

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF JULY 1, 2009 AT THE MOOSE HILL COUNCIL**
3 **CHAMBERS**

4
5 7:00 PM: Members Present: Art Rugg; John Farrell; Rick Brideau, CNHA, Ex-
6 Officio; Paul DiMarco, Ex-Officio; Mary Soares; Rob Nichols; Lynn Wiles; Laura El-
7 Azem; Chris Davies, alternate member

8
9 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.;
10 Cathy Dirsra, Planning Department Secretary

11
12 A. Rugg called the meeting to order at 7 PM. He informed everyone that Melissa
13 Nemon had resigned from her position as an alternate Planning Board member.

14
15 **Administrative Board Work**

16
17 A. Plans to Sign – Londonderry Commons Subdivision - Map 10, Lot 1-1

18
19 J. Trottier said all precedent conditions for approval have been met and the
20 staff recommends signing the plans.

21
22 **J. Farrell made a motion to authorize the Chair and Secretary to sign**
23 **the plans. R. Brideau seconded the motion. No discussion. Vote on the**
24 **motion: 8-0-0.** A. Rugg said the plans will be signed at the conclusion of the
25 meeting.

26
27 B. Plans to Sign – Londonderry Commons Condo Conversion - Map 10, Lot 1-2

28
29 J. Trottier said all precedent conditions for approval have been met and the
30 staff recommends signing the plans.

31
32 T. Thompson noted that the subdivision which was previously authorized and
33 signed was required in order to meet the final condition of approval.

34
35 **J. Farrell made a motion to authorize the Chair and Secretary to sign**
36 **the plans. R. Brideau seconded the motion. No discussion. Vote on the**
37 **motion: 8-0-0.** A. Rugg said the plans will be signed at the conclusion of the
38 meeting.

39
40 C. Governmental Land Use Request - NH Department of Environmental Services
41 - Air Monitoring Station at Moose Hill Kindergarten

42
43 T. Thompson referenced the letter from Kendall Perkins from NH DES, with a
44 request under RSA 674:54 to install and operate a new air quality and
45 monitoring station at the Moose Hill School as part of a national air
46 monitoring network. He said that staff is asking the Board if they would like a
47 public hearing for this project.
48

1 The consensus of the Board was not to require a public hearing, but have
2 NHDES come in for a discussion in August for the purpose of clarifying their
3 intent to the Board and the public.

4
5 D. Approval of Minutes – June 3 & 10

6
7 **J. Farrell made a motion to approve the minutes from the June 3 & 10**
8 **meeting. R. Brideau seconded the motion.** No discussion. **Vote on the**
9 **motion: 7-0-1** (R. Nichols abstained because he was absent at both
10 meetings). Minutes were approved and will be signed at the July 8 meeting.

11
12 [J. Farrell left the room at 7:15PM]

13
14 E. Discussions with Town Staff

15
16 A. Garron mentioned that on June 22 the Town Council voted to submit an
17 application to the department of resource and economic development for the
18 economic revitalization zone in the airport area. The application has been
19 submitted and is under review. Next week the Economic Development Task
20 Force has requested their marketing consultant, Gary O’Neil from O2
21 Generations of Creative Energy, to come in and give the Board an update on
22 their marketing efforts. A. Garron said that back in April he updated the
23 Board that Londonderry is going to participate with Manchester, Litchfield,
24 Bedford and Merrimack in submitting a collaboration grant through the
25 Community Technical Assistance Program (CTAP). He said that each one of
26 the participating towns can put \$10,000 towards this collaboration grant
27 which will look at the (traffic) impacts of the airport access road of all the
28 communities involved. The request was submitted and has been approved.
29 Southern NH Planning Commission (Tim White) will take the lead. A. Garron
30 said that he has been appointed to the Manchester/Boston Regional Airport
31 master plan study committee. They had their first meeting last week and the
32 consultant URS has been selected to lead the master plan update and Smart
33 Associates is on board as well. McFarland Johnson is also one of the
34 consultants involved with the update at the airport. The study committee will
35 meet 4 times over the course of the master plan update, one of which was
36 last week. A. Garron said he will provide the town with updates as to how
37 they are progressing. He said that they plan to be done by this time next
38 year. T. Thompson said that the first item on the agenda for next week is Bill
39 Scott from the Town of Salem. He has not heard back yet from him to
40 confirm his availability for that meeting. Thompson reminded the Board that
41 the workforce housing ordinance workshop is on the agenda for next week’s
42 meeting. He has heard back from the town attorney and has received
43 recommendations from him. A. Rugg said that Melissa Nemon has given her
44 resignation as an alternate member on the Planning Board.

45
46 **Public Hearings**

47
48 A. Rugg announced that DiFava Realty has asked for a continuance.

49
50 D. DiFava Realty, LLC, Map 15, Lot 62-3 – Application Acceptance and Public

1 Hearing for a site plan and conditional use permit to construct a 13,480
2 square foot office, warehouse, light manufacturing and assembly building. –
3 **Request Continuance to August 5, 2009**

4
5 T. Thompson referenced the letter from Todd Connors, Sublime Civil
6 Consultants, requesting a continuance to August 5, 2009, due to some
7 outstanding issues relative to traffic and permitting.

8
9 **P. DiMarco made a motion to continue the public hearing to August 5,**
10 **2009 at 7pm. R. Brideau seconded the motion.** No discussion. **Vote on**
11 **the motion: 7-0-0.** Hearing will be continued to August 5, 2009 at 7PM. A.
12 Rugg said this will be the only public notice.

13
14 [J. Farrell returned to the room at 7:25PM]

15
16 A. Northwest Small Area Master Plan - Public Hearing

17
18 A. Garron said they have held many workshops and now they would like to
19 discuss how the options would be received. Jack Munn, SNHPC, gave a
20 presentation and summarized the process. The telephone survey started in
21 June 2008 (see attachment #1).

22
23 J. Farrell asked if anyone from the public had questions or concerns at this
24 time.

25
26 Alfred Wallace, 62 Perkins Rd, said that he thought there was a strip mall
27 going in and he is concerned about the future use of the parcel (at exit 5)
28 that initially started this whole discussion.

29
30 J. Munn continued with his presentation. A. Rugg asked for public input.

31
32 Virginia StCyr, 28 Auburn Rd, asked what the plans are for Auburn Rd. She
33 also asked about Liberty Dr and said that she is very concerned about the
34 traffic in that area. A. Rugg explained that the whole town will be addressed
35 in the master plan and that the small area master plan was undertaken due
36 to the concerns of the residents in the area from exit 5 to the airport.

37
38 J. Farrell said that the state will be addressing that area within the next 3
39 years, unless someone wants to develop a parcel and assume the upgrades
40 for the Auburn Rd area. M. Soares suggested that V. StCyr take her concerns
41 to the traffic committee and the police department.

42
43 Bob Napolitano, 14 Currier Dr, said that he thinks exit 5 should have more
44 business geared toward economic development and not small business (i.e.
45 Kohl's, Lowes, Target, Stop & Shop etc).

46
47 Bob Merrill, 569 Mammoth Rd, is concerned about placing workforce housing
48 on Grenier Field Rd because he feels there is too much mixed use (spot
49 zoning) being planned. A. Garron said that our intent with workforce housing
50 is to place people closer to where they would work and therefore the mixed

1 uses are compatible. John Michels, 11 Nutfield Dr, said that he feels the NW
2 small area master plan should not be put in place until after the economic
3 development plans have been defined. He doesn't feel that industrial business
4 would be the best choice for Londonderry.

5
6 There was no further public comment.

7
8 The Board discussed the options and decided on option C for Exit 5.

9
10 A. Garron suggested scheduling a second public hearing for September.

11
12 **J. Farrell made a motion to continue to September 9. R. Brideau**
13 **seconded the motion.** No discussion. **Vote on the motion: 8-0-0.**

14
15 [A. Garron left the meeting]

16
17 B. William & June Puglisi, Map 17, Lots 30 & 30-1 – Continued Application
18 Acceptance and Public Hearing for a 4 lot subdivision and a Conditional Use
19 Permit.

20
21 [J. Farrell was absent from the room]

22
23 T. Thompson stated that there were no checklist items, and staff
24 recommended the application be accepted as complete.

25
26 **P. DiMarco made a motion to accept the application as complete. R.**
27 **Brideau seconded the motion.** No discussion. **Vote on the motion: 7-0-**
28 **0.** Application accepted as complete.

29
30 Joe Wichert, presented their plans. Currently lot 30 is a vacant lot. The
31 Puglisi's have a home on lot 30-1. Their intent is to create 3 building lots
32 from lot 30. The lots have NH subdivision approval. They have met with the
33 Conservation Commission and said they were opposed to the conditional use
34 permit. The Conservation Commission suggested using a shared driveway.
35 Wichert said they chose the narrowest path across the wetlands. He said that
36 the Heritage Commission wants the stonewalls to be reassembled according
37 to the ordinance.

38
39 [J. Farrell returned to the room.]

40
41 J. Trottier summarized the design review items from the DPW/Stantec memo
42 and read the waiver request into the record:

- 43
44 1. The applicant is requesting a waiver to section 4.01.C. The applicant
45 has not provided the topographic and subdivision plans at the
46 required 40 scale. Staff recommends **granting** the waiver, as the
47 plans presented at 50 scale allow the plans to be shown on a single
48 sheet each, and required information is clear and readable at this
49 scale.
50

1 T. Thompson stated that the Conservation Commission has **voted not to**
2 **recommend** the Conditional Use Permit. The Commission recommends the
3 Planning Board require a shared driveway to reduce the amount of wetland
4 and buffer impact. He also stated that staff recommends conditional approval
5 of the application per the staff recommendation memo.

6
7 A. Rugg asked for public input, but there was none.

8
9 **J. Farrell made a motion to grant the waiver based on the applicant's**
10 **letter and staff recommendation. R. Brideau seconded the motion.** No
11 discussion. **Vote on the motion: 8-0-0.** Waiver granted.

12
13 **J. Farrell made a motion to grant the Conditional Use Permit, which is**
14 **against the recommendation of the Conservation Commission, due to**
15 **the minimal difference in the wetland impact that would be achieved**
16 **by requiring shared driveways. R. Brideau seconded the motion.** No
17 Discussion. **Vote on the motion: 8-0-0.** Conditional Use Permit granted.

18
19 **J. Farrell made a motion to conditionally approve the subdivision plan**
20 **with the following conditions:**

21
22 "Applicant", herein, refers to the property owner, business owner, or
23 organization submitting this application and to his/its agents, successors, and
24 assigns.

25
26 **PRECEDENT CONDITIONS**

27
28 All of the precedent conditions below must be met by the Applicant, at the
29 expense of the Applicant, prior to certification of the plans by the Planning
30 Board. Certification of the plans is required prior to commencement of any
31 site work, any construction on the site or issuance of a building permit.

- 32
33 1. The Applicant's revised lot size calculation for lot new lot 30 does not
34 appear to indicate the 20' x 20' drain easement has been excluded from
35 the lot size determination. The Applicant shall clarify the drain
36 easement area was not utilized to determine the lot size. In addition,
37 the Applicant shall update the calculations for lots 30-2 and 30-3 to
38 clarify the drain easement area is part of the lot, but that the area was
39 not utilized to determine the lot size as typically requested by the Town.
40 Also, the Applicant shall review and update the calculations for lot 30-1,
41 which appears to total to more area than is shown on the subdivision
42 plans.
- 43
44 2. The Applicant shall update the drainage report to indicate the proper size
45 for the top grate at pond 202 for the outlet structure consistent with the
46 detail in the plan set. In addition, the Applicant shall provide a complete
47 and bound copy of the final report for the Planning Department's file.
48

- 1 3. The revised project design included private drain easements and the
2 Applicant shall provide copies of the proposed private easements for
3 review by the Town.
4
- 5 4. The revised driveway design at the wetlands crossing provided with this
6 submission indicates two culverts will be used versus one under previous
7 submissions. The Applicant shall update the wetland permit consistent
8 with the latest design, if applicable, and provide a copy of the updated
9 permit for the Planning Division's file.
10
- 11 5. The project is located along a significant portion of Page Road. The
12 Applicant shall verify if off-site improvements to Page Road will be
13 necessary under this application with the Department of Public Works.
14
- 15 6. Note all waivers and the Conditional Use Permit granted on the plan.
16
- 17 7. The Applicant shall provide a digital (electronic) copy of the complete
18 final plan sent to the Town at the time of signature by the Board in
19 accordance with Section 2.06.N of the regulations.
20
- 21 8. The Applicant shall provide a check for \$25 (made payable to the
22 *Rockingham County Registry of Deeds*) to pay for the LCHIP tax that
23 became effective on recording of all plans and documents at the registry
24 on July 1, 2008.
25
- 26 9. Outside consultant's fees shall be paid within 30 days of approval of
27 plan.
28
- 29 10. Financial guaranty if necessary.
30
- 31 11. Final engineering review
32

33 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
34 certified the approval is considered final. If these conditions are not met
35 within 2 years to the day of the meeting at which the Planning Board grants
36 conditional approval the board's approval will be considered to have lapsed
37 and re-submission of the application will be required. See RSA 674: 39 on
38 vesting.
39

40 **GENERAL AND SUBSEQUENT CONDITIONS**

41
42 All of the conditions below are attached to this approval.
43

- 44 1. **No construction or site work for the subdivision may be**
45 **undertaken until the pre-construction meeting with Town staff**
46 **has taken place, filing of an NPDES-EPA Permit and the site**
47 **restoration financial guaranty is in place with the Town (as**
48 **applicable).** Contact the Department of Public Works to arrange for this
49 meeting.
50

- 1 2. The project must be built and executed exactly as specified in the
2 approved application package unless modifications are approved by the
3 Planning Department & Department of Public Works, or if staff deems
4 applicable, the Planning Board.
5
- 6 3. All of the documentation submitted in the application package by the
7 Applicant and any requirements imposed by other agencies are part of
8 this approval unless otherwise updated, revised, clarified in some
9 manner, or superseded in full or in part. In the case of conflicting
10 information between documents, the most recent documentation and
11 this notice herein shall generally be determining.
12
- 13 4. All site improvements must be completed prior to the issuance of a
14 certificate of occupancy.
15
- 16 5. As built plans must to be submitted to the Public Works Department
17 prior to the release of the Applicant's financial guaranty.
18
- 19 6. All required School, Library, Recreation, Traffic, Police, and Fire impact
20 fees must be paid prior to the issuance of a Certificate of Occupancy for
21 the newly created lots.
22
- 23 7. It is the responsibility of the Applicant to obtain all other local, state,
24 and federal permits, licenses, and approvals which may be required as
25 part of this project (that were not received prior to certification of the
26 plans). Contact the Building Division at extension 115 regarding building
27 permits.
28

29 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
30 **0-0.** Plan is conditionally approved.
31

- 32 C. Nicom Coatings Corp., Map 15, Lot 67 – Application Acceptance and Public
33 Hearing for a site plan to construct a 3,196 square foot commercial building.
34

35 T. Thompson stated that there is one outstanding checklist item, which is a
36 waiver request. Assuming the Board grants the waiver (listed below as
37 waiver #1), staff recommends the application be accepted as complete. He
38 continued, by summarizing the waiver:
39

- 40 1. The applicant is requesting a waiver to sections 3.12 and 4.15. The
41 applicant has not provided building and signage renderings as required
42 by the regulations. Staff recommends granting the waiver, as there are
43 no identified tenants for the building at this time, and the applicant is
44 aware that the architectural and signage design will need to be reviewed
45 by the Heritage Commission and the Planning Board (as an amendment
46 to the plan in the future) prior to any construction taking place on the
47 site.
48

1 **J. Farrell made a motion to grant the waiver based on the applicant's**
2 **letter and staff recommendation. R. Brideau seconded the motion.** No
3 discussion. **Vote on the motion: 8-0-0.** Waiver granted.

