

1 **LONDONDERRY, NH PLANNING BOARD**  
2 **MINUTES OF THE MEETING OF SEPTEMBER 9, 2009 AT THE MOOSE HILL**  
3 **COUNCIL CHAMBERS**  
4

5 7:00 PM: Members Present: Art Rugg; John Farrell; Rick Brideau, CNHA, Ex-  
6 Officio; Paul DiMarco, Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Mary Soares;  
7 Lynn Wiles; Laura El-Azem; Chris Davies, alternate member; Cole Melendy, P.E.,  
8 alternate member; George Herrmann, alternate member  
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.;  
11 Cathy Dirsra, Planning Department Secretary  
12

13 A. Rugg called the meeting to order at 7:02 PM. A. Rugg appointed C. Davies to  
14 vote for R. Nichols and C. Melendy to vote for M. Soares until she arrives.  
15

16 **Administrative Board Work**  
17

18 A. Plans to Sign - JVL Construction Lot Line Adjustment - Map 6, Lots 15-3 & 15-  
19 4  
20

21 J. Trottier said all precedent conditions for approval have been met and the  
22 staff recommends signing the plans.  
23

24 **J. Farrell made a motion to authorize the Chair and Secretary to sign**  
25 **the plans. R. Brideau seconded the motion.** No discussion. **Vote on the**  
26 **motion: 9-0-0.** A. Rugg said the plans will be signed at the conclusion of the  
27 meeting.  
28

29 B. Extension Request - Reeds Ferry Site Plan, Map 2, Lot 34-3 - Request 1 year  
30 extension on final approval to obtain building permits  
31

32 T. Thompson referenced the letter from Jeffrey Merritt from Keach-Nordstrom  
33 Associates, requesting a one year extension of the final approval for this  
34 project. He said that staff can report that the pre-construction meeting has  
35 already occurred, but they have not obtained building permits at this time.  
36 Because the regulations require the permits to be obtained within one year,  
37 staff does support the request, however staff expects that the permits will be  
38 obtained sooner than the one year that they are requesting.  
39

40 **J. Farrell made a motion to grant a one year extension to October 1,**  
41 **2010. R. Brideau seconded the motion.** No discussion. **Vote on the**  
42 **motion: 9-0-0.** Extension for one year was granted.  
43

44 C. Extension Request – Elliot Medical Phases IV & V Site Plan, Map 6, Lot 31 -  
45 Request 120 day extension of conditional approval  
46

47 T. Thompson referenced the letter from Kenneth Rhodes from CLD  
48 Consulting, requesting a 120 day extension of the site plans. He said they  
49 have worked on obtaining all the outside permits from the state, however,

1 they have not yet obtained their final DOT driveway permit. Because the  
2 current approval expires on October 1, 2009 they are requesting an  
3 additional 120 days to be able to follow-up and finalize the state permit  
4 process.

5  
6 **J. Farrell made a motion to grant a 120 day extension. R. Brideau**  
7 **seconded the motion. No discussion. Vote on the motion: 9-0-0.**  
8 Extension for 120 days was granted.

9  
10 T. Thompson mentioned that when the applicant is ready for the plans to be  
11 signed, they would like to request a special meeting with the Board to sign  
12 the plans. The Board agreed.

13  
14 D. Signing of Minutes – August 5, 12, & 24

15  
16 Minutes for August 5, 12 and 24 will be signed after the Secretary arrives.

17  
18 E. Regional Impact Determinations

19  
20 T. Thompson stated there are two projects to be considered for regional  
21 impact determinations. Coca-Cola Bottling Company of Northern N.E. is  
22 proposing a minor site plan for a parking lot reconfiguration on Symmes  
23 Drive, Map 15, Lot 98. Bosch Thermotechnology is proposing a Minor Site  
24 Plan for parking lot improvements on 50 Wentworth Ave, Map 14, Lot 44-33.  
25 He said that staff recommends these projects are not developments of  
26 regional impact, as they do not meet any of the regional impact guidelines  
27 suggested by Southern NH Planning Commission (SNHPC).

28  
29 **J. Farrell made a motion to accept staff recommendations that these**  
30 **projects are determined not to be of regional impact under RSA**  
31 **36:56. R. Brideau seconded the motion. No discussion. Vote on the**  
32 **motion: 8-0-1 (P. DiMarco abstained because he is employed by one**  
33 **of those companies).**

34  
35 F. Discussions with Town Staff

36  
37 A. Garron said that on Monday the state DOT will hold public hearings on the  
38 state's 10 year highway plan; September 14 at the Derry Town Hall,  
39 September 17 at the Manchester Town Hall and September 28 at the Bedford  
40 Meeting House on Meeting House Road.

41  
42 A. Rugg informed the Board members that the fall lecture series (held by the  
43 Municipal Association) will be the last three Wednesdays of October. He also  
44 reminded the Board members of the SNHPC annual dinner on Fri 9/11.

45  
46 **Workshops/Conceptual Discussions**

47  
48 A. Continued Public Hearing - Northwest Small Area Master Plan

49

1 A. Garron said that staff has been working on this for about 1 ½ years. Jack  
2 Munn from SNHPC gave a brief update (See Attachment #1).  
3 [ M. Soares arrived at 7:13PM ]. C. Melendy returned to alternate member  
4 status.

5  
6 A. Garron summed up what has already been done and said that staff has  
7 been revising the report according to the feedback that was received. They  
8 have narrowed down the options based on input from SNHPC and the public.  
9 He said that most of the input that staff received was about the Exit 5 area.  
10 He said they have plans that would connect Pettengill Road to the airport  
11 area. He feels that we are ready to adopt this plan.

12  
13 C. Davies said he would like to see concrete recommendations in the master  
14 plan for all the areas, not just Exit 5. J. Farrell said the recommendations are  
15 already in the master plan. T. Thompson said that the recommendations are  
16 mentioned in the small area master plan (pages 30-32). L. Wiles agreed with  
17 C. Davies and said we should clarify the recommendations. Consensus of the  
18 Board was to revise the language of the plan to change the title on page 30  
19 to "Planning & Zoning Recommendations" and remove the words "resulting  
20 from the public workshops" from the subtitle.

21  
22 L. Wiles also said that the introduction page should state that the area is  
23 bound on the west by Manchester. C. Melendy re-iterated his previous  
24 request for additional information regarding typically accepted minimum  
25 areas to justify pedestrian zoning, and re-iterated his question as to whether  
26 the small area around Exit 5 shown on page 32 is big enough to justify  
27 pedestrian zoning. C. Melendy also questioned whether pedestrian zoning in  
28 that area would encourage the unsafe condition of people crossing several  
29 lanes of traffic and impede already congested traffic flow in that area since it  
30 is at the intersection of an interstate highway and a main collector road. A.  
31 Rugg said that these details would be addressed by a site plan. A. Garron  
32 said there is a bus station there (park & ride) and therefore there will already  
33 be people crossing the road and we are encouraging people to take mass  
34 transit and not take their cars.

35  
36 A. Rugg asked for public input.

37  
38 Liz Jones, Auburn Rd, asked about the possibility of big box stores at Exit 5.  
39 A. Rugg said the current POD is limited to 75,000 s.f. according to the  
40 existing POD, but we are looking to revise the POD for a larger size to  
41 accommodate a big box store. L. Jones said she is concerned about traffic  
42 impact in that area. J. Farrell said if a big box store or anything else is  
43 proposed for that area, they would be required to do a traffic study of the  
44 area. Based on the outcome of a traffic study, the applicant may be required  
45 to make road improvements.

46  
47 Jon Weigler, 74 Page Rd, asked when the POD would be changed. A. Rugg  
48 said it would happen after this small area master plan is approved and after  
49 any zoning changes receive approval from the Town Council. J. Weigler thinks

1 that the recommendation of the transportation overlay district should be  
2 removed.

3  
4 Bob Lebreux, 76 Hall Rd, feels that the zoning for Exit 5 will have a negative  
5 effect on our town.

6  
7 Al Baldasaro, 41 Hall Rd, hopes that we enforce the setbacks and green space  
8 in the future to maintain the viewshed of the town.

9  
10 **J. Farrell made a motion to adopt the plan with the discussed minor**  
11 **text amendments. R. Brideau seconded the motion. No discussion. Vote**  
12 **on the motion: 9-0-0.**

13  
14 J. Farrell asked the Chairman to hear the workforce housing workshop next  
15 because all the CIP members were not present yet.

16  
17 B. Workforce Housing Workshop

18  
19 T. Thompson gave a brief history and overview of the proposed ordinance  
20 amendments (See attachments #2 and #3).

21  
22 A. Rugg asked for public input.

23  
24 Al Baldasaro, 41 Hall Rd, asked if it's possible to have a playground area. He  
25 asked if it's possible to ask the builders for special consideration to town  
26 employees (Fire, Police, Teachers, etc), like Manchester did. T. Thompson  
27 said our town attorney said it would go against the federal fair housing act,  
28 but we will examine further with our legal counsel.

29  
30 Paul Morin, Tarka Homes, asked about the definition of townhouses for multi-  
31 family housing. T. Thompson said that you can't state a townhouse as being  
32 less than 5 units. P. Morin asked for clarification on the zoning of elderly  
33 housing in a commercial area. T. Thompson said that is elderly housing is  
34 located within a commercial area it can be changed to workforce housing.

35  
36 Deb Paul, 118 Hardy Rd, asked if apartments are taxed at a different rate  
37 than residential home is taxed. R. Brideau said apartments are taxed as  
38 commercial property.

39  
40 John Curran, 6 Fay Lane, asked if town sewer and water are required for  
41 multi-family housing. T. Thompson said it is proposed to be a requirement for  
42 multi-family workforce housing, but not for single family or duplex workforce  
43 housing. J. Curran said he thinks that the sewer and water requirement  
44 should be eliminated as a requirement, to allow for other parcels to be  
45 eligible.

46  
47 Chris Paul, 118 Hardy Rd, asked how we determine when we have met the  
48 criteria for workforce housing. A. Garron said we would have to do another  
49 "regional" analysis.

50

1 Deb Paul, asked if it could be possible to change the criteria from 20 acres to  
2 40 acres, etc. so that developers would be less likely to attract workforce  
3 housing. T. Thompson said he would ask our town attorney, but he is  
4 concerned that it would backfire and developers would want to build more  
5 units.

6  
7 The Board decided to move to a public hearing, October 14.

8  
9 C. FY 2011 - 2016 Capital Improvements Plan (CIP) Workshop

10  
11 J. Farrell gave the Board an overview. T. Thompson gave a presentation (see  
12 attachments #4 and #5). J. Farrell said that the CIP has not decided "at this  
13 time" on funds for open space.

14  
15 Janusz Czyzowski, DPW Director, discussed why the drop off center should be  
16 moved from priority 6 to priority 3 on the CIP plan. He described the process  
17 and cost involved in running the drop off center. They do not plan to be open  
18 year round, but with some improvements it could be open for longer than it is  
19 currently.

20  
21 Consensus of the Board was to move the drop off center to priority 3, for  
22 funding in FY 2011.

23  
24 Mike Speltz, open space committee, explained the importance of conserving  
25 the open space now vs. the cost of doing that in the future. He predicts the  
26 town will be "built out" in about 15-20 years. He asked the Board for one  
27 million a year for six years.

28  
29 A. Rugg asked for public input, but there was none.

30  
31 A. Garron asked the Board for consideration on moving the master plan  
32 update to FY 2011 and the Corridor plan back to FY 2012, as was requested  
33 by the Community Development Department. Consensus of the Board was to  
34 put them back as described above.

35  
36 A. Rugg said there will be a public hearing for CIP on October 14.

37  
38 D. Airport Area Zoning - Workshop

39  
40 T. Thompson gave the Board a presentation outlining the changes since the  
41 last workshop (see attachments #6 and #7). The Board decided that the  
42 minimum requirement for PUD (Planned Unit Development), allowed in a,  
43 should be increased from 25 acres to at least 50-125 acres, that the  
44 ordinance should be revised to permit PUD's elsewhere in Town outside of the  
45 Gateway Business (GB) District, and that residential uses should be allowed  
46 outside of the GB district in a PUD, but to not allow residential uses in a PUD  
47 with GB as the underlying zoning.

48  
49 The Board wants to discuss this again on October 14.  
50

1 **Other Business**

2

3 None.

4

5 **Adjournment:**

6

7 **J. Farrell made a motion to adjourn the meeting. R. Brideau seconded the**  
8 **motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at 11:40  
9 PM.

10

11

12 These minutes prepared by Cathy Dirsra, Planning Division Secretary.

13

14

15 Respectfully Submitted,

16

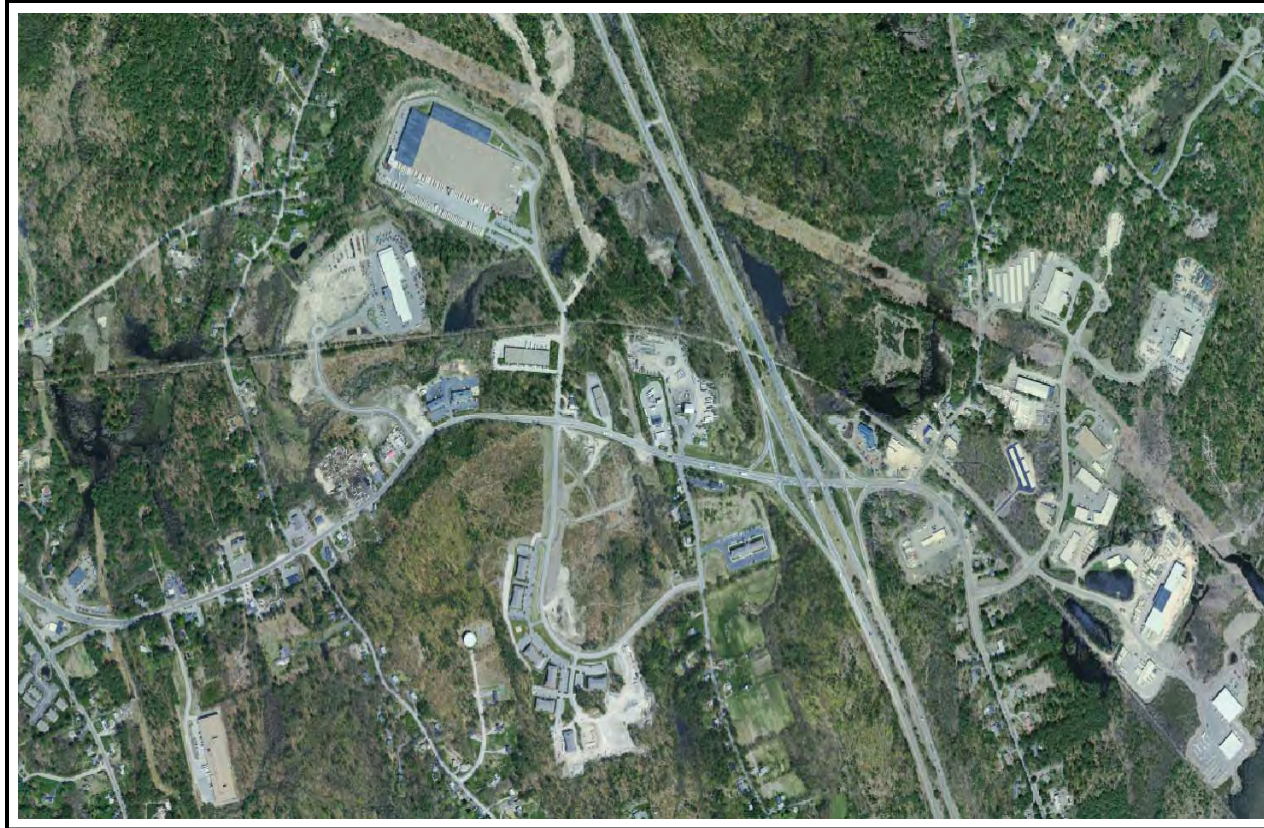
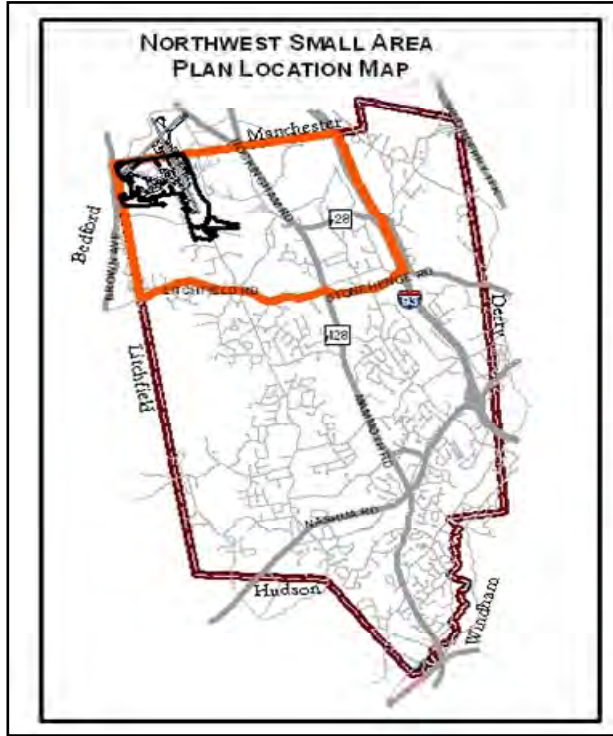
17

18

19 Mary Wing Soares, Secretary

20

# 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.

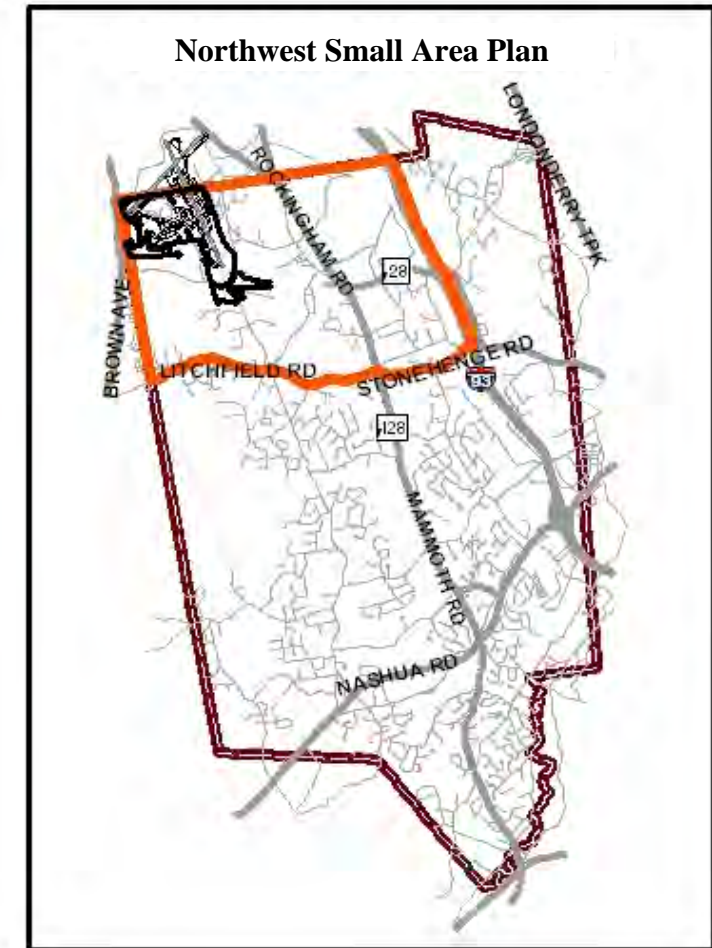
The Northwest Area is bounded by I-93 to the east; Stonehenge and Litchfield Roads to the south; the City of Manchester to the north; and the towns of Bedford, Merrimack and Litchfield to the west (see following Location Map).

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 Road across from the Senior Center



Land for Sale off of Enterprise Road  
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%
<b>Total Area</b>	<b>5,904</b>	<b>100%</b>

Source: SNHPC, NH DOT Aerial Photography (2007)

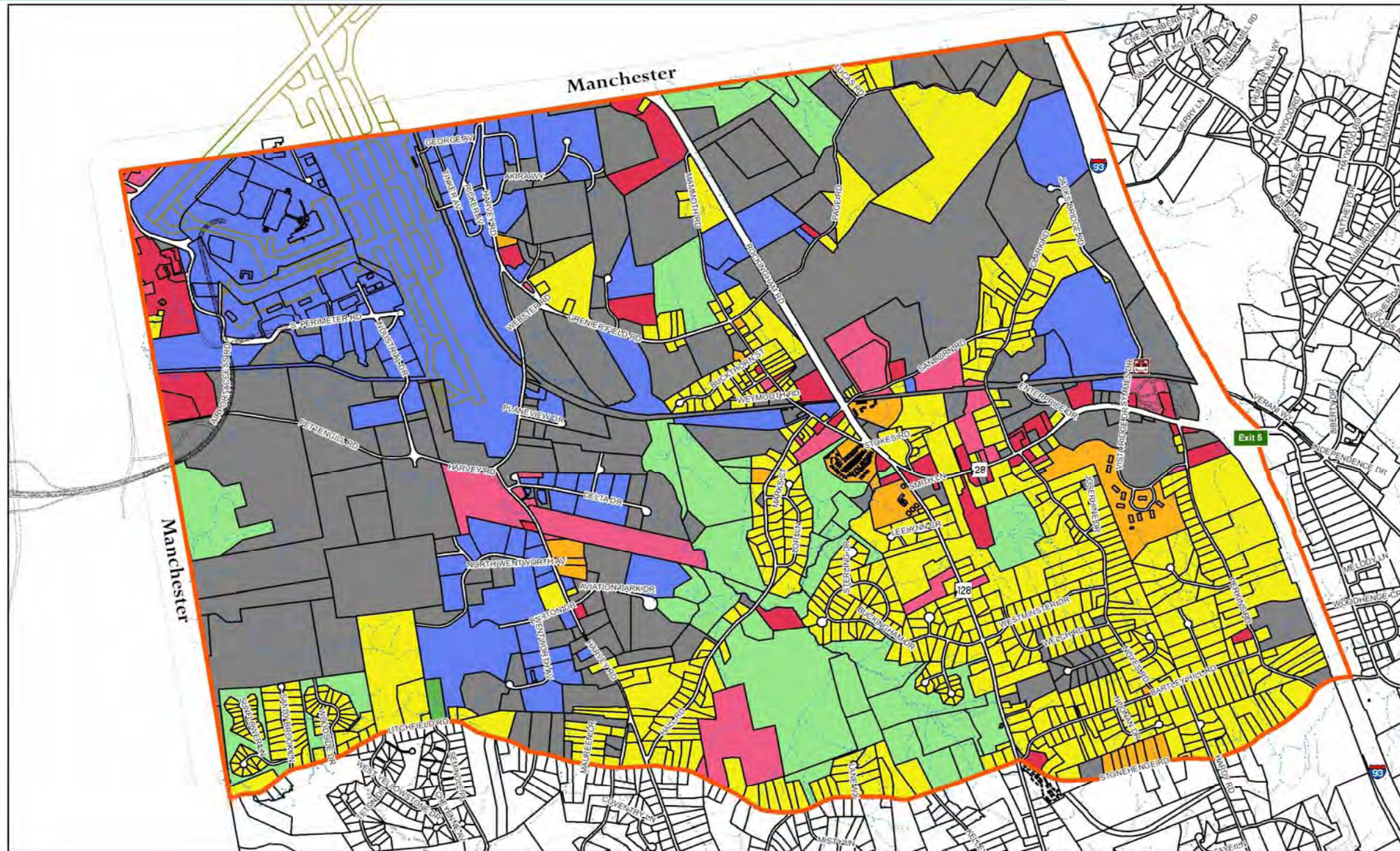


View of Noyes Road Neighborhood  
Source: SNHPC



Old Transfer Station located along Rt. 28  
Source: SNHPC

# Northwest Small Area Plan



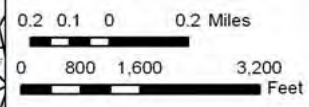
Map # 1

## NORTHWEST SMALL AREA PLAN EXISTING LAND USE LONDONDERRY, NH

- Northwest Area
- Rivers or Streams
- Exit 5 Park and Ride
- Bus Terminal
- Airport Access Road
- Road Type
- Bridge
- Road-Paved
- Road-Unpaved

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
<b>Totals</b>	<b>5,904</b>	<b>100</b>

Data Sources:  
Town of Londonderry  
CTIP and use developed in  
2007 from aerial photography. Base Features were  
derived 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 mapped using  
aerial photo interpretation. AutoCAD was used for  
feature recording/updates for reference.



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

Map Produced by  
GIS Service SNHPC 2007  
Contact: gis@snhpc.org  
Ph: (603) 469-4264

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.



## 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%
<b>Total Area</b>	<b>197</b>	<b>100%</b>
<b>Total Developed Land</b>	<b>85</b>	<b>43%</b>

Source: SNHPC, NH DOT Arial Photography (2007)

Town of Londonderry, NH  
 Planning Board  
 Community Development Department



Harvey Industries  
 Source: Town of Londonderry



YMCA  
 Source: SNHPC

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



## Existing Land Use Mammoth Road Area

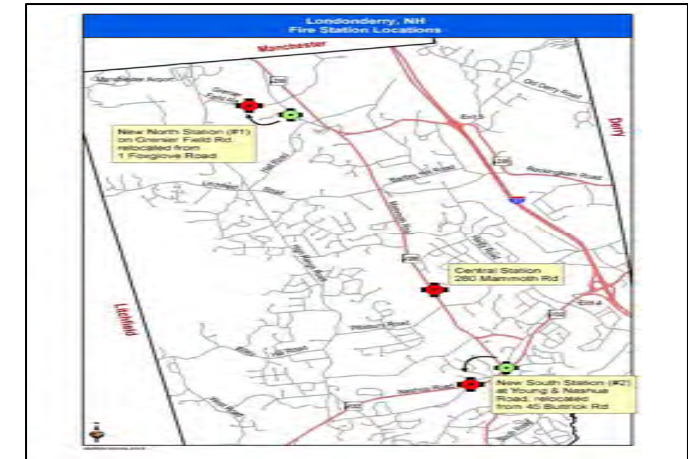


The Mammoth Road Area is an important gateway to Londonderry and the area includes a wide variety and mix of commercial and industrial uses. Most of the industrial uses are located along both sides of Rockingham Road south of the City of Manchester and north of Rt. 28. North Londonderry Elementary School 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 the 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%
<b>Total Area</b>	<b>675</b>	<b>100%</b>
Total Developed Land*	184	27%

Source: SNHPC, NH DOT Aerial Photography (2007)

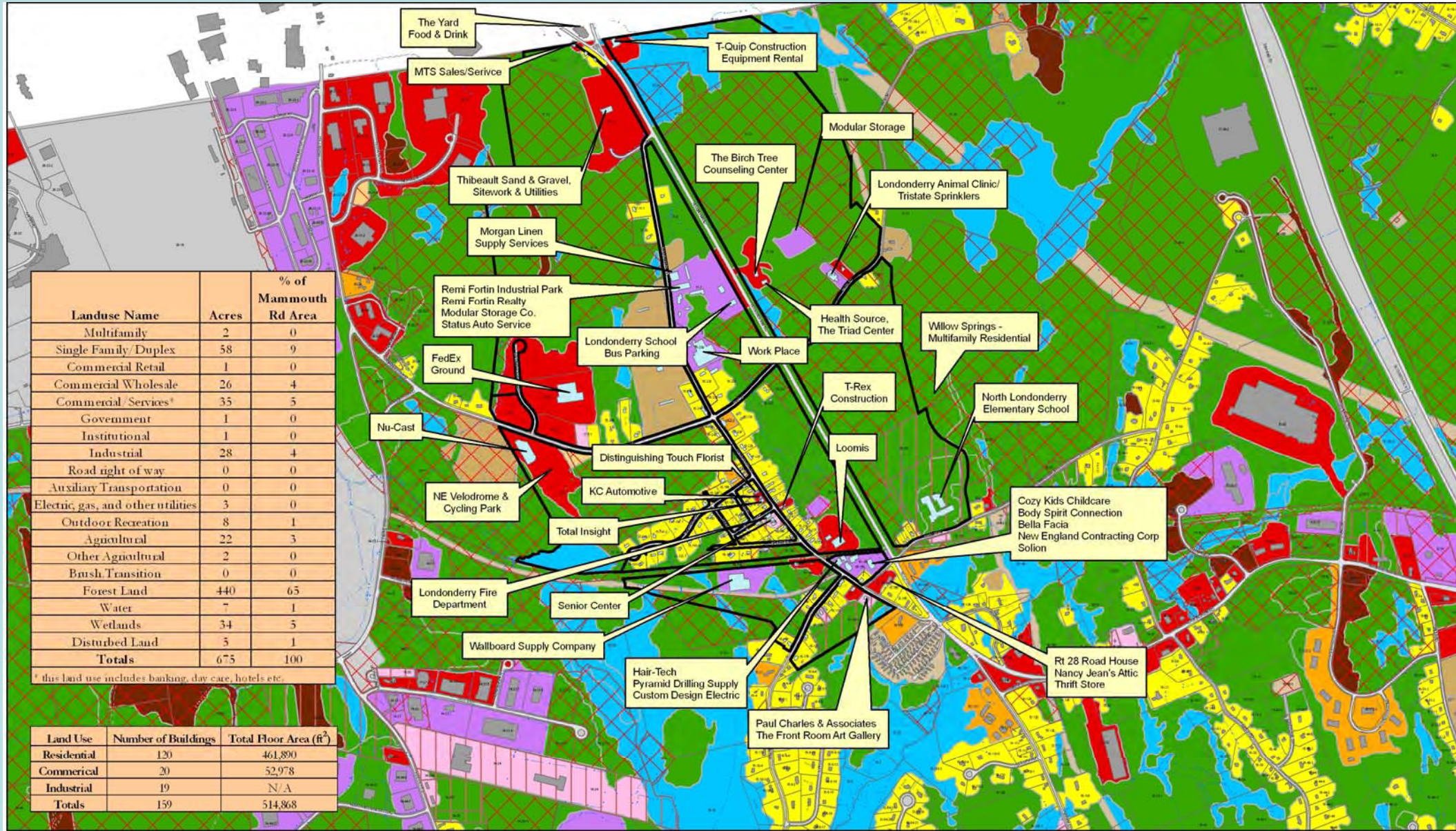


Source: Town of Londonderry



View along Mammoth Road  
Source: SNHPC

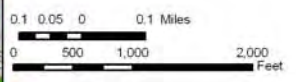
# Northwest Small Area Plan



**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.  
 Contact: gis@snhpc.org  
 Ph: (603) 669-4664

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.



