% increase in Londonderry's housing stock over the preceeding calendar year:

2013 Housing Supply	8509
Housing Supply plus 2%	8679.18
Difference	170.18

MEMO

Planning and Economic Development
 Department
 268B Mammoth Road
 Londonderry, NH 03053

Town of Londonderry, NH

To: Art Rugg, Chair, Londonderry Planning Board
 From: John Vogl, GIS Manager/Comprehensive Planner
 CC: Cynthia May, Town Planner/Department Manager
 Date: 2/12/2014
 Re: Status of limitation on the number of elderly housing units

The Town of Londonderry includes 9 Over-55 (Elderly Housing) communities, consisting of 401 total built and 576 proposed. A breakdown of units by community follows:

Community	Existing Units	Proposed Units
Buttrick Place	40	40
Cohas Landing	44	44
Forest Hills	65	65
Harvest Village	45	45
Hickory Woods	0	98
The Nevins	128	128
Parrish Hills	37	37
Sugarplum Lane	36	36
Whittemore Estates ¹	6	83
Total	401	576

Based on the 2010 US Census count of 8,771 total housing units, the total (existing and proposed) age restricted units account for 6.5% of the current supply.

According to the 2010 US Census, The Town of Londonderry had a total population of 24,129. The population 55 years and older is 5,336 or 22.1% of the total.

Whereas the percent of elderly housing units (6.5%) is less than the percent of persons age 55 (22.1%) or older, the limitation on the number of elderly housing units per section 3.6.6.1 is not in effect at this time.

¹ A new conditionally approved plan reduces the number of age restricted units in that community to 17, effective upon signing. This change will likely be reported in 2015.