4
5 **J. Farrell made a motion to accept the application as complete. R.**
6 **Brideau seconded the motion.** No discussion. **Vote on the motion: 8-0-**
7 **0.** Application accepted as complete.

8
9 Nicole Duquette, TF Moran, presented their plans. The owner of this property
10 has been working with the owners of the Dunkin Donuts next door. They plan
11 to construct a 3,196 s.f. building. They are proposing to replace the
12 residential use with a use that is more consistent with the area. They plan to
13 build catch basins for drainage. They would build a 3 ft high retaining wall
14 between the two parcels and a taller retaining wall (about 27 feet high) at the
15 back of the proposed building. They plan to connect to existing sewer and
16 propose a new water line, which would be large enough to accommodate the
17 commercial building.

18
19 J.Trottier summarized the design review items from the DPW/Stantec memo
20 and summarized the staff recommendations on the 2 remaining waivers:

21
22 2. The applicant is requesting a waiver to section 3.11.g. The applicant
23 has not provided the minimum required internal parking lot
24 landscaping. Staff recommends **granting** the waiver, as the small lot
25 size prevents provision of all required parking and the minimum
26 landscaping, and the applicant has provided additional perimeter
27 landscaping to compensate for the lesser amount of internal
28 landscaping.

29
30 3. The applicant is requesting a partial waiver to section 3.13 and 4.16.
31 The applicant's illumination plan does not account for signage lighting.
32 Staff recommends **granting** the waiver, as the signage design has not
33 been determined at this time, and will be required to be part of an
34 amendment to the plan at such time as tenants are identified for the
35 project (see also recommendation to waiver #1).

36
37 T. Thompson said staff recommends conditional approval as outlined in the
38 staff recommendation memo.

39
40 A. Rugg asked for public input, but there was none.

41
42 **J. Farrell made a motion to grant the waivers based on the applicant's**
43 **letter and staff recommendation. R. Brideau seconded the motion.** No
44 discussion. **Vote on the motion: 8-0-0.** Waiver granted.

45
46 **J. Farrell made a motion to conditionally approve the site plan with**
47 **the following conditions:**
48

1 "Applicant", herein, refers to the property owner, business owner, or
2 organization submitting this application and to his/its agents, successors, and
3 assigns.
4

5 **PRECEDENT CONDITIONS**
6

7 All of the precedent conditions below must be met by the Applicant, at the
8 expense of the Applicant, prior to certification of the plans by the Planning
9 Board. Certification of the plans is required prior to commencement of any
10 site work, any construction on the site or issuance of a building permit.
11

- 12 1. The Applicant indicates the NHDOT Driveway Permit and a Town of
13 Londonderry Sewer Discharge Permit have been submitted and are
14 pending on the submitted checklist. The Applicant shall obtain all
15 project permits, indicate the permit approval numbers on the cover
16 sheet and provide copies of all permits for the Planning Department files
17 per section 4.13 of the Site Plan Regulations.
18
- 19 2. The revised retaining wall details provided on sheet 23 indicate the
20 proposed retaining wall is a modular type wall and that portions of the
21 proposed wall for the site will be multiple tiers due to wall heights up to
22 27 feet. The revised detail notes a two tiered wall has a maximum
23 height of 21 feet. We note the separation between the tiered walls is
24 noted as 20 feet in the detail under this latest submission and the
25 second tier wall is not represented on the submitted plans – especially
26 sheets 5 and 6. The Applicant shall review and revise the site design
27 consistent with the latest retaining wall design shown in the details to
28 clarify the site can be properly graded and/or constructed as implied.
29
- 30 3. The Applicant shall address the following relative to the revised and
31 submitted drainage report:
 - 32 A. The revised pond 2 routing analysis indicated a weir size of 0.7
33 inches which is wider than the $\frac{3}{4}$ " weir noted in the plan set detail.
34 The Applicant shall revise the analysis and/or detail to be
35 consistent.
 - 36 B. The flow to the CB1 grate under post development is more than 2
37 cfs. The Applicant shall provide grate capacity analysis to support
38 the single grate design or revise to provide a double grate.
39
- 40 4. Note all waivers granted on the plan.
41
- 42 5. The Applicant shall provide a digital (electronic) copy of the complete
43 final plan sent to the Town at the time of signature by the Board in
44 accordance with Section 2.05.n of the regulations.
45
- 46 6. Outside consultant's fees shall be paid within 30 days of approval of
47 plan.
48
- 49 7. Financial guaranty if necessary.
50

1 8. Final engineering review
2

3 **PLEASE NOTE -** Once these precedent conditions are met and the plans are
4 certified the approval is considered final. If these conditions are not met
5 within **1 year** to the day of the meeting at which the Planning Board grants
6 conditional approval the board's approval will be considered to have lapsed
7 and re-submission of the application will be required. See RSA 674:39 on
8 vesting.
9

10 **GENERAL AND SUBSEQUENT CONDITIONS**
11

12 All of the conditions below are attached to this approval.
13

- 14 1. The Applicant shall return to the Planning Board for a public hearing to
15 review and approve the building design and signage design prior to any
16 construction commencing on the building or signage. The Applicant shall
17 obtain a recommendation from the Heritage Commission on the design
18 prior to the Planning Board hearing. As part of the public hearing for
19 building and signage design, the Applicant shall update the illumination
20 plan to account for any signage lighting proposed.
21
- 22 2. **No construction or site work for the amended site plan may be**
23 **undertaken until the pre-construction meeting with Town staff**
24 **has taken place, filing of an NPDES-EPA Permit and the site**
25 **restoration financial guaranty is in place with the Town.** Contact
26 the Department of Public Works to arrange for this meeting.
27
- 28 3. The project must be built and executed exactly as specified in the
29 approved application package unless modifications are approved by the
30 Planning Division & Department of Public Works, or if staff deems
31 applicable, the Planning Board.
32
- 33 4. All of the documentation submitted in the application package by the
34 Applicant and any requirements imposed by other agencies are part of
35 this approval unless otherwise updated, revised, clarified in some
36 manner, or superseded in full or in part. In the case of conflicting
37 information between documents, the most recent documentation and
38 this notice herein shall generally be determining.
39
- 40 5. All site improvements must be completed prior to the issuance of a
41 certificate of occupancy. In accordance with Section 6.01.d of the Site
42 Plan Regulations, in circumstances that prevent landscaping to be
43 completed (due to weather conditions or other unique circumstance), the
44 Building Division may issue a certificate of occupancy prior to the
45 completion of landscaping improvements, if agreed upon by the Planning
46 Division & Public Works Department, when a financial guaranty (see
47 forms available from the Public Works Department) and agreement to
48 complete improvements are placed with the Town. The landscaping
49 shall be completed within 6 months from the issuance of the certificate
50 of occupancy, or the Town shall utilize the financial guaranty to contract

1 out the work to complete the improvements as stipulated in the
2 agreement to complete landscaping improvements. **No other**
3 **improvements shall be permitted to use a financial guaranty for**
4 **their completion for purposes of receiving a certificate of**
5 **occupancy.**
6

7 6. As built site plans must to be submitted to the Public Works Department
8 prior to the release of the Applicant's financial guaranty.
9

10 7. All required Traffic, Police and Fire impact fees must be paid prior to the
11 issuance of a Certificate of Occupancy.
12

13 8. It is the responsibility of the Applicant to obtain all other local, state, and
14 federal permits, licenses, and approvals which may be required as part
15 of this project (that were not received prior to certification of the plans).
16 Contact the Building Division at extension 115 regarding building
17 permits.
18

19 **R. Brideau seconded the motion.** No discussion. **Vote on the motion: 8-**
20 **0-0.** Plan is conditionally approved.
21

22 **Other Business**
23

24 None.
25

26 **Adjournment:**
27

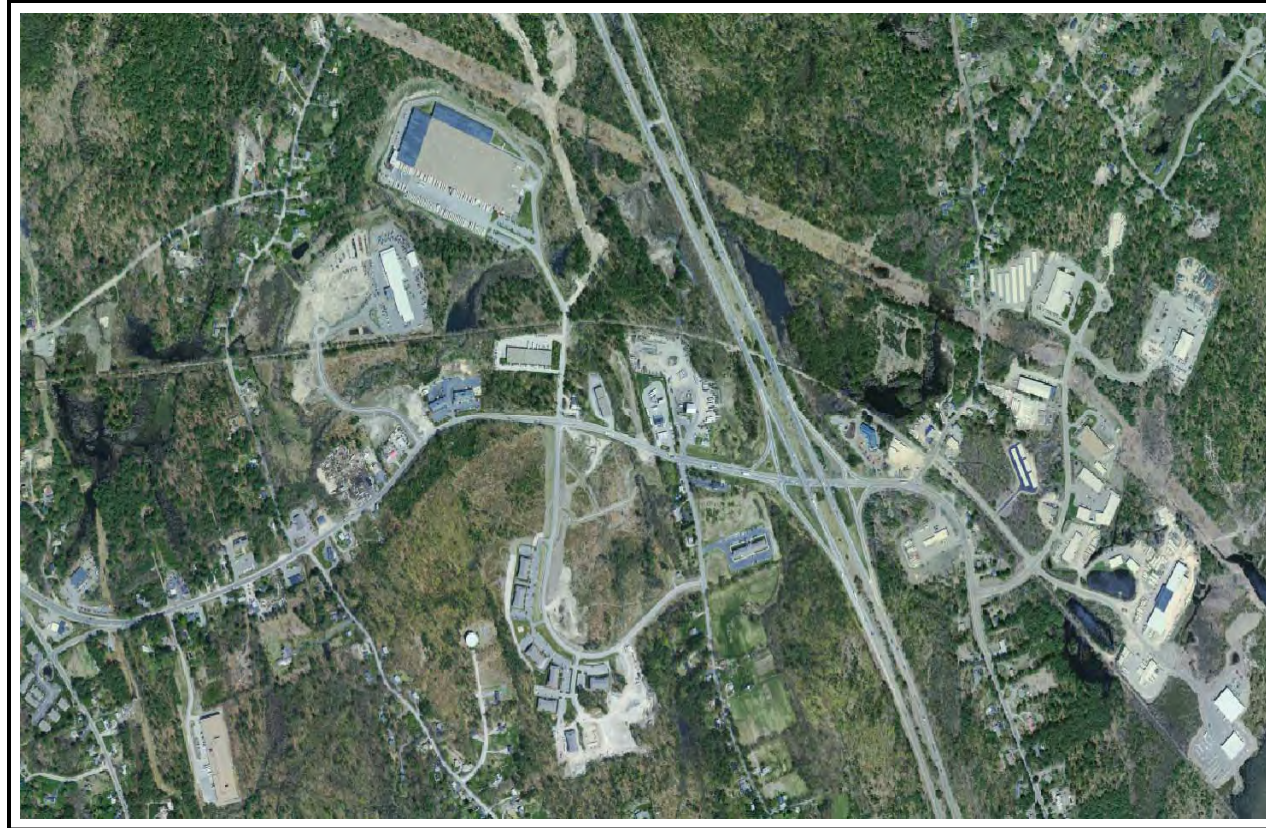
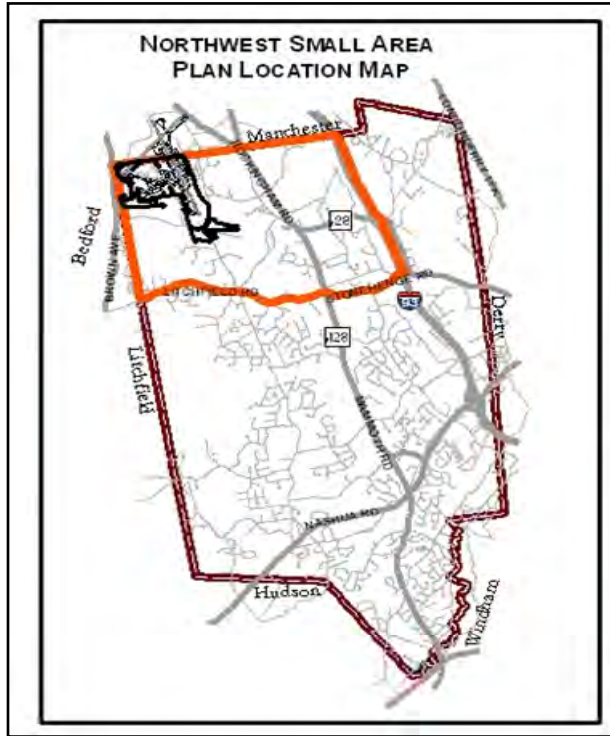
28 **J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the**
29 **motion.** No discussion. **Vote on the motion: 8-0-0.** Meeting adjourned at 9:50
30 PM.
31

32
33 These minutes prepared by Cathy Dirsra, Planning Division Secretary.
34
35

36
37 Respectfully Submitted,
38
39

40
41 Mary Wing Soares, Secretary

Northwest Small Area Plan



Town of Londonderry, NH Planning Board Community Development Department

Final Report June 2009



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Adoption Signatures



Certification of the 2009 Northwest Small Area Plan
Planning Board
Town of Londonderry, New Hampshire

In accordance with New Hampshire RSA 674:4, Master Plan Adoption and Amendments, and new Hampshire RSA 675:6, Method of Adoption, the Londonderry Planning Board held duly authorized Public hearing(s) on the 2009 Northwest Small Area Plan on the following date(s): _____. The Planning Board hereby certifies that the 2009 Northwest Small Area Plan was adopted by a majority vote on _____.