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
<b>Totals</b>	<b>675</b>	<b>100</b>

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

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

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## Existing Zoning

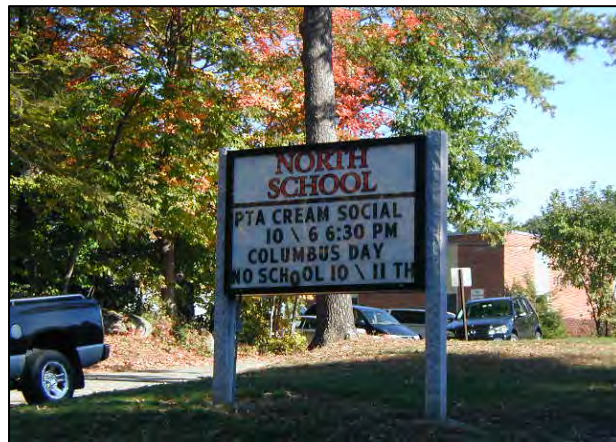
The Northwest Area consists of 7 basic zoning districts and 5 overlays districts. These zoning districts are shown on the adjacent zoning map. The largest zone is Agricultural-Residential (AR-1) containing 2,550 acres or 43 percent of the total zoned land. There is also 2,088 acres of Industrial IND-1 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%
<b>Total Zoned Land</b>	<b>5,875</b>	<b>100%</b>
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)



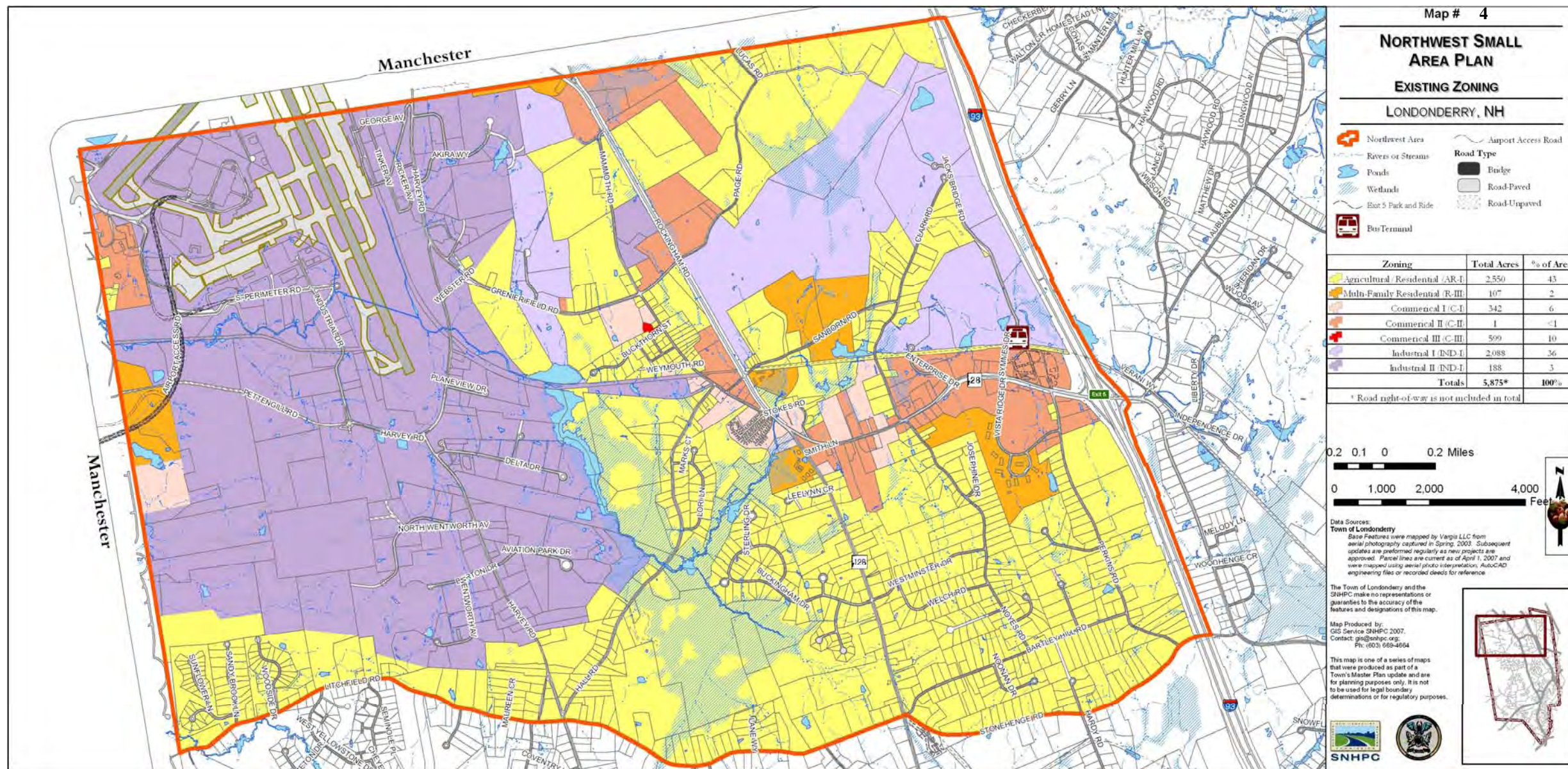
North Londonderry Elementary School  
Source: SNHPC



Commercial Shopping Center Sign  
Source: SNHPC



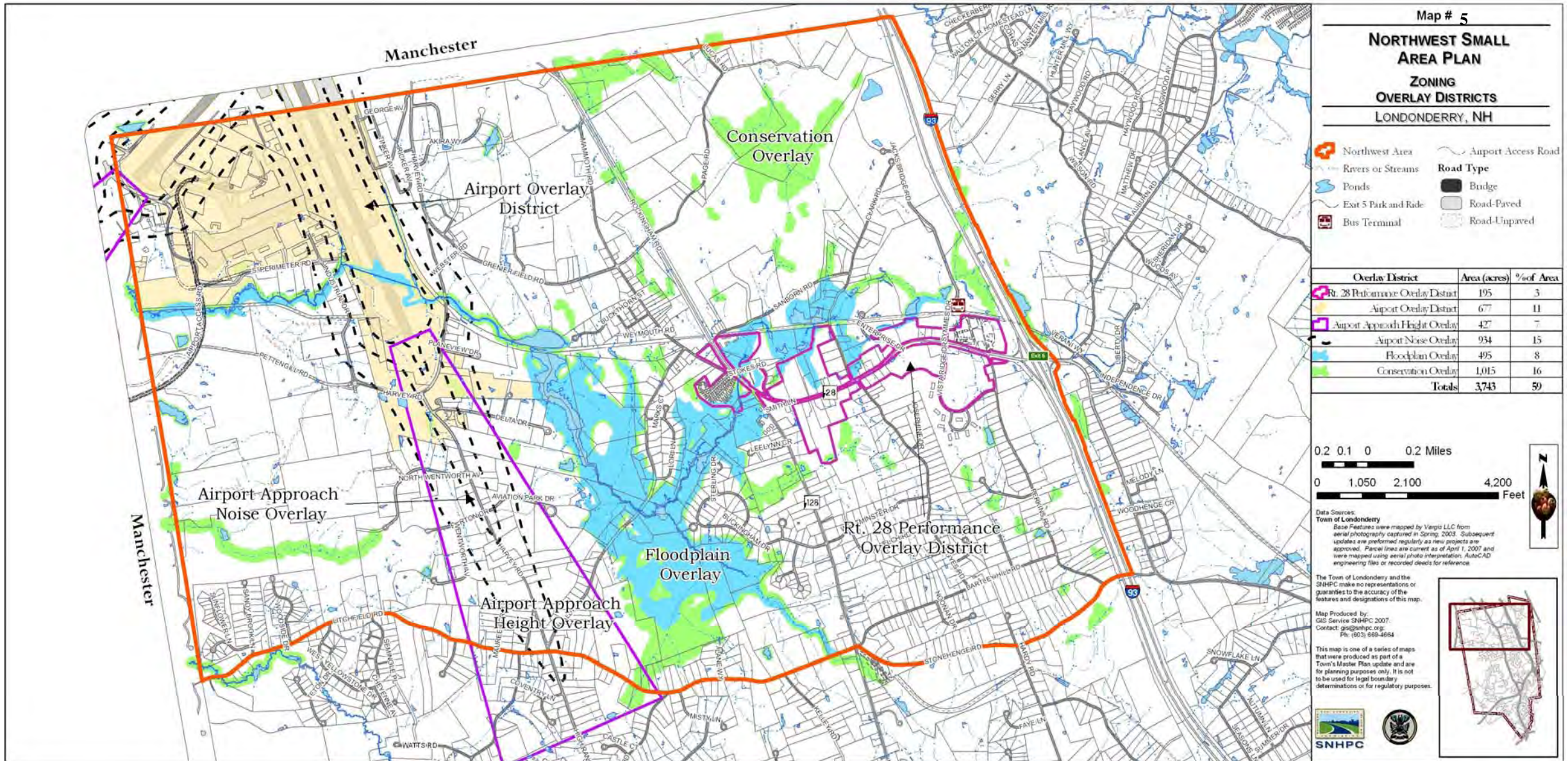
# Northwest Small Area Plan



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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%

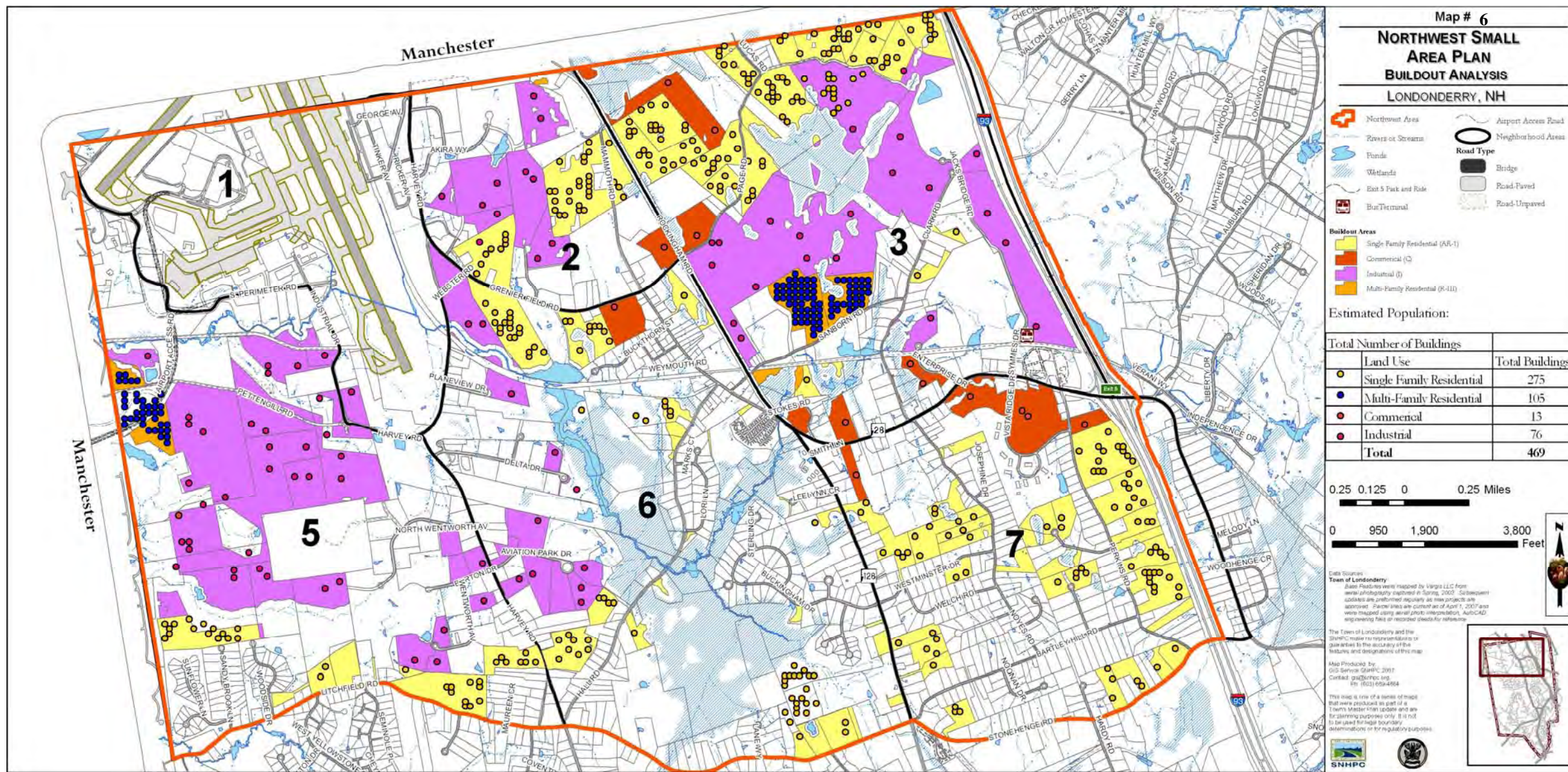


Source: Google Earth



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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I93 Transit Study, Final Report December 2008 Southern NH Region Transportation Plan  
[www.rideshare.nh.gov](http://www.rideshare.nh.gov)  
[www.bostonexpressbus.com](http://www.bostonexpressbus.com)  
Londonderry Mater Plan, 2004

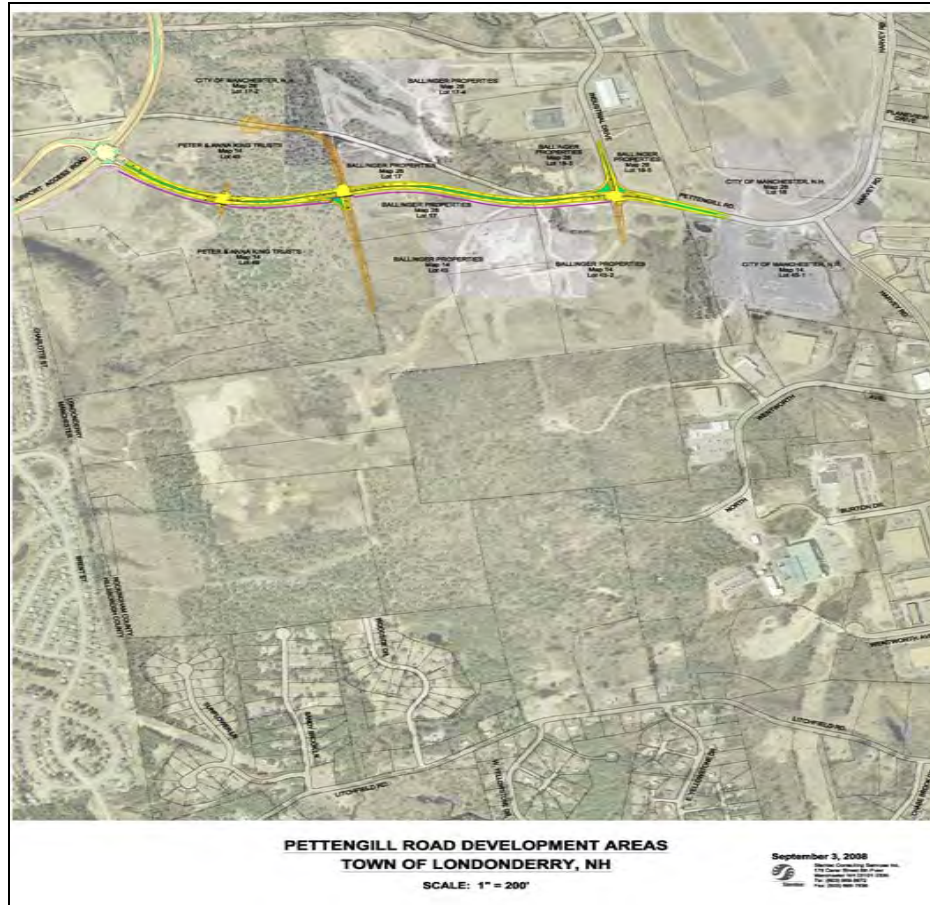


Exit 5 Park and Ride and Bus Station  
Source: NNH DOT

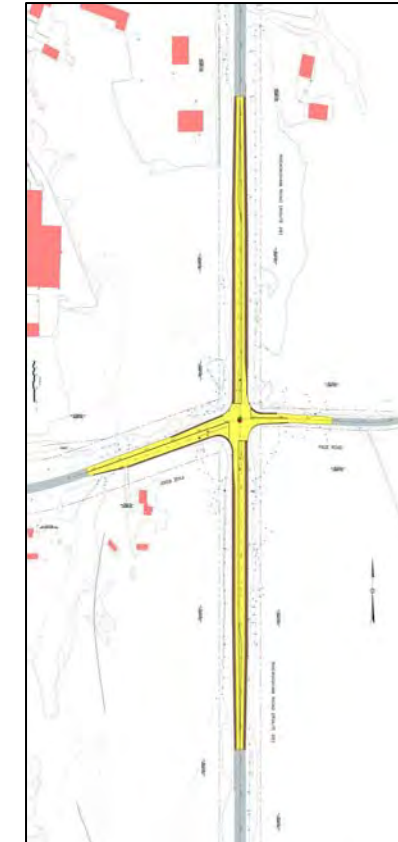


Source: NH DOT Proposed Exit 5 Improvements

# 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).

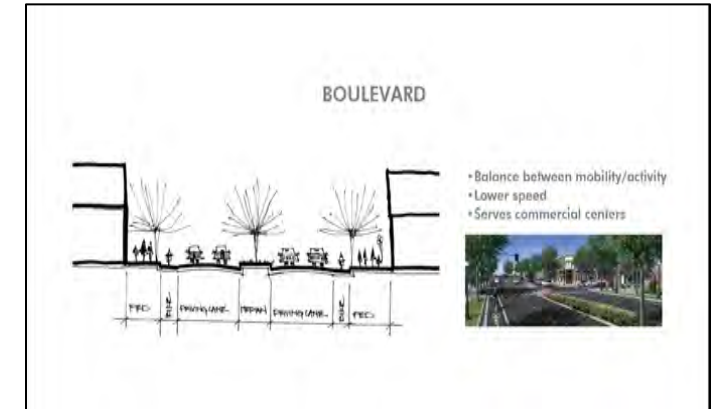
#### • **Community Appearance:**

- 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 towards Mammoth Road



## Housing

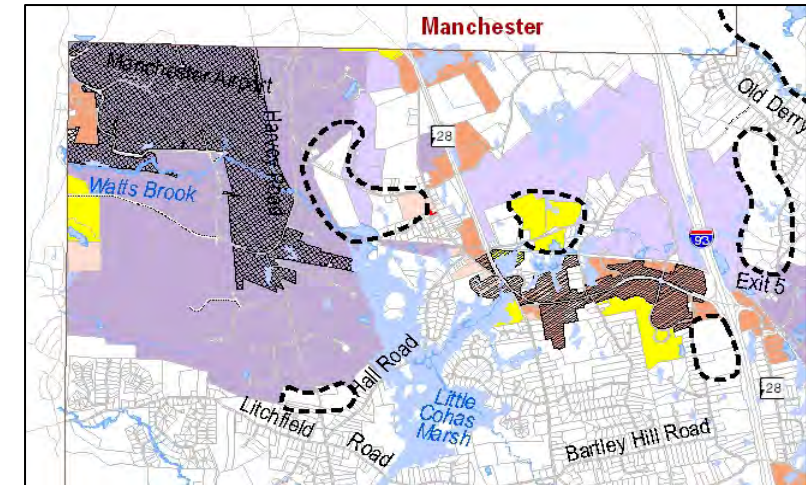
The Londonderry Housing Task Force (HTF) was established by the Town Council on November 1, 2006 to study the issue of housing affordability and diversity. The Report of the Town of Londonderry Housing Task Force was prepared in April 2008. This report identifies possible locations for an Affordable Housing 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 understand 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 in 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.



Areas Suitable for Workforce Housing Identified by Affordable Housing Task Force  
Source: Town of Londonderry



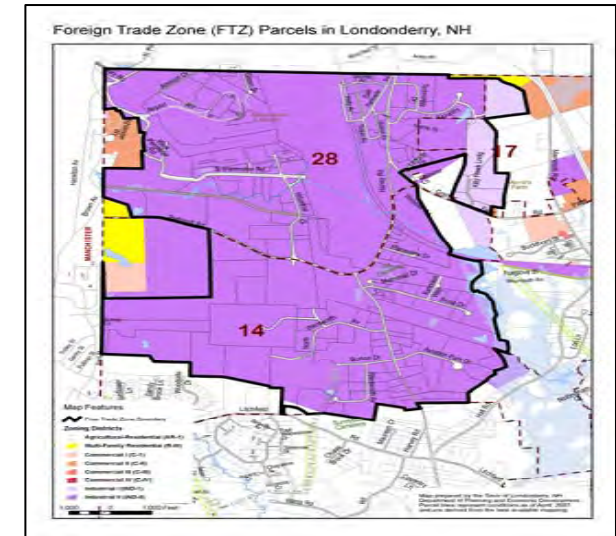
View of Bockmon Mobile Home Park

## 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. While this concept plan is now six years old, the vision for the area is still valid. 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 airport area zoning district to promote mixed use and 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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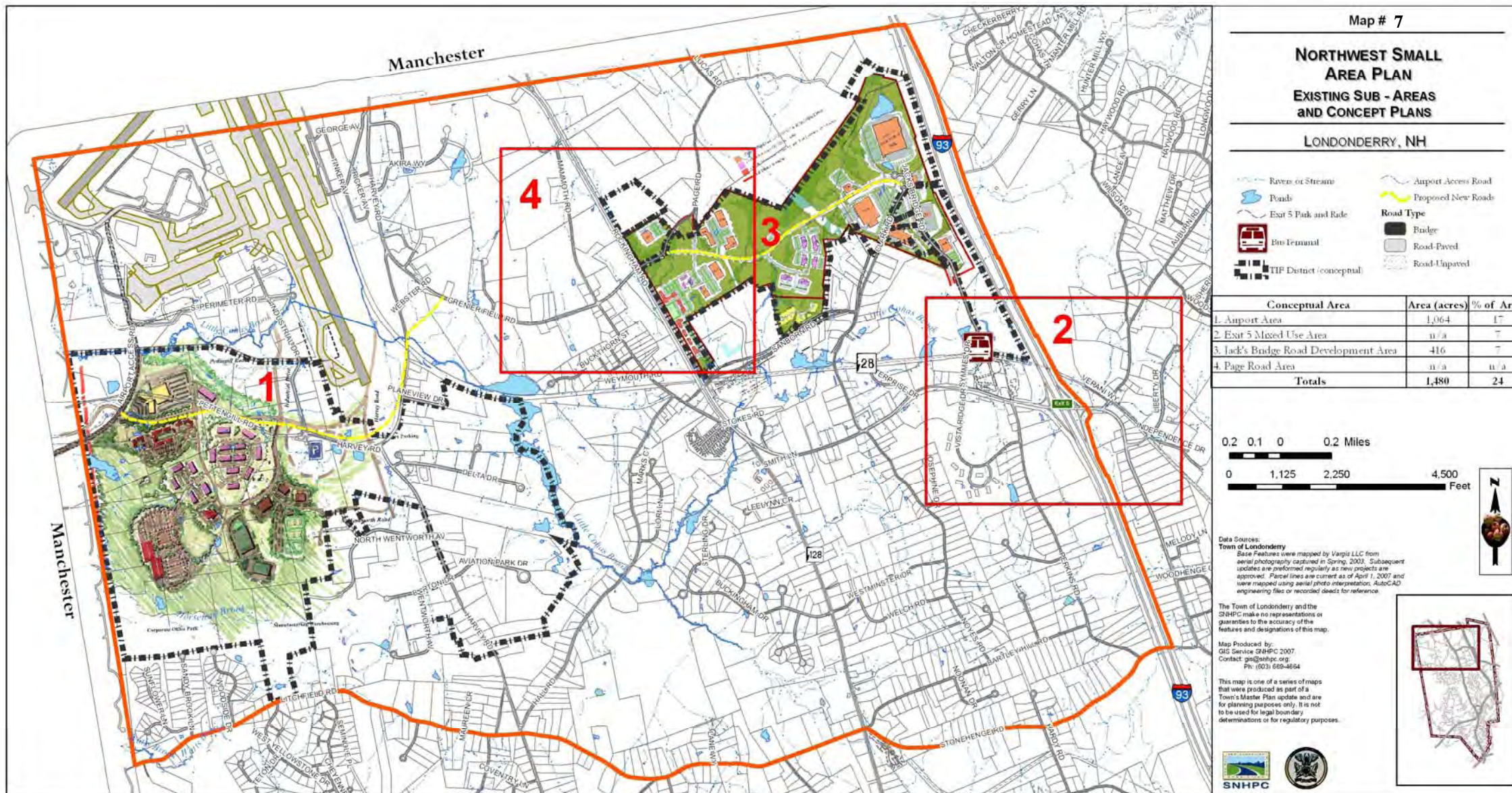
Source: Town of Londonderry



Source: Town of Londonderry

**Links for additional information:**  
[Londonderry Zoning OrdinanceLondonderryNH.org](http://LondonderryZoningOrdinanceLondonderryNH.org)  
[Londonderry Master Plan, 2004](http://LondonderryMasterPlan,2004)  
[snhpc.org](http://snhpc.org)

# Northwest Small Area Plan



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 Community Development Department

## 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 recommendations 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 Airport Area Zoning District; and
- Consider establishing, where feasible, TIFDs and Economic Revitalization Tax Credits Zones (per RSA 162-N).

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



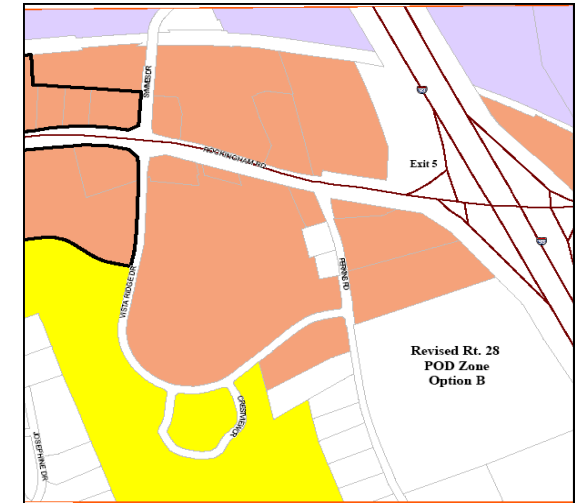
Rt. 28 between Exit 5 and Symmes Drive  
Source: SNHPC

## Exit 5 Zoning Recommendations



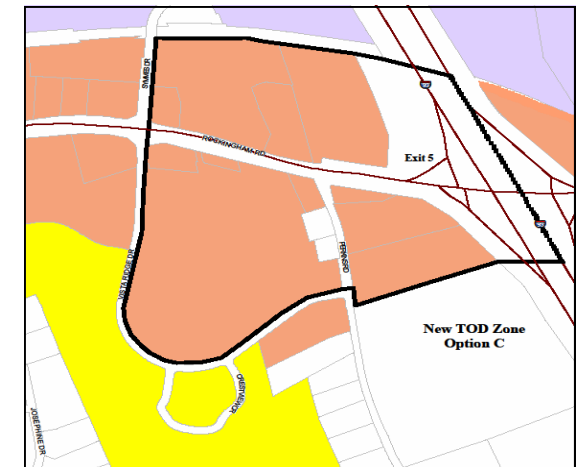
**Recommendation 1: Remove Rt. 28 Performance Overlay District at Exit 5 from Vista Ridge and Symmes Drive east to I-93 (see example on the right)**

- The Rt. 28 POD (75,000 square foot building cap) has discouraged growth at Exit 5. By removing the POD, the area around Exit 5 will be able to develop at a higher density which will help to improve the overall community appearance/economic growth/tax base of the town.



**Recommendation 2: Replace Rt. 28 Performance Overlay District with either a new Transit-Oriented Development Overlay District at Exit 5 (see example TOD Model Ordinance on next page) or other appropriate mixed use flexible zoning.**

- Significant transportation improvements/opportunities - commuter bus/park and ride/rail exist at Exit 5 making it conducive for well-planned TOD or other appropriate flexible/mixed use zoning.
- There is substantial, untapped supply of vacant land and former commercial uses exist at Exit 5 which could support 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.

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Community Development Department

**Links for additional information:**  
[http://www.mass.gov/envir/smart\\_growth\\_toolkit/bylaws/TOD-Bylaw.pdf](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.<sup>1</sup> 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)**

<sup>1</sup>See, 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.