Planning Board Members

Arthur Rugg, Chairman

Robert Nichols, Assistant Secretary

John Farrell, Vice-Chairman

Melissa Nemon, Alternate

Richard Brideau, Ex-Officio

Chris Davies, Alternate

Charles Tilgner, P.E., Ex-Officio

Cole Melendy, P.E., Alternate

Paul DiMarco, Council Ex- Officio

Laura El-Azem

Mary Wing Soares, Secretary

Lynn B. Wiles

Staff

- Timothy Thompson, AICP, Town Planner
Andre Garron, AICP, Community Development Director
John Trottier, P.E., Asst. Dir. Of Public Works & Engineering
Cathy Dirsra, Planning Division Secretary

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Introduction

This **Small Area Plan** integrates land use, zoning, transportation, housing, economic, development, community design, and other key planning factors into a small area-wide plan for The Northwest Area of the Town of Londonderry.

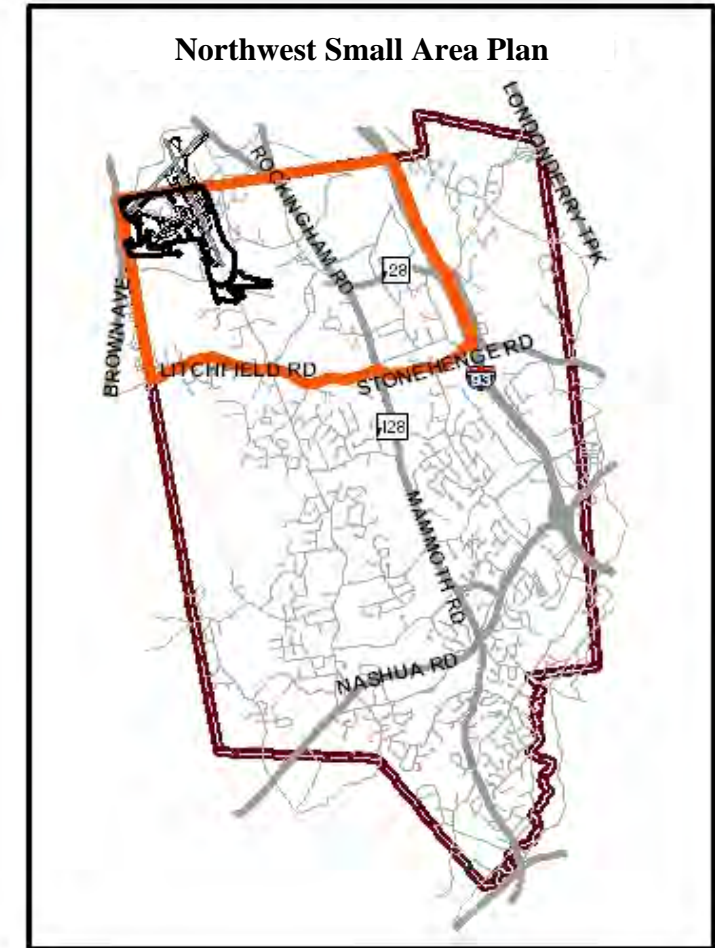
The Northwest Area is bounded by I-93 to the east; Stonehenge and Litchfield Roads to the south; the City of Manchester to the north; and the towns of Bedford, Merrimack and Litchfield to the east (see following Location Map).

The purpose of the **Northwest Small Area Plan** is to identify opportunities and propose strategies for guiding the future growth and development of this important part of Londonderry. The plan builds upon current and previous planning initiatives for the area and incorporates the public input received as a result of a community-wide telephone survey and three public workshops.

The plan also provides guidance for improving the Rt. 28 Corridor Performance Overlay District, particularly zoning strategies at Exit 5. It is recommended that this plan be adopted as an element of the Town of Londonderry's 2004 Master Plan.



Source: NH DOT Aerial Data 2005





Background

Telephone Survey

Between June 3 and June 16, 2008, the University of New Hampshire (UNH) Survey Center conducted a detailed telephone survey of four hundred (400) Londonderry residents. The survey was conducted at a sampling error of +/- 4.9 percent and includes questions designed to assess areas of interest and attitudes about the Northwest Area and various planning initiatives for the area.

A copy of the survey questions and the detailed results of the survey are available in the UNH Survey Center's June 2008 Final Report which is on file with the Londonderry Planning Department. The highlights of the survey are as follows:

- **Overall Growth of Londonderry:**

Overall, Londonderry residents feel the Town as a whole is growing at the right pace or too fast, while some would like to see the Northwest Area of Londonderry grow faster.

- **Northwest Area General Development:**

Londonderry residents favor low density residential along with other light commercial and industrial development in the Northwest Area.

- **Northwest Area Non-Residential Development:**

Londonderry residents favor non-residential development that is light and locally-oriented. About 62 percent favor building retail, restaurants and service businesses; 57 percent favor light industrial; 42 percent favor hotels; 40 percent favor convention; 39 percent manufacturing; 38 percent warehouse and distribution facilities; and 20 percent heavy industrial.

- **Satisfaction with Current Development in the Northwest Area:**

Londonderry residents are satisfied (57 percent) with Town services (police, fire, recreation) within the Northwest Area, but many residents indicate less satisfaction with the protection of the area's natural resources and drinking water, the provision of necessary infrastructure, and expanding non-residential opportunities and affordable housing.

- **Londonderry Planning Initiatives:**

Overall, a majority of Londonderry residents (61 percent) feel that the Town of Londonderry has been effective in providing a balance of residential, commercial, and industrial development along the Route 28 corridor.



US. Army Reserves and FCI Electrical Power Interconnect Division
Source: SNHPC

Public Workshops



A total of three public workshops were advertised and sponsored by the Londonderry Planning Board to develop this plan. The first workshop was held on June 25, 2008 at the Londonderry High School. At this workshop, the telephone survey was reviewed and the main issues and opportunities of the Northwest Area were identified.

The second workshop was held on September 24, 2008 at Matthew Thornton School. At this workshop, the effectiveness of the Town's Rt. 28 Performance Overlay District was discussed.

At the third workshop held on November 24, 2008 at Londonderry High School, NH DOT's I-93, Exit 5 and Airport Access Road projects were reviewed as well as the Town of Londonderry's proposals to improve Page Road and Pettengill Road. In addition, the overall future growth of the Northwest Area was discussed.

Copies of the workshop agendas, power point presentations, the workshop results as well as the registration/sign-in sheets are available from the Londonderry Planning Division and are posted on the Town's website. Some of the key issues and opportunities identified at the workshop are as follows:

Key Issues:

- Appropriate Land Use
- Utilizing Existing Zoning
- Traffic and Pedestrian Safety
- Community Appearance
- Affordable Housing

Key Opportunities:

- Economic Growth
- Job Development
- Availability of Developable Land
- Prime Location – Exit 5/Airport
- Mobility – Park & Ride/Bus/Rail
- Zoning Improvements
- Land Use Improvements
- Rt. 28/Mammoth Roads
- Village District



Londonderry Airport Design Charrette
Source: Town of Londonderry



Construction at Exit 5 on I-93
Source: NH DOT

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Breakout Group Questions:

The following questions were discussed at the public workshop:

- *What Type and Scale of Commercial Development would you like to see allowed along:*
 - *Rt. 28 corridor;*
 - *Mammoth Road; and*
 - *Rockingham Road*
- *What is your Vision for the Rt. 28 and Mammoth Road corridors and Exit 5?*
- *Would Mammoth and Rockingham Roads benefit from a Performance Overlay District similar to Rt. 28?*
- *Should the 75,000 sq.ft. standard in the Rt. 28 Performance Overlay District be revised and if so, how?*
- *How important is regulating building design within the corridor to you?*
- *Should a new Village District zone be created to provide a sense of place and community identify and if so, where?*
- *Are there areas which might be better suited for future residential, commercial or industrial development?*



View of Mammoth Rd. across from the Seniro Center
Source: SNHPC



Land for Sale off of Enterprise Rd.
Source: SNHPC

Existing land Use

The Northwest Area is home to many residences and businesses as well as important transportation facilities and corridors, Interstate 93, NH Route 128, NH Route 28, and the Manchester-Boston Regional Airport. The area contains a total of 5,904 acres. Roughly 55 percent of the area is developed and 34 percent of the area is currently vacant. Single-family homes (26 percent) and industrial (20 percent) are the largest land uses. Currently only 3 percent of the land area is used for commercial and 2 percent for multifamily use. See table below and following Map #1.

Existing Land Use Northwest Area

Land Use Category	Acres	Percent
Single Family	1,548	26%
Multifamily	130	2%
Commercial	177	3%
Industrial	1,194	20%
Government	213	4%
Agricultural	6	0%
Conservation	638	11%
Vacant Land	1,998	34%
Total Area	5,904	100%

Source: SNHPC, NH DOT Aerial Photography (2007)

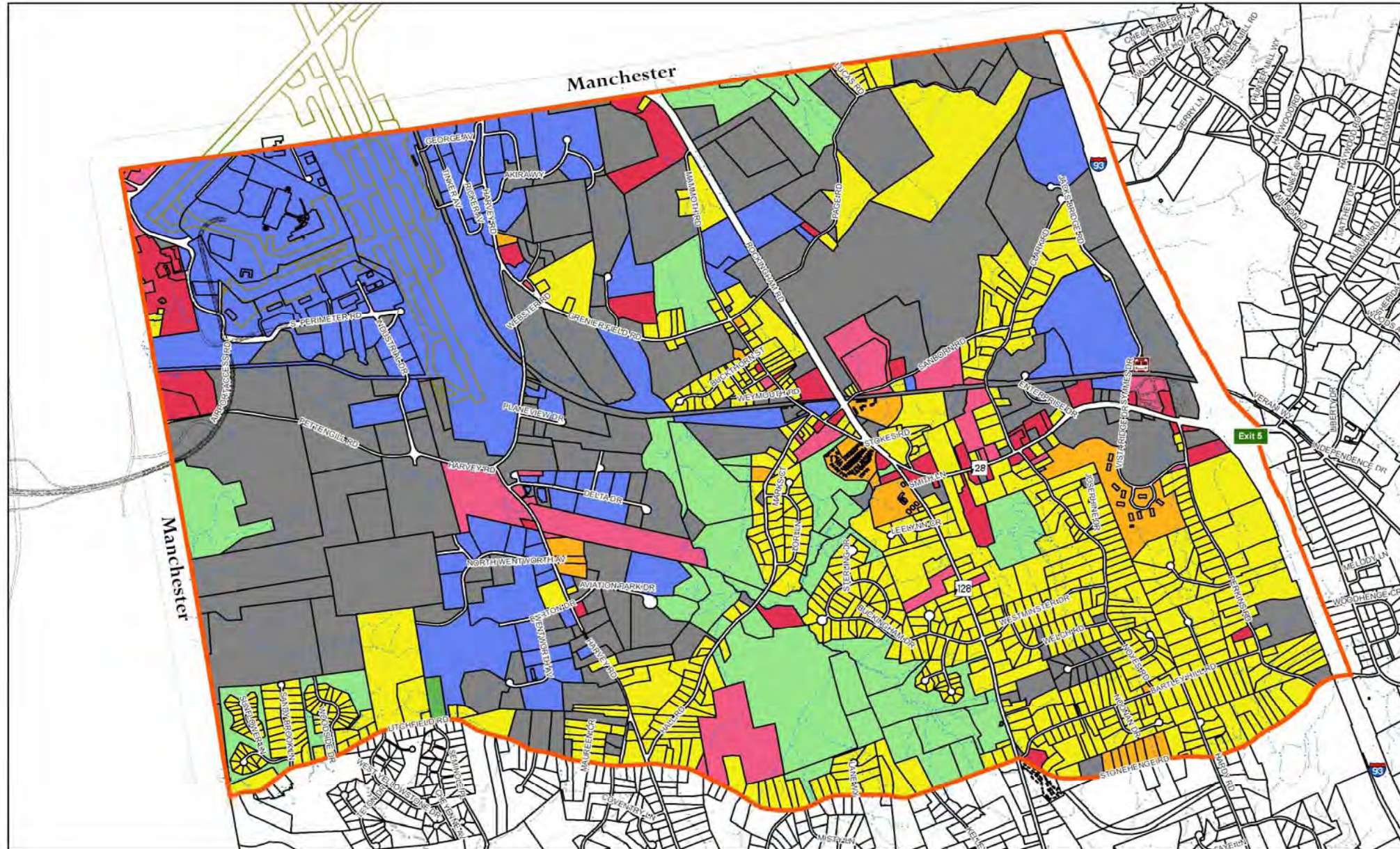


View of Noyes Road Neighborhood
 Source: SNHPC



Old Transfer Station located along Rt. 28
 Source: SNHPC

Northwest Small Area Plan



Map # 1

NORTHWEST SMALL AREA PLAN

EXISTING LAND USE

LONDONDERRY, NH

Land Use	Total Acres	%
Single Residential	1,548	26
Multi-Family Residential	130	2
Commercial	177	3
Industrial	1,194	20
Government	213	4
Agricultural	6	0
Conservation	638	11
Vacant	1,998	34
Totals	5,904	100

Legend:

- Northwest Area (orange outline)
- Rivers or Streams (blue line)
- Exit 5 Park and Ride (red square)
- Bus Terminal (red square with 'B')
- Airport Access Road (dashed line)
- Road Type:
 - Bridge (black line)
 - Road-Paved (grey line)
 - Road-Unpaved (dotted line)

Data Sources:
 Town of Londonderry
 GIS and use developed in 2007 from aerial photography. Base Features were created by Vargo LLC from aerial photography captured in Spring, 2007. Subsequent updates are performed regularly as new projects are approved. Parcel lines are current as of April 1, 2007 and were created using aerial photo interpretation. AutoCAD wireframe files are recorded (not used) for reference.

0.2 0.1 0 0.2 Miles
 0 800 1,600 3,200 Feet

The Town of Londonderry and the SNHPC make no representations or warranties as to the accuracy of the location and geographic data map.

Map Produced by:
 GIS Service: SNHPC 2007
 Contact: gis@snhpc.org
 Ph: (603) 669-4264

This map is one of a series of maps that were produced as part of a Town's Master Plan update and are for planning purposes only. It is not to be used for legal boundary determinations or for regulatory purposes.

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Existing Land Use Rt. 28

The Route 28 Corridor is a highly visible gateway to Londonderry and contains a variety of businesses. Within the Town of Londonderry's Rt. 28 Performance Overlay District (shown as the black lines on the following Map #2); commercial is the largest use of land at 39 acres or 20 percent of the corridor. Residential (mostly multi-family) is the next largest use at 34 acres or 17 percent of the corridor. Industrial consists of 9 acres or 5 percent of the corridor and Transportation/Utilities at 2 acres makes up 1 percent of the balance of the land.

Existing Land Use Rt. 28

Land Use Category	Acres	Percent
Single Family/Duplex	17	9%
Multifamily	5	3%
Mobile Home Parks	12	6%
Commercial	39	20%
Industrial	9	5%
Institutional	1	0.5%
Transportation	2	0.5%
Conservation	22	11%
Vacant Land	89	45%
Total Area	197	100%
Total Developed Land	85	43%

Source: SNHPC, NH DOT Aerial Photography (2007)

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 Community Development Department



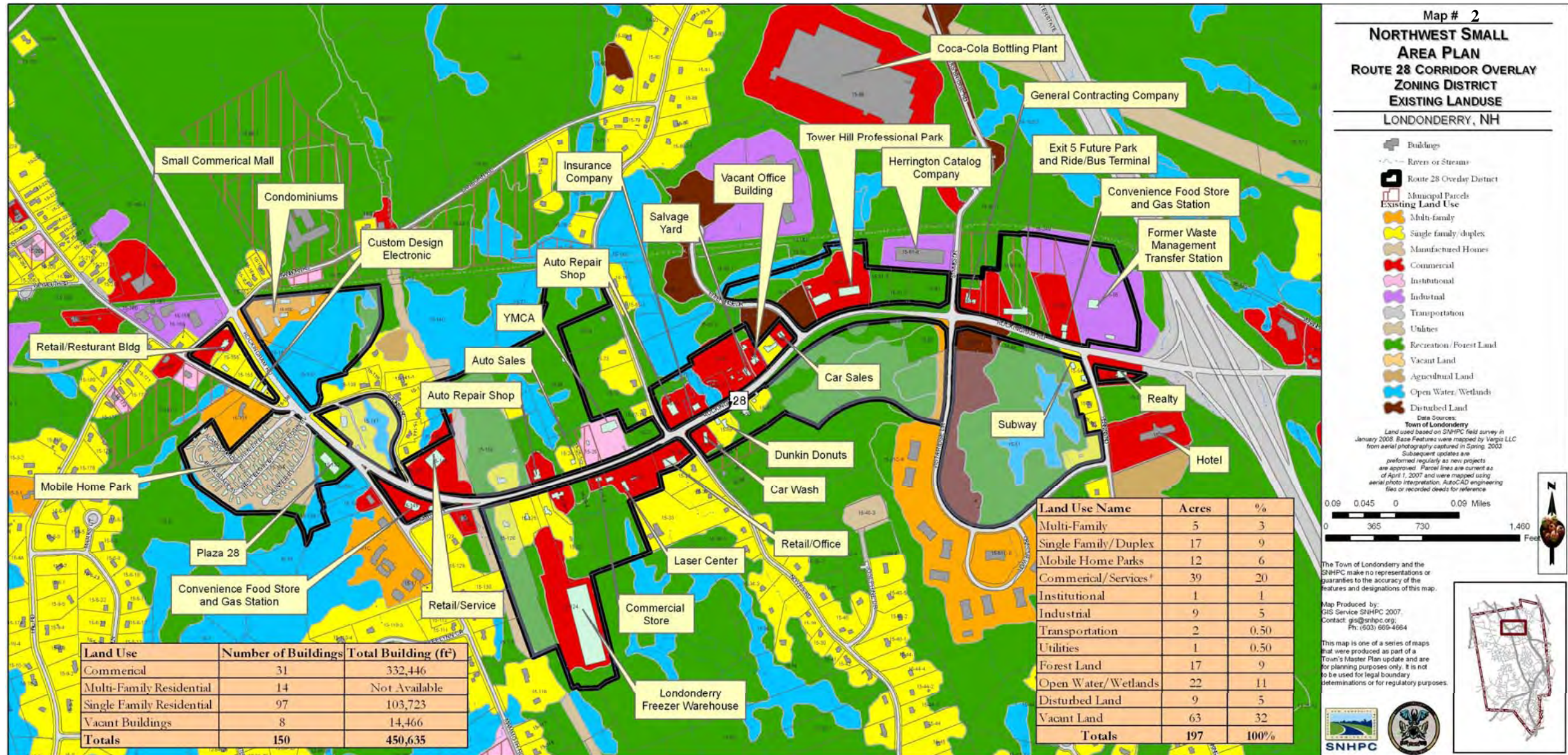
Harvey Industries
 Source: Town of Londonderry



YMCA
 Source: SNHPC

Links for additional information:
[Londonderry Zoning Ordinance](#)
[Londonderry Master Plan, 2004](#)

Northwest Small Area Plan



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Existing Land Use Mammoth Road Area

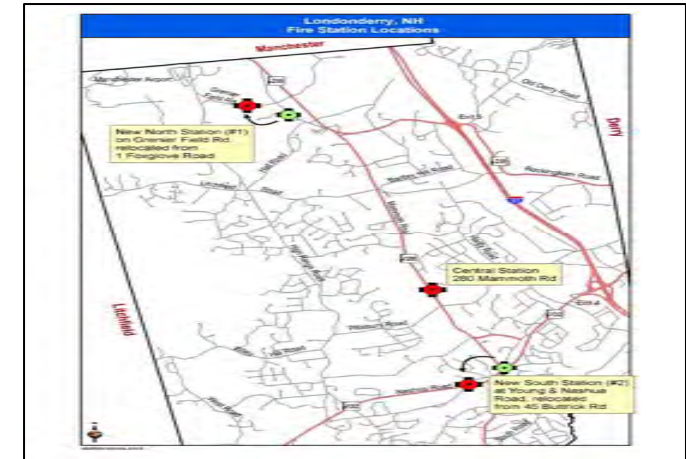
The Mammoth Road Area is an important gateway to Londonderry and the area includes a wide variety and mix of commercial and industrial uses. Most of the industrial uses are located along both sides of Rockingham Road south of the City of Manchester and north of Rt. 28. North Londonderry Elementary School is located on Sanborn Road to the east of Rockingham Road. A mixture of residential and commercial uses are found along Mammoth Road and within the small historic village/neighborhood located north of the former railroad line. This village area also contains the Town of Londonderry's Northwest Fire Station, a senior center, and the New England Velodrome and Cycling Park. Roughly 27 percent of the area is currently developed, however 67 percent of the land area is vacant which presents future growth opportunities and challenges for the area. See Table below and following Map #3. In anticipation of future growth and to address poor existing building conditions, the Town of Londonderry is proposing to upgrade and build a new Northwest Fire Station at the location shown on adjoining map.

Existing Land Use Mammoth Rd.

Land Use	Acres	Percent
Single Family/Duplex	58	9%
Multifamily	2	0%
Commercial	62	9%
Industrial	28	4%
Government	2	0%
Agricultural	24	4%
Recreation	8	1%
Conservation	41	6%
Vacant Land	450	67%
Total Area	675	100%
Total Developed Land*	184	27%

Source: SNHPC, NH DOT Aerial Photography (2007)

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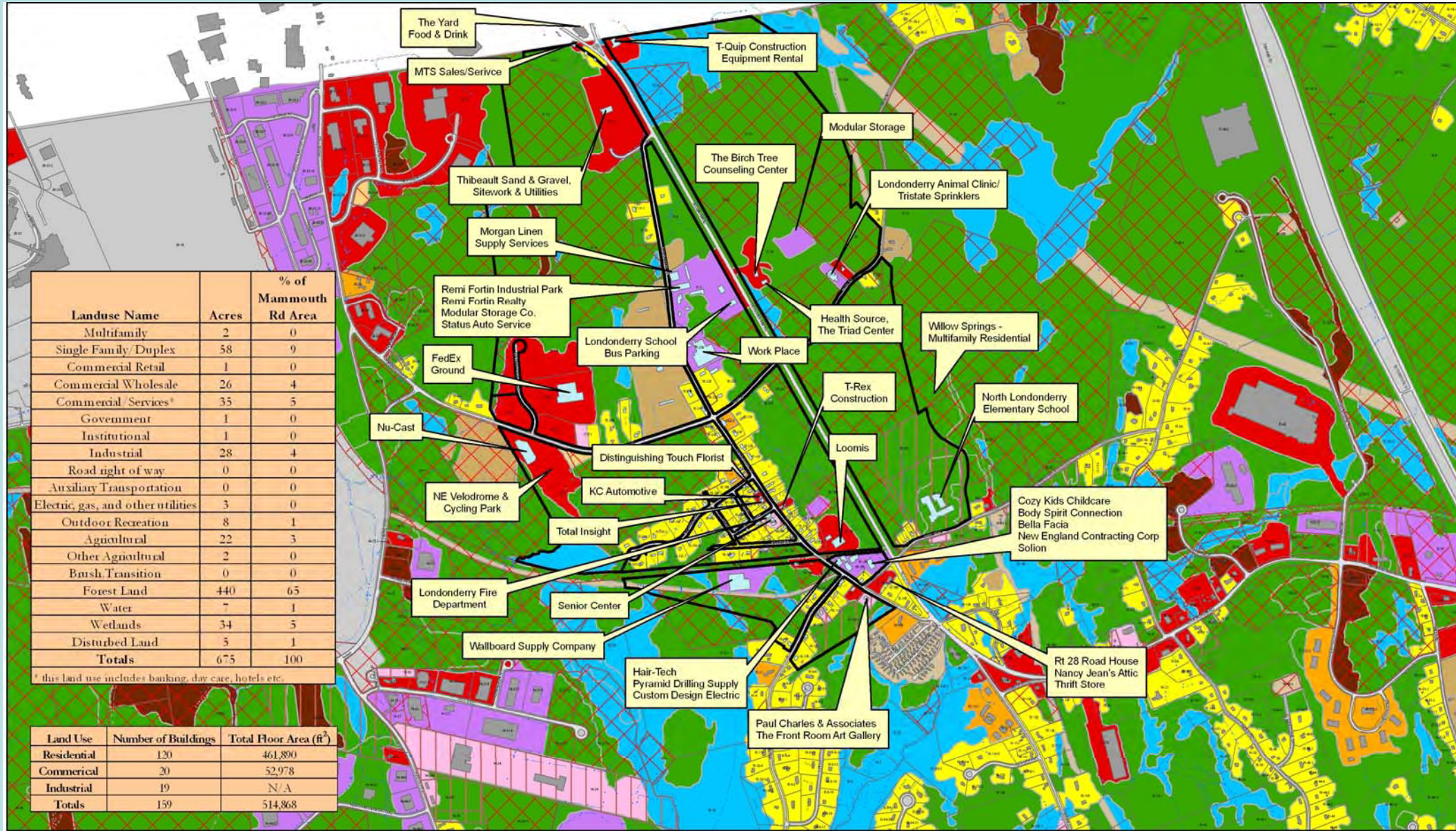
Source: Town of Londonderry



View along Mammoth Road
 Source: SNHPC

Links for additional information:
 Londonderry Zoning Ordinance
 Londonderry Master Plan, 2004

Northwest Small Area Plan



Landuse Name	Acres	% of Mammouth Rd Area
Multifamily	2	0
Single Family/ Duplex	58	9
Commercial Retail	1	0
Commercial Wholesale	26	4
Commercial Services*	35	5
Government	1	0
Institutional	1	0
Industrial	28	4
Road right of way	0	0
Auxiliary Transportation	0	0
Electric, gas, and other utilities	3	0
Outdoor Recreation	8	1
Agricultural	22	3
Other Agricultural	2	0
Brush Transition	0	0
Forest Land	440	65
Water	7	1
Wetlands	34	5
Disturbed Land	5	1
Totals	675	100

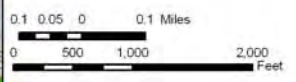
* this land use includes banking, day care, hotels etc.

Land Use	Number of Buildings	Total Floor Area (ft ²)
Residential	120	461,890
Commercial	20	52,978
Industrial	19	N/A
Totals	159	514,868

Map # 3
NORTHWEST SMALL AREA PLAN
MAMMOUTH ROAD
LONDONDERRY, NH

- Existing Land Use**
- Multi-family
 - Single family/ duplex
 - Manufactured Homes
 - Commercial
 - Institutional
 - Industrial
 - Transportation
 - Utilities
 - Recreation/ Forest Land
 - Vacant Land
 - Agricultural Land
 - Open Water/ Wetlands
 - Disturbed Land
- Mammouth Road Area
- Municipal Parcel
- Vacant Parcels
- Rivers or Streams

Data Sources:
Town of Londonderry
 Land used based on SNHPC field survey in January 2008. Base Features were mapped by Vargis LLC from aerial photography captured in Spring, 2003. Subsequent updates are performed regularly as new projects are approved. Parcel lines are current as of April 1, 2007 and were mapped using aerial photo interpretation, AutoCAD engineering files or recorded deeds for reference.



The Town of Londonderry and the SNHPC make no representations or guarantees to the accuracy of the features and designations of this map.

Map Produced by:
 GIS Service SNHPC 2007.
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 Ph: (603) 669-4664

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Existing Zoning

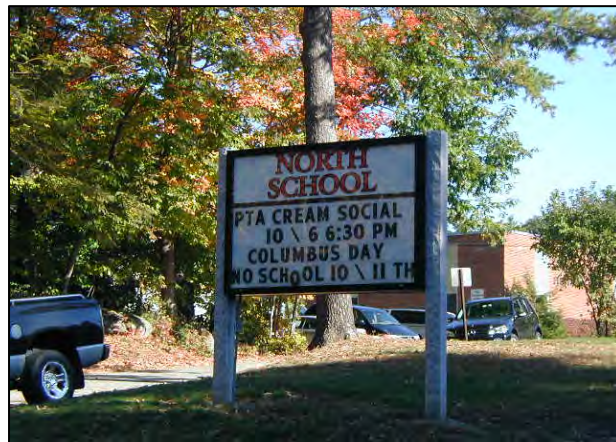
The Northwest Area consists of 8 basic zoning districts and 5 overlays districts. These zoning districts are shown on the adjacent zoning map. The largest zone is Agricultural-Residential (AR-1) containing 2,550 acres or 43 percent of the total zoned land. There is also 2,088 acres of Industrial IND-1 zoned land or 36 percent of the area. The next largest zones are C-II at 10 percent; C-1 at 6 percent; IND-1 at 3 percent, and Multifamily R-III at 2 percent. See adjoining Table and Map #4.