## Workforce Housing

## Planning Board Workshop

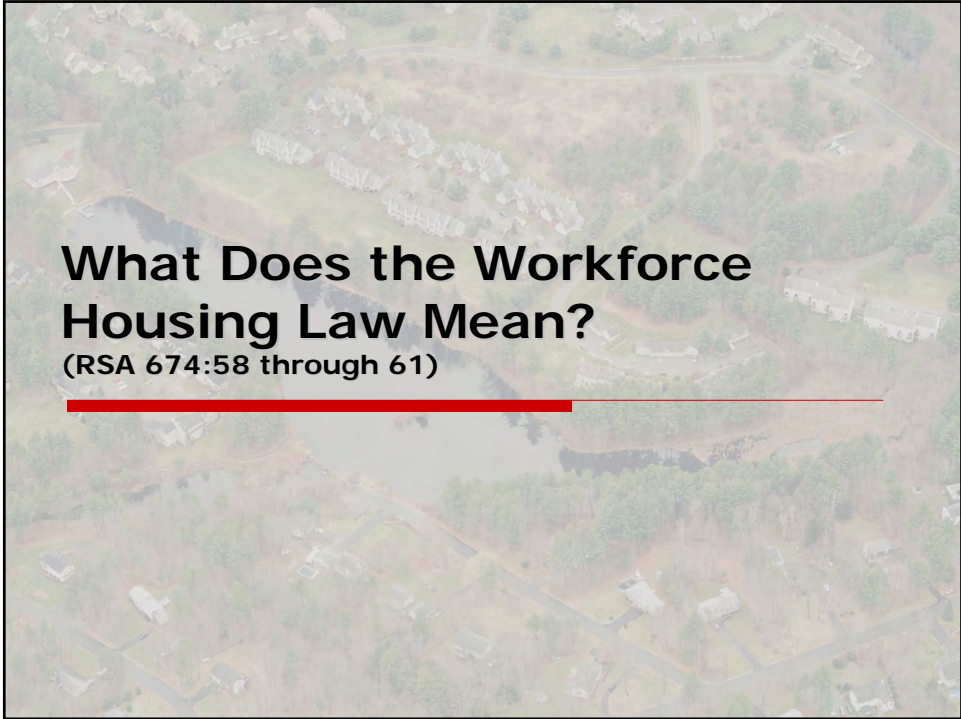
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September 9, 2009

### A Brief History of How the Workforce Housing Statute Came to Be...

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- 1975 - ***Mount Laurel I*** (Southern Burlington County N.A.A.C.P. v. Mount Laurel Township)
  - 1983 – ***Mount Laurel II*** (Several combined NJ cases)
    - Landmark housing cases, cited in hundreds of cases nationwide since 1970's and 80's.
  - 1991 – ***Britton V. Chester*** (NH Supreme Court)
  - 2008 – ***Enactment of RSA 674:58 - 61***
    - Codifies Britton V. Chester
-



## What Does the Workforce Housing Law Mean?

(RSA 674:58 through 61)

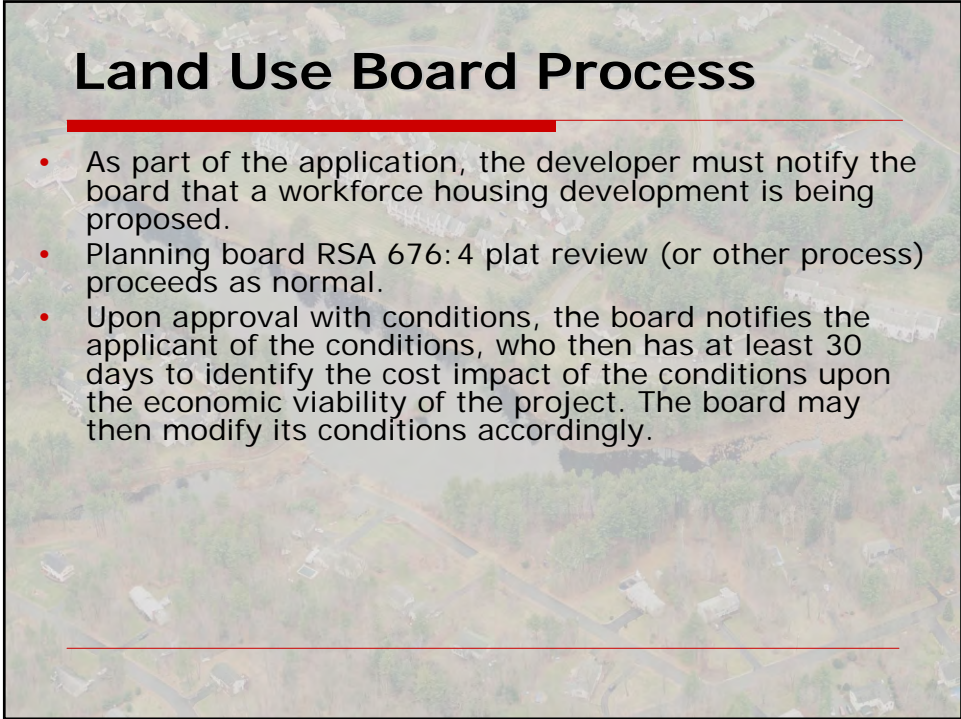
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## The Law's Core Meaning

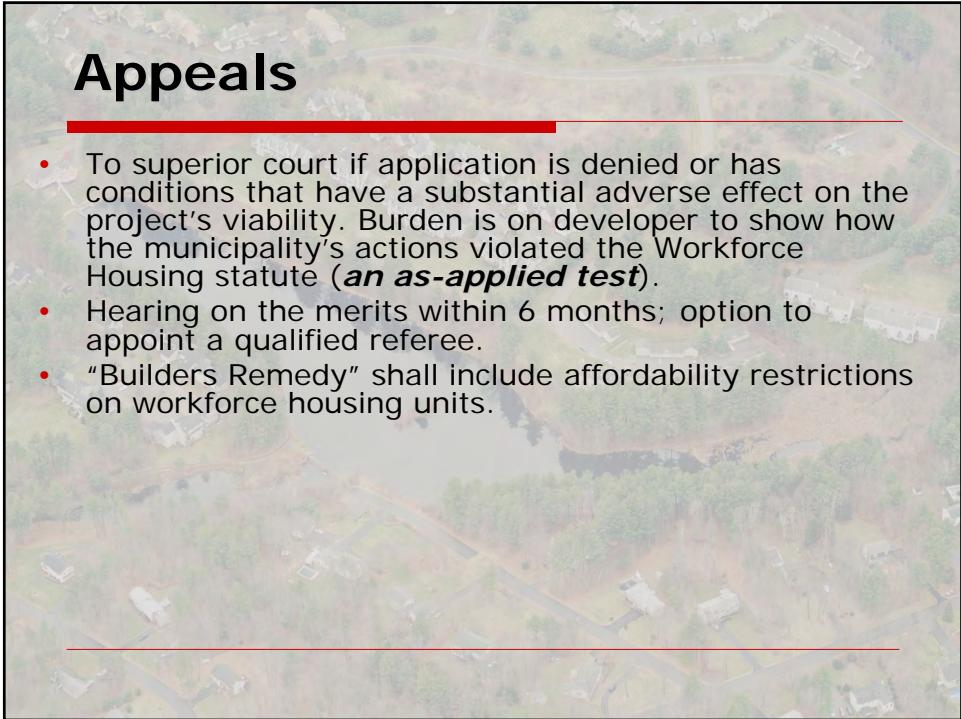
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- **All municipalities** must provide reasonable and realistic opportunities for the development of workforce housing, including rental and multi-family housing.
  - The **collective impact** of all local land use regulations adopted under RSA 674 shall be considered to determine if such opportunities exist (a facial test).
  - Workforce housing of some type **must be allowed in a majority of land area where residential uses are permitted.**
  - Existing housing stock shall be accounted for to determine if a municipality is providing its "fair share" of current and reasonably foreseeable regional need for workforce housing.
  - Reasonable restrictions may be imposed for environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection.
-



## Land Use Board Process

- As part of the application, the developer must notify the board that a workforce housing development is being proposed.
- Planning board RSA 676:4 plat review (or other process) proceeds as normal.
- Upon approval with conditions, the board notifies the applicant of the conditions, who then has at least 30 days to identify the cost impact of the conditions upon the economic viability of the project. The board may then modify its conditions accordingly.



## Appeals

- To superior court if application is denied or has conditions that have a substantial adverse effect on the project's viability. Burden is on developer to show how the municipality's actions violated the Workforce Housing statute (*an as-applied test*).
- Hearing on the merits within 6 months; option to appoint a qualified referee.
- "Builders Remedy" shall include affordability restrictions on workforce housing units.

## Definitions

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- **Affordable** — no more than 30% of income should be spent on housing (rent + utilities; or mortgage principal and interest, taxes, and insurance).
  - **Multi-family housing** — 5 or more dwelling units.
  - **Reasonable and Realistic Opportunities:**
    - Economically viable workforce housing.
    - Collective impact of land use ordinances and regulations
    - Natural features and market considerations may be beyond the control of the municipality
  - **Workforce Housing** - housing that's "affordable" for:
    - Renter family of 3 making 60% of Area Median Income.
    - Owner family of 4 making 100% of Area Median Income.
    - Does not include age-restricted housing.
    - Does not include developments with less than 50% of the units having less than 2 bedrooms
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## Effective Date

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***January 1, 2010 \****

***\* Passed the NH House and Senate during the 2009 session, signed into law by the Governor***

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## Planning Board's Approach to Comply with the New State Law

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- *Utilize work done by the Housing Task Force*
  - Revise Zoning Ordinance to remove regulatory impediments:
    - Impact Fees
    - Residential Development Phasing
    - Growth Management Ordinance
  - Add new sections to the Zoning Ordinance:
    - Inclusionary Housing
    - Retention of Housing Affordability
- 

## Housing Task Force Approach

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- Chartered by the Town Council in May of 2007, prior to the Legislature developing the new statutes
  - Meetings structured to collect the following information:
    - Definition of affordable housing
    - Demographic and income mix
    - Supply and cost of existing units
    - Barriers to construction of affordable housing
    - Recommendations for the Town to take proactive steps
-



## Housing Task Force Actions

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- 8 meetings
  - 4 guest speakers:
    - Ben Frost (NH Housing)
    - Paul Morin (Tarkka Homes)
    - Dick Anagnost (Anagnost Companies)
    - Robert Tourigny (Neighborworks of Greater Manchester)
  - 5 report drafts
  - Final Report issued in April 2008
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## Housing Task Force – Ties to Economic Development

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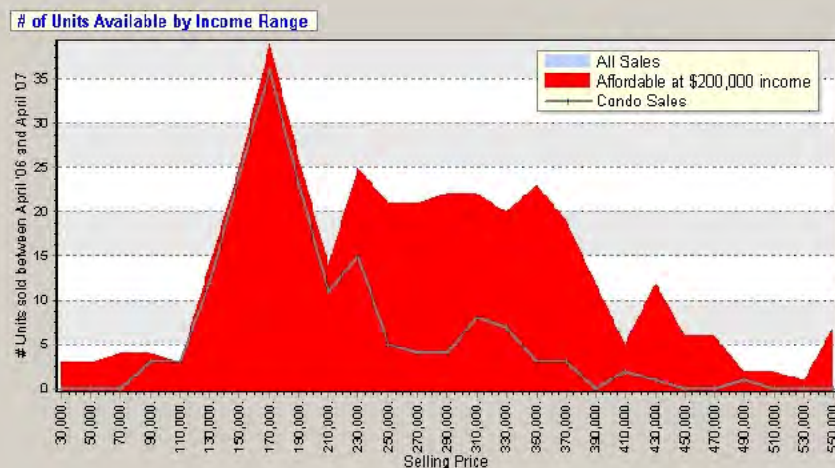
- Housing is an important component of economic development
  - Recent lessons suggest businesses locate where the workers are
  - Economists estimate that for every 1,000 jobs created, 700 housing units also need to be created. New units may be inside and/or within reasonable commuting distance outside the town
  - Londonderry has potential for 5,000 – 7,000 new jobs in the airport area alone
  - Business leaders have indicated that housing is a key problem faced in recruiting and retaining a qualified workforce
-

## Housing Task Force – Barriers to Workforce Housing Development

- Land, road construction, materials and engineering costs necessitate constructing high end homes to recoup profit.
- Specific issues cited include:
  - Inflexible zoning ordinances
  - Lack of density
  - Resistance to allowing higher densities
  - Community opposition
  - Lengthy project review/permitting timelines
  - Required provision of curbing/sidewalk amenities
  - Required project timing or phasing
  - Growth Management Ordinances (GMOs)
  - Costly off-site improvement requirements

## Housing Task Force – Analyzing Affordability in Londonderry

- Number of Units affordable by Income Range

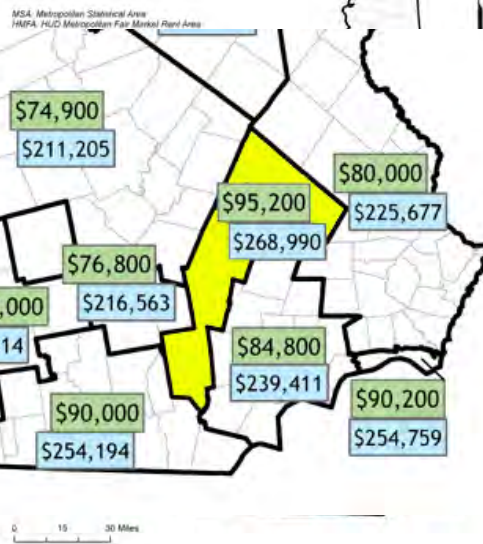


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### Median Incomes - New Hampshire

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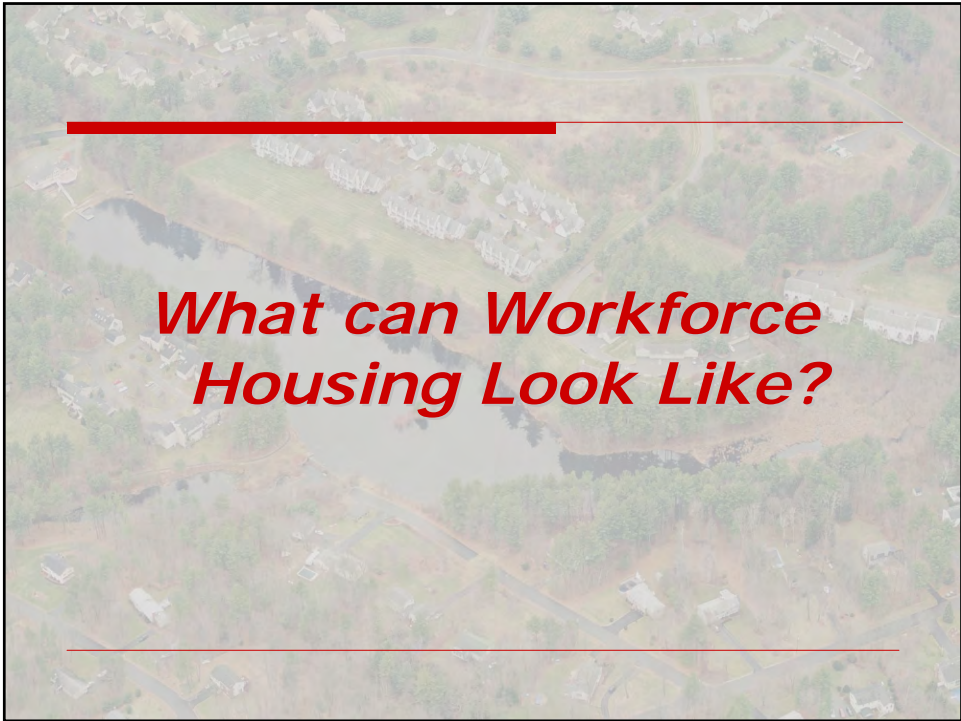
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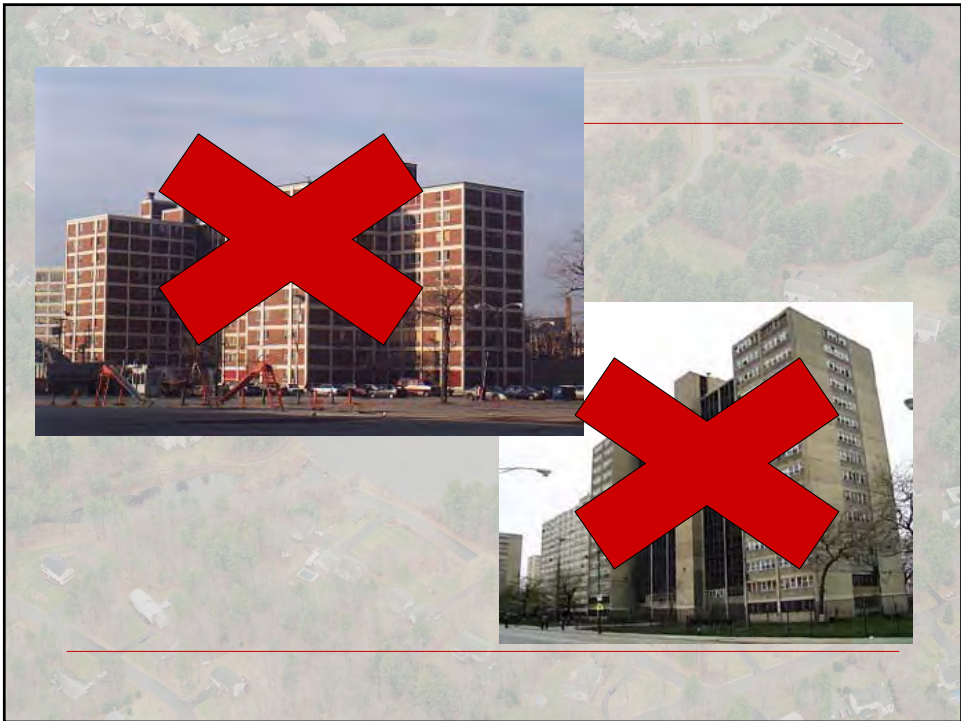
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## Sample 100 Acre Parcel – School Aged Children Estimates

Type of Structure	Public School Multiplier	% 3-bed
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40 K		
57 t		
Inclusi		
530		
114		
152		
<b>total school aged children</b>		



*What can Workforce Housing Look Like?*



## **Osprey Landing, Portsmouth**

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## **Exeter Farms, Exeter**

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## The Parsonage, Rye, NH



## The Vineyards, Concord, NH



## **Parkhurst Place, Amherst, NH**



## **Watson Woods, Exeter, NH**



## **Bellamy Mills, Dover, NH**

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## **Planning Board's Approach to Comply with the New State Law**

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- Utilize work done by the Housing Task Force
  - ***Revise Zoning Ordinance to remove regulatory impediments:***
    - ***Impact Fees***
    - ***Residential Development Phasing***
    - ***Growth Management Ordinance***
  - Add new sections to the Zoning Ordinance:
    - Inclusionary Housing
    - Retention of Housing Affordability
-



# Impact Fees – Proposed Revisions

- “Housekeeping” items
  - Add reference to 2004 Master Plan in Section 1.2.3.1
  - Revise Section 1.2.3.6 to point to the updated methodologies
- Revise Section 1.2.5.4 as follows:

1.2.5.4 A person undertaking new development for residential use in which all or a portion of its occupancy will meet the requirements of “workforce housing” as defined by RSA 674:58, and where it can be shown to the satisfaction of the Planning Board that such “workforce housing” will be maintained with appropriate restrictions for a period of at least twenty (20) years, may apply for a waiver of impact fees for said workforce units.

**Deleted:** be restricted to persons of low and moderate income as defined by the United States Department of Housing and Urban Development (HUD)  
**Deleted:** low and moderate income  
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# Residential Development Phasing

- Revise Section 1.3.3 as follows:

## 1.3.3 Phasing of Developments

A phasing plan shall be submitted for Planning Board approval for all residential developments of more than fifteen (15) lots or dwelling units (unless exempted under §1.3.4), and at the applicant's option may be submitted for smaller developments. Such plans shall comply with the following phasing requirements:

- 1.3.3.1 For development proposed under the provisions of Section 3.3 Conservation Subdivisions: twenty five (25) dwelling units per year from the date of final approval;
- 1.3.3.2 For development located in the R-III district: Two (2) multi-family buildings, the total number of dwelling units not to exceed forty eight (48) per year from the date of final approval;
- 1.3.3.3 For multi-family development meeting the definition of “workforce housing” as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: Two (2) multi-family buildings, the total number of dwelling units not to exceed seventy two (72) per year from the date of final approval;
- 1.3.3.4 For single family development approved under the requirements of “Inclusionary Housing (Section 2.3.3): twenty five (25) dwelling units per year from the date of final approval;
- 1.3.3.5 For other residential development proposed to be serviced with public water and public sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: twenty (20) dwelling units per year from the date of final approval;
- 1.3.3.6 For all other residential developments: fifteen (15) dwelling units per year from the date of final approval.

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## 1.3.4 Exemptions from Phasing

The Planning Board shall grant exemption to the phasing requirements of Section 1.3.3

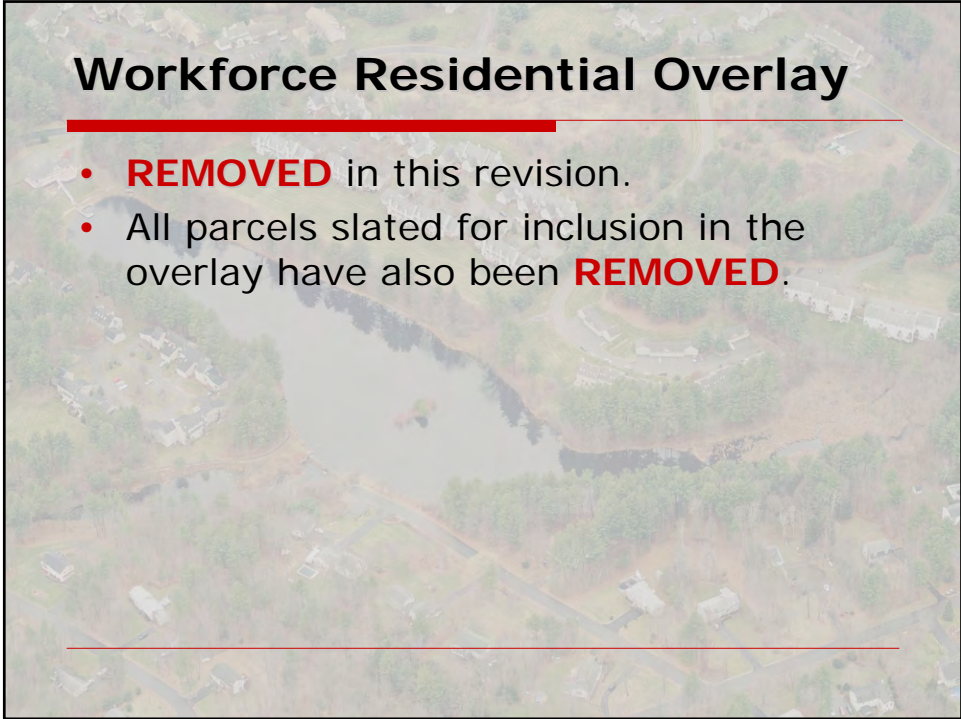
1.4.7.2	For purposes of determining priority in the system of permit allocation, development shall be assigned points or point debits according to the following:	
1.4.7.2.1	For development authorized under either Section 3.3 <del>Conservation Subdivisions</del> or Section 2.3.2 Multi-Family Residential: one (1) point;	Deleted: Planned Residential Development
1.4.7.2.2	For development proposed to be serviced with Town sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: one (1) point;	
1.4.7.2.3	For development proposing no construction within lands Mapped as recommended open space by the Open Space Task Force and also not assessed under RSA 79-A Current Use Taxation at any time within the preceding three years: one (1) point;	
1.4.7.2.4	For development documented to increase traffic at build-out by no more than 10% on any existing street: one (1) point;	
1.4.7.2.5	For Elderly Housing (age 55 and older) as defined in Section 4.7 Definitions, provided that the owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100 % elderly occupants as such for a period of no less than twenty years. One (1) point;	
1.4.7.2.6	For <del>single family or duplex inclusionary housing</del> developments in which at least 25% of the dwelling units proposed will be "workforce housing", as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60, <del>two (2) points</del> ;	Deleted: affordable Deleted: :
1.4.7.2.7	<del>For multi-family developments in which the dwelling units proposed will be "workforce housing", as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: one (1) point;</del>	Deleted: one Deleted: 1
1.4.7.2.8	For development within a sub area of the Town determined by the Planning Board to have a localized facility capacity shortfall: a two (2) point debit if further growth would seriously inconvenience or disadvantage others already in the neighborhood, such as through school overcrowding; or a one (1) point debit if further growth would constitute a demonstrated threat to health (such as incapacity of waste management facilities) or safety (such as a severe road hazard), provided in such cases that actions have been committed by the Town to address the capacity shortfall.	Deleted: For these purposes, "affordable" shall mean subject to restrictions limiting sale or lease to households with incomes no higher than 80% of the regional median at rates affordable to them, under administrative guidelines to be adopted and from time to time amended by the Planning Board
1.4.7.2.9	One point for each year the project has been denied a Building Permit Allocation Certificate.	Formatted: Bullets and Numbering Formatted: Bullets and Numbering

## Planning Board's Approach to Comply with the New State Law

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- Utilize work done by the Housing Task Force
- Revise Zoning Ordinance to remove regulatory impediments:
  - Impact Fees
  - Residential Development Phasing
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- **Add new sections to the Zoning Ordinance:**
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  - **Retention of Housing Affordability**

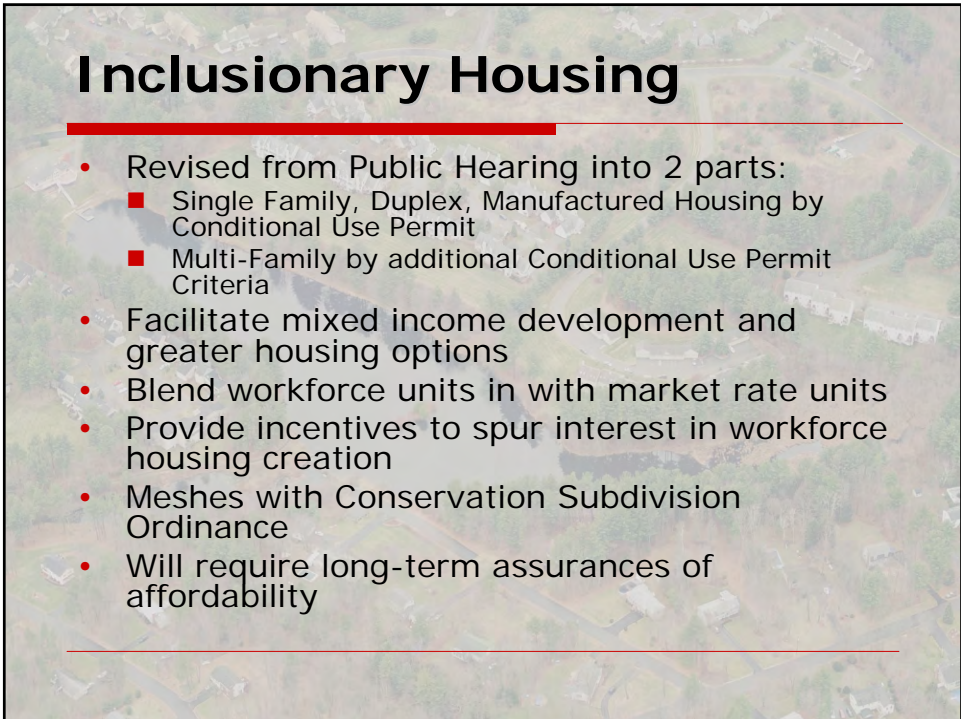
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## Workforce Residential Overlay

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- **REMOVED** in this revision.
- All parcels slated for inclusion in the overlay have also been **REMOVED**.



## Inclusionary Housing

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- Revised from Public Hearing into 2 parts:
  - Single Family, Duplex, Manufactured Housing by Conditional Use Permit
  - Multi-Family by additional Conditional Use Permit Criteria
- Facilitate mixed income development and greater housing options
- Blend workforce units in with market rate units
- Provide incentives to spur interest in workforce housing creation
- Meshes with Conservation Subdivision Ordinance
- Will require long-term assurances of affordability

**2.3.3.6 Single Family & Duplex Workforce Housing Categories and Incentives**

2.3.3.6.1 A Site Plan or subdivision plan that will guarantee a designated percentage of units, reserved as workforce housing, may be approved with an increase in the density of the site or a reduction of the minimum site frontage as is set forth in Table 1. The developer shall specify in the application whether the density bonus or the frontage reduction is the option being sought for the development. These bonuses shall not apply to multi-family workforce housing development, which is governed by the provisions of Section 2.3.3.7.

Category	Minimum Set Aside	Density Bonus or Frontage Reduction *
Low Income Owner-occupied Housing	10%	20% Density Bonus or 30' Frontage Reduction
Moderate to Low Income Owner-occupied Housing	20%	25% Density Bonus or 40' Frontage Reduction
Moderate Income Owner-occupied Housing	25%	25% Density Bonus or 50' Frontage Reduction

\* At no point shall a frontage reduction reduce a lot's frontage to less than 50' total.

2.3.3.6.2 A site plan or subdivision plan can mix affordable housing types and accumulate density bonuses to a maximum bonus equal to 30 percent where municipal sewer and water are available or in areas without water and sewer service to the maximum density permitted by on-site well and septic standards of the New Hampshire Department of Environmental Services as applied to the site.

2.3.3.6.3 When mixing workforce unit types the designated affordable percentage for each individual workforce housing type may be less than that required in Table 1. The density bonus is then proportioned to the actual percentage of designated workforce units provided, so that if the applicant provides only one-half of the required designation of one type of workforce housing they will receive one-half of the density bonus. The combined total of all workforce housing types must equal a 15 percent designation of affordable units, at a minimum.

## Multi-Family Inclusionary

2.3.3 Architectural design of any multi-family buildings must be reviewed by the Heritage Commission for their recommendations to the Planning Board.

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2.3.3.7.1.1.6 Project must be located on a property of at least 20 acres in size. The Planning Board may consider a project smaller than 20 acres if:

2.3.3.7.1.1.6.1 The project is a conversion of a previously approved or previously constructed multi-family or elderly housing project (regardless of the zone in which the approved project is located) which meet all of the other conditional use permit criteria from this section; or

2.3.3.7.1.1.6.2 The project proposed would be the conversion of a large single family residential structure into multiple units that is identified as a "historic property" and listed in the Historic Properties Preservation Taskforce Report, on file with the Heritage Commission. Such conversions shall not propose any additional structures on the property and shall be required to place a historic preservation easement on the historic structure. Any conversion of a historic structure shall also meet all of the other conditional use permit criteria from this section.

2.3.3.7.1.1.7 The application demonstrates that project for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance will all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

## General Requirements for Inclusionary Housing Units

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- Workforce units must be compatible in style and appearance with market rate dwellings.
  - Documentation required for renters/buyers to ensure they meet income guidelines
  - Developer must provide documentation to ensure affordability:
    - Project Cost Estimate including land, development and construction costs; financing, profit, and sales costs; and other cost factors
    - Description of each unit's size, type, estimated cost and other relevant data
    - Documentation of household eligibility
    - All agreements established as part of ordinance requirements
- 

## General Requirements for Inclusionary Housing Units

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- Binding commitment must be made to keep housing affordable for not less than 20 years (deed restriction, covenants, or contractual agreement)
    - For sale units subject to Retention of Housing Affordability Section
    - For rent units subject to Compliance and Monitoring procedures of Inclusionary Section
      - Annual Reporting to Town for compliance monitoring and enforcement if needed.
-

## Retention of Housing Affordability

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- Requirement for all projects that create “workforce housing” intended for sale (rental covered in Inclusionary Housing Section)
  - Developed by NHHFA, and language is required if a municipality wants NHHFA to be the monitoring agent for the Town.
  - Spells out in great detail the mechanics of long-term housing affordability
-

## 1.2 IMPACT FEES

### 1.2.1 Authority

These provisions are established pursuant to New Hampshire RSA 674:21, V.

### 1.2.2 Purpose

These provisions are intended to:

- 1.2.2.1 Assist in the implementation of the 1988 Town of Londonderry Master Plan, especially:
  - 1.2.2.1.1 Recommendation six (6) under the community facilities, which states, "Consider an impact fees program with regards to Londonderry's community facility development," and;
  - 1.2.2.1.2 Recommendation two (2) under transportation, which states, "Seek the participation of private developers in cost sharing for the needed improvements to Town roads and intersections." Recommendation six (6) under the community facilities, and recommendation two (2) under transportation.
- 1.2.2.2 Insure the adequate provision of public facilities necessitated by the growth of the Town of Londonderry.
- 1.2.2.3 Assess an equitable share of the growth-related cost of new and expanded public capital facilities to all types of new development in proportion to the facility demands created by that development.

### 1.2.3 Findings

The Londonderry Planning Board has made the following findings based on extensive consultation with all municipal departments, and a careful study of municipal facility needs.

- 1.2.3.1 The Londonderry Planning Board adopted a Master Plan in January 1988, and updated in 1997 and 2004.
- 1.2.3.2 The Londonderry Planning Board has prepared, and regularly updated, a Capital Improvements Program and Budget as authorized by the Londonderry Town Meeting of March 11, 1988.
- 1.2.3.3 The Master Plan and the Capital Improvement Program demonstrate that significant new growth and development is anticipated in residential and non-residential sectors which will necessitate increased expenditures to provide adequate public facilities.
- 1.2.3.4 The Town of Londonderry is responsible for and committed to the provision of public facilities and services at standards determined to be necessary by the Town to support residential and non-residential growth and development in a manner which protects and promotes the public health, safety and welfare.
- 1.2.3.5 The cost of providing public capital facility capacity to serve new growth will be disproportionately borne by existing taxpayers in the absence of impact fee assessments.
- 1.2.3.6 The calculation methodology for impact fees, as established by Section 1.2.6.1, shall represent a fair and rational method for the allocation of growth-related capital facility costs to new development. Based on this methodology, impact fees will not exceed the costs of:
  - 1.2.3.6.1 Providing additional public capital facilities necessitated by the new developments paying impact fees, or
  - 1.2.3.6.2 Compensating the Town of Londonderry for expenditures made for existing public facilities which were constructed in anticipation of new growth and development.

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- 1.2.3.7 Impact fee payments from new development will enable the Town of Londonderry to provide adequate public facilities to serve new growth, and provide new development with a reasonable benefit in proportion to its contribution to the demand for such facilities.
- 1.2.3.8 The imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessitated to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.

#### 1.2.4 Definitions

**Fee Payer** - A person applying for the issuance of a building permit, subdivision or site plan approval, special exception, variance or other local land use decision which would create new development.

**New Development** - Any activity which results in a net increase in the demand for additional public capital facilities, as defined in this ordinance:

1. The creation of new dwelling units, except for the replacement of existing units of the same size and density;
2. A net increase in the gross floor area of any nonresidential building or in the habitable portion of a residential building;
3. The conversion of a legally existing use to another permitted use if such change of use would create a net increase in the demand for additional public capital facilities, as defined by this ordinance.

**Gross Floor Area** - The entire square footage of a building calculated from the dimensional perimeter measurements of the first floor of the building with adjustments to the useable area of the other floors made in a manner consistent with Londonderry property tax assessment procedures. For residential structures, gross floor area shall not include portions of residential structure or accessory structure which is not available for human habitation.

**Public Capital Facilities** - Facilities and equipment owned, maintained or operated by the Town of Londonderry as defined in the Capital Improvement Program and which are listed in the adopted impact fee schedule.

#### 1.2.5 Imposition of Public Capital Facilities Impact Fee



- 1.2.5.1 Any person who, after March 9, 1994 seeks approval of new development within the Town of Londonderry, New Hampshire, is hereby required to pay a public capital facilities impact fee in the manner and amount set forth in Section 1.2.6.
- 1.2.5.2 A person may request, from the Planning Board, a full or partial waiver of impact fee payments required in this ordinance. The amount of such waiver shall not exceed the value of the land, facilities construction, or other contributions to be made by that person toward public capital facilities. The value of on-site and off-site improvements which are required by the Planning Board as a result of subdivision or site plan review, and which would have to be completed by the developer, regardless of the impact fee provisions, shall not be considered eligible for waiver or credit under Section 1.2.11 of this Ordinance.
- 1.2.5.3 A person undertaking new development for residential use in which all or a portion of its occupancy will be restricted to persons age fifty five (55) and over, and where it can be shown to the satisfaction of the Planning Board that such restricted occupancy will be maintained for a period of at least twenty (20) years, may apply for a waiver of the school impact fees for the said restricted occupancy units.
- 1.2.5.4 A person undertaking new development for residential use in which all or a portion of its occupancy will ~~meet the requirements of "workforce housing" as defined by RSA 674:58~~, and where it can be shown to the satisfaction of the Planning Board that such ~~"workforce housing"~~ will be maintained with appropriate restrictions for a period of at least twenty (20) years, may apply for a waiver of impact fees for said ~~workforce~~ units.
- 1.2.5.5 No building permit for new development requiring payment of an impact fee pursuant to Section 1.2.6 of this Ordinance shall be issued until the public facilities impact fee has been determined and assessed by the Planning Board or its authorized agent.
- 1.2.5.6 A person undertaking new development for residential use in which all or a portion of its occupancy will be assisted living facilities restricted to persons who are age fifty five (55) and over and/or disabled, may apply for a waiver of Recreation Impact Fees for said restricted units where it can be shown to the satisfaction of the Planning Board that internal private recreation programs will be provided to the occupants by the developer and provisions to that effect will be maintained with appropriate restrictions for a period of at least twenty (20) years.

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**1.3 RESIDENTIAL DEVELOPMENT PHASING**

**1.3.1 Authority**

Pursuant to the provisions of the New Hampshire RSA 674:21, the Town of Londonderry adopts the following phasing standards for residential development, to be administered by the Planning Board in conjunction with the Londonderry Subdivision Regulations.

**1.3.2 Purposes**

The purposes of this Section of the Zoning Ordinance are as follows:

- 1.3.2.1 To guide efforts by the Town to monitor, evaluate, plan for and guide residential growth in Londonderry that is consistent with the Town's capacity for planned, orderly, and sensible expansion of its services to accommodate such development without establishing absolute limits on the overall growth rate of the community;
- 1.3.2.2 To provide for the current and future housing need of existing residents and their families;
- 1.3.2.3 To phase in or control the implementation and development of tracts of land and future subdivisions thereon, at a rate which will be compatible with the orderly and gradual expansion of community services, including but not limited to education, fire protection, road maintenance, waste disposal, police protection and recreation; and
- 1.3.2.4 To provide a mechanism to allow for phased development of residential projects to manage the impact on municipal services.

**1.3.3 Phasing of Developments**

A phasing plan shall be submitted for Planning Board approval for all residential developments of more than fifteen (15) lots or dwelling units (unless exempted under §1.3.4), and at the applicant's option may be submitted for smaller developments. Such plans shall comply with the following phasing requirements:

- 1.3.3.1 For development proposed under the provisions of Section 3.3 Conservation Subdivisions: twenty five (25) dwelling units per year from the date of final approval;
- 1.3.3.2 For development located in the R-III district: Two (2) multi-family buildings, the total number of dwelling units not to exceed forty eight (48) per year from the date of final approval;
- ~~1.3.3.3 For multi-family development meeting the definition of "workforce housing" as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: Two (2) multi-family buildings, the total number of dwelling units not to exceed seventy two (72) per year from the date of final approval;~~
- ~~1.3.3.4 For single family development approved under the requirements of "Inclusionary Housing (Section 2.3.3): twenty five (25) dwelling units per year from the date of final approval;~~
- 1.3.3.5 For other residential development proposed to be serviced with public water and public sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: twenty (20) dwelling units per year from the date of final approval;
- 1.3.3.6 For all other residential developments: fifteen (15) dwelling units per year from the date of final approval.

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**1.3.4 Exemptions from Phasing**

The Planning Board shall grant exemption to the phasing requirements of Section 1.3.3

under the following condition: The proposed project is for Elderly Housing as defined in Section 4.7. The owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100% elderly occupants (age 55 and older).

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## 1.4 GROWTH MANAGEMENT AND INNOVATIVE LAND USE CONTROL

### 1.4.1 Authority

The Section is enacted in pursuant to RSA 674:21 and 674:22.

### 1.4.2 Purposes

The purposes of this Section of the Zoning Ordinance are as follows:

- 1.4.2.1 Promote the development of an economically sound and environmentally stable community which considers and balances regional development needs.
- 1.4.2.2 Guide efforts by the Town to monitor, evaluate, and establish a rate of residential growth in Londonderry that is consistent with the Town's capacity for planned, orderly, and sensible expansion of its services to accommodate such growth.
- 1.4.2.3 Provide a temporary mechanism when municipal services are strained or overloaded to reduce the rate of residential growth to allow the Town time to correct any deficiencies that have developed.
- 1.4.2.4 Protect the health, safety, convenience, and general welfare of the Town's residents.
- 1.4.2.5 This ordinance is grounded upon its correlation with the Master Plan and Capital Improvements Plans of the Town of Londonderry.

### 1.4.3 Findings - The Town Hereby Finds That:

- 1.4.3.1 Londonderry's developable land resources are still sufficient to support extensive growth. The 1997 Master Plan for the Town of Londonderry indicates there were 5,884 acres of available developable land in 1996.
- 1.4.3.2 Housing demand has been and is projected to be large. The number of housing units in Londonderry increased 47% between 1980 and 1990, and grew another 14.53% from 1990 to 2000. Studies made for the 1997 Master Plan project another 22.98% increase from 2000 to 2010.
- 1.4.3.3 Londonderry population growth reflects housing growth that has been and is projected to be large. Londonderry population increased at an average annual rate of 3.15% over a twenty-year period from 1980-2000. Total population grew 46% between 1980 and 1990, and another 17.5% from 1990 to 2000. Projections of population growth to 2020 indicate average annual growth rates between 2000 and 2020 ranging from a low of 2.07% (Office of State Planning, 1997) to a high of 2.14% (Master Plan, 1997). The rate of growth is predicted to accelerate based on a study of the Secondary Impacts of the I-93 Widening project prepared by Parsons Brinckerhoff Quade & Douglas, Inc. for the New Hampshire Department of Transportation.
- 1.4.3.4 The Town is straining to meet projected service and facility demands. For example, the 1997 Master Plan projects a continuing 2% per year pupil enrollment growth through 2010. The most recent Capital Improvements program (CIP) includes a new \$12 million School Building Program in fiscal year 2002-2003. The Master Plan projects a 2.4% annual growth in local auto trip generation, certain to demand road improvements. Police and fire facilities, for which improvements are already sought, will be further strained by continuing rapid growth.

### 1.4.4 Determining Maximum Sustainable Growth

Not later than March 1 of each year, the Planning Board shall determine Londonderry's maximum sustainable rate of residential development for the twelve months beginning March 1 of that year. The maximum annual sustainable rate of growth shall be the highest figure that does not exceed a 2.0% increase in Londonderry's housing stock over the

preceding calendar year and also does not exceed more than two of the following three measures:

- 1.4.4.1 The average rate of dwelling unit authorizations in Londonderry over the six preceding calendar years;
- 1.4.4.2 A percentage increase in housing units over the preceding calendar year equal to 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);
- 1.4.4.3 The maximum rate of dwelling unit authorizations whose projected demands can be adequately serviced and provided with facilities at a prudent level of fiscal strain, based upon the following:
  - 1.4.4.3.1 The rate of residential development at which the number of pupils projected by the Londonderry School Board to be enrolled in the Londonderry School System would not in any year exceed the stated capacity of the Londonderry School System in that year, based upon facilities development as contained in the Capital Improvement Program most recently approved by the Planning Board, and/or
  - 1.4.4.3.2 The rate of residential development determined by the Planning Board based upon careful studies and consultation with the agencies involved to be the highest which would not exceed the Town's capacity to service growth with public facilities other than schools, as planned in the six-year Capital Improvement Program most recently approved by the Planning Board, together with facilities anticipated to be provided by developers and others, and/or
  - 1.4.4.3.3 The combined municipal and school appropriations for capital expenditures, including debt service and capital outlay, will on average exceed 15% of the total municipal and school department appropriations combined over the period covered in the current Capital Improvements Program.

**1.4.5 Planning Board Monitoring and Notification**

It shall be the responsibility of the Planning Board to monitor growth in the Town and region, assembling as soon as practicable following the end of the calendar year such information as is necessary for making the determination of whether unsustainable growth conditions exist, and if they do, determining the annual rate of development which, at maximum, could be sustained. The Planning Board shall also monitor the progress of the Town and School District in providing services and facilities on the schedules called for in the Capital Improvement Program.

- 1.4.5.1 Hearing - Prior to making a final determination of the maximum sustainable annual rate of residential development, the Planning Board shall hold a public hearing with ten days notice to seek input from the public.
- 1.4.5.2 Notification - The Planning Board shall notify the Town Council, the Building Inspector, the Town Clerk, and the general public of its determination of the maximum sustainable rate of residential growth by, among other things, posting a notice to that effect in Town Offices. That determination shall apply for a period of one year from the date of notice to the Town Council or, if sooner, until notification of a subsequent determination by the Planning Board under the provisions of Section 1.4.5.

**1.4.6 Limiting the Issuance Of Permits**

The Planning Board's notice of unsustainable growth conditions shall include notice that limitations on the issuance of permits will be required during the period of such conditions, and notice of what the sustainable annual rate of development has been determined to be, and notice of how many building permits for new dwelling units will be allocated during said period.

## 1.4.7 Procedures for Permit Limitations

- 1.4.7.1 Available building permits shall be allocated according to the following procedure. The number of dwelling units that may be authorized shall not exceed the smaller of (a) the number of units allowed to be authorized that calendar year under Section 1.4.4 but not yet authorized in the current calendar year, or (b) the number of dwelling units comprising a 2% increase in Londonderry housing stock at the beginning of the calendar year minus the number of housing units authorized in the eleven months preceding this determination.
- 1.4.7.1.1 Except as otherwise provided in this Section no building permit may be issued without a permit scoring sheet application (henceforth "application") issued by the Planning Board. For purposes of this section, each proposed dwelling unit in a mobile home, single-family dwelling, two-family dwelling or multifamily dwelling, shall require a separate application sheet.
- 1.4.7.1.2 From March 1 through March 21, the Planning Board shall, on a form prepared by the Board, review and score each application for allocation of building permits for the period.
- 1.4.7.1.3 Prior to April 1, applications will be scored according to the following priority system:
- 1.4.7.1.3.1 First priority shall be given to dwelling units which are exempt from the provisions of Section 1.4 under RSA 674:39 or RSA 676:12.
- 1.4.7.1.3.2 Second priority shall be given to dwelling units in proposed two-lot subdivisions; provided that no more than 10% of the number of available dwelling unit authorizations may be allocated on this basis, and no more than one per subdivision.
- 1.4.7.1.3.3 Priority for any remaining dwelling unit authorizations shall be based upon the number of points earned from the point system described in Section 1.4.7.2.
- 1.4.7.1.3.4 In the event of a tie at the lowest priority or score for which authorizations will be made, the remaining number of unit authorizations shall be divided among all the projects having earned that priority or score. Division shall be in proportion to the number of units each applicant has applied for or, to the extent proportionate permit allocation is impossible, by lottery.
- 1.4.7.2 For purposes of determining priority in the system of permit allocation, development shall be assigned points or point debits according to the following:
- 1.4.7.2.1 For development authorized under either Section 3.3 Conservation Subdivisions or Section 2.3.2 Multi-Family Residential: one (1) point;
- 1.4.7.2.2 For development proposed to be serviced with Town sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: one (1) point;
- 1.4.7.2.3 For development proposing no construction within lands Mapped as recommended open space by the Open Space Task Force and also not assessed under RSA 79-A Current Use Taxation at any time within the preceding three years: one (1) point;
- 1.4.7.2.4 For development documented to increase traffic at build-out by no more than 10% on any existing street: one (1) point;
- 1.4.7.2.5 For Elderly Housing (age 55 and older) as defined in Section 4.7 Definitions, provided that the owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100 % elderly occupants as such for a period of no less than twenty years. One (1) point;

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1.4.7.2.6 For single family or duplex inclusionary housing developments in which at least 25% of the dwelling units proposed will be "workforce housing", as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: two (2) points;

1.4.7.2.7 For multi-family developments in which the dwelling units proposed will be "workforce housing", as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: one (1) point;

1.4.7.2.8 For development within a sub area of the Town determined by the Planning Board to have a localized facility capacity shortfall: a two (2) point debit if further growth would seriously inconvenience or disadvantage others already in the neighborhood, such as through school overcrowding; or a one (1) point debit if further growth would constitute a demonstrated threat to health (such as incapacity of waste management facilities) or safety (such as a severe road hazard), provided in such cases that actions have been committed by the Town to address the capacity shortfall.

1.4.7.2.9 One point for each year the project has been denied a Building Permit Allocation Certificate.

1.4.7.3 If by April 1, the surplus permits have not been issued for the year, a second allocation process using the procedure set forth in §1.4.7.1 and 2 shall take place. The Planning Board shall score applications submitted from May 1 through May 21. All applications shall be completed prior to June 1. If necessary a third allocation process shall be held with applications received from August 1 through August 21 and certificates issued by September first (September 1)

1.4.7.4 The owners of the lots scoring enough points to be awarded a building permit for a given period may apply for building permits from the Building Department from April 1 through December 31. Any application scoring enough points to be awarded a building permit that is not applied for by December 31 shall lapse.

1.4.7.5 Building permits, which are not used within one year of issuance, shall lapse.

1.4.7.6 Lapsed building permits may not be renewed if a notice of unsustainable growth remains in effect. In the case of such a lapsed permit, the number of permits available for the following year shall be increased by one.

1.4.7.7 An application earning enough points may be used for a building permit on any lot within the subdivision for which it was awarded but may not be used for lots outside that subdivision.

1.4.7.8 Building permits for non-residential construction, or for expansion, alteration, renovation or replacement of existing dwelling units, are not limited by Section 1.4.

1.4.7.9 Nothing in Section 1.4 shall be construed to authorize or require issuance of a building permit that is not eligible for issuance under any other provision of law.

#### 1.4.8 **Applicability**

Nothing herein is intended to repeal the former Section XIII (numbered as passed by Article 98-01 by the Town Council), as amended, as it applies to subdivisions and site plans approved subject to the permit limitations of such ordinance. Said ordinance shall continue to apply to such subdivisions and site plans.

#### 1.4.9 **Sunset**

This Ordinance shall expire on January 1, 2015 unless re-adopted prior to that date

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**2.3.3 INCLUSIONARY HOUSING**

**2.3.3.1 Purpose:**

The purpose of this Section is to encourage and provide for the development of affordable housing within Londonderry. It is intended to ensure the continued availability of a diverse supply of home ownership and rental opportunities for low to moderate income households. This Section was established in order to meet the goals related to affordable housing provision set forth in the 2004 Master Plan and 2008 Housing Task Force Final Report. Additionally, in implementing this Section Londonderry has considered the region's affordable housing need as defined in the Southern NH Planning Commission Housing Needs Assessment.

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**2.3.3.2 Authority:**

This Section is adopted under the authority of RSA 674:21, and is intended as an "Inclusionary Zoning" provision, as defined in RSA 674:21(I)(k) and 674:21(IV)(a).

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**2.3.3.3 Applicability**

**2.3.3.3.1** Development in accordance with the provisions of this Section is permitted by conditional use permit within the following zoning districts as defined in this Zoning Ordinance: AR-I, R-III, and C-IV.

**2.3.3.3.2** Conditional Uses: In the interest of encouraging affordability, single-family, duplex, multi-family, and manufactured housing is permitted with a Conditional Use Permit within an application under this Section in the AR-I, R-III, and C-IV districts.

**2.3.3.3.3** Any person aggrieved by a Planning Board decision that constitutes a denial of a Conditional Use Permit due to noncompliance with one or more of the provisions of this ordinance may appeal that decision to the Superior Court, as provided for in RSA 677:15. A Planning Board decision on the issuance of a Conditional Use Permit cannot be appealed to the Zoning Board of Adjustment (RSA 676:5 III).

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**2.3.3.4 Conditional Use Permit Criteria** – The Criteria of Section 1.5.2 shall be utilized by the Planning Board in the evaluation of Conditional Use Permits for Inclusionary Housing projects. Additional criteria for multi-family workforce housing development is found in Section 2.3.3.7.

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**2.3.3.5 Definitions Specific to This Section.**

**2.3.3.5.1 Workforce Rental Housing** – where the rent plus utilities for the dwelling unit does not exceed 30 percent of the allowed individual household income.

**2.3.3.5.2 Workforce Owner-Occupied Housing** – where the total cost of mortgage principal and interest, mortgage insurance premiums, property taxes, association fees, and homeowner's insurance does not exceed 30 percent of the maximum allowed income of the purchaser. The calculation of housing costs shall be based

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on current taxes, a 30-year fixed rate mortgage, a 5 percent down payment, and prevailing mortgage rates within the region.

**2.3.3.5.3 Area Median Income (AMI)** – is the median income of the greater region, either the HUD Metropolitan or Non-Metropolitan Fair Market Rent Area to which Londonderry belongs, as is established and updated annually by the United States Department of Housing and Urban Development.

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**2.3.3.5.4 Assets** – As defined as “Net Family Assets” by 24 CFR Part 5, Subpart F, and as amended from time to time.

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**2.3.3.5.5 Income** – As defined as “Annual Income” by 24 CFR Part 5, Subpart F, and as amended from time to time.

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**2.3.3.5.6 Low Income** – A household income (as defined herein) that does not exceed 50 percent of the area median income.

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**2.3.3.5.7 Low to Moderate Income** – A household income (as defined herein) that is more than 50 percent and does not exceed 80 percent of the area median income.

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**2.3.3.5.8 Market Rate Housing** – Any unit within a development, whether the unit is to be owner or renter occupied, that is intended to be available for sale or occupancy at the prevailing market value for the area similar to comparable real estate transactions.

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**2.3.3.5.9 Moderate Income** – A household income (as defined herein) that is more than 80 percent and does not exceed 100 percent of the area median income.

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**2.3.3.5.10 Owner-occupied Housing** – Any dwelling unit intended to be conveyed in fee simple, condominium or equity-sharing arrangement such as a community housing land trust and limited equity cooperatives.

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**2.3.3.5.11 Rental Housing** – Any dwelling unit intended for leasehold occupancy.

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**2.3.3.6 Single Family & Duplex Workforce Housing Categories and Incentives**

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**2.3.3.6.1** A Site Plan or subdivision plan that will guarantee a designated percentage of units, reserved as workforce housing, may be approved with an increase in the density of the site or a reduction of the minimum site frontage as is set forth in Table 1. The developer shall specify in the application whether the density bonus or the frontage reduction is the option being sought for the development. These bonuses shall not apply to multi-family workforce housing development, which is governed by the provisions of Section 2.3.3.7.

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Table 1	Minimum Set Aside	Density Bonus or Frontage Reduction *
Low Income Owner-occupied Housing	10%	20% Density

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		Bonus or 30' Frontage Reduction
<u>Moderate to Low Income Owner-occupied Housing</u>	20%	25% Density Bonus or 40' Frontage Reduction
<u>Moderate Income Owner-occupied Housing</u>	25%	25% Density Bonus or 50' Frontage Reduction

\* At no point shall a frontage reduction reduce a lot's frontage to less than 50' total.

2.3.3.6.2 A site plan or subdivision plan can mix affordable housing types and accumulate density bonuses to a maximum bonus equal to 30 percent where municipal sewer and water are available or in areas without water and sewer service to the maximum density permitted by on-site well and septic standards of the New Hampshire Department of Environmental Services as applied to the site.

2.3.3.6.3 When mixing workforce unit types the designated affordable percentage for each individual workforce housing type may be less than that required in Table 1. The density bonus is then proportioned to the actual percentage of designated workforce units provided, so that if the applicant provides only one-half of the required designation of one type of workforce housing they will receive one-half of the density bonus. The combined total of all workforce housing types must equal a 15 percent designation of affordable units, at a minimum.

2.3.3.7 Standards and Requirements for Multi-Family Workforce Housing

2.3.3.7.1 Conditional Use Permit Criteria for Multi-Family Workforce Housing

2.3.3.7.1.1 In addition to the criteria from Section 2.3.3.4, the following criteria must be met in order for the Planning Board to grant a Conditional Use Permit for multi-family workforce housing:

2.3.3.7.1.1.1 Granting of the application is in the public interest;

2.3.3.7.1.1.2 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.

2.3.3.7.1.1.3 The project shall be serviced by municipal sewer and either water service from Manchester Water Works, Derry Municipal Water, or Pennichuck Water and be consistent with the Town's Sewer Facilities Master Plan.

2.3.3.7.1.1.4 The project is designed to meet the requirements of RSA 674:59, and provides a minimum of 75% of the units meeting the definition of "workforce housing" under RSA 674:58.

2.3.3.7.1.1.5 All workforce units must be designed in such a way as to be indistinguishable (architecturally) from any "market rate" units included in the development.

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Architectural design of any multi-family buildings must be reviewed by the Heritage Commission for their recommendations to the Planning Board.

2.3.3.7.1.1.6 Project must be located on a property of at least 20 acres in size. The Planning Board may consider a project smaller than 20 acres if:

2.3.3.7.1.1.6.1 The project is a conversion of a previously approved or previously constructed multi-family or elderly housing project (regardless of the zone in which the approved project is located) which meet all of the other conditional use permit criteria from this section; or

2.3.3.7.1.1.6.2 The project proposed would be the conversion of a large single family residential structure into multiple units that is identified as a "historic property" and listed in the Historic Properties Preservation Taskforce Report, on file with the Heritage Commission. Such conversions shall not propose any additional structures on the property and shall be required to place a historic preservation easement on the historic structure. Any conversion of a historic structure shall also meet all of the other conditional use permit criteria from this section.

2.3.3.7.1.1.7 The application demonstrates that project for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance will all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

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Comment [TJT1]: Added for PB consideration, based on feedback from 7/20/09

#### 2.3.3.7.2 Development Plan

2.3.3.7.2.1 The applicant shall prepare and submit to the Planning Board for approval of a development plan of the tract proposed for development ("development lot"), which locates the proposed types of residential development, utilities, access roads and streets. ("development plan")

2.3.3.7.2.1.1 The development plan shall include general, conceptual site and architectural plans sufficiently detailed to show the intended land uses, structures, improvements, and other features necessary to demonstrate compliance with this Section and other applicable provisions of the Zoning Ordinance.

2.3.3.7.2.1.2 The applicant may elect to develop the development lot in phases.

2.3.3.7.2.1.3 Final approval of development of any portion of the development lot shall require site plan approval according to the Site Plan Regulations of the Planning Board.

2.3.3.7.2.1.4 Once development of any portion of the development lot begins, no portion of the development lot may thereafter be developed or used except in conformity with the approved development plan, or an amended development plan approved by the Board.

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2.3.3.7.2.2 The development lot may, but need not, be divided into two or more smaller legal separate lots of record ("internal legal lots"), which shall require subdivision approval by the Planning Board. ← --- Formatted: Bullets and Numbering

2.3.3.7.2.3 The density, design and dimensional requirements of Section 2.3.3.7.3 shall be applied to the development lot and not the internal legal lots. ← --- Formatted: Bullets and Numbering

2.3.3.7.2.4 The internal legal lots, if any, shall be subject to the density, design and dimensional requirements of Section 2.3.3.7.4. ← --- Formatted: Bullets and Numbering

2.3.3.7.2.5 The applicant shall be permitted to allocate permitted density among the internal legal lots in any manner so long as the sum total of development for all internal legal lots does not exceed the permitted density for the development lot. ← --- Formatted: Bullets and Numbering

2.3.3.7.3 Density, Design and Dimensional Standard for Development Lot ← --- Formatted: Bullets and Numbering

2.3.3.7.3.1 Permitted density - the maximum permitted number of dwelling units ("permitted density") allowed in the development lot shall be as follows: ← --- Formatted: Bullets and Numbering

2.3.3.7.3.1.1 The maximum number of dwelling units permitted on the development lot shall 10 units per acre. ← --- Formatted: Bullets and Numbering

2.3.3.7.3.1.2 The maximum number of dwelling units per multi-family building in an inclusionary development shall be thirty-six (36).

2.3.3.7.3.1.3 At least 51% of dwelling units on a development lot in an inclusionary development must contain at least 2 bedrooms.

2.3.3.7.3.2 Screening, Landscaping and Glare - the development plan and the internal legal lots shall be designed to screen parking lots from streets by building location, grading or screening and to minimize glare on adjoining properties. Glare from any use of land, including site illumination, shall not exceed 0.2 foot candles, measured at ground level, at or beyond the perimeter of the development lot. Lighting fixtures shall be designed for downward casting of light. Major topographic changes or removal of existing trees shall be avoided wherever possible, and water, wetlands and other scenic views shall be preserved wherever possible. ← --- Formatted: Bullets and Numbering

2.3.3.7.3.3 Open space - no less than the area calculated below shall be retained as unoccupied space free of all buildings, parking and pavement, including street access, drives and walks paved with impervious materials, (but such unoccupied open space may include so-called nature walk areas and the like and other recreational uses approved by the Planning Board.) Open space shall be owned by undivided interests appurtenant to lot ownership. Such open space shall either be maintained in its natural state (except for the walking paths or other uses approved by the Planning Board) or shall have appropriate landscaping of grass, shrubbery, trees, flowers, or suitable ground cover indigenous to the area. ← --- Formatted: Bullets and Numbering

- 2.3.3.7.3.3.1 Total open space shall not be less than forty percent (40%) of the total development lot area
- 2.3.3.7.3.3.2 Open space shall exclude the area within fifteen feet (15') of each building around its entire perimeter.
- 2.3.3.7.3.3.3 Usable open space shall not be less than ten percent (10%) of the total development lot area. "usable open space" shall not include "unusable land" which is defined as wetlands, excessive slopes (greater than 25%) and land subject to existing utility and drainage easements.