The 5 overlay districts include: the Airport District which provides for uses associated with the airport, including associated utilities and facilities, parking, motor vehicle rental, professional office, airport terminals, warehouse/wholesale establishments and other related businesses; the Conservation Overlay District designed to protect wetlands, ponds and streams and applies to areas within 100 feet of named wetlands and within 50 feet of unnamed wetlands; the Floodplain Development Overlay District which includes all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA); the Rt. 28 Performance Overlay District; and the Airport Approach – Height and Noise District to ensure aircraft safety and operation on the flight approaches to the airport.

Existing Zoning Northwest Area

Zoning District	Acres	Percent
Agricultural-Residential R-1	2,550	43%
Multi-family Residential (R-111)	107	2%
Commercial (C-1)	342	6%
Commercial (C-II)	599	<10%
Commercial (C-III)	1	<1%
Industrial (IND-1)	2,088	36%
Industrial (IND-II)	188	3%
Total Zoned Land	5,875	100%
Airport District	627	11%
Conservation Overlay District	1,015	17%
Performance Overlay - Rt. 28	195	3%
Floodplain Overlay District	495	8%
Airport Approach Overlay	427	7%

Source: SNHPC, NH DOT Aerial Photography (2007)

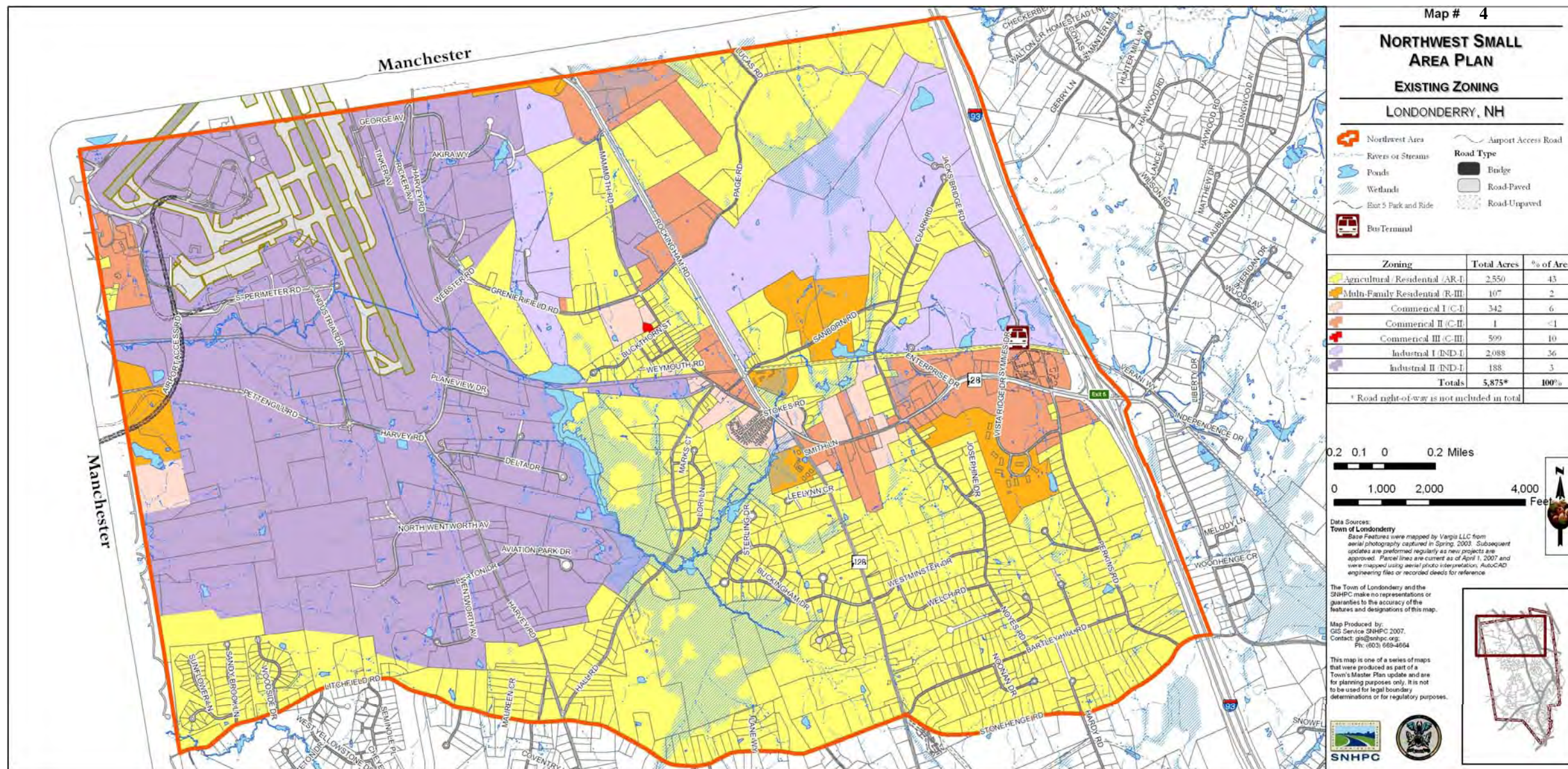


North Londonderry Elementary School
Source: SNHPC



Commercial Shopping Center Sign
Source: SNHPC

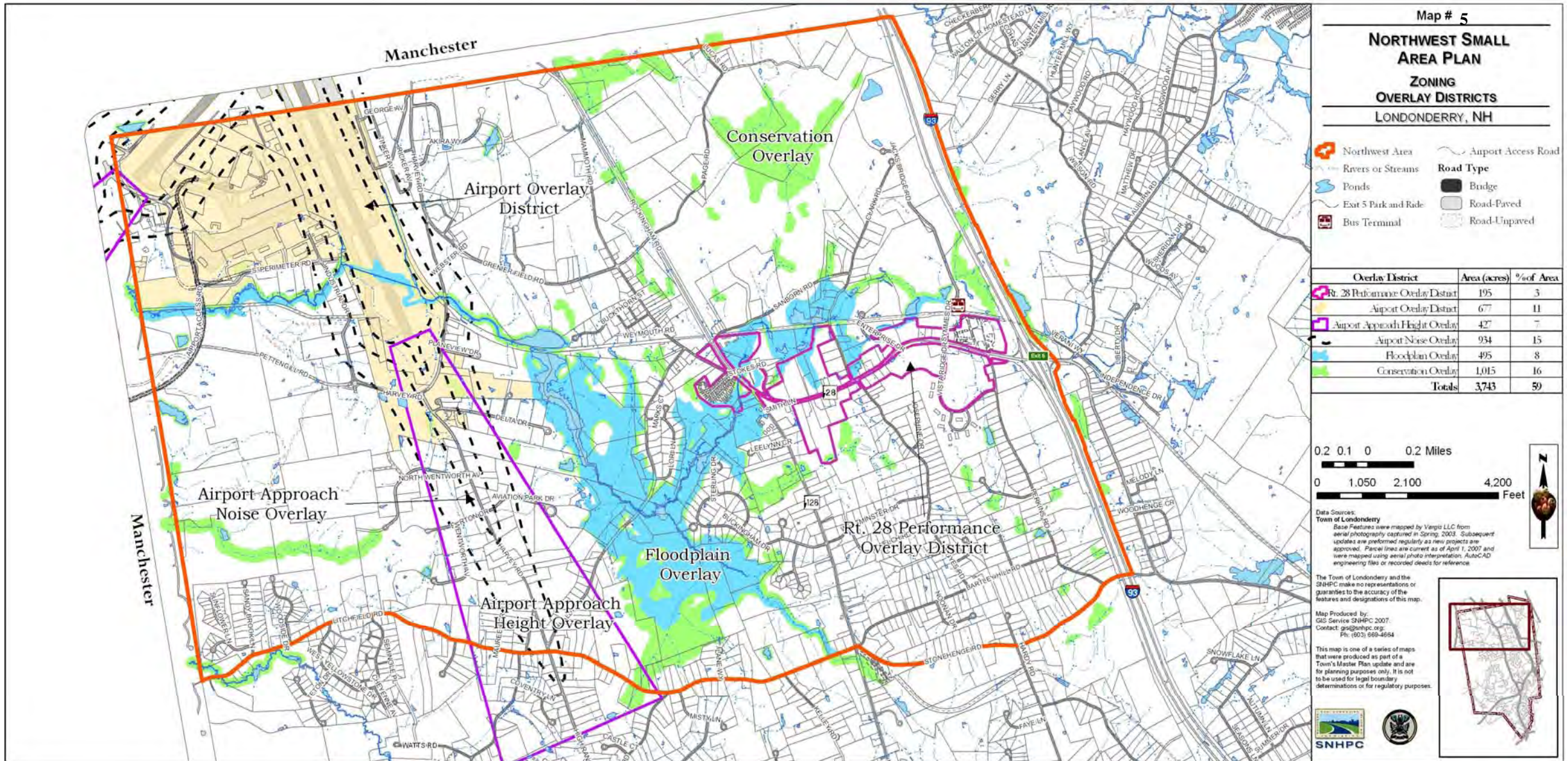
Northwest Small Area Plan



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Northwest Small Area Plan



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Built Out Potential

The Town of Londonderry conducted a build out analysis of the community in 2006 which also included examining vacant land parcels with development potential located within the Northwest Area. These vacant parcels of land are shown in subareas 1, 2, 3, 5, 6 and 7 on the adjoining map.

The build out results for potential future residential, commercial and industrial development based upon the town's existing zoning regulations – minimum lot size and building density - are summarized in the table below.

The analysis indicates that the Northwest Area could experience full build out with the addition of **170** new residential dwelling units (a 19 percent increase); 13 new commercial units or **170,000** of new commercial square footage (a 20 and 21 percent increase); and **76** new industrial units or 5,486,000 industrial square footage (a 71 and 221 percent increase).

New industrial development represents the largest potential area of growth within the Northwest area. However, it should be noted these build out assumptions could change with any changes in zoning within the area. The build out projections as shown below are based on current zoning.

Build Out	Existing Units	New Units	% Increase	New Sq. Ft.	% Increase
Residential	902	170	19%	NA	NA
Commercial	66	13	20%	170,000	21%
Industrial	107	76	71%	5,486,000	221%

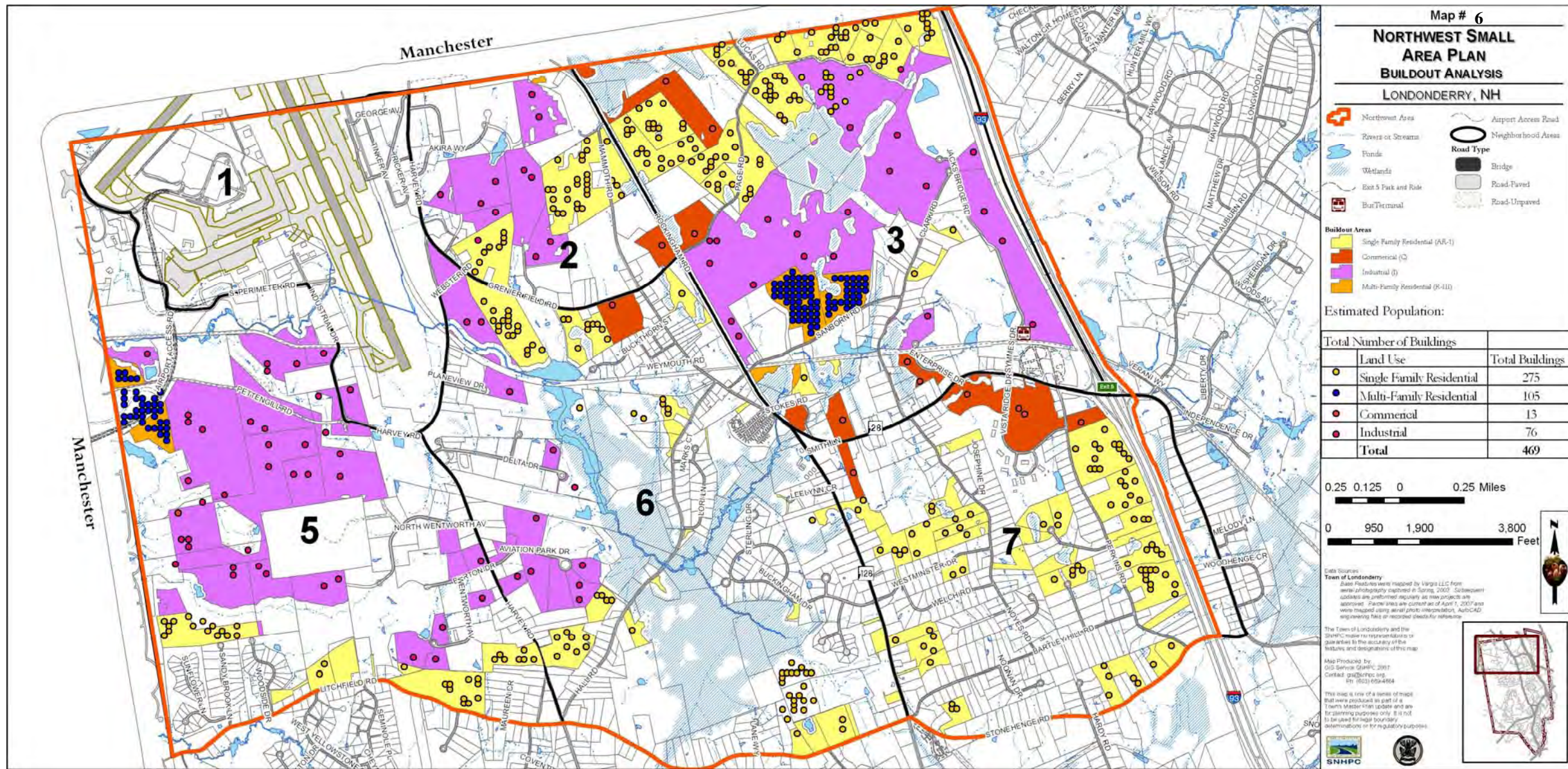


Source: Google Earth



Developable land on Enterprise Drive
 Source: SNHPC

Northwest Small Area Plan



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Transportation

There are significant transportation improvements currently under construction and proposed within the Northwest Area.