2.3.3.7.3.4 Road design - internal roads shall conform to Town standards for roads in new subdivisions as required by the most recent version of the Town's Subdivision Regulations. ← --- Formatted: Bullets and Numbering

2.3.3.7.3.5 Building separation - single family or two family dwellings shall be at least twenty feet (20') from other dwellings. Multi family dwellings and other buildings shall be at least thirty feet (30') from other dwellings. Up to three (3) buildings may be interconnected by a covered walkway or breeze way for reasons of convenience and shelter from the elements, if such walkway shall not, in the opinion of the Planning Board (after consultation with the fire department) impair access to the buildings by emergency vehicles and equipment. ← --- Formatted: Bullets and Numbering

2.3.3.7.3.6 Dimensional requirements ← --- Formatted: Bullets and Numbering

2.3.3.7.3.6.1 Minimum structure setbacks from the perimeter of the development lot shall be as follows: front - 40 feet; side - 35 feet; rear - 30 feet. If the development lot abuts more than one existing and/or proposed external right-of-way, the building setback will be forty (40') feet from each right-of-way. ← --- Formatted: Bullets and Numbering

2.3.3.7.3.6.2 The maximum building height shall be flexible, based on recommendations from the Senior Building Official and the Fire Marshall, but no residential structure shall be greater than 4 stories.

2.3.3.7.3.6.3 The development lot shall have a minimum frontage of a state highway or Town maintained road of Class V designation or better of at least one hundred feet (100') in the aggregate, which may consist of two (2) fifty foot (50') rights-of-way serving as access to the development lot.

2.3.3.7.3.7 Parking ← --- Formatted: Bullets and Numbering

2.3.3.7.3.7.1 A minimum of 1.75 parking spaces per dwelling unit shall be provided for all dwelling units in an inclusionary multi-family development. Parking spaces may be located offsite (ie: off the internal legal lot as long as the offsite parking is located within the development lot) and the parking spaces shall be within four hundred feet (400') of the building they are intended to serve.

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2.3.3.7.3.7.2 Parking areas shall be designated in accordance with requirements for parking areas set forth in Section 3.10 of the Zoning Ordinance (parking).

2.3.3.7.3.8 Perimeter buffer - a perimeter buffer to separate and screen incompatible land uses shall surround the development lot except where streets enter the development lot. The buffer shall include a combination of physical space and vertical elements such as plants, berms, fences or walls, as approved by the Board. The width of the buffer area shall vary according to the abutting zoning district as follows:

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2.3.3.7.3.8.1 Agricultural-Residential, Commercial, or Industrial: fifty feet (50') where directly abutting, no buffer where highway separates the development lot and a "C" or "I" district.

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2.3.3.7.3.8.2 R-III: no buffer.

2.3.3.7.4 Additional dimensional standards for internal lots:

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2.3.3.7.4.1 Single and two-family dwelling lots:

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2.3.3.7.4.1.1 Minimum lot area 5,000 SF/Unit

2.3.3.7.4.1.2 Minimum lot width 50 ft/unit

2.3.3.7.4.1.3 Minimum setbacks

front - 25 feet

side - see note below

rear - 20 feet

Note: side setbacks may be reduced to any dimension as long as distance between buildings on contiguous lots is greater than twenty feet (20').

2.3.3.7.4.2 Multi family dwelling lots

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2.3.3.7.4.2.1 Minimum lot area 7,000 SF/unit

2.3.3.7.4.2.2 Minimum lot width No minimum width will be applicable to Multi-family Internal lots. Lot width shall be sufficient to ensure proper building placement, parking and traffic circulation.

2.3.3.7.4.2.3 Minimum setbacks

front - 40 feet

side - 15 feet

rear - 30 feet

2.3.3.7.5 Dimensional Relief by Conditional Use Permit for Multi-Family Workforce Housing

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- 2.3.3.7.5.1 The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement for multi-family workforce housing (including but not limited to: setback, density, green space, frontage, or parking) for projects that are truly supportive of the purpose and objectives of the Inclusionary Housing section as noted above, and where such adjustments would allow the developer to more fully meet these goals and objectives. ← --- Formatted: Bullets and Numbering
- 2.3.3.7.5.2 The conditional use permit shall clearly set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approval. Everything shown or otherwise indicated on a plan or submittal that is listed on the conditional use permit shall be considered to be a condition of approval. Construction shall not deviate from the stated conditions without approval of the modification by the Planning Board. ← --- Formatted: Bullets and Numbering
- 2.3.3.7.5.3 Application Procedure - Applications for conditional use permits (CUP) for dimensional relief for multi-family workforce housing shall be made in accordance with the following procedures: ← --- Formatted: Bullets and Numbering
- 2.3.3.7.5.3.1 It is recommended that all projects requiring a CUP conduct a preliminary meeting with staff prior to review by the Design Review Committee and the Town's Review Consultant. The purpose of the preliminary meetings shall be to provide guidance on the design of the proposed plan. ← --- Formatted: Bullets and Numbering
- 2.3.3.7.5.3.2 The applicant will then develop the proposed plan to a point at which the plan is eligible for design review.
- 2.3.3.7.5.3.3 The application will then begin Pre-Application Design review, followed by the Conditional Use Permit Review outlined in this section, and in accordance with the other applicable procedures adopted by the Planning Board.
- 2.3.3.7.5.3.4 Unless otherwise addressed in this ordinance, all applications shall meet those requirements set forth in the relevant sections of the Subdivision & Site Plan Regulations of the Town of Londonderry.
- 2.3.3.7.5.4 Approval of Applications Requiring a Conditional Use Permit - Prior to issuance of a building permit, the applicant shall acquire a conditional use permit as well as any other necessary Planning Board approval. A conditional use permit shall be issued only if the development complies with all of the requirements of Section 2.3.3.7.5.5. The Planning Board may also condition its approval on additional, reasonable conditions necessary to accomplish the objectives of this section or of the 2004 Master Plan, Zoning Ordinance, the 2008 Housing Taskforce Final Report, or any other federal, state, town resolution, regulation, or law. ← --- Formatted: Bullets and Numbering
- 2.3.3.7.5.5 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit for dimensional relief in a multi-family workforce housing development. The applicant shall demonstrate that: ← --- Formatted: Bullets and Numbering

2.3.3.7.5.5.1 The proposed use is consistent with the Purpose of the Inclusionary Housing Section, Section 2.3.3.1;

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2.3.3.7.5.5.2 Granting of the application is in the public interest;

2.3.3.7.5.5.3 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.

2.3.3.7.5.5.4 The applicant has demonstrated that the alternative design for which the Conditional Use Permit is sought better achieves the Objectives and Characteristics of the district, while not diminishing surrounding property values or the ability of nearby parcels to develop in accordance with the Objectives and Characteristics of the district; and

2.3.3.7.5.5.5 The application demonstrates that the alternative design for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance with all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

**2.3.3.8 General Requirements of Workforce Units**

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2.3.3.8.1 The dwellings qualifying as workforce housing shall be compatible in architectural style and appearance with the market rate dwellings in the proposed development. The workforce units should be interspersed throughout the overall development.

2.3.3.8.2 To ensure that the application is completed as permitted, the dwellings qualifying as workforce housing shall be made available for occupancy on approximately the same schedule as a project's market units, except that the certificates of occupancy for the last 10 percent of the market rate units shall be withheld until certificates of occupancy have been issued for all the workforce housing units. A schedule setting forth the phasing of the total number of units in a project under this Section, along with a schedule setting forth the phasing of the required workforce housing units shall be established prior to the issuance of a building permit for any development subject to the provisions of this Section.

2.3.3.8.3 To ensure that only eligible households purchase/rent the designated workforce housing units, the purchaser/renter of an workforce unit must submit copies of their last three years' federal income tax returns and written certification verifying their annual income level, combined with household assets, does not exceed the maximum level as established by this ordinance in sections 2.3.3.4 and 2.3.3.5.1 of this Section. The tax returns and written certification of income and assets must be submitted to the developer of the housing units, or the developer's agent, prior to the transfer of title. A copy of the tax return and written certification of income and assets must be submitted to all parties charged with administering and monitoring this ordinance, as set forth in sections 2.3.4.9 through 2.3.4.9.4 of this Section, within 30 days following the transfer of title.

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2.3.3.8.4 All applicants under this section must submit the following data to ensure project affordability:

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2.3.3.8.4.1 Calculation of the number of units provided under this Section and how it relates to its provisions.

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2.3.3.8.4.2 Project Cost Estimate including land, development and construction costs; financing, profit, and sales costs; and other cost factors.

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2.3.3.8.4.3 Description of each unit's size, type, estimated cost and other relevant data.

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2.3.3.8.4.4 Documentation of household eligibility as required in section 2.3.3.6.3 of this Section.

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2.3.3.8.4.5 All agreements established as part of sections 2.3.3.6.7 through 2.3.3.6.7.2

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2.3.3.8.4.6 List of required variances, conditional use permits, and special exceptions including justification of their necessity and effectiveness in contributing to affordability of this Section.

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2.3.3.9 Assurance of Continued Affordability

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In order to qualify as workforce housing under this Section, the developer must make a binding commitment that the workforce housing units will remain affordable for a period of 20 years. This shall be enforced through a deed restriction; restrictive covenant; or a contractual arrangement through a local, state or federal housing authority or other non-profit housing trust or agency. For the 20-year term, the deed restriction, restrictive covenant, or contractual arrangement established to meet this criterion must make the following continued affordability commitments:

2.3.3.9.1 Workforce housing units offered for sale shall comply with **Section 2.3.4. Retention of Housing Affordability.**

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2.3.3.9.2 Workforce housing rental units shall limit annual rent increases to the percentage increase in the area median income, except to the extent that further increases are made necessary by hardship or other unusual conditions.

2.3.3.9.3 Deed restrictions, restrictive covenants, or contractual arrangements related to dwelling units established under this Section must be documented on all plans filed with the Planning Board and the Rockingham County Registry of Deeds.

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2.3.3.10 Administration, Compliance and Monitoring

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2.3.3.10.1 This Section shall be administered by the Planning Board. Applications for the provisions provided under this Section shall be made to the planning board and shall be part of the submission of an application for site plan or subdivision plan approval.

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2.3.3.10.2 No certificate of occupancy shall be issued for an workforce housing unit without written confirmation of the income eligibility of the tenant or buyer of the workforce housing unit and confirmation of the rent or price of the workforce housing unit as documented by an executed lease or purchase and sale agreement.

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2.3.3.10.3 On-going responsibility for monitoring the compliance with resale and rental restrictions on workforce units shall be the responsibility of the Community Development Department or their designee.

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2.3.3.10.4 The owner of a project containing workforce units for rent shall prepare an annual report, due on December 31 each year, certifying that the gross rents of workforce units and the household income of tenants of workforce units have been maintained in accordance this Section. Such reports shall be submitted to the Community Development Department or their designee and shall list the contract rent and occupant household incomes of all workforce housing units for the calendar year.

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**2.3.4 Retention of Housing Affordability**

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**2.3.4.1 Authority and Purpose**

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2.3.4.1.1 Authority: This ordinance is adopted as an "innovative land use control" pursuant to RSA 674:21.

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2.3.4.1.2 Purpose: The purpose of this ordinance is to provide a means by which Londonderry may promote the long-term affordability of housing units (intended for ownership and not rental or lease) built as part of a development approved by the Planning Board under the terms of the Londonderry's Inclusionary Housing provisions. It is intended to ensure that the units remain affordable to households of low- and moderate-income, while also facilitating homeowners' capacity to benefit from property value appreciation. It creates a lien interest in the property held by the Town, enforceable by the Town as a mortgage.

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**2.3.4.2 General Provisions**

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**2.3.4.2.1 Definitions. For purposes of this section:**

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2.3.4.2.1.1 "Affordable (or "Workforce") Housing Unit" means a residential dwelling unit intended to be affordable to persons of low or moderate incomes, which an applicant agrees to produce as a condition of approval of an "inclusionary" housing development as described in Section 2.3.3 of this Ordinance. More particularly an "Affordable Housing Unit" means the following, as determined by the Planning Board at the time a particular development is granted approval by the Board: A unit of housing which – in addition to any other specific conditions of approval imposed by the Planning Board at the time of approval – is required to be administered in accord with the general provisions as set forth herein; which is subject to the procedures set forth in Section 2.3.4.3 below at the time of its initial conveyance; and which is conveyed subject to a contingent subsidy lien and covenants in favor of the Municipality, as set forth in 2.3.4.4 below.

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- 2.3.4.2.1.2     The “Developer” means the person or entity which applies for and receives Planning Board approval for an “inclusionary” housing project as set forth in Section 2.3.3 of this Ordinance, any person or entity to which rights to construct such a project under such an approval have been conveyed, or any person or party acting as contractor or agent for such a party, or who otherwise performs acts in furtherance of constructing or implementing the approval, or fulfilling any conditions thereof.

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- 2.3.4.2.1.3     “Housing Cost” means the estimated monthly cost to an Owner of an Affordable Housing Unit, including mortgage principal and interest, property taxes (municipal, school, county, and state), homeowner’s insurance, mortgage insurance, and any applicable homeowner’s association fees. Interest calculations shall be based upon the prevailing market interest rate at the time of conveyance for a 30-year fixed-rate conventional mortgage. Schedules used to determine Housing Cost may be adopted and revised as needed by the Planning Board.

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- 2.3.4.2.1.4     The “Municipality” means the Town of Londonderry; provided that, however, and except where responsibilities are specifically assigned herein or where statute creates a non-delegable responsibility, the tasks and functions required herein to be performed by the Municipality shall be performed by the Town Council or its designee, or may be delegated in whole or in part by vote of the Town Council to a third-party designee such as a nonprofit organization or quasi-governmental agency, subject to the supervision of the Town Council or its designee.

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- 2.3.4.2.1.5     The “Owner” shall mean the person(s) who initially separately purchases and occupies the completed Affordable Housing Unit, under the procedures set forth in Section 2.3.4.3 below, as well as any person(s) who subsequently purchases the unit under the procedures required under Section 2.3.4.4 below.

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- 2.3.4.2.1.6     The “Fair Market Value” of the Affordable Housing Unit, at the time of the initial or any subsequent conveyance shall be the price which such unit would command at that time in an arm’s-length transaction on the open market if the unit were not subject to any of the restrictions of this Section, and the Owner were to purchase the property in fee simple absolute.

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- 2.3.4.2.1.7     “First Mortgage” means a recorded mortgage which is senior to any other mortgages or liens against the Affordable Housing Unit (other than the lien for real estate taxes and homeowner assessments, if any), and which is used to secure a loan to an eligible buyer to purchase the unit.

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- 2.3.4.2.1.8     “Qualified Purchaser” means a purchaser who has been certified by the Municipality as meeting income standards to purchase an Affordable Housing Unit. It also includes a non-profit organization, the primary purpose of which is to provide or to facilitate the acquisition of housing that is affordable to low- and moderate-income households.

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- 2.3.4.2.1.9     “Area Median Income” means Area Median Income (“AMI”) for a family of four as established and updated periodically by the U.S. Dept. of Housing

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and Urban Development for the Fair Market Rent Area where the Municipality is located.

2.3.4.2.2 The Planning Board shall, as a condition of approval, make an initial determination of the following with respect to all included Affordable Housing Units which, unless modified pursuant to Section 2.3.4.3.3 below, shall serve as the basis for conveyance by the Developer:

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2.3.4.2.2.1 An estimated projected Fair Market Value for the Affordable Housing Units to be constructed by the Developer, using Developer projections or such other available information as the Planning Board may require. Construction details shall be provided in sufficient detail to enable a reasonable projection of such Value, and compliance with such details shall be deemed a condition of approval.

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2.3.4.2.2.2 An initial target income level for the initial conveyance of the Affordable Housing Units, which shall not be greater than 80% of the Area Median Income ("AMI").

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2.3.4.2.2.3 A corresponding initial selling price for each Affordable Housing Unit, which shall be set at a level that is projected to require a Housing Cost no greater than 30% of the initial target income determined in Section 2.3.4.2.2.2 above.

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2.3.4.2.2.4 A corresponding projected initial subsidy for each Affordable Housing Unit, which shall be the difference between the estimated projected Fair Market Value and the initial selling price. The projected initial subsidy shall be between fifteen and thirty-three percent of the estimated projected Fair Market Value of the unit, inclusive.

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2.3.4.2.3 Except as expressly set forth in this Section, in the conditions of Development approval by the Planning Board, or in a lien and covenant document recorded pursuant to Section 2.3.4.3 below, an Owner shall have the same rights and privileges with respect to the Affordable Housing Unit as would any person who owned the unit in fee simple absolute, including but not limited to the right of quiet enjoyment, the right to make improvements, and the right to convey a First Mortgage interest, as detailed below.

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2.3.4.3 Procedures at Time of Initial Conveyance - An Affordable Housing Unit shall not be separately conveyed, or initially occupied, except in accordance with the following procedures:

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2.3.4.3.1 During construction and upon completion of construction, the Municipality shall inspect the unit to confirm that all applicable codes, ordinances, conditions of approval (including construction details presented at the time of approval) and all other legal requirements have been met.

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2.3.4.3.2 Upon successful inspection, the Municipality at the Developer's expense shall cause an independent appraisal to be performed to determine the Fair Market Value of the unit.

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2.3.4.3.3 The initial selling price shall be as set by the Planning Board at the time of plan approval under Section 2.3.4.2.2; provided, however, that under unusual circumstances the Developer may petition the Planning Board, which may for good cause and following a hearing for which reasonable notice is provided to the Developer and such others as the Planning Board may require, amend the initial selling price, the projected initial subsidy, and/or the initial target income level.

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2.3.4.3.4 The Municipality or its agent shall be responsible for certifying potential purchasers as meeting the relevant target income requirements and eligible to purchase the unit and for ranking Qualified Purchasers. Any potential buyer identified by the Developer or its agent must be referred to the Municipality. If, after the impartial application of objective criteria for priority eligibility have been applied to all persons wishing to purchase the unit, there exists more than one top priority income-eligible purchaser ready, willing, and able to execute a purchase and sales agreement at the initial selling price, then the final choice of purchasers shall lie with the Developer.

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2.3.4.3.5 The Town Council shall from time to time establish rules and procedures for determining income-eligibility and priority for ranking Qualified Purchasers, such rules and procedures to be consistent with U.S. Dept. of Housing & Urban Development Program Requirements at 24 CFR Part 5, Subpart F. Such rules may give priority to persons who are already residents of the Municipality, or who are or will be employed in the Municipality. There shall be no requirement for continuing Owner income-eligibility, and no Owner shall, subsequent to purchase, be deemed in violation of this Section or of the Subsidy Lien and Restrictive Covenant for lack of income-eligibility, unless false or fraudulent information is found to have been provided by said Owner at the time of initial eligibility determination.

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2.3.4.3.6 The Developer shall not convey, or agree to convey, the Affordable Housing Unit for a total consideration any higher than the initial selling price as set by the Planning Board. The Developer shall not convey, or agree to convey, the unit except to the top priority Qualified Purchaser; provided, however, that if the Municipality fails to identify a Qualified Purchaser, or if the Developer, after exercising a good faith effort, fails to produce a purchaser who is subsequently certified by the Municipality as a Qualified Purchaser and who is ready, willing and able to execute a purchase and sales agreement at the initial selling price within 120 days after the Municipality grants a Certificate of Occupancy in Section 2.3.4.3.1 above, the Developer may convey the unit to any purchaser of the Developer's choosing; nevertheless such conveyance shall remain subject to the initial selling price, as set by the Board, and the recording of a Subsidy Lien and Restrictive Covenant, as set forth below. The Developer shall not use these provisions to avoid selling the unit to any Qualified Purchaser, including one identified by the Municipality.

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2.3.4.3.7 The initial Owner shall, at the time of closing, execute and convey to the Municipality a covenant document, to be called a "Subsidy Lien and Restrictive Covenant", which shall be recorded in the Rockingham County Registry of Deeds together with the Owner's deed. This document shall contain the initial value of the Municipality's subsidy lien, and all the elements required under Section 2.3.4.4 below.

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2.3.4.3.8 The initial value amount of the Municipality's subsidy lien shall be the difference between the appraised value reached under Section 2.3.4.3.2 above, and the

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unit's initial selling price. The burden of the creation of the subsidy shall fall upon the Developer as a condition of approval.

2.3.4.3.9 In addition, the Developer shall, at the time of the closing, pay to the Municipality an administrative fee for each unit, which shall be used by the Municipality to fund the administration of the unit under this Subsection, including appraisals, drafting of documents, costs incurred for program administration by an independent agent of the Municipality, and other expenses relating to the Municipality's subsidy lien. The amount of the administrative fee shall be two percent (2%), or as otherwise determined by the Town Council, of the unit's initial selling price, provided however that the Town Council may if warranted, pursuant to RSA 41:9-a, prospectively alter the rate of the fee to more accurately reflect actual administrative costs. The fee shall be accounted for in the same manner as an impact fee, as provided in RSA 674:21, V(c).

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2.3.4.3.10 Notwithstanding the foregoing, the initial selling price, the projected initial subsidy, and/or the initial target income as conditions of approval may be reviewed and recalculated by the Planning Board as needed between the date of approval and conveyance by the Developer, for the purposes of ensuring that the objectives of this ordinance are met. Amendment of any such condition shall only be made following a hearing for which reasonable notice is provided to the Developer and such others as the Planning Board may require.

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2.3.4.4 Subsidy Lien and Restrictive Covenant - The "Subsidy Lien and Restrictive Covenant" required under 2.3.4.3.7 above shall set forth the initial value amount of the subsidy lien as determined under 2.3.4.3.8 above, shall incorporate all of the requirements for subsequent conveyances of the Affordable Housing Unit as set forth in Sections 2.3.4.5 through 2.3.4.7 below, shall provide that any and all of such requirements shall be subject to enforcement pursuant to 2.3.4.9 below, and shall, in addition, incorporate the following conditions and restrictions:

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2.3.4.4.1 The unit shall be the primary residence of the Owner, and shall be occupied by the Owner.

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2.3.4.4.2 The unit shall at all times be maintained in conformity with all applicable building or housing codes, land use ordinances or conditions of approval, and any other applicable provisions of federal, state, or local law. The Owner shall immediately notify the Municipality of any existing or anticipated violation of any such requirement, or of any provision of the Subsidy Lien and Restrictive Covenant.

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2.3.4.4.3 The Owner shall not, without the prior written consent of the Municipality, convey any mortgage or other lien interest in the unit, other than a First Mortgage interest. The Municipality's Subsidy Lien interest shall generally be deemed the equivalent of a second mortgage interest subordinate to any such First Mortgage, and shall entitle the Municipality to the right to notice as a lienholder for all purposes, including foreclosure notice under RSA 479:25. The Municipality may consider an alternative lien position on a case-by-case basis, based on a reasonable assessment of risk and an appraisal of value.

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2.3.4.5 Subsequent Conveyances of the Unit - Except in the cases of purchase of a unit by the Municipality in accordance with Sections 2.3.4.6 or 2.3.4.7 below, or release or termination of the Subsidy Lien and Restrictive Covenant by the Municipality in accordance with Section 2.3.4.8 below, no Owner of an Affordable Housing Unit shall convey the unit except in accordance with the following procedures:

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2.3.4.5.1 An Owner may at any time notify the Municipality in writing of an intent to convey the unit. The Municipality shall, as soon as practicable, cause an appraisal to be conducted to arrive at a current Fair Market Value of the unit (including the value of any fixtures or improvements made by the Owner). If the Owner disagrees with or has doubts or questions concerning the accuracy of the appraisal, the Owner may choose to fund a second appraisal, and the current Fair Market Value shall be deemed to be the average of the two appraisals unless otherwise agreed. If the Owner does not convey the unit within one year after providing written notice of intent to convey the unit or otherwise rescinds its notice of intent to dispose of the unit either directly in writing to the Municipality or constructively by either failing to market the property or withdrawing it from the market, the Owner shall reimburse the Municipality for the cost of its appraisal of the unit. Subsequent notices of intent to convey the unit shall require a new appraisal.

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2.3.4.5.2 The Municipality shall set the maximum resale price of the unit by adjusting the recorded initial value amount of its subsidy lien by the change in the US Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) for Boston, Brockton-Nashua, MA-NH-ME-CT for Shelter or a comparable housing cost index should the CPI-U be discontinued, calculating from the time of such recording, then subtracting that adjusted subsidy lien amount from the current Fair Market Value determined under Section 2.3.4.5.1 above. The Municipality shall also, based upon that maximum resale price, determine a revised target income level for which the unit would be affordable at such a resale price, such that the unit's Housing Cost would be no greater than 30% of the revised target income. If the revised target income level is greater than 120% of the Area Median Income or if the adjusted subsidy lien amount is not between fifteen and thirty-three percent of the Fair Market Value, the Municipality may retire or modify the subsidy lien in accordance with Section 2.3.4.8 below. An increase to the subsidy lien will result in a corresponding decrease to the maximum resale price; a decrease to the subsidy lien will result in a corresponding increase to the maximum resale price. In neither case will the Owner's equity be affected, if any.

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2.3.4.5.3 The Municipality or its agent shall be responsible for certifying potential purchasers as meeting the revised target income requirements, in the same manner set forth in Section 2.3.4.3.4 above, and for ranking Qualified Purchasers. Any potential buyer identified by the Owner or its agent must be referred to the Municipality. If, after the impartial application of objective criteria for priority eligibility have been applied to all persons wishing to purchase the unit, there exists more than one top priority income-eligible purchaser ready, willing, and able to execute a purchase and sales agreement at the maximum resale price, then the final choice of purchasers shall lie with the current Owner.

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2.3.4.5.4 The Owner shall not convey, or agree to convey, the Affordable Housing Unit for a total consideration any higher than the maximum resale price as determined under Section 2.3.4.5.2. The Owner shall not convey, or agree to convey, the unit except to persons who have been certified as income-eligible under Section 2.3.4.5.3; provided, however, that if the Municipality fails to identify a Qualified Purchaser, or

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if the Owner, after exercising a good faith effort, fails to produce a purchaser who is subsequently certified by the Municipality as a Qualified Purchaser and who is ready, willing, and able to execute a purchase and sales agreement at the maximum resale price within 120 days after the Owner's written notice of intent to convey the unit, the Owner may convey the unit to any purchaser of the Owner's choosing; nevertheless such conveyance shall remain subject to the maximum resale price, to the purchaser income qualification procedures for subsequent conveyances, and to the Subsidy Lien and Restrictive Covenant, and such a conveyance shall permit, but shall not obligate, the Municipality to modify or retire the adjusted subsidy lien in accordance with Section 2.3.4.8 below. Nothing in the foregoing shall be construed to relieve or limit the Owner's obligation to engage in good faith and energetic efforts to market the unit for purposes of identifying a purchaser who is likely to meet the income qualification standards herein. The Owner shall not use these provisions to avoid selling the unit to any Qualified Purchaser, including one identified by the Municipality.

2.3.4.5.5 At the time of closing, the new Owner shall execute a Subsidy Lien and Restrictive Covenant, substantively similar to that executed by the prior Owner, and the Municipality shall execute a certification of compliance with the conveyance procedures required by the Subsidy Lien and Restrictive Covenant. Both of these documents shall be recorded together with the new Owner's deed. The seller shall also, at the time of the closing, pay to the Municipality an administrative fee of two percent (2%), or as otherwise determined by the Town Council, of the resale price, but such fee shall be subject to adjustment, as set forth in 2.3.4.3.9 above.

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2.3.4.5.6 Notwithstanding Sections 2.3.4.1 through 2.3.4.5 above, the following types of conveyances are exempt from the Owner Conveyance provisions set forth in this Subsection:

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2.3.4.5.6.1 A conveyance to a first mortgagee resulting from foreclosure, or

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2.3.4.5.6.2 Any of the following, provided, however, that the unit shall, subsequent to such an exempt conveyance, remain subject to the provisions of the Subsidy Lien and Restrictive Covenant:

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2.3.4.5.6.2.1 A conveyance resulting from the death of an Owner where the conveyance is to the spouse who is also an Owner.

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2.3.4.5.6.2.2 A conveyance to the Owner's estate following his or her death for the purpose of administering the estate and distributing the assets thereof during a limited period of time.

2.3.4.5.6.2.3 A conveyance resulting from the death of an Owner when the conveyance is to one or more children or to a parent or parents of the deceased Owner.

2.3.4.5.6.2.4 A conveyance by an Owner where the spouse of the Owner becomes the co-Owner of the Property.

2.3.4.5.6.2.5 A conveyance directly resulting from a legal separation or divorce, by which a co-Owner becomes the sole Owner of the unit.

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2.3.4.6 Right of First Refusal in Subsequent Conveyances

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Upon receipt of a notice of intent to convey an Affordable Housing Unit under Section 2.3.4.5.1 above, the Municipality shall have the right to purchase the property at the maximum resale price, as determined according to Section 2.3.4.5.2 above. If the Municipality elects to purchase the unit, it shall exercise the purchase right by notifying the Owner, in writing, of such election ("Notice of Exercise of Right") within forty-five (45) days of the receipt of the Intent to Convey Notice, or the Right shall expire. Within seven (7) days of the Municipality exercising its purchase right, the Municipality and the Owner shall enter into a purchase and sale contract. The purchase by the Municipality must be completed within forty-five (45) days of the Municipality's Notice of Exercise of Right, or the Owner may convey the property as provided in Section 2.3.4.5 above. The time permitted for the completion of the purchase may be extended by mutual written agreement of the Owner and the Municipality. If the Municipality has in writing waived its purchase right, or if the Purchase Right has expired, or if the Municipality has failed to complete the purchase within forty-five (45) days of its Notice of Exercise of Right, the Owner may convey the unit according to Section 2.3.4.5 above for no more than the maximum resale price as calculated therein.

2.3.4.7 Municipality's and Owner's Rights in Foreclosure

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2.3.4.7.1 The Owner shall give immediate written notice to the Municipality upon the first to occur:

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2.3.4.7.1.1 the date any notice of foreclosure is provided to the Owner or any foreclosure is commenced against the unit under the First Mortgage, or

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2.3.4.7.1.2 the date when the Owner becomes twenty-one (21) days late in making a payment on any indebtedness encumbering the unit required to avoid foreclosure of the First Mortgage.

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2.3.4.7.2 At any time within sixty (60) days after receipt of any notice described in Section 2.3.4.7.1.1 above, the Municipality may, but shall not be obligated to, proceed to make any payment required in order to avoid foreclosure or to redeem the unit after a foreclosure. Upon making any such payment, the Municipality shall succeed to all rights of the Owner to the Property and shall assume all of the Owner's rights and obligations under the First Mortgage, subject to the terms of the Subsidy Lien and Restrictive Covenant. In such event the Owner shall forthwith quit the unit and relinquish possession thereof to the Municipality, which shall assume ownership of the property.

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2.3.4.7.3 The Owner may redeem his or her interest in the unit by payment to the Municipality of all sums paid by the Municipality in connection with the First Mortgage and all other sums reasonably expended by the Municipality in relation to the unit, plus eighteen percent (18%) simple interest from each date of expenditure. This redemption may only occur within forty-five (45) days after the Municipality succeeds to the Owner's rights to the unit, after which the Municipality may proceed to convey the property to an eligible buyer. Notwithstanding such redemption, the property shall nonetheless remain subject to the Subsidy Lien and Restrictive Covenant.