State of New Hampshire Department of Transportation improvements include:

- Widening I-93 (Salem to Manchester) scheduled to be completed by 2011;
- Exit 5 Area, reconstruct interchange and off-ramps scheduled to be completed by 2011;
- 443 space Park & Ride @ Exit 5, completed in 2007;
- Commuter Bus Terminal (completed in 2007 and now open) and Bus Maintenance Facility; currently under construction, scheduled to be completed in 2009;
- I-93 Transit Investment Study to begin phased implementation of Manchester-Boston bus on shoulder (BOS) strategy and preserve right-of-way for future transit/regional rail system, completed in 2008;
- Airport Access Road (Bedford, Manchester, Londonderry and Merrimack), currently under construction, scheduled to be completed in 2012.

Town of Londonderry proposed transportation projects include:

- Pettengill Road Connection – a new proposed 4 lane boulevard connecting Harvey Road to Airport Access Road; and
- Page/Rockingham Road Intersection improvements.

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Exit 5 Park and Ride and Bus Station
Source: NNH DOT

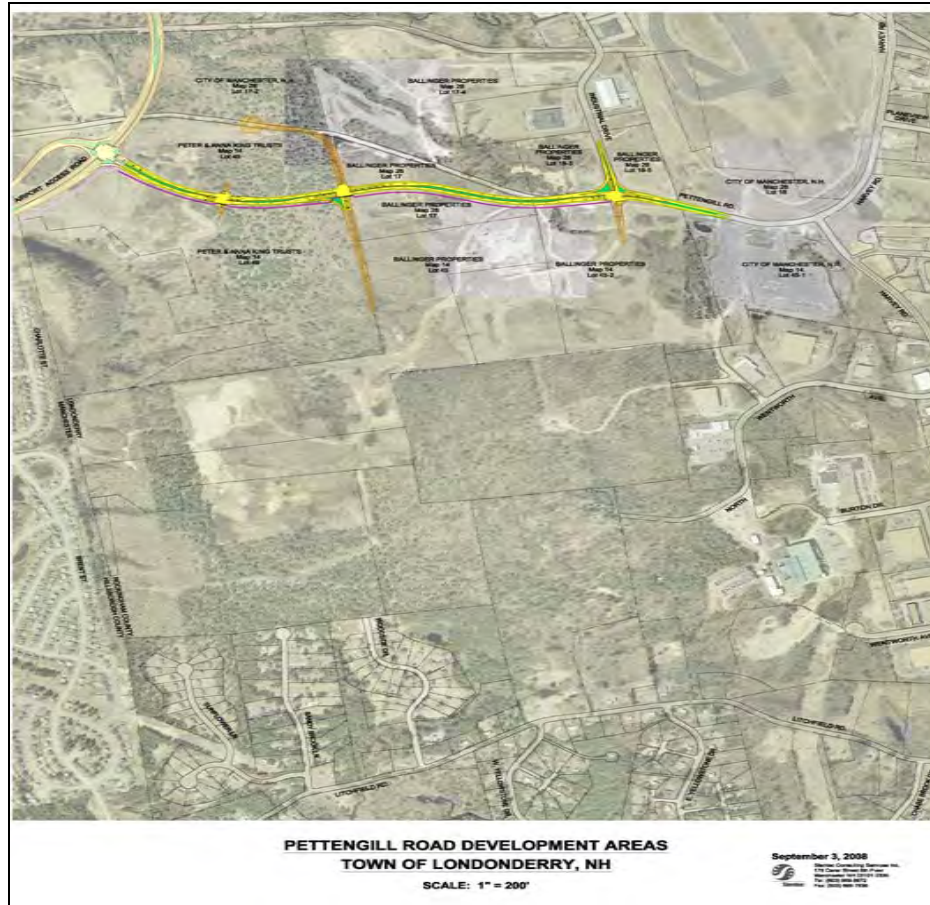


Source: NH DOT Proposed Exit 5 Improvements

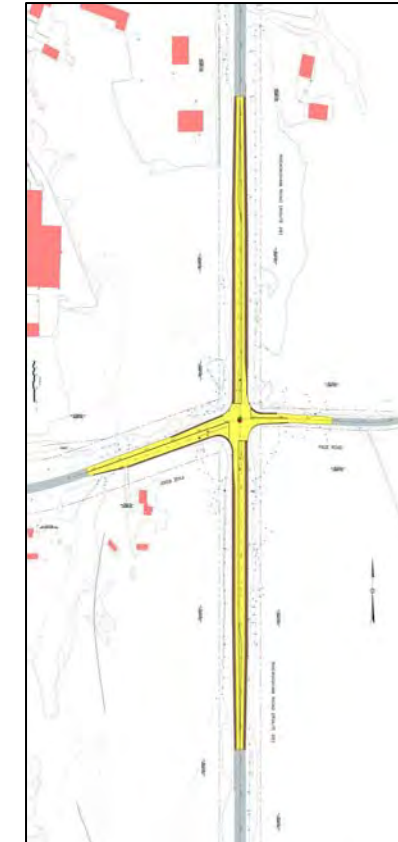
Links for additional information:

RebuildingI93.com
www.rideshare.nh.gov
I93 Transit Study, Final Report December 2008 Southern NH Region Transportation Plan
www.bostonexpressbus.com
Londonderry Mater Plan, 2004

Northwest Small Area Plan



Source: Town of Londonderry



Proposed Paige/Rockingham Road Intersection
Source: Town of Londonderry

Community Appearance



Vision for Rt. 28 and Exit 5 Resulting from Public Workshops:

• **Traffic and Pedestrian Safety:**

- Monitor and control traffic;
- Require joint parking with shared access and mobility between lots;
- Improve pedestrian access along corridor, at Park & Ride and through Exit 5;
- Prevent traffic impacts on Perkins Road and to adjoining neighborhood; and
- Improve Rt. 28 as a boulevard with landscaped median and sidewalks (see adjacent example).

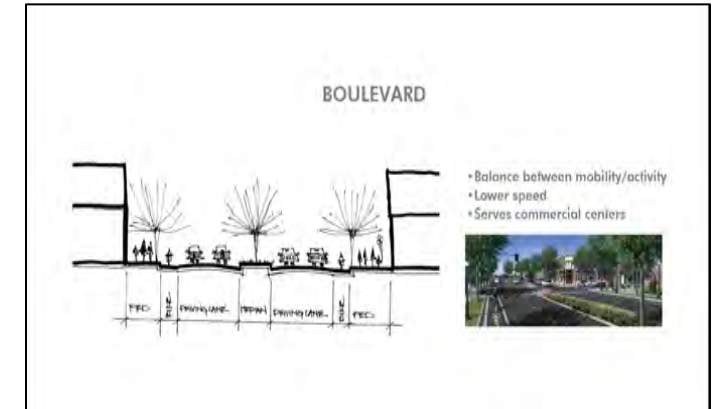
• **Community Appearance:**

- Seek a balance between mandatory and volunteer design standards;
- Encourage building styles that blend with traditional New England architecture; and
- Consider implementing Mixed-Use and Transit-Oriented Development (TOD) at Exit 5

• **Transit-Oriented Development (TOD) :**

TOD includes moderate to higher density development, located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping opportunities designed for pedestrians without excluding the automobile. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit use.

A typical TOD has a rail or bus station at its center, surrounded by relatively moderate to high-density development, with progressively lower-density spreading outwards one-quarter to one half mile, which represents pedestrian scale distances.



Example Cross Section



View of Rt. 28 Going West towards Mammoth Road

Housing

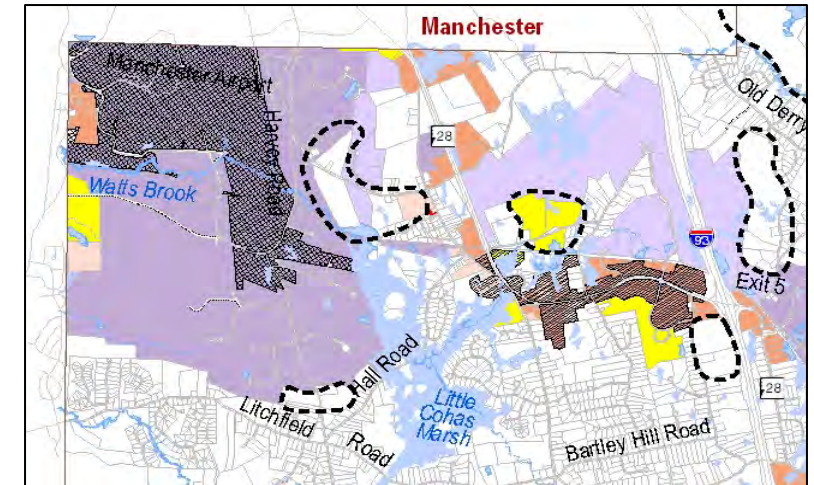
The Londonderry Housing Task Force (HTF) was established by the Town Council on November 1, 2006 to study the issue of housing affordability and diversity. The Report of the Town of Londonderry Housing Task Force was prepared in April 2008. This report identifies possible locations for an Affordable Housing Zoning District as shown on the adjoining map. Two locations are proposed within the Northwest Area: Mammoth and Rockingham Roads north of Rt. 28 and the south end of Harvey Road north of Litchfield and Hall Roads.

These areas were selected due to availability of lots greater than 10 acres in size; close proximity to water and/or sewer lines; and reasonable extension possible for frontage on a Class V or better road. These areas were suggested primarily as an exercise to better understanding of the potential for affordable housing in locations that might support it.

Some of the key findings:

- There exists a substantial, untapped demand for affordable housing;
- Project selection follows the path of least resistance;
- Development fees and costs are passed on to end users in the purchase price of the home;
- Current zoning ordinances tend to reflect historic priorities;
- Local zoning has typically been designed to encourage single-family, detached housing; and
- Density is critical attaining affordability.

Currently, the Town of Londonderry is working toward meeting the requirements of the new workforce housing laws by examining the Town's ordinances and regulations to ensure compliance with state laws.



Potential Affordable Housing Zoning Districts
Source: Town of Londonderry



View of Bockmon Mobile Home Park

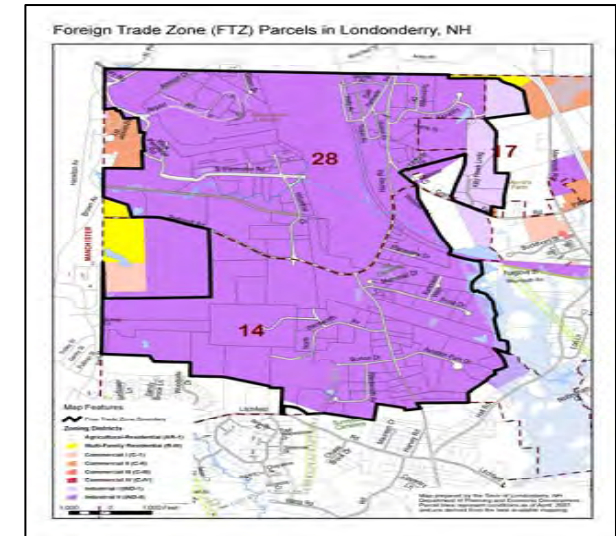
Economic Development Opportunities



The Northwest Area presents significant economic development opportunities. Four sub-areas have been identified in the Town's existing Master Plan and generalized concept plans have been prepared for those areas as described below and as shown on the adjacent map.

- **Sub Area 1# Airport Area:** This area is currently relatively undeveloped due to lack of infrastructure and access. However, with establishment of the Airport Access Road and construction of the proposed Pettingill Road connection, the area has 800 acres of existing industrial zoning which could be available for future growth. During the Londonderry Business Park Design Charrette held in May 2003, a concept plan for a future business park was prepared which could generate 3.6 million square feet of space and 6,000 new jobs. The Airport Sub-Area also contains the Town of Londonderry's Foreign Trade Zone (see adjoining FTZ parcel map). The Londonderry Planning Board is currently working on a new zoning district to promote a campus atmosphere to the future development of the area.
- **Sub Area 2# Exit 5 Mixed Use Commercial Area:** This area is currently identified in the Londonderry Master Plan as a major commercial center. The transportation improvements to and around Exit 5 and the citizen input received indicate that this area is suitable for mixed use and higher density development (including transit oriented development) provided safeguards are maintained in the town's zoning to protect the adjoining residential neighborhood along Perkins Road.
- **Sub Area 3# Jack's Bridge Road Sub-Area:** This area is located northwest of Rt. 28, directly north of Exit 5 and west of I-93. The area is similar to the airport sub-area as it is largely zoned industrial and contains a number of established distribution and warehouse businesses (see adjacent map showing conceptual plan and improvements to Page Road).
- **Sub Area 4# Page Road:** During the public workshops, residents recommended that the Town of Londonderry encourage industrial zoning on the east side of Rockingham Road and commercial zoning on the west side.