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2.3.4.7.4 If the Municipality conveys the property it may recover all incidental and consequential costs as are reasonably incurred or estimated to be incurred by the Municipality in connection with its ownership and disposition of the property, including but not limited to insurance, maintenance, repairs or improvements, and marketing expenses. If after conveyance of the property by the Municipality there are excess proceeds above the Municipality's costs, then within 60 days of settlement by the purchaser or purchasers of the property conveyed, the municipality shall reimburse the Owner from whom the Municipality acquired the property in the amount of such excess proceeds.

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#### 2.3.4.8 Retirement or Modification of Subsidy Lien

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2.3.4.8.1 At the time of any transfer of an Affordable Housing Unit, the Municipality may, but is not obligated to, retire or modify the subsidy lien if, in accordance with Section 2.3.4.2 above, the revised target income level is greater than 120% of the Area Median Income, or if the adjusted subsidy lien amount is not between fifteen and thirty-three percent of the Fair Market Value. Upon making a determination that any such condition has been met, the Municipality may notify the Owner in writing of its intention to retire or modify the subsidy lien. The notice shall indicate the value of the subsidy lien to be retired, or the amount by which the Municipality will reduce or enhance the subsidy lien. Such notification shall be made within 45 days of the Owner's Notice of Intent, as provided under Section 2.3.4.1 above.

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2.3.4.8.2 Reduction or retirement of the subsidy lien shall be accomplished at the time of closing by payment from the Owner to the Municipality, such payment to be deposited in the Municipality's Affordable Housing Revolving Fund [if one exists at the time]. Enhancement of the subsidy lien shall be accomplished at the time of closing by payment from the Municipality to the Owner. Retirement of the subsidy lien shall be accompanied by release of the restrictive covenant by the Municipality and shall eliminate the need to calculate a maximum resale price, allowing the unit to sell at its Fair Market Value.

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2.3.4.9 Default and Other Enforcement - Failure of the Owner to comply with the terms of this ordinance, with any condition of Planning Board approval, or with the terms of the recorded Subsidy Lien and Restrictive Covenant shall constitute default, which shall entitle, but which shall not obligate, the Municipality to undertake the following actions:

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2.3.4.9.1 Foreclosure on the Subsidy Lien, in accordance with RSA 479:19 et seq., provided that the Owner shall have 60 days after receiving written notice of default from the Municipality to fully correct the reasons for default identified by the Municipality in its notice; and

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2.3.4.9.2 Enforcement under RSA 676:17, 676:17-a, and 676:17-b.

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2.3.4.10 Conveyances to Non-Profit Housing Organizations

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Notwithstanding the foregoing, the Municipality may require that initial or subsequent conveyances of Affordable Housing Units be made to a non-profit organization of the Municipality's choice, where the primary purpose of the organization is to provide or facilitate the acquisition of housing that is affordable to low- and moderate-income households. The Municipality shall release its Right of First Refusal under Section 2.3.4.6 above upon such conveyance, provided that upon subsequent conveyance the

organization acquires a similar right of first refusal. The Municipality shall also release its Subsidy Lien and Restrictive Covenant upon conveyance to such an organization. Conveyance to such an organization shall be made at the initial selling price in Section 2.3.4.3.3 or at the maximum resale price in Section 2.3.4.5.2, as appropriate.

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Londonderry Zoning Ordinance Use Table

	AR-1	R-II	C-I	C-II	C-III	C-IV	IND-I	IND-II	AD	POD - 102*	POD - 28*	CO	AH	AZ	FP
<b>RESIDENTIAL AND AGRICULTURAL</b>															
Agriculture		P													
Assisted Living Facilities	P	P	P	P	P					P	P				
Back Lot Development	C											See specific district regs.			
Dwelling, multi-family	C ***	P, C ***				C ***									
Dwelling, single family	P, C ***	P, C ***			S	C ***									
Dwelling, two-family	P, C ***	P, C ***			S	C ***									
Elderly Housing	P	P	P	P	P	P				P	P				
Manufactured housing	P, C ***	C ***				C ***									
Mixed use residential						P									
Mobile homes	P														
Nursing Home and accessory uses		P	P	P	P					P	P				
Planned residential development	P														
Preexisting manufactured housing parks	P														
Pre-site Built Housing	P														
<b>CIVIC USES</b>															
Community center			P	P		C									
Cemetery	P														
Public Facilities	P	P	P	P	P	C	P	P	P						
Public Utilities	P	P	P	P	P		S	S	S						
Recreational Facilities, Public	P		P	P	P	P				P	P				
Religious Facilities	P		P	P	P	P				P	P				
<b>BUSINESS USES</b>															
Aeronautical Facilities									P						
Bed and Breakfast Homestay	P														
Business center development			P	P						P	P				
Day Care Center, Adult						C									
Drive-thru window as an accessory use			P	P											
Drive-in establishments			P	P											
Drive-in theatres				P											

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

Londonderry Zoning Ordinance Use Table

	AR-1	R-III	C-I	C-II	C-III	C-IV	IND-I	IND-II	AD	POD - 102*	POD - 28*	CO	AH	AZ	FP
Financial institution			P	P											
Funeral homes			P	P	P										
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	P		P	P	P		P	P	P						
Group Child Care Center						C	S	S		C	C				
Home Occupation	S														
Hotels				P											
Manufacturing, Heavy								P	P						
Manufacturing, Light							P	P	P						
Membership club			P	P											
Motels				P											
Motor Vehicle Maintenance, Major Repair and Painting								P	P						
Motor vehicle rental									P						
Motor Vehicle Station, Limited Service						C**			P						
Recreation, commercial			P	P						P	P				
Retail sales establishment			P	P						P	P				
Professional office			P	P	P	P	P	P	P	P	P				
Repair services			P	P	P	P	P	P	P	P	P				
Research Laboratory						P	P	P	P	P	P				
Restaurant			P	P		C	P	P	P	P	P				
Restaurant, fast food			P	P											
Sales of Heavy Equipment or Heavy Trucks as an accessory use							C	C							
School, Private					P					P	P				
Service establishment			P	P			P	P	P	P	P				
Sexually oriented businesses			P	P											
Storage, self serve							P	P		C	C				
Terminal, Airplane									P						
Terminal, Trucking								P	P						
Vehicle Sales Establishment				P				P	P						
Warehouse				P			P	P	P	C	C				
Wholesale establishment				P			P	P	P						

\* Any use permitted in the underlying zoning district, which is not a permitted use in the Performance Overlay District is considered a Conditional Use

\*\* See section 2.4.1.2.4 for additional dimensional requirements related to fuel dispensers

\*\*\* See Section 2.3.3 for specific requirements (workforce housing)

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception



# **Londonderry Capital Improvements Plan FY 2011 – FY 2016**

## **Planning Board Workshop**

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**September 9, 2009**



## **Overview of CIP Process**

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- **A CIP is an advisory document that can serve a number of purposes, among them to:**
    - Guide the Town Council and the Budget Committee in the annual budgeting process;
    - Contribute to stabilizing the Town's real property tax rate;
    - Aid the prioritization, coordination, and sequencing of various municipal improvements;
    - Inform residents, business owners, and developers of planned improvements;
    - Provide the necessary legal basis for ongoing administration and periodic updates of the Londonderry Growth Management Ordinance;
    - Provide the necessary legal basis continued administration and periodic updates of the Londonderry Impact Fee Ordinance.
-

## Advisory Nature of CIP

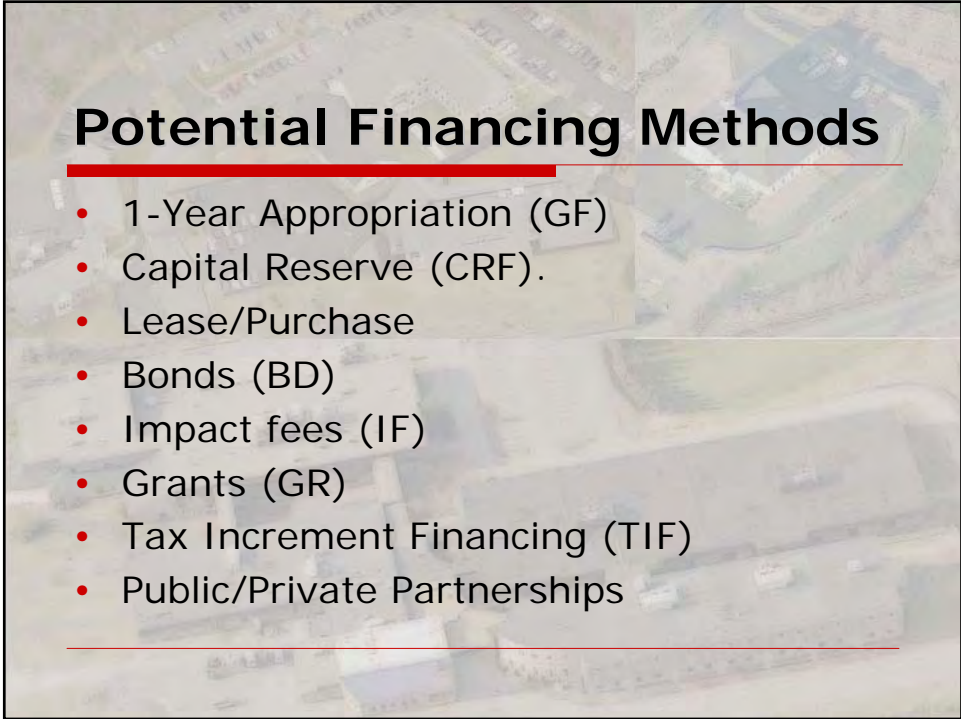
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- It must be emphasized that the CIP is *purely advisory in nature*.
  - Ultimate funding decisions are subject to the budgeting process and the annual Town meeting.
  - Inclusion of any given project in the CIP does not constitute an endorsement by the CIP Committee.
  - The CIP Committee is bringing Department project requests to the attention of the Town, along with recommended priorities, in the hope of facilitating decision making by the Town.
- 

## What is a Capital Project?

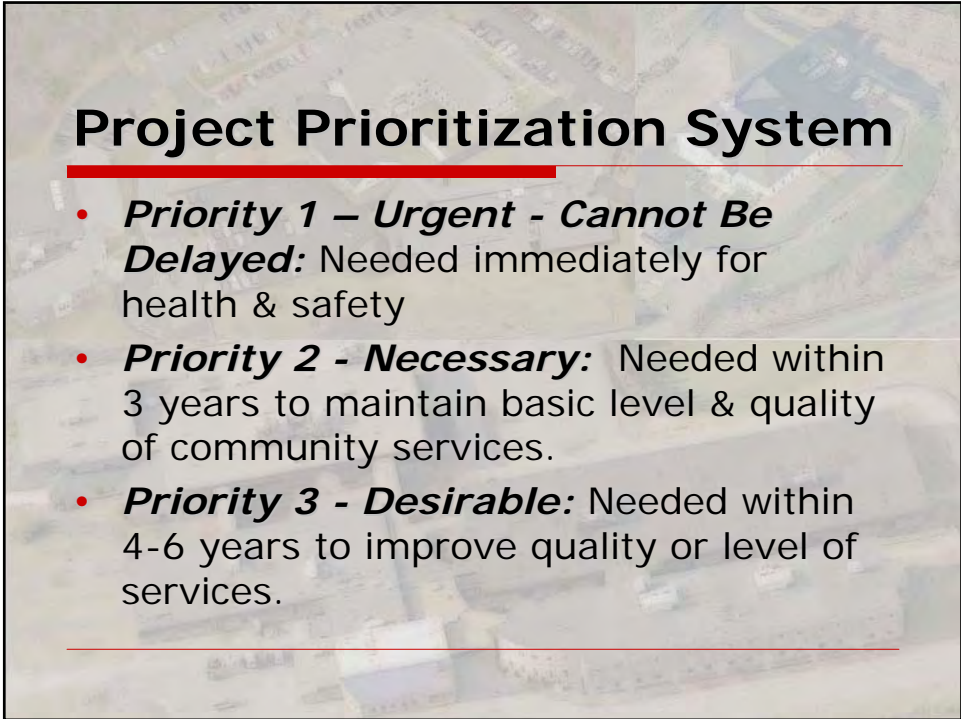
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- A tangible project or asset having a cost of at least \$100,000 and a useful life of at least five years.
  - Eligible items include new buildings or additions, land purchases, studies, substantial road improvements and purchases of major vehicles and equipment.
  - Operating expenditures for personnel and other general costs are not included.
  - Expenditures for maintenance or repair are generally not included unless the cost or scope of the project is substantial enough to increase the level of a facility improvement.
-



## Potential Financing Methods

- 1-Year Appropriation (GF)
- Capital Reserve (CRF).
- Lease/Purchase
- Bonds (BD)
- Impact fees (IF)
- Grants (GR)
- Tax Increment Financing (TIF)
- Public/Private Partnerships



## Project Prioritization System

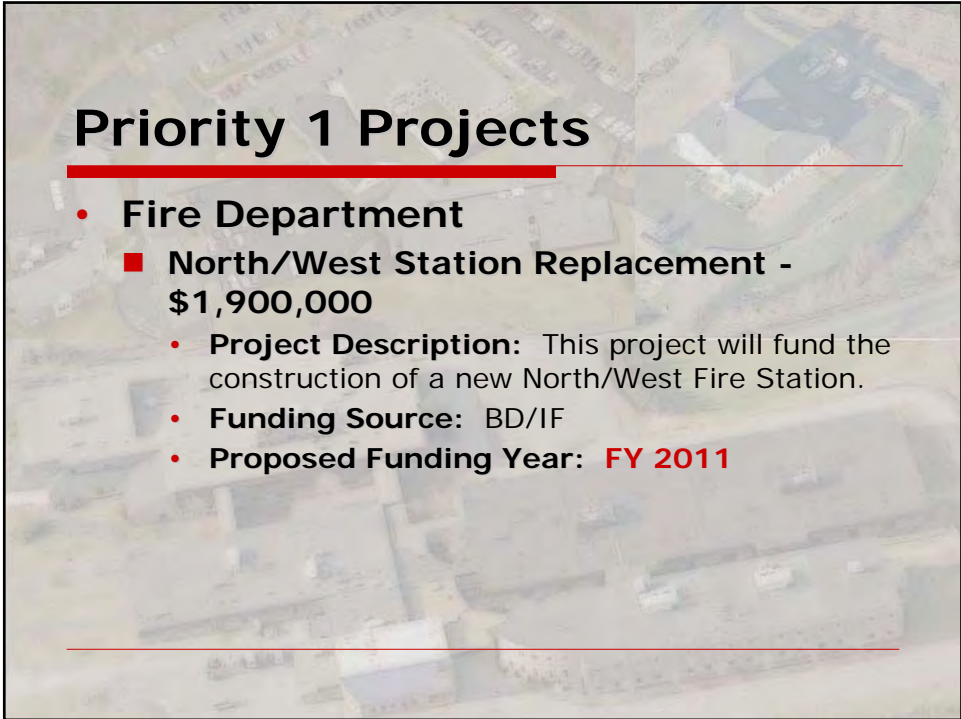
- **Priority 1 – Urgent - Cannot Be Delayed:** Needed immediately for health & safety
- **Priority 2 - Necessary:** Needed within 3 years to maintain basic level & quality of community services.
- **Priority 3 - Desirable:** Needed within 4-6 years to improve quality or level of services.





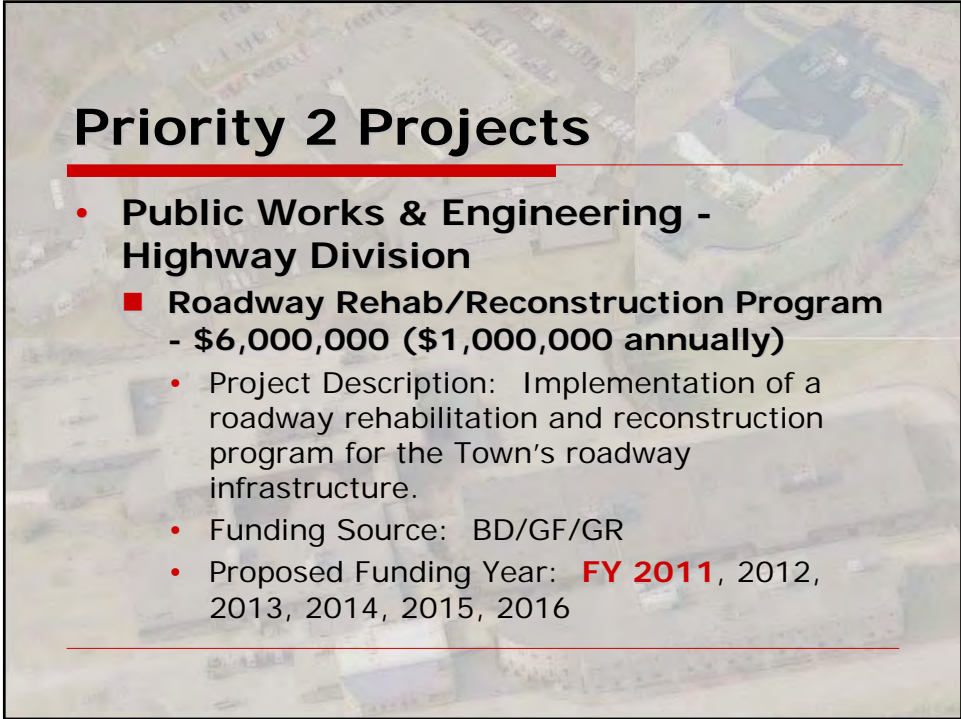
## Project Prioritization System

- **Priority 4 - Deferrable:** Can be placed on hold until after 6 year scope of current CIP, but supports community development goals.
  - **Priority 5 - Premature:** Needs more research, planning & coordination
  - **Priority 6 - Inconsistent:** Contrary to land-use planning or community development goals.
- 



## Priority 1 Projects


- **Fire Department**
    - **North/West Station Replacement - \$1,900,000**
      - **Project Description:** This project will fund the construction of a new North/West Fire Station.
      - **Funding Source:** BD/IF
      - **Proposed Funding Year:** **FY 2011**
-



## Priority 2 Projects

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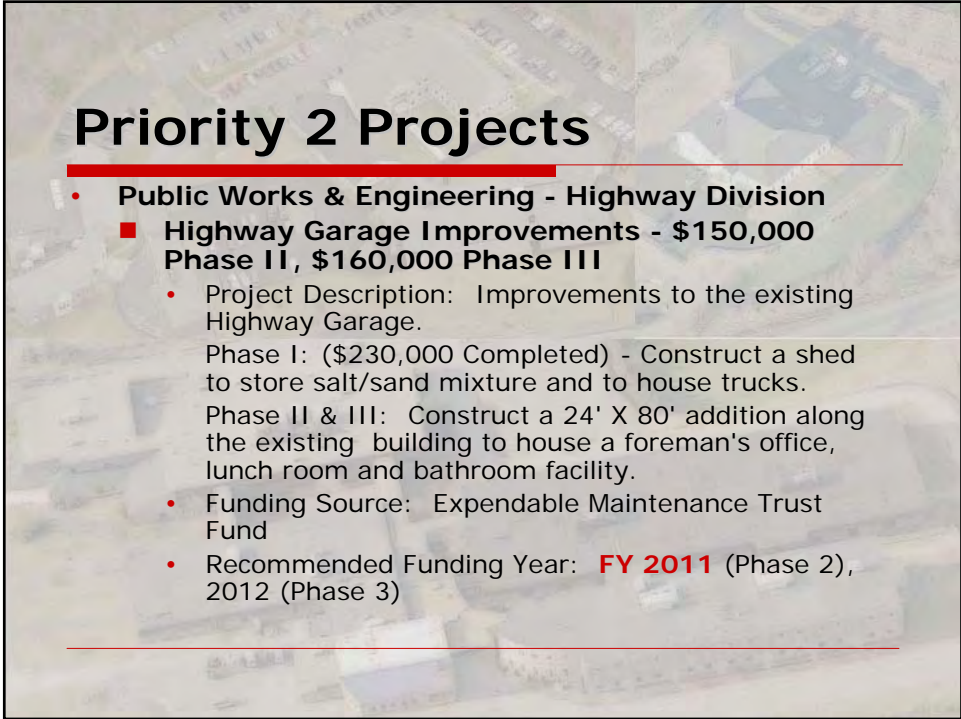
- **Public Works & Engineering - Highway Division**
    - **Roadway Rehab/Reconstruction Program - \$6,000,000 (\$1,000,000 annually)**
      - Project Description: Implementation of a roadway rehabilitation and reconstruction program for the Town's roadway infrastructure.
      - Funding Source: BD/GF/GR
      - Proposed Funding Year: **FY 2011**, 2012, 2013, 2014, 2015, 2016
- 



## Priority 2 Projects

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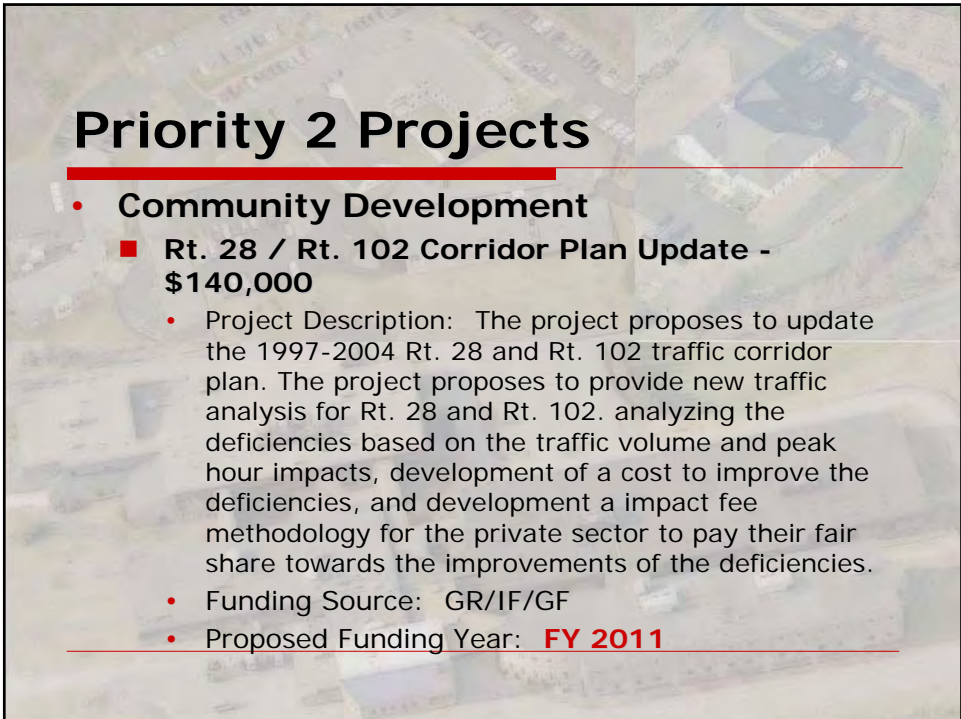
- **Community Development Department**
    - **Pettingill Road Upgrade - \$12,348,000**
      - Project Description: This project will fund preliminary design plans and construction of the upgrade to Pettingill Road, a Class VI roadway that once upgraded will provide access to the industrial land south of Manchester Airport and connect with the NHDOT Airport Access Road.
      - Funding Source: TIF
      - Proposed Funding Year: **FY 2011**
-



## Priority 2 Projects

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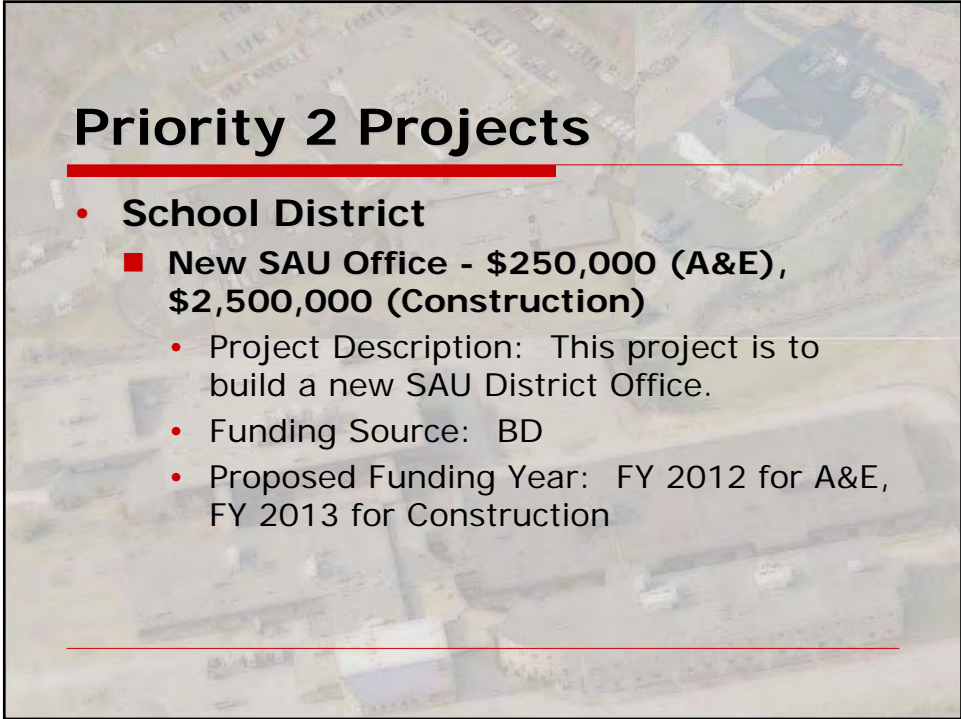
- **Public Works & Engineering - Highway Division**
    - **Highway Garage Improvements - \$150,000 Phase II, \$160,000 Phase III**
      - Project Description: Improvements to the existing Highway Garage.  
Phase I: (\$230,000 Completed) - Construct a shed to store salt/sand mixture and to house trucks.  
Phase II & III: Construct a 24' X 80' addition along the existing building to house a foreman's office, lunch room and bathroom facility.
      - Funding Source: Expendable Maintenance Trust Fund
      - Recommended Funding Year: **FY 2011** (Phase 2), 2012 (Phase 3)
- 



## Priority 2 Projects

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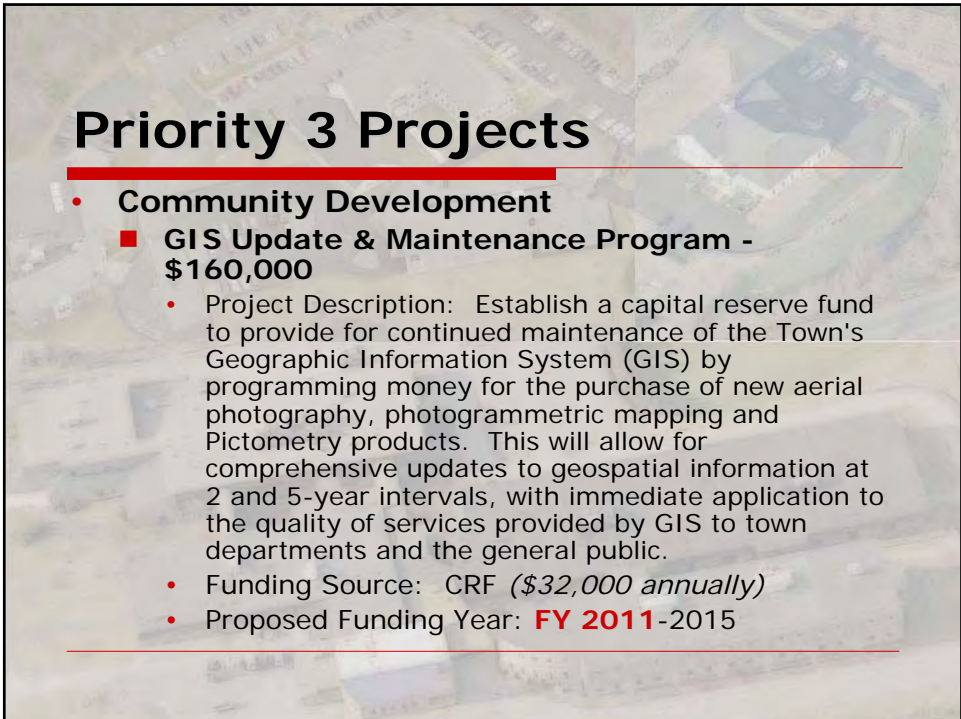
- **Community Development**
    - **Rt. 28 / Rt. 102 Corridor Plan Update - \$140,000**
      - Project Description: The project proposes to update the 1997-2004 Rt. 28 and Rt. 102 traffic corridor plan. The project proposes to provide new traffic analysis for Rt. 28 and Rt. 102, analyzing the deficiencies based on the traffic volume and peak hour impacts, development of a cost to improve the deficiencies, and development a impact fee methodology for the private sector to pay their fair share towards the improvements of the deficiencies.
      - Funding Source: GR/IF/GF
      - Proposed Funding Year: **FY 2011**
-



## Priority 2 Projects

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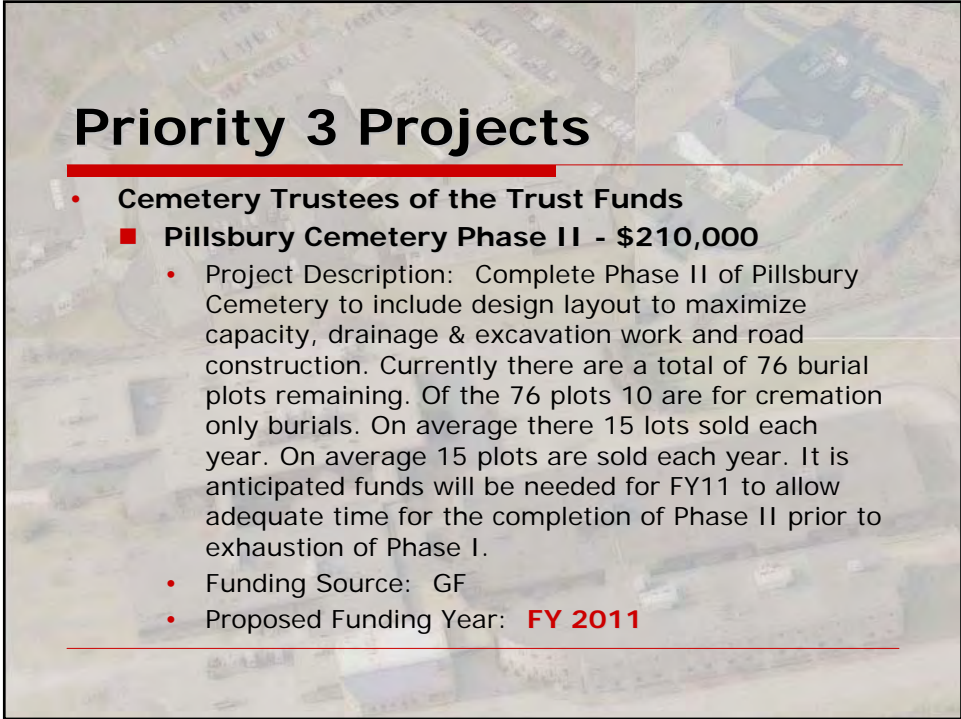
- **School District**
    - **New SAU Office - \$250,000 (A&E), \$2,500,000 (Construction)**
      - Project Description: This project is to build a new SAU District Office.
      - Funding Source: BD
      - Proposed Funding Year: FY 2012 for A&E, FY 2013 for Construction
- 