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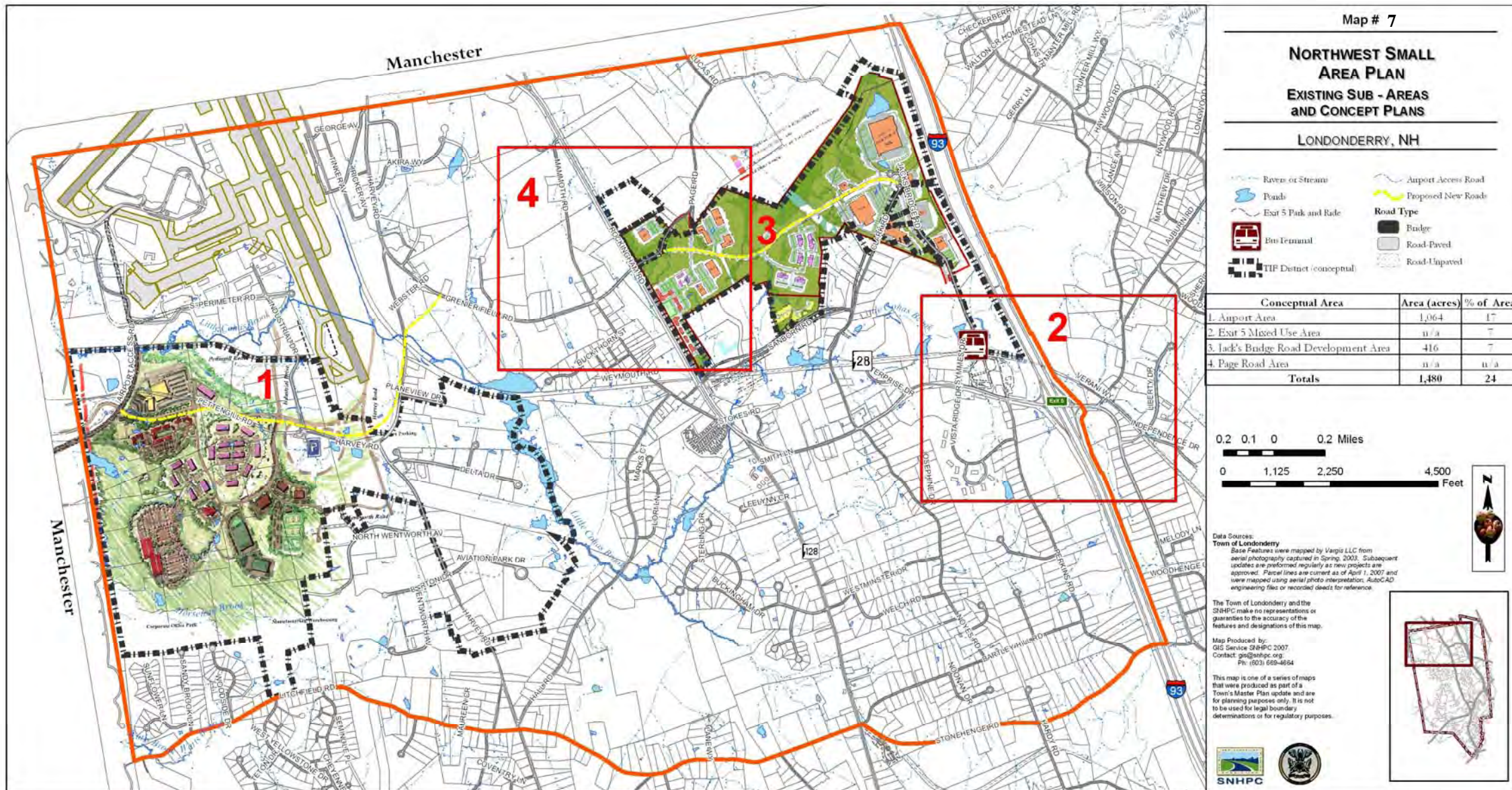
Source: Town of Londonderry



Source: Town of Londonderry

Links for additional information:
[Londonderry Zoning OrdinanceLondonderry.nh.org](http://LondonderryZoningOrdinanceLondonderry.nh.org)
[Londonderry Master Plan, 2004](http://LondonderryMasterPlan,2004)
snhpc.org

Northwest Small Area Plan



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Planning and Zoning Opportunities



Planning Themes/Goals/Strategies Resulting from Public Workshops:

- **Aesthetics:** Improve future building styles/architecture design along Rt. 28 and make it an attractive destination.
- **Zoning/Land Use:** Fix zoning now and for the future; consider best use of land based on energy, smart growth and economic reasons; seek attractive and necessary services at Exit 5; behind Perkins Road encourage workforce housing development.
- **Transportation:** Improve overall traffic flow and safety on Rt. 28 and at Exit 5; make area more accessible to all users, cars and people; mass transit/park and ride/rail are all good for the town; expand trail system in areas and in/around Exit 5.
- **Economic:** Continue to utilize prime location to promote jobs and attract desirable companies to increase tax base and lower property taxes.

Village District:

- Establish a Village District zone within the Mammoth Road area to safeguard existing historic character and encourage continued residential and small-scale commercial revitalization of the village/neighborhood; and
- Ideally this Village District could be located north of Hall Road and the former railroad line and include the Page Road intersection;

Mammoth and Rockingham Roads:

- Protect overall appearance of Rockingham Road as an important gateway to Londonderry;
- Maintain existing commercial zoning as currently established, but include architectural standards; and
- Establish industrial zoning – east side of Rockingham Road and commercial zoning on west side.



View of Memorial/Page Intersection
Source: SNHPC



Rt. 28 and Exit 5:

- Protect overall appearance of Rt. 28 as an important gateway to Londonderry;
- Consider removing existing Rt. 28 Performance Overlay District at Exit 5;
- Allow higher density/clustering and mix of land use at Exit 5 through appropriate zoning/transit-oriented development options (see Exit 5 Zoning Options on next page);
- Maintain existing building size and scale along Rt. 28 corridor west of Exit 5 consistent with Rt. 28 Performance Overlay District standards, including 75,000 square foot cap;
- Provide incentives to increase 75,000 square foot cap in the Overlay District with increased building setbacks, landscaping and parking at rear/behind buildings;
- Establish a standard landscape buffer along the corridor;
- Require smaller building signage with one entrance sign per shopping/business center;
- Prevent strip commercial development and commercial creep; and
- Encourage banks, restaurants, grocery, medical and personal services, and a healthy balance of mix of retail, professional and residential development to locate along the corridor.

Airport/Jack's Bridge and Page Road Sub-Areas:

- Establish proposed new industrial zoning district; and
- Consider establishing where feasible TIFDs and Economic Revitalization Tax Credits Zones (per RSA 162-N).



Parking Located at rear of Exit 5 Park and Ride Buss Terminal
Source: NH DOT



Rt. 28 between Exit 5 and Symmes Drive
Source: SNHPC

Exit 5 Zoning Strategies



Option A: Leave Existing Zone and Rt. 28 Performance Overlay District as is at Exit 5 (see attached example)

- Local zoning is designed primarily to encourage small scale business and commercial use; and
- Transportation improvements at Exit 5 are secondary to current zoning goals.



Option B: Remove Rt. 28 Performance Overlay District at Exit 5 from Vista Ridge and Symmes Drive east to I-93 (see attached example)

- Underlying commercial zoning is adequate to address small-scale business and commercial use;
- Rt. 28 POD (75,000 square foot building cap) has discouraged growth at Exit 5; and
- Development of Exit 5 is critical in improving overall community appearance/economic growth/tax base.



Option C: Replace Rt. 28 Performance Overlay District with a new Transit-Oriented Development Overlay District at Exit 5 (see attached example)

- Significant transportation improvements/opportunities - commuter bus/park and ride/rail exist at Exit 5 making it conducive for well-planned TOD; and
- Substantial, untapped supply of vacant land and former commercial uses exist at Exit 5 for higher density/mixed use development opportunities.





Appendix:

See following example of Transit-Oriented Development Overlay District Model Ordinance from the State of Massachusetts Smart Growth Toolkit and web address below.

Town of Londonderry, NH
Planning Board
Community Development Department

Links for additional information:
http://www.mass.gov/envir/smart_growth_toolkit/bylaws/TOD-Bylaw.pdf

Transit-Oriented Development Overlay District

Model Bylaw

This model Transit-Oriented Development bylaw provides a foundation for developing a municipal TOD bylaw for your community. No single “model” bylaw or ordinance can be adopted by a municipality without some tailoring to the unique characteristics and needs of that individual municipality. Therefore, readers are encouraged to revise and adapt the text to reflect your community’s character, and to be compatible with your existing zoning bylaws/ordinances

Cities and towns are not required to adopt the exact procedures and regulations identified in this document since the development review process may vary considerably among municipalities across the state. Rather, municipalities must examine their development review processes to determine how the model bylaw can be adapted to fit into the existing procedures and regulations.

The annotations provided below will not be part of your bylaw/ordinance. These annotations are intended to provide background and context to explain the provisions of the model bylaw.

Several zoning bylaws (including draft bylaws, adopted bylaws, and model bylaws) from communities around the country were used to develop this bylaw. In some instances, language was taken verbatim from these bylaws. The Cities and Towns whose bylaws were consulted for this model include Abington, MA; Needham, MA; Somerville, MA; Concord, MA; Canton, MA; Ashland, MA; Woburn, MA; Lower Merion, PA; Hartford, CT; Columbus, OH; Minneapolis, MN; Seattle, WA; Salt Lake City, UT; Atlanta, GA; Sacramento, CA; Tempe, AZ; and Phoenix, AZ.

Section 1.0 Background and Authority

The Town finds that Transit Oriented Development benefits the general health and welfare of the inhabitants of the town by fulfilling existing housing, transportation and employment needs. Therefore, The Town implements this bylaw and designates certain zoning districts as Transit Oriented Development Districts (“TOD” Districts) to encourage furtherance of transit oriented development.

Section 2.0 Purpose

The purposes of the Transit Oriented Development (TOD) Overlay District are to:

1. Encourage a mix of moderate and high density development within walking distance of transit stations to increase transit ridership;
2. Create a pedestrian-friendly environment to encourage walking, bicycling and transit use;
3. Provide an alternative to traditional development by emphasizing mixed use, pedestrian oriented development;
4. Create a neighborhood identity that promotes pedestrian activity, human interactions, safety and livability;

5. Encourage building reuse and infill to create higher densities;
6. Reduce auto dependency and roadway congestion by locating multiple destinations and trip purposes within walking distance of one another;
7. Provide a range of housing options for people of different income levels and at different stages of life.

Section 3.0 Authority

This Bylaw is adopted pursuant to M.G.L.c. 40A and the Home Rule Amendment to the Massachusetts Constitution.

Section 4.0 Applicability

The TOD Overlay District consists of those areas shown on [INSERT TITLE OF MAP] on file with the Town/City Clerk and dated [INSERT DATE MAP IS ADOPTED BY THE CITY/TOWN].

Typically these areas are within ¼ to ½ mile of a transit station, measured from the center point of the passenger platform or passenger loading area.

Section 5.0 Definitions

Commercial Parking Facilities. Parking facilities created for the purpose of generating income from paid parking, but not including commuter parking lots owned by the transit operator.

Development. The construction of new buildings or structures and modification of, additions to, and expansion of existing buildings or structures.

Drive-Through Facility: Facilities that allow for transactions of goods or services without leaving a motor vehicle.

Fast Food Establishment. A food service business that offers relatively immediate service of semi-prepared or prepared foods for take-out or in-house consumption in disposable containers and serving walk-in and/or drive-through customers.

Mixed-Use. Development contained on a single parcel or adjoining parcels that includes different, complimentary uses (both residential and non-residential) and which provide for a variety of activities throughout the day.

Overlay Zoning District. A zoning district that encompasses one or more underlying zoning districts, and imposes additional or alternative requirements or provisions than required by the underlying zoning.

Park and Ride Lot. A parking structure or surface lot intended for use by persons riding transit or carpooling.

Pedestrian-Friendly Design. The design of communities, neighborhoods, streetscapes, buildings and other uses that promotes pedestrian comfort, safety, access and visual interest.

Public Seating Area. Any outside seating area designated for use by the public, including outdoor seating owned and operated by eating and drinking establishments.

Service-Oriented Office – Office uses with walk-in business and/or whose clientele is the general public.

Shared Parking. Parking that is utilized by two or more different uses that generate different peak period parking demand.

Strip Commercial Development. Commercial development characterized by a low density (one story) linear development pattern (usually one lot in depth), separate curb cuts for each use, no defined pedestrian system, and high traffic volumes. Parking lots are generally located between the street and the front entrance to the businesses.

Townhouse. A single family residence typically of two to three stories attached to a similar residence by a common sidewall.

Transit-Oriented Development. A development pattern created around a transit facility or station that is characterized by higher density, mixed uses, a safe and attractive pedestrian environment, reduced parking, and a direct and convenient access to the transit facility.

Transit Station. The area including the platform which supports transit usage and that is owned and/or operated by the transit agency.

Section 6.0 Procedural Requirements

Certain specified uses are allowed by right in the TOD District. Other uses may be allowed by Special Permit. The Planning Board shall be the Special Permit Granting Authority for any Special Permit granted in a TOD District. Procedural Requirements, including application requirements, abutter notification and public hearing shall be in accordance with the Special Permit Procedures as found elsewhere in the Town's Zoning Bylaw [REFERENCE SECTION OF BYLAW/ORDINANCE]. The Planning Board, acting as the Special Permit Granting Authority, may grant a Special Permit in a TOD District if it finds that the use will: 1) promote the purpose of the Overlay District as described in Section 2.0; and 2) include active ground floor uses, subordinate parking, and have upper floor residential units.

Section 7.0 Use Regulations

Section 7.1 Allowed Uses:

The uses listed below in Table 1 are allowed in the TOD Overlay District

Table 1. Uses Allowed By Right in the TOD Overlay District

Apartments <above ground floor in active business districts>
Townhouses
Service-oriented office uses
Non-service oriented office uses on upper floors only
Mixed uses with ground floor retail, personal services and/or service-oriented offices
Banks
Retail under 10,000 square feet
Government buildings
Hospitals
Hotels
Transit stations
Restaurants (except fast food establishments which may only be authorized by Special Permit)
Civic, cultural and community facilities
Theaters, except drive-ins
Dry cleaners stores with cleaning facilities outside the TOD Overlay District
Buildings and uses accessory to the above, such as parking garages, gift shops, cafeterias and day care facilities

A TOD overlay district should include a mix of uses to encourage activity throughout daytime and evening hours, and to encourage pedestrian travel for different trip purposes.

Section 7.2 Prohibited Uses

The uses listed below in Table 2 are prohibited in the TOD Overlay District

Table 2. Prohibited Uses in the TOD Overlay District

Auto sales, auto service and repair, auto storage and auto rental uses
Gasoline sales
Heavy equipment sales and service
Manufactured home sales
Salvage yards
Industrial uses
Towing services and vehicle storage yards
RV mobile home sales yards and storage
Car wash
Strip Commercial Development
Mini-storage and self-storage facilities
Commercial laundries with dry-cleaning operation on site
Warehousing and distribution facilities
Low density housing (less than 7 units per acre)
Golf Courses
Cemeteries
Boat sales and storage yards
Freight terminals

Amusement parks
Building contractors
Retail uses, except grocery stores, larger than 10,000 square feet, unless part of a mixed-use development
Drive-in theaters
Drive-through facilities
Commercial parking facilities

Section 7.3 Special Permit Uses

The following uses (Table 3) may be allowed by Special Permit. The Planning Board, acting as the Special Permit Granting Authority, may grant a Special Permit in a TOD District if it finds that the use will: 1) promote the purpose of the Overlay District as described in Section 2.0; and 2) include active ground floor uses, subordinate parking, and have upper floor residential units.