## Priority 3 Projects

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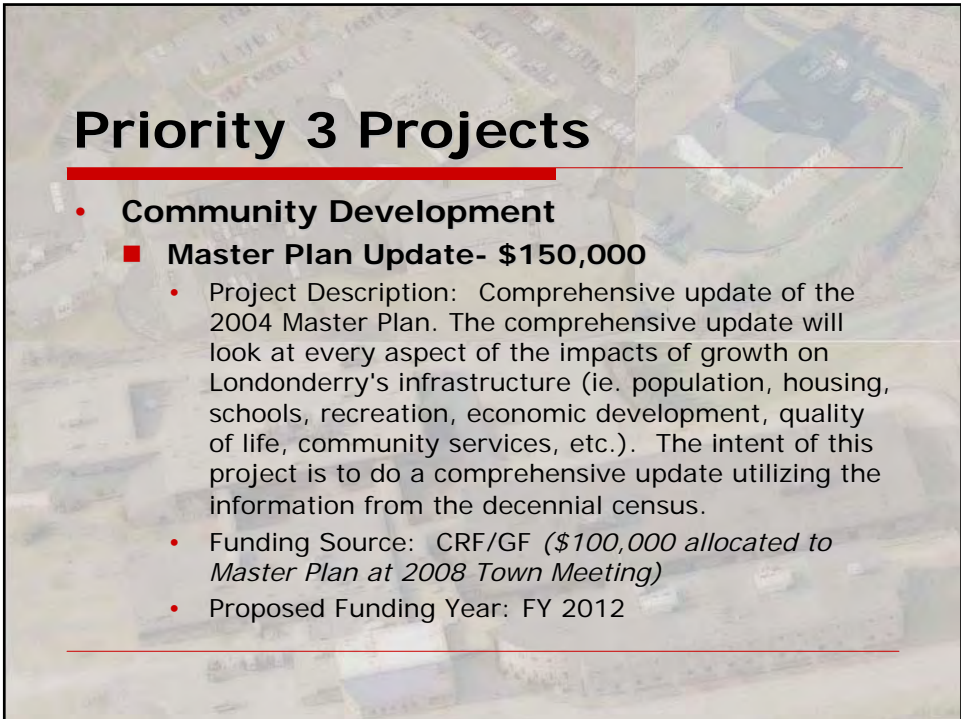
- **Community Development**
    - **GIS Update & Maintenance Program - \$160,000**
      - Project Description: Establish a capital reserve fund to provide for continued maintenance of the Town's Geographic Information System (GIS) by programming money for the purchase of new aerial photography, photogrammetric mapping and Pictometry products. This will allow for comprehensive updates to geospatial information at 2 and 5-year intervals, with immediate application to the quality of services provided by GIS to town departments and the general public.
      - Funding Source: CRF (*\$32,000 annually*)
      - Proposed Funding Year: **FY 2011-2015**
-



## Priority 3 Projects

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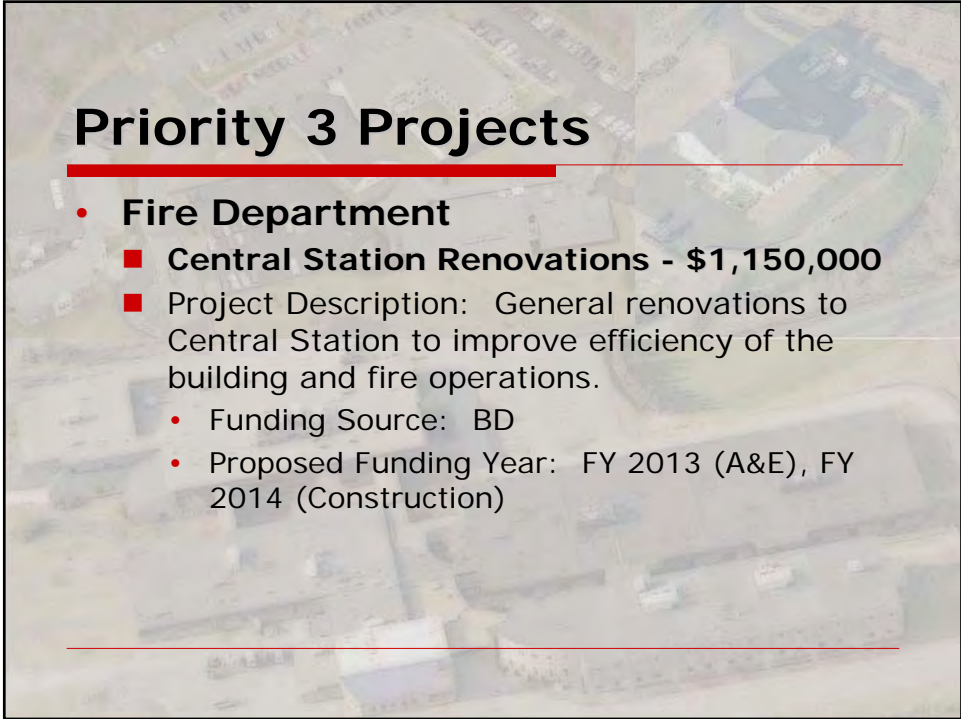
- **Cemetery Trustees of the Trust Funds**
    - **Pillsbury Cemetery Phase II - \$210,000**
      - Project Description: Complete Phase II of Pillsbury Cemetery to include design layout to maximize capacity, drainage & excavation work and road construction. Currently there are a total of 76 burial plots remaining. Of the 76 plots 10 are for cremation only burials. On average there 15 lots sold each year. On average 15 plots are sold each year. It is anticipated funds will be needed for FY11 to allow adequate time for the completion of Phase II prior to exhaustion of Phase I.
      - Funding Source: GF
      - Proposed Funding Year: **FY 2011**
- 



## Priority 3 Projects

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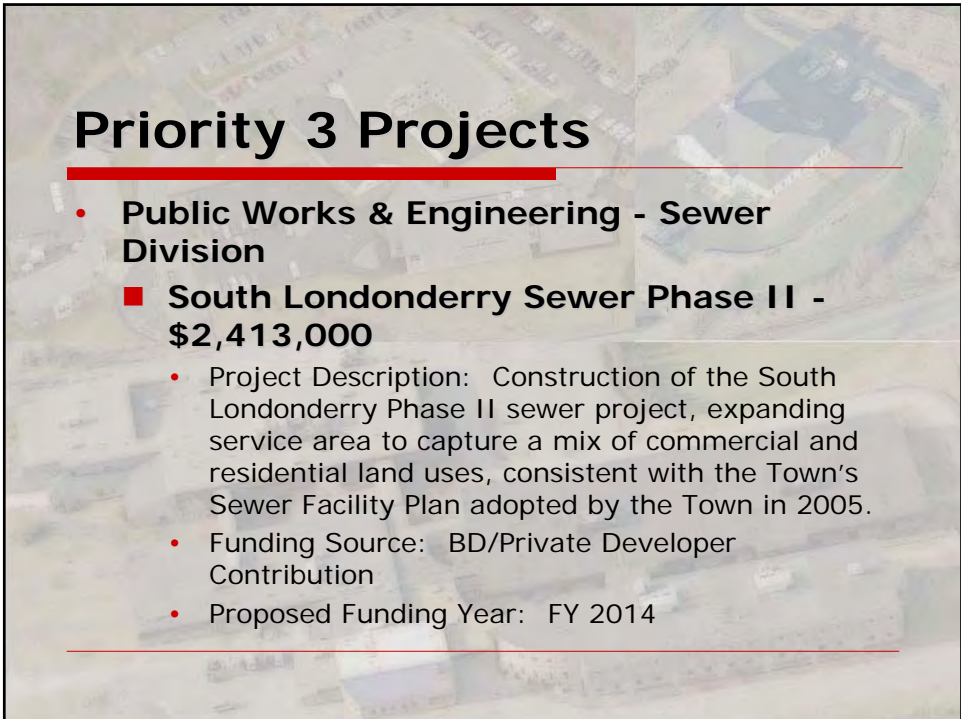
- **Community Development**
    - **Master Plan Update- \$150,000**
      - Project Description: Comprehensive update of the 2004 Master Plan. The comprehensive update will look at every aspect of the impacts of growth on Londonderry's infrastructure (ie. population, housing, schools, recreation, economic development, quality of life, community services, etc.). The intent of this project is to do a comprehensive update utilizing the information from the decennial census.
      - Funding Source: CRF/GF (*\$100,000 allocated to Master Plan at 2008 Town Meeting*)
      - Proposed Funding Year: FY 2012
-



## Priority 3 Projects

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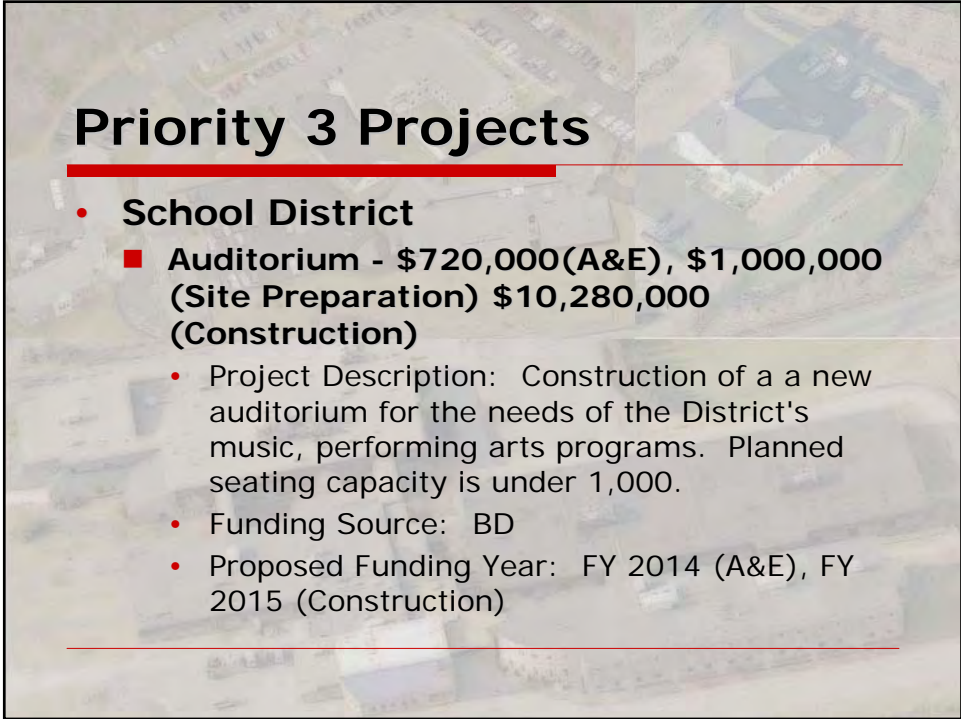
- **Fire Department**
    - **Central Station Renovations - \$1,150,000**
    - Project Description: General renovations to Central Station to improve efficiency of the building and fire operations.
      - Funding Source: BD
      - Proposed Funding Year: FY 2013 (A&E), FY 2014 (Construction)
- 



## Priority 3 Projects

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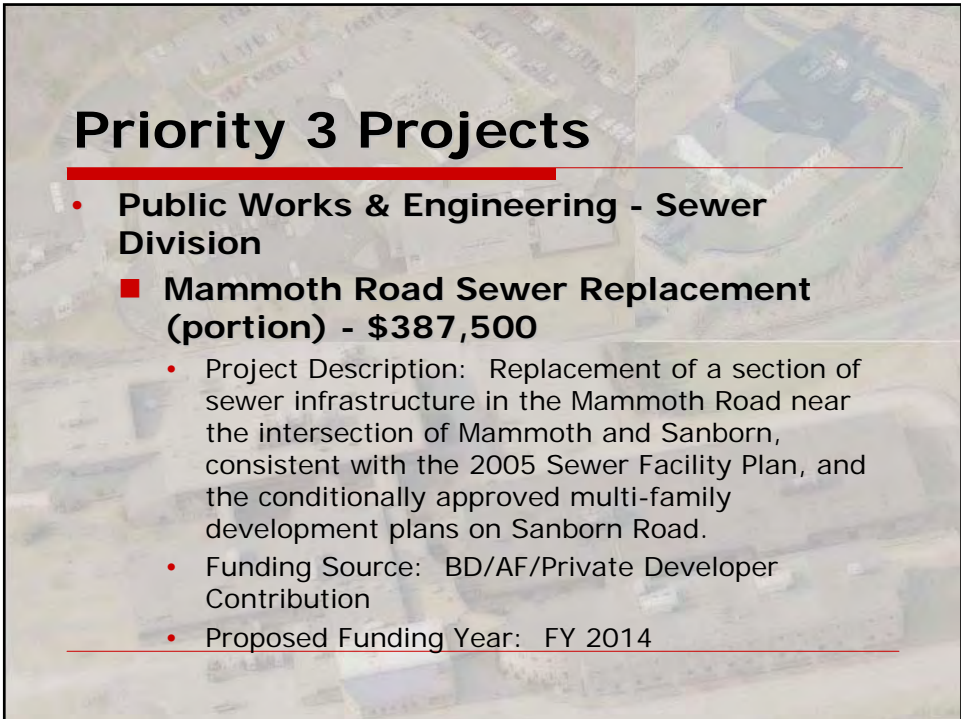
- **Public Works & Engineering - Sewer Division**
    - **South Londonderry Sewer Phase II - \$2,413,000**
    - Project Description: Construction of the South Londonderry Phase II sewer project, expanding service area to capture a mix of commercial and residential land uses, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.
    - Funding Source: BD/Private Developer Contribution
    - Proposed Funding Year: FY 2014
-



## Priority 3 Projects

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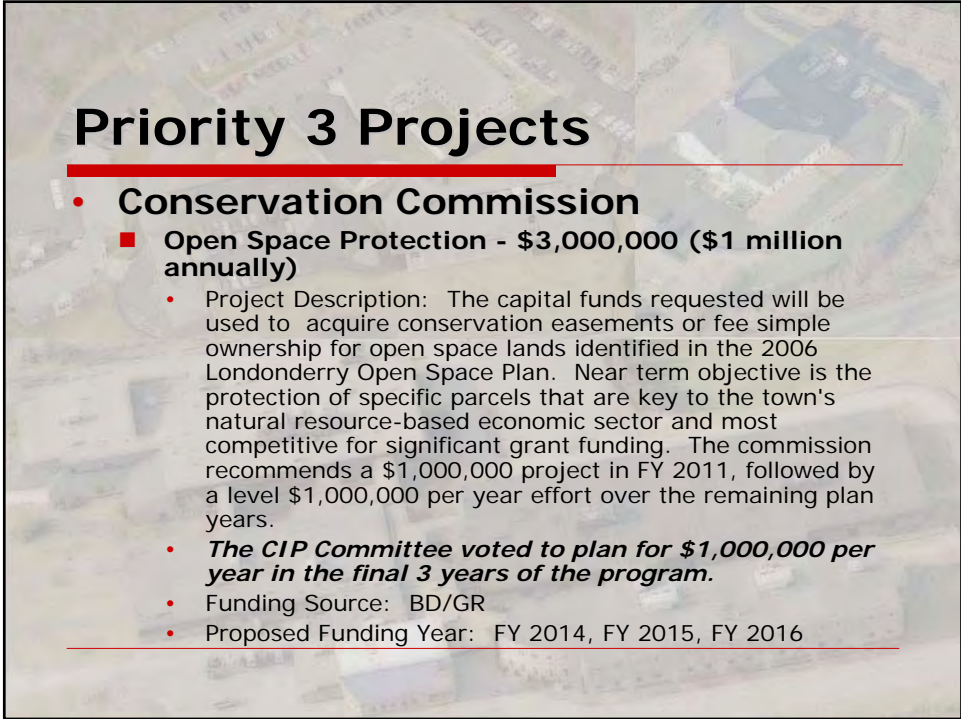
- **School District**
    - **Auditorium - \$720,000(A&E), \$1,000,000 (Site Preparation) \$10,280,000 (Construction)**
      - Project Description: Construction of a new auditorium for the needs of the District's music, performing arts programs. Planned seating capacity is under 1,000.
      - Funding Source: BD
      - Proposed Funding Year: FY 2014 (A&E), FY 2015 (Construction)
- 



## Priority 3 Projects

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- **Public Works & Engineering - Sewer Division**
    - **Mammoth Road Sewer Replacement (portion) - \$387,500**
      - Project Description: Replacement of a section of sewer infrastructure in the Mammoth Road near the intersection of Mammoth and Sanborn, consistent with the 2005 Sewer Facility Plan, and the conditionally approved multi-family development plans on Sanborn Road.
      - Funding Source: BD/AF/Private Developer Contribution
      - Proposed Funding Year: FY 2014
-



## Priority 3 Projects

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- **Conservation Commission**
    - **Open Space Protection - \$3,000,000 (\$1 million annually)**
      - Project Description: The capital funds requested will be used to acquire conservation easements or fee simple ownership for open space lands identified in the 2006 Londonderry Open Space Plan. Near term objective is the protection of specific parcels that are key to the town's natural resource-based economic sector and most competitive for significant grant funding. The commission recommends a \$1,000,000 project in FY 2011, followed by a level \$1,000,000 per year effort over the remaining plan years.
      - *The CIP Committee voted to plan for \$1,000,000 per year in the final 3 years of the program.*
      - Funding Source: BD/GR
      - Proposed Funding Year: FY 2014, FY 2015, FY 2016
- 

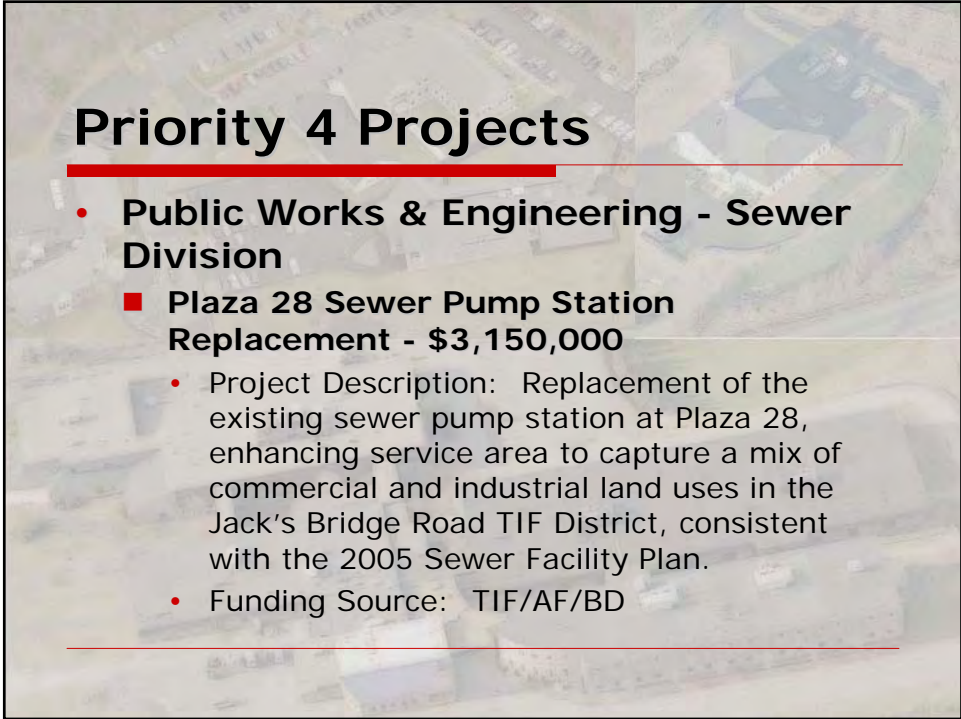


## Priority 4 Projects

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- **Heritage Commission:**
    - **Historic Property Preservation Program - \$250,000 Annually**
      - Project Description: This project proposes an annual appropriation to address the need to protect Londonderry's diminishing supply of historic homes and barns.
      - Funding Source: GF
-

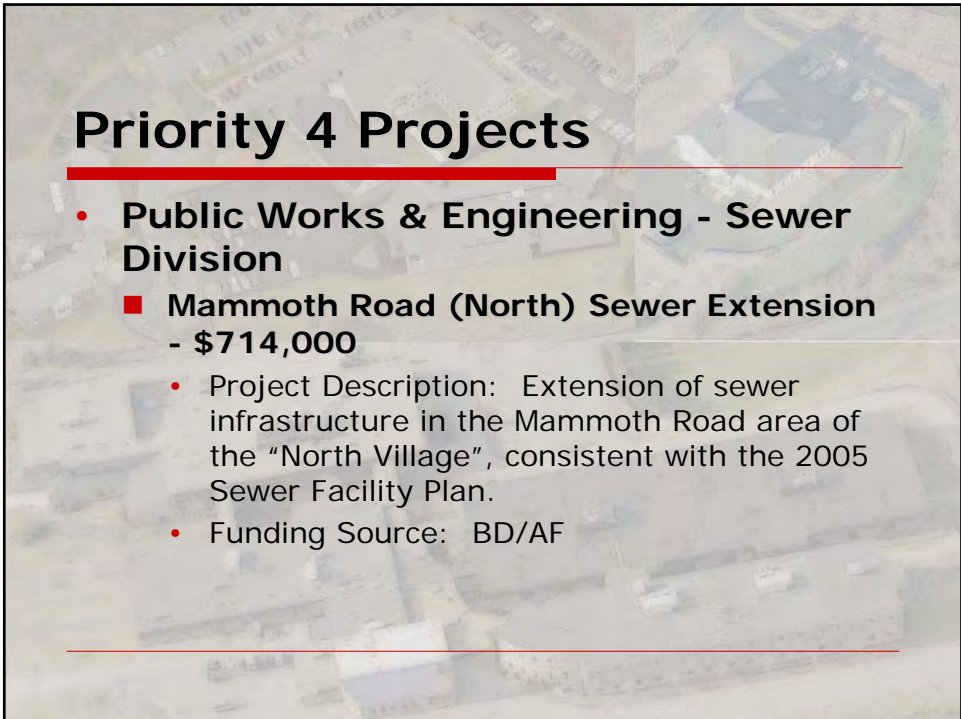




## Priority 4 Projects

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- **Public Works & Engineering - Sewer Division**
    - **Plaza 28 Sewer Pump Station Replacement - \$3,150,000**
      - Project Description: Replacement of the existing sewer pump station at Plaza 28, enhancing service area to capture a mix of commercial and industrial land uses in the Jack's Bridge Road TIF District, consistent with the 2005 Sewer Facility Plan.
      - Funding Source: TIF/AF/BD
- 



## Priority 4 Projects

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- **Public Works & Engineering - Sewer Division**
    - **Mammoth Road (North) Sewer Extension - \$714,000**
      - Project Description: Extension of sewer infrastructure in the Mammoth Road area of the "North Village", consistent with the 2005 Sewer Facility Plan.
      - Funding Source: BD/AF
-



## Priority 6 Projects

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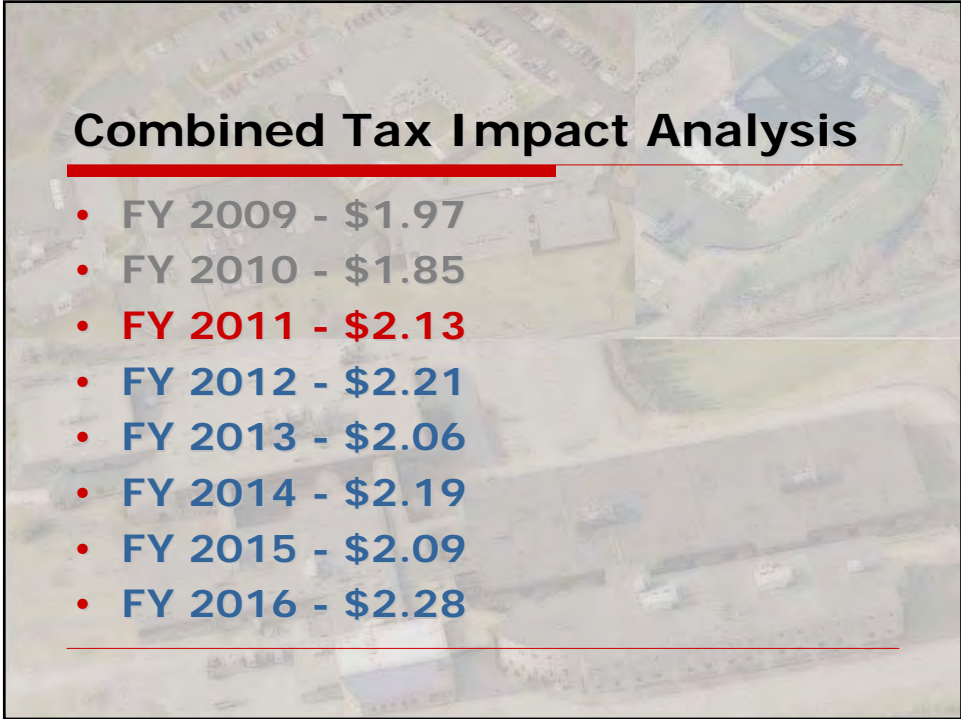
- **Public Works & Engineering - Solid Waste Division**
    - **Dan Hill Road Drop Off Center Improvements - \$441,000**
      - Project Description: Site improvements to the existing drop-off facility on Dan Hill Road.
      - Funding Source: Reclamation Trust Fund
- 



## Year by Year Project Cost Totals

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- FY 2009 - \$8,058,000 (actual)
  - FY 2010 - \$2,945,000 (actual)
  - **FY 2011 - \$16,073,000 (proposed)**
  - **FY 2012 - \$1,661,000 (proposed)**
  - **FY 2013 - \$4,100,122 (proposed)**
  - **FY 2014 - \$6,660,500 (proposed)**
  - **FY 2015 - \$13,280,000 (proposed)**
  - **FY 2016 - \$2,000,000 (proposed)**
-



## **Combined Tax Impact Analysis**

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- FY 2009 - \$1.97
  - FY 2010 - \$1.85
  - **FY 2011 - \$2.13**
  - **FY 2012 - \$2.21**
  - **FY 2013 - \$2.06**
  - **FY 2014 - \$2.19**
  - **FY 2015 - \$2.09**
  - **FY 2016 - \$2.28**
- 



## **Note Regarding Previously Appropriated Exit 4A Project**

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- The bond for Exit 4A has been approved by a prior Town Meeting, so to that extent, it is an approved project and is not included in the CIP.
  - However, the project's debt service has not yet impacted the community.
  - In order to provide a complete estimation of the fiscal impact of capital projects, 4A has been indicated in the Financing Plan and Net Tax Impact Analysis spreadsheets of the CIP.
  - Currently, there is \$4.5M in un-issued debt authorization. The Town Manager's estimation at this point and that these bonds will be sold as a twenty year note in FY2012, with Principal & Interest payments beginning in FY2013.
-

## Conclusion & Recommendations

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- The CIP Committee has determined that there is not enough information to make a funding recommendation concerning the Priority 4 projects. These are projects in the opinion of the Committee that should be studied in further detail before funding decisions should be made.
  - The CIP Committee believes that Londonderry has made great strides in process and format of the Capital Improvements Plan, and are hopeful that the improvements have made a difference to the Planning Board, Town Council, School Board, and Budget Committee as they prepare budgets each year.
- 

## THANK YOU!

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- My thanks go out to the CIP Committee and Staff Members that made this project possible:
    - **CIP Committee:**
      - Chair John Farrell
      - Vice Chair Ron Campo
      - Planning Board Rep Rick Brideau
      - Town Council Rep Brian Farmer (Sean O'Keefe, Alternate)
      - Budget Committee Rep Tom Dolan (Don Jorgenson, Alternate)
    - **Staff:**
      - Sue Hickey, Asst. Town Manager for Finance & Administration
      - Peter Curro, School District Business Administrator
-

# ***Town of Londonderry, New Hampshire Capital Improvements Plan FY2011 - FY2016***



***Prepared by the Londonderry  
Capital Improvement Planning  
Committee***

Chair: John Farrell, Planning Board Rep  
Vice Chair: Ron Campo, School Board Rep  
Brian Farmer, Town Council Rep  
Rick Brideau, Planning Board Rep  
Tom Dolan, Budget Committee Rep

***Staff:***

Timothy J. Thompson, AICP, Town Planner  
Susan Hickey, Asst Town Mgr for Finance and Admin.  
Peter Curro, School Department Business Administrator  
Margo Lapietro, Executive Assist. to the Town Manager

***Adopted by the Londonderry  
Planning Board - October 14, 2009:***

Art Rugg, Chair  
John Farrell, Vice Chair  
Mary Wing Soares, Secretary  
Robert Nichols, Asst. Secretary  
Lynn Wiles  
Laura El-Azem  
Charles Tilgner, Ex-Officio  
Rick Brideau, Ex-Officio  
Paul DiMarco, Council Ex-Officio  
Chris Davies, Alternate  
Cole Melendy, Alternate  
George Herrman, Alternate

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## Introduction

The preparation and adoption of a Capital Improvements Plan (CIP) is an important part of Londonderry's planning process. A CIP aims to recognize and resolve deficiencies in existing public facilities and anticipate and meet future demand for capital facilities. A CIP is a multi-year schedule that lays out a series of municipal projects and their associated costs. Over the six-year period considered by the CIP, it shows how the Town should plan to expand or renovate facilities and services to meet the demands of existing or new population and businesses.

A CIP is an **advisory document** that can serve a number of purposes, among them to:

- Guide the Town Council, School Board, and the Budget Committee in the annual budgeting process;
- Contribute to stabilizing the Town's real property tax rate;
- Aid the prioritization, coordination, and sequencing of various municipal improvements;
- Inform residents, business owners, and developers of planned improvements;
- Provide the necessary legal basis for ongoing administration and periodic updates of the Londonderry Growth Management Ordinance;
- Provide the necessary legal basis continued administration and periodic updates of the Londonderry Impact Fee Ordinance.