Table 3. Uses that May Be Allowed by Special Permit

Single family homes
Commercial surface parking lots
Laboratories
Fast Food Establishments
Research facilities
Stadiums and sports facilities with over 10,000 seats
Grocery stores over 10,000 square feet

The types of uses permitted, prohibited, or allowed with a Special Permit may differ based on the character of the area in which the TOD is located. The goal of a TOD is to encourage pedestrian oriented uses and discourage auto-dependent or auto-oriented uses. Further, TODs should encourage uses that can be easily served by transit, that have high levels of visitor activity, and/or that have high employment to floor area ratios. Thus, office, retail and entertainment establishments are encouraged, while industrial and warehouse uses (which generally have fewer visitors and two or less employees per 1,000 square feet) are prohibited. For example, TODs in small suburban centers may wish to prohibit fast food establishments outright, while planners may wish to integrate fast food establishments into stations located in dense urban settings. Communities may also wish to craft their bylaw to distinguish between types of fast food establishments. Other uses that might be permitted in some TOD districts and not in others include commercial parking facilities and single family homes. Commercial surface lots should only be allowed for commuter parking or for short term parking (1-2 hours) to serve retail or service uses. Such lots are generally not conducive to a pedestrian-friendly environment, and should be located to the rear of buildings, and not along major pedestrian ways.

Research has found that housing densities of at least 7-10 units per acre are required to support transit.¹ Thus, to accommodate single family homes, zoning must allow for 6,000 square foot or smaller lots, and should include a provision for a maximum lot size. Single family homes could be allowed on the periphery of a TOD adjacent to an existing single family neighborhood.

Section 8.0 Parking Requirements

Parking requirements within the TOD Overlay District are as follows:

1. A maximum of 1 parking space per multi-family unit, plus 1 guest space per 15 units, is permitted.
2. Parking for non-residential uses shall be provided at not more than 3 per 1,000 square feet (gross) and not less than less than 1 per 500 square feet (gross) for uses covering less than 1,000 square feet.
3. Further reduction in the number of required parking spaces may be permitted by a Special Permit granted by the Planning Board after a finding by the Board that the development will be adequately served by users of public transportation.
4. Shared parking is strongly encouraged. On lots serving more than one use, the total number of spaces required may be reduced, provided that the applicant submits credible evidence to the satisfaction of the City/Town Planning Board that the peak parking demand of the uses do not coincide, and that the accumulated parking demand at any one time shall not exceed the total capacity of the facility. Such evidence must take into account the parking demand of residents, employees, customers, visitors, and any other users of the lot. It must also take into account parking demand on both weekends and weekdays, and both during the daytime and overnight.
5. Where feasible, ingress and egress from parking shall be from side streets or alleys.
6. Surface parking lots must be to the rear of buildings, and shall not exceed one acre in size. Surface lots are prohibited in front of businesses.
7. Surface parking lots with more than thirty spaces shall be divided into separate areas by landscaped areas of at least 10 feet in width. A minimum of 15 percent of all surface lots shall be landscaped. No row of parking shall be more than 10 spaces wide without being interrupted by a landscaped area. Each landscaped area shall have at least one tree. Landscaped areas should be planted with low-maintenance, salt tolerant plants capable of withstanding extreme weather conditions.
8. Surface lots shall be screened along all sidewalks by a landscaped buffer of not less than six feet, or three foot walls or fencing compatible with the adjacent architecture.
9. Surface parking lots shall provide pedestrian walkways and connections to the sidewalk system.
10. On-street parking is permitted and encouraged.
11. Parking structures shall have well-designed and marked pedestrian walkways and connections to the sidewalk system.
12. Parking structures must include ground level retail along all streets and sidewalks.
13. Parking structures shall be designed to be compatible with adjacent buildings and architecture.
14. Bicycle racks shall be provided on site at a ratio of 1 space for every 15 automobile parking spaces or portion thereof.

The Massachusetts Office of Commonwealth Development is developing Bicycle Parking Facility Requirements for its Transit Oriented Development Bond Program. Municipalities adopting a TOD overlay district are encouraged to review these requirements and incorporate some of the bicycle parking design and materials requirements into their bylaws to ensure that quality bicycle parking is provided.

- 15. All parking lots and structures must provide pedestrian access ways to streets that meet the Dimensional Requirements detailed in section 9.0, below.
- 16. Signage that shows the location and best means of access to the transit station must be provided at all parking facilities.

The density and location of the TOD district will dictate whether or not structured parking should be encourage or allowed. In more suburban town centers, structured parking is less desirable than in more dense urban areas.

Section 9.0 Dimensional Requirements

The development standards in a TOD overlay district bylaw are intended to created densities that will support transit as well as to provide a pedestrian friendly environment.

1. Building Setbacks

- a. A building shall have a minimum front yard setback of 0 feet and a maximum setback of five feet from the front property line. A setback may be increased to 25 feet from the front property line if a courtyard, plaza or seating area is incorporated into the development adjacent to the public street.

Limited setbacks help to create a pedestrian-friendly environment. Buildings with windows located close to the sidewalk provide a visually stimulating environment for pedestrians. Conversely, buildings set back too far from the pedestrian walkway result in a less pedestrian-inviting environment.

- b. The minimum setback for a side yard shall be zero feet. Where deemed appropriate by the Planning Board, alleys between buildings may be encouraged for the provision of beneficial public connections between buildings, open spaces and streets. The maximum side setback shall be determined by the Planning Board, and shall not exceed 25 feet.

In smaller town centers or rural locations, it may be more appropriate to have side yard setbacks of up to 15 feet. In town centers or urban areas with substantial vehicle traffic, side setbacks may need to be up to 30 feet to accommodate two-way traffic to rear parking and loading areas.

- c. The minimum setback for a back yard shall be 15 feet.
- d. The setback provisions in section 1.a-c may be waived with a Special Permit issued by the Planning Board where such waiver would further the purposes of this Bylaw as listed in Section 2.0.

2. Bulk and Lot Coverage

- a. Minimum lot coverage is 60 percent of the net lot area. This minimum may be reduced if a minimum of 40 percent of the lot is developed as improved public open space or if ingress, egress or other building code requirements would otherwise make the development infeasible. The Planning Board shall have final discretion in deciding if land constitutes improved open space for the purposes of this provision.
- b. Maximum lot coverage is limited to 85 percent. This lot coverage may be increased to 100 percent for mixed use buildings, or for renovated historic structures.

The 100 percent lot coverage is not appropriate for small town centers and rural settings.

- c. The maximum by-right floor-to-area ratio (FAR) is 1.5. The maximum FAR shall be 2.5, upon the discretion of the Planning Board. The Planning Board may issue a Special Permit to grant additional FAR beyond 1.5 up to 2.5 for affordable housing or for mixed use developments if it finds that such an increase furthers the purposes of this bylaw.

The floor-area ratio is the ratio of the gross square footage of structures on a site to the gross square footage of the site. For example, an FAR of 1.0 on a 10,000 square foot site could be achieved with a one-story building of 10,000 square feet, a two story building in which each floor measures 5,000 square feet, a four story building in which each floor measures 2,500 square feet, etc. The FAR controls the density of the site. A high FAR will allow higher densities than a low FAR. FAR allows flexibility in design while controlling for overall building size. The FAR is used in conjunction with height limits, setbacks, and lot coverage to arrive at acceptable densities and design of a development.

Each Planning Board must adopt an FAR that is suitable for the character of the neighborhood in which the TOD is located. In rural areas, a 2.5 FAR will be too high, and even the 1.5 FAR may need to be reduced to conform to the surrounding built environment. In urban areas, the acceptable FAR may be significantly higher than 2.5. The primary goal of TOD is to concentrate development in the area around the train station, and to create a pedestrian-friendly environment. Higher density allowed by a higher FAR helps to achieve these goals.

It is important to ensure that the provisions for minimum lot coverage coupled with minimum height are within the by-right FAR when implemented.

3. Building Height Requirements

- a. The minimum allowable building height is 28 feet above grade.

The minimum height is meant to encourage density and create an aesthetic appeal throughout the TOD area. When determining minimum height, local officials must require a height that allows for at least two stories. Urban practitioners may want to consider requiring a height that allows for at least three stories.

- b. The maximum building height is 78 feet above grade.

In more rural areas or smaller town centers, it may be appropriate to reduce this maximum height to 45 feet or three stories. In more urban areas, the height can be much higher and should reflect the character of the neighborhood in which the overlay district is located.

- c. Notwithstanding the building height provisions noted above, no building shall exceed by more than two stories or thirty feet, whichever is less, the height of the tallest building or buildings that front on the same street and are located within 150 feet of such building.

This standard can be relaxed in dense urban areas. The allowed building heights should reflect the context in which the TOD is located. In areas with buildings exceeding 78 feet, the maximum height should be set to reflect the height of surrounding buildings.

- d. No portion of a building locate within 50 feet of an existing one or two family dwelling in a residential zoning district shall be permitted to exceed three stories or 45 feet, whichever is less.

4. Driveways

- a. The creation of new sidewalk curb cuts shall be avoided whenever an alternative point of access is available or can be created. Shared access agreements are encouraged.
- b. The minimum width for one-way traffic is 12 feet, and the maximum 18 feet.
- c. The minimum width for two-way traffic is 18 feet and the maximum is 22 feet.

5. Sidewalks

- a. A minimum unobstructed sidewalk width of five feet is required. Sidewalk width can be up to 20 feet, and is dependent on expected level of activity.

Smaller towns may want to decrease the allowable sidewalk width.

- b. Sidewalks shall be constructed along the frontage of all public streets.

- c. Pedestrian scale lighting fixtures no greater than 15 feet in height shall be provided along all sidewalks and walkways to provide ample lighting during nighttime hours.

Lighting height may be lower in smaller town centers and rural areas, and up to 20 feet in more urban areas.

- d. All sidewalks and walkways shall meet ADA requirements.e.

Section 10.0 Design Standards

The design standards included in a TOD overlay district bylaw are intended to create a pedestrian friendly environment. Landscaping should both provide shade and create an aesthetically pleasing setting. The pedestrian environment is further enhanced by locating building facades close to the sidewalk, and by ensuring the facades are architecturally interesting. Street level windows add to the interest of a pedestrian way. Street furniture will provide opportunities for pedestrians to rest and relax, and trash receptacles will help keep the pedestrian ways clean. Lighting will help increase the safety of the area in the evening.

When evaluating the design components of plans, the Planning Board should consider who will be using the area around the transit station and when the station area will be used. Will the area have a lot of daytime or nighttime activity? Will the area be a destination for work or entertainment? What types of activities does the community want to encourage in the station area? For example, if a TOD is located in a primarily residential area, the Planning Board may require fewer benches than would be required in an area with heavy daytime pedestrian traffic. Further, the Planning Board should consider how projects in the station area tie into the surrounding neighborhoods and existing built environment. Buildings should be designed and materials chosen to fit into the existing built environment, or to create a new sense of place. (This goal will differ based on the existing characteristics of an area. For example, in a location with important historic character, the Planning Board may wish to encourage design that will blend with the surroundings. Conversely, in an area characterized by strip mall development, the Planning Board may wish to encourage design elements that will create a new identity for the area.)

1. Streetscapes

- a. Street trees shall be planted by the developer along all public rights-of-way. Street trees shall be planted at intervals of no more than 40 feet. Tree species shall be selected that require minimal maintenance and are of native origin.

In more dense urban areas, communities may wish to allow non-native species that are more tolerant of pollution and other harsh conditions found in congested, built-up areas.

- b. Pedestrian amenities such as benches, public art, planters, trash receptacles, etc. are encouraged and shall be located along sidewalks, and in landscaped areas, open spaces and plazas.
- c. All new utilities shall be placed underground

2. Building Facades.

- a. All buildings must provide a main entrance on the façade of the building facing the transit station or streets leading to the transit station.
- b. The main entrance of any building shall face the street. The main entrance shall not be set back more than five feet from the front property line, unless a public seating area or plaza is provided in front of the building.
- c. Facades over fifty feet in length shall be divided into shorter segments by means of façade modulation, repeating window patterns, changes in materials, canopies or awnings, varying roof lines and/or other architectural treatments.
- d. The ground floor of a front commercial façade shall contain a minimum of 50 percent glass.

The purpose of specifying glass is to allow for views into the interior of the building, providing interest for pedestrians. Clear glass that permits a clear view into a building is preferable to tinted or reflective glass that prohibits views into a building

- e. Architectural style and materials shall be compatible with the surrounding area, and facades must provide a visually interesting environment.
- f. All buildings shall articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device.
- g. All structured parking must be designed so that the only openings at street level are those to accommodate vehicle ingress and egress, and pedestrian access to the building. All openings must be designed so that vehicles are not visible from the sidewalk. The remainder of the street frontage must be available for retail or commercial usage.

3. Signage

- a. Height. No signs shall extend higher than the height of the ground story.
- b. Size. No façade sign shall exceed 25 percent of the ground floor wall area. No other sign shall exceed 25 square feet in size. Signs may be double sided.
- c. Design. All signs within a given district shall be complimentary in their use of color, shape, and material.

Section 11.0 Exemptions and Exclusions

This bylaw shall apply to all new construction in the TOD District. It shall apply to reconstruction or redevelopment when the redevelopment will result in an increase of property value of 50% or greater of the assessed values of the existing property. The provisions of this bylaw shall apply to reconstruction of existing property where the reconstruction will result in less than 50% increase in property value over the assessed value of the existing property to the maximum extent feasible.

Section 12.0 Severability

If any provision of this bylaw is found to be invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected but shall remain in full force. The invalidity of any section of this bylaw shall not affect the validity of the remainder of the Town's/City's Zoning Bylaw/Ordinance.

(Footnotes)

¹See, for example, Newman, P. and J. Kenworthy, *Cities and Automobile Dependence*, Gower Publishing Company Limited, Hants, England, 1989, and Parsons Brinkerhoff & Quade and Douglas, Inc., *Report 16: Transit and Urban Form, Volume 1*, Transportation Research Board, National academy Press, Washington, D.C., 1996.