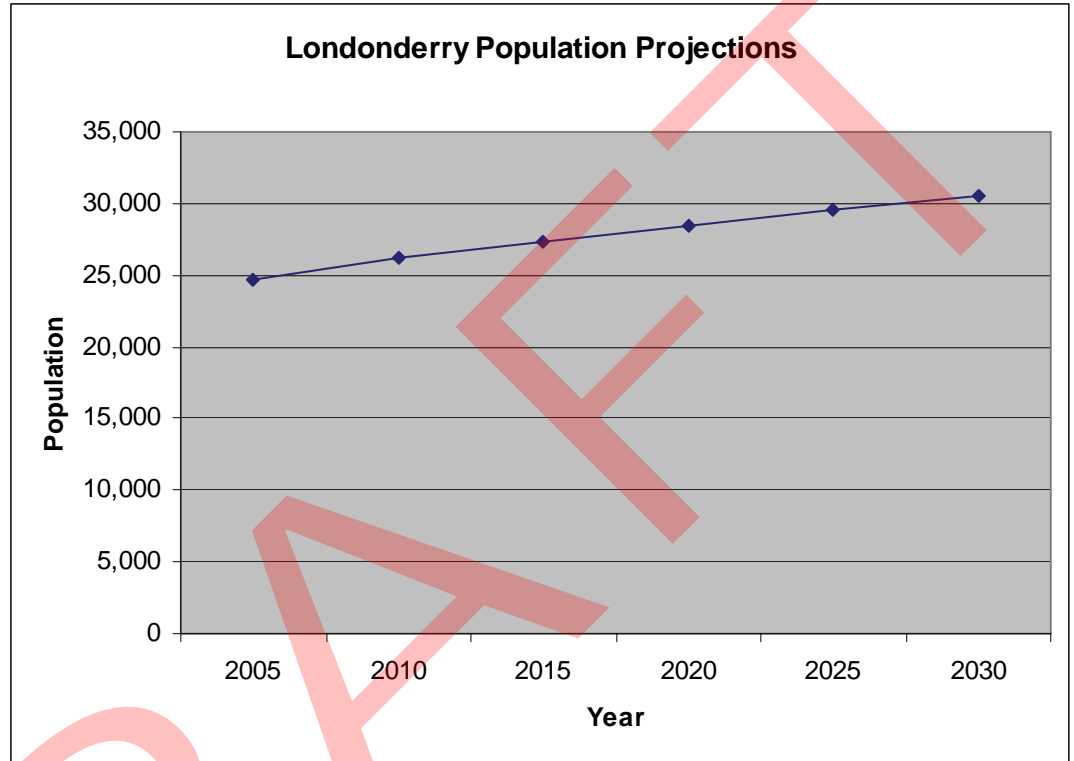
It must be emphasized that the CIP is purely advisory in nature. Ultimate funding decisions are subject to the budgeting process and the annual Town meeting. Inclusion of any given project in the CIP does not constitute an endorsement by the CIP Committee. Rather, the CIP Committee is bringing Department project requests to the attention of the Town, along with recommended priorities, in the hope of facilitating decision making by the Town.

Borrowing from the 2004 Londonderry Master Plan:

*Until relatively recent years, Londonderry was a lightly populated rural community with a large number of active agricultural operations (Note: See appendix for a short town history). Even as recently as 1960, when Londonderry's population was less than 2,500 persons, the majority of housing was located along rural roads or in small clusters such as North Londonderry. During the next thirty years, the town underwent a dramatic transformation from an agricultural and rural community to a popular residential town. Between 1960 and 1990, Londonderry's population grew by an astonishing 700 percent, far outpacing growth in the state and county (during the same time New Hampshire and Rockingham County grew by 83 and 148 percent, respectively).*

See Chart and Table, next page:

**Chart of Londonderry Population Growth (Source NH OEP Population Projections)**



**Top 10 Growing NH Communities 1990-2000 (Source: NH OEP)**

Community	NH Municipalities Rank Order by Numeric Growth						1990	2000
	1960 census	1970 census	1980 census	1990 census	2000 census	Change 1990	% Change	Rank
Manchester	88282	87754	90936	99567	107006	7439	7.47	1
Nashua	39096	55820	67865	79662	86605	6943	8.72	2
Bedford	3636	5859	9481	12563	18274	5711	45.46	3
Concord	28991	30022	30400	36006	40687	4681	13.00	4
Derry	6987	11712	18875	29603	34021	4418	14.92	5
<b>Londonderry</b>	<b>2457</b>	<b>5346</b>	<b>13598</b>	<b>19781</b>	<b>23236</b>	<b>3455</b>	<b>17.47</b>	<b>6</b>
Hudson	5876	10638	14022	19530	22928	3398	17.40	7
Merrimack	2989	8595	15406	22156	25119	2963	13.37	8
Hooksett	3713	5564	7303	8767	11721	2954	33.69	9
Hampton	5379	8011	10493	12278	14937	2659	21.66	10



In addition to the data from the State, the Community Development Department has developed a "buildout analysis" using the Town's GIS System. The Buildout Summary assumes that zoning will remain the same as today and re-development of existing property is excluded. Based on these assumptions, and also assuming that household size remains constant, population at buildout might be 29,607, an increase of 6,371 persons or 27.4% from the year 2000 population of 23,236. Londonderry has a total of 9,181.9 acres available for future development, of which 6,350 acres or 25% is considered buildable. Of this, 4,600.9 acres is zoned AR-I, and might generate 1,984 single family residential housing units and 63.2 acres are zoned R-III and might generate 105 units of multi-family housing. Combined, the total number of units in Londonderry might increase from 8,752 (at the time of the 2000 Census) to 10,841, an increase of 23.8%. See tables below, and map, next page.

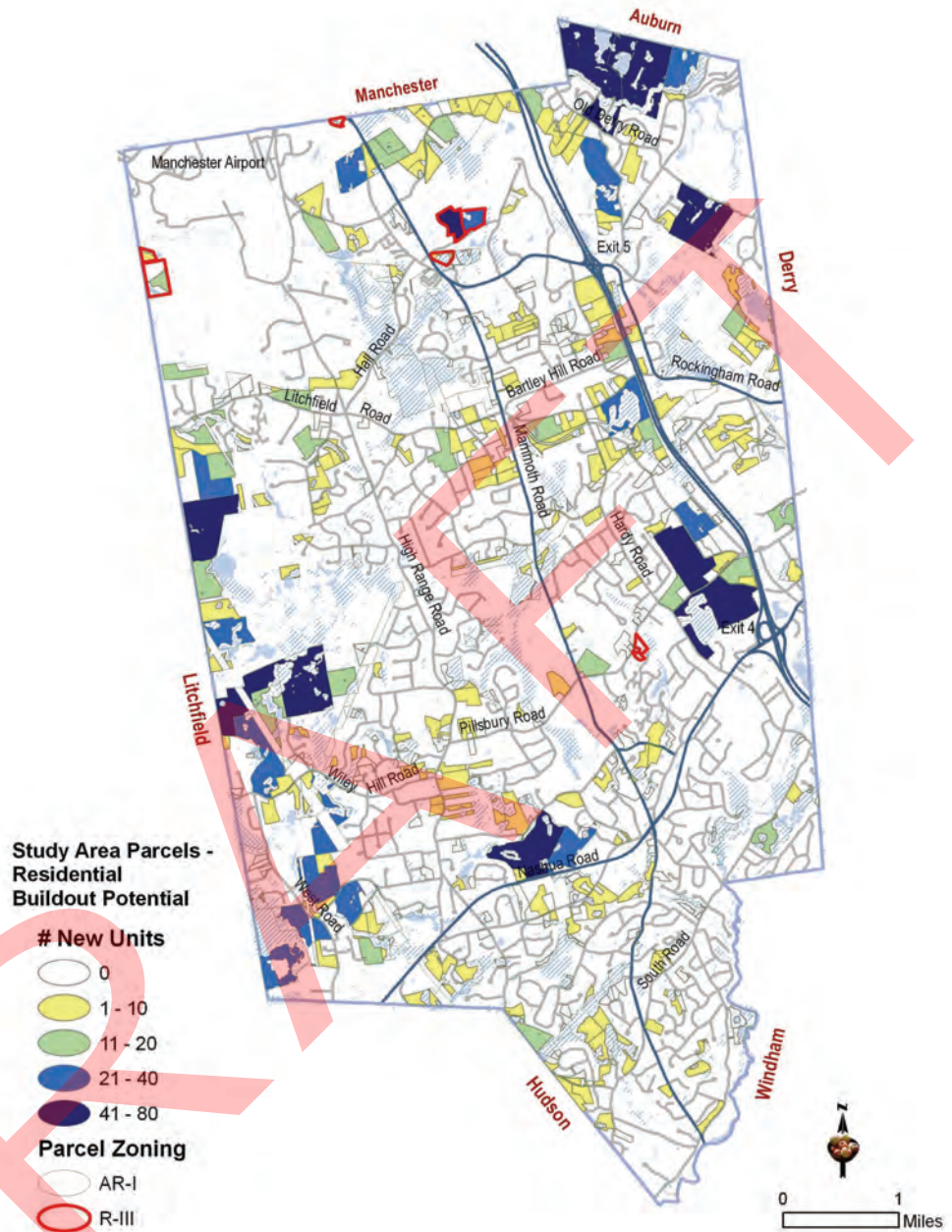
**Count of New Buildings at Buildout**

	# Existing Units (approx.)*	# New Housing Units at Buildout	#Total Units at Buildout	% Change
AR-I	8,265	1,984	10,249	29.4%
R-III	487	105	592	6.2%
Total	8,752	2,089	10,841	24.7%

\* Count of existing housing units is derived from Londonderry GIS address records.

**Population at Buildout**

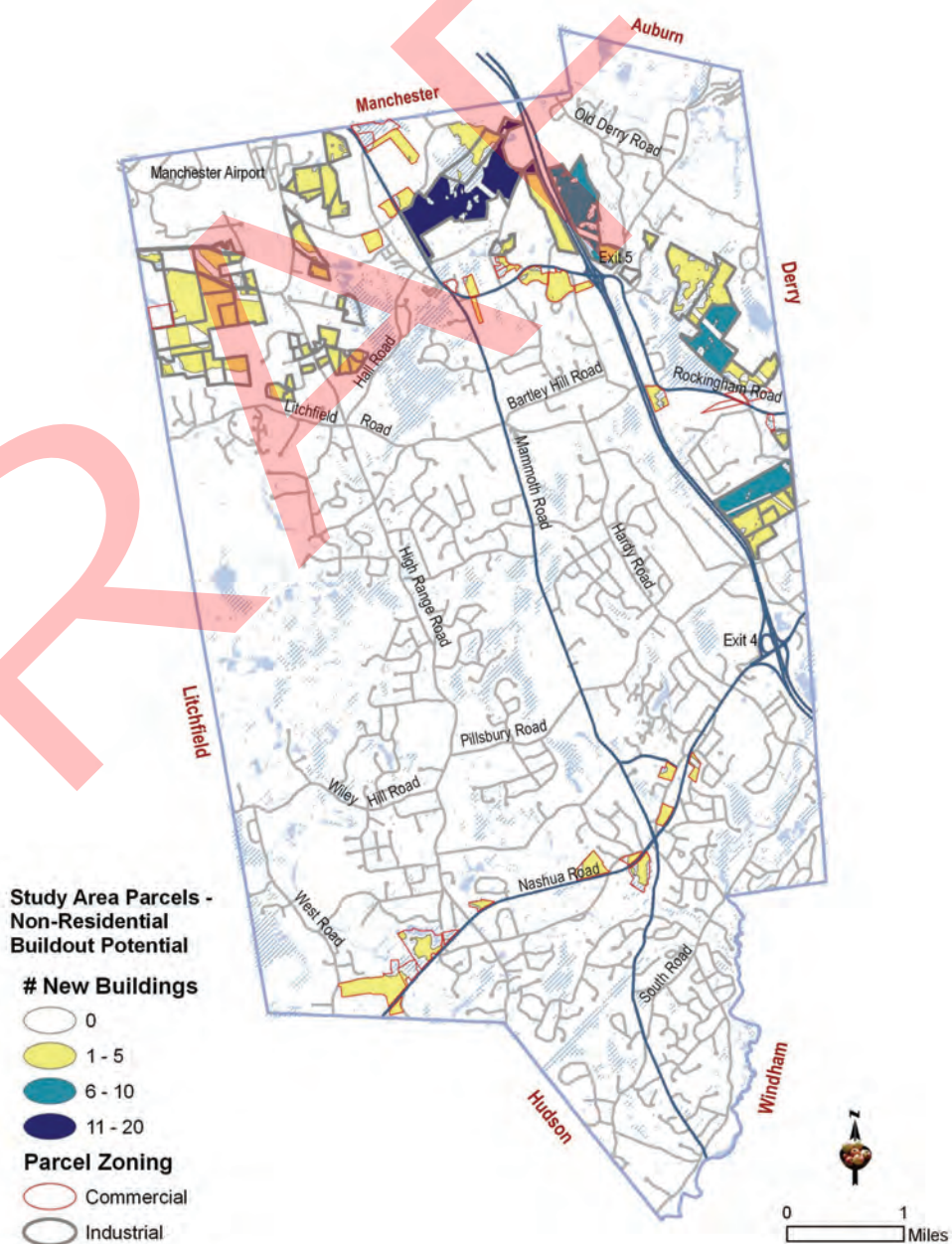
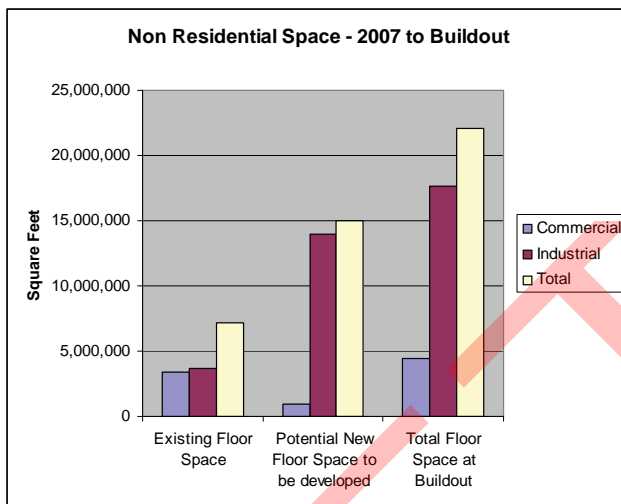
(2000) Population:	23,236
(2000) School Age Population (5-19):	6,500
(2000) Household Size (persons/unit):	3.05
(2000) School Age Percent:	28.0%
Source:	US Census
(Buildout) Housing Units:	10,537 (+2,089)
(Buildout) Population:	29,607 (+6,371)
(Buildout) School Age Population:	8,290 (+1,790)



In addition to the residential buildout, the analysis looks at non-residential buildout for the Town as well. At buildout, commercial zones might generate 30 new buildings and 990,100 square feet of new space, representing a 29% increase in the total commercial space in Londonderry. Similarly, industrial zones might generate 119 buildings and 13.977 million square feet of new floor space, representing a 378% increase in total industrial floor space in Londonderry. See Table, below, and map, next page, for a depiction of buildout potential by parcel.

**Floor Space of New Non-Residential Buildings at Buildout**

	Existing Floor Space (sq ft)	New Floor Space (sq ft)	Total Floor Space at Buildout	% Change
Commercial	3,425,600	990,100	4,415,700	29%
Industrial	3,699,300	13,977,000	17,676,300	378%
Total	7,124,914	14,967,200	22,092,000	210%



It is a principal goal of the CIP to increase the predictability and regularity of the Town's budget by planning for routine or anticipated major purchases of capital equipment and determining appropriate methods for meeting the Town's capital facility needs. Possible financing mechanisms and a hypothetical bonding schedules are found at the rear of this report. This financial information is intended solely to assist decision makers in the budget process.

The Londonderry Capital Improvement Planning Committee has prepared this report under the authority of the Planning Board and RSA 674:5-8 (Appendix A). It is the Committee's intention that this report reflects the capital needs of the Town for the period between 2011-2016 and to offer recommendations to the Budget Committee, School Board, and Town Council for consideration as part of the annual budget. Information was submitted to the Committee from the various town Departments, Boards and Committees, which helped form the basis of this document. Although this Capital Improvements Plan includes a six-year period, the CIP will be updated every year to reflect changing demands, new needs, and regular assessment of priorities. This document contains those elements required by law to be included in a Capital Improvements Plan.

For purposes of the CIP, a capital project is defined as a tangible project or asset having a cost of at least \$100,000 and a useful life of at least five years. Eligible items include new buildings or additions, land purchases, studies, substantial road improvements and purchases of major vehicles and equipment. Operating expenditures for personnel and other general costs are not included. Expenditures for maintenance or repair are generally not included unless the cost or scope of the project is substantial enough to increase the level of a facility improvement. A summary of each of the projects included in the 2011 to 2016 CIP is provided in the following section.

## Financing Methods

In the project summaries below, there are several different financing methods used. Four methods require appropriations, either as part of the Town's annual operating budget or as independent warrant articles at Town Meeting.

- The **1-Year Appropriation (GF)** is the most common method, and refers to those projects proposed to be funded by real property tax revenues within a single fiscal year.
- The **Capital Reserve (CRF)** method requires appropriations over more than one year, with the actual project being accomplished only when the total appropriations meet the project cost.
- **Lease/Purchase** method has been used by the Fire Department and other departments for the purchase of major vehicles.
- **Bonds (BD)** are generally limited to the most expensive capital projects, such as major renovations, additions, or new construction of school or municipal buildings or facilities, and allow capital facilities needs to be met immediately while spreading out the cost over many years in the future.
- **Impact fees (IF)** are collected from new development to pay for new facility capacity and placed in a fund until they are either expended within six years as part of the project finance or they are returned to the party they were collected from.
- **Grants (GR)** are also utilized to fund capital projects in Londonderry. Typically, grants will cover a portion of the overall project cost, and the Town is responsible for the remaining percentage of the project cost.
- **Tax Increment Financing (TIF)**. TIF Districts allow the Town to use increases in valuation of property to directly pay off bonds for infrastructure improvements and capital projects in the district. TIF Districts are set up and administered according to NH RSA's, Chapter 162-K.
- Lastly, the Town can take advantage of **Public/Private Partnerships**, where a private organization shares the costs of funding a capital project.

## Identification of Departmental Capital Needs

The Londonderry CIP Committee uses worksheet forms that are filled out annually and submitted by department heads and committee chairs to identify potential capital needs and explain these project requests. Forms are tailored by the CIP Committee and the Planning Division to generate information that defines the relative need and urgency for projects, and which also enables long-term monitoring of the useful life and returns from projects. The CIP submittal form is included in Appendix B. After written descriptions of potential capital projects are submitted, department heads or committee chairs are asked to come before the CIP Committee, as needed, to explain their capital needs and priorities and to explore with the CIP Committee the alternative approaches available to achieve the optimum level of capital needs and improvements.

The CIP Committee evaluates requests submitted from Department Heads, Boards & Committees, and assigns them to the 6-year schedule according to the priority of all capital requests. The following pages describe each of the requests that have been placed in the 6-year CIP program, and include: spreadsheets of the schedule, funding sources, tax impacts, and other required information.

## Priority System

The Committee has established a system to assess the relative priority of projects requested by the various departments, boards, and committees. Each proposed project is individually considered by the Committee and assessed a priority rank based on the descriptions below:

- **Priority 1 – Urgent:** Cannot Be Delayed: Needed immediately for health & safety
- **Priority 2 - Necessary:** Needed within 3 years to maintain basic level & quality of community services.
- **Priority 3 - Desirable:** Needed within 4-6 years to improve quality or level of services.
- **Priority 4 - Deferrable:** Can be placed on hold until after 6 year scope of current CIP, but supports community development goals.
- **Priority 5 - Premature:** Needs more research, planning & coordination
- **Priority 6 - Inconsistent:** Contrary to land-use planning or community development goals.

## Listing & Discussion of Projects by Priority

### Priority 1

#### Fire Department

##### □ North/West Station Replacement - \$1,900,000

*Project Description:* This project has been identified in the CIP for the 5 years and has been the top town project for the last 3. Land has been acquired for the North/West Fire Station. Funds were approved at the 2006 Town meeting for site work and land purchase. The design of the station is complete and site work is completed. The only cost to be included in the next process is the building only. North station was built in the 1956 and has reached its useful life as a volunteer station. Modern Fire Equipment cannot easily fit into station without some modifications. The land that the station currently sits on is not large enough to support on-site renovations or modifications. Building does not meet current building codes, fire codes, or life safety codes. Building a new Station would provide a safe working environment for employees and service the community more effectively from its new location.

*Funding Source:* BD/IF/GR

*Proposed Funding Year:* FY 2011

### Priority 2

#### Public Works & Engineering - Highway Division

##### □ Roadway Rehab/Reconstruction Program - \$6,000,000 (\$1,000,000 annually)

*Project Description:* Implementation of a roadway rehabilitation and reconstruction program for the Town's roadway infrastructure.

*Funding Source:* BD/GF/GR

*Proposed Funding Year:* FY 2011, 2012, 2013, 2014, 2015, 2016

### Priority 2

#### Community Development Department

##### □ Pettengill Road Upgrade - \$12,348,000

*Project Description:* This project will fund preliminary design plans and construction of the upgrade to Pettengill Road, a Class VI roadway that once upgraded will provide access to the industrial land south of Manchester Airport and connect with the NHDOT Airport Access Road. Improvement of the roadway to a class V limited access highway will open up the land to development which will help increase Londonderry industrial tax base. This approximately 800 acres of land has the potential for being developed into 3.6 million square feet of commercial and industrial development. This area is one of the key focus areas of the Master Plan, and a significant future contributor to the town's tax base. In May 2003, the Town conducted a design charrette that created a vision for the development of this area. With the airport access road schedule to be completed by 2011/12, now is Londonderry's opportunity to connect onto this project an open up a significant economic opportunity for the community.

*Funding Source:* TIF/GR

*Proposed Funding Year:* FY 2011

**Priority 2****Public Works & Engineering - Highway Division**

- **Highway Garage Improvements - \$150,000 Phase II, \$160,000 Phase III**

*Project Description:* Improvements to the existing Highway Garage. Phase I: (\$230,000 Completed) - Construct a shed to store salt/sand mixture and to house trucks. Phase II & III: Construct a 24' X 80' addition along the existing building to house a foreman's office, lunch room and bathroom facility.

*Funding Source:* Expendable Maintenance Trust Fund  
*Recommended Funding Year:* FY 2011 (Phase 2), 2012 (Phase 3)

**Priority 2****Community Development Department**

- **Rt. 28 / Rt. 102 Corridor Plan Update—\$140,000**

*Project Description:* The project proposes to update the 1997-2004 Rt 28 and Rt 102 traffic corridor plan. The project proposes to provide new traffic analysis for Rt 28 and Rt 102. analyzing the deficiencies based on the traffic volume and peak hour impacts, development of a cost to improve the deficiencies, and development a impact fee methodology for the private sector to pay their fair share towards the improvements of the deficiencies.

*Funding Source:* BD/IF  
*Proposed Funding Year:* FY 2011

**Priority 2****School Department**

- **New SAU Office - \$250,000 (A&E), \$2,500,000 (Construction)**

*Project Description:* This project is to build a new SAU District Office. The existing building is severely over capacity. Indoor air quality is measured daily. Readings on a good day are poor. The Current SAU office has under gone many band aid fixes to accommodate new personnel. Storage area located in the old town hall has been eliminated, all storage is now located under the high school. With the increasing population at LEEP, the DW training room may soon be eliminated. Finally, with the construction of the new Police and Town Hall, parking will be very difficult at best.

*Funding Source:* BD  
*Proposed Funding Year:* FY 2012 for A&E, FY 2013

**Priority 3****Community Development Department**

- **GIS Update & Maintenance Program - \$160,000**

*Project Description:* Establish a capital reserve fund to provide for continued maintenance of the Town's Geographic Information System (GIS) by programming money for the purchase of new aerial photography, photogrammetric mapping and Pictometry products. This will allow for comprehensive updates to geospatial information at 2 and 5-year intervals, with immediate application to the quality of services provided by GIS to town departments and the general public.

*Funding Source:* CRF  
*Proposed Funding Year:* FY 2011-2015 (\$32,000 annually)



**Priority 3****Cemetery Trustees of the Trust Funds**

- **Pillsbury Cemetery Phase II - \$210,000**

*Project Description:* Complete Phase II of Pillsbury Cemetery to include design layout to maximize capacity, drainage & excavation work and road construction. Currently there are a total of 76 plots remaining. Of the 76 plots 10 are for cremation only burials. On average 15 plots are sold each year. It is anticipated funds will be needed for FY11 to allow adequate time for the completion of Phase II prior to exhaustion of Phase I.

*Funding Source:* GF

*Proposed Funding Year:* FY 2011

**Priority 3****Community Development Department**

- **Master Plan Update- \$150,000**

*Project Description:* Comprehensive update of the 2004 Master Plan. The comprehensive update will look at every aspect of the impacts of growth on Londonderry's infrastructure (ie. population, housing, schools, recreation, economic development, quality of life, community services, open space, sewer, water, communications, regional issues, etc.). The intent of this project is to do a comprehensive update utilizing the information from the decennial census. Also, this comprehensive plan will pull in information garnered from the small area master plan, housing taskforce and historic properties taskforce report to help chart Londonderry's future.

*Funding Source:* CRF/GF

*Proposed Funding Year:* FY 2012

**Priority 3****Fire Department**

- **Central Station Renovations - \$1,150,000**

*Project Description:* Renovations to Central Fire Station: Adding 2 bays, enlarged training room and new Communications room, enlarging kitchen and dayroom, renovating offices and living space on second floor. New fitness room, Replacing roof and mechanicals, as well as adding sprinklers and emergency generator.

*Funding Source:* BD

*Proposed Funding Year:* FY 2013 (A&E), FY 2014 (Construction)

**Priority 3****Public Works & Engineering - Environmental Division**

- **South Londonderry Sewer Phase II - \$2,413,000**

*Project Description:* Construction of the South Londonderry Phase II sewer project, expanding service area to capture a mix of commercial and residential land uses, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

*Funding Source:* BD/Private Developer Contribution

*Proposed Funding Year:* FY 2014

**Priority 3****School Department**

- **Auditorium - \$720,000(A&E), \$1,000,000 (Site Preparation), \$10,280,000 (Construction)**

*Project Description:* Construction of a new auditorium for the needs of the District's music, performing arts programs. Planned seating capacity is under 1,000. When available, the building will be open to other community programs and organizations.

*Funding Source:* BD

*Proposed Funding Year:* FY 2014 (A&E), FY 2015 (Construction)

**Priority 3****Public Works & Engineering - Environmental Division**

- **Mammoth Road Sewer Replacement (portion) - \$387,500**

*Project Description:* Replacement of a section of sewer infrastructure in the Mammoth Road near the intersection of Mammoth and Sanborn Road, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005, and the conditionally approved multi-family development plans on Sanborn Road.

*Funding Source:* BD/AF/Private Developer Contribution

*Proposed Funding Year:* FY 2014

**Priority 3****Conservation Commission**

- **Open Space Protection - \$3,000,000 (\$1,000,000 per year)**

*Project Description:* This project implements the Master Plan direction to protect open space. The capital funds requested will be used to acquire conservation easements or fee simple ownership for open space lands identified in the 2006 Londonderry Open Space Plan. Near term objective is the protection of specific parcels that are key to the town's natural resource-based economic sector and most competitive for significant grant funding. The commission recommends a \$1,000,000 project in FY 2011, followed by a level \$1,000,000 per year effort over the remaining plan years. The CIP Committee voted to plan for \$1,000,000 per year in the final 3 years of the program.

*Funding Source:* BD/GR

*Proposed Funding Year:* FY 2014, FY 2015, FY2016

**Priority 4****Heritage Commission**

- **Historic Property Preservation Program - \$250,000 Annually**

*Project Description:* This project proposes an annual appropriation to address the need to protect Londonderry's diminishing supply of historic homes and barns. The Master Plan makes vague and broad reference to the need to preserve Londonderry's historic resources but gives no practical guidance. This project will provide the long-term financial and administrative tools to protect our town for present and future generations. The Heritage Commission recommends a level effort over the 5-year plan period.

**Priority 4****Public Works & Engineering - Sewer Division**

- **Plaza 28 Sewer Pump Station Replacement - \$3,150,000**

*Project Description:* Replacement of the existing sewer pump station at Plaza 28, enhancing service area to capture a mix of commercial and industrial land uses in the Jack's Bridge Road TIF District, consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

*Funding Source:* TIF/AF/BD

**Priority 4****Public Works & Engineering - Sewer Division**

- **Mammoth Road (North) Sewer Extension - \$714,000**

*Project Description:* Extension of sewer infrastructure in the Mammoth Road area of the "North Village", consistent with the Town's Sewer Facility Plan adopted by the Town in 2005.

*Funding Source:* BD/AF

**Priority 5****No Projects****Priority 6****Public Works & Engineering - Solid Waste Division**

- **Dan Hill Road Drop Off Center Improvements - \$441,000**

*Project Description:* Site improvements to the existing drop-off facility on Dan Hill Road. The existing facility requires repairs on a continuous basis to have it operational. Proposed improvements will eliminate the need for these repairs and cut cost of operating the facility.

*Funding Source:* Reclamation Trust Fund

**Note  
Regarding  
Previously  
Appropriated  
Exit 4A  
Project**

**Capital  
Reserve  
Project  
Summaries**

The bond for Exit 4A has been approved by a prior Town Meeting, so to that extent, it is an approved project and is not included in the CIP. However, the project's debt service has not yet impacted the community. In order to provide a complete estimation of the fiscal impact of capital projects, 4A has been indicated in the Financing Plan and Net Tax Impact Analysis spreadsheets of this CIP (green highlighted section). Currently, there is \$4.5M in un-issued debt authorization. The Town Manager's estimation at this point and that these bonds will be sold as a twenty year note in FY2012, with Principal & Interest payments beginning in FY2013.

**Public Works & Engineering - Highway Division**

- **Capital Reserve Program for Highway Trucks & Equipment - See Spreadsheets for Proposed Expenditures**

*Project Description:* Ongoing Capital Reserve expenditure for replacement of highway trucks and equipment on a ten and seven-year cycle.

*Funding Source:* CRF/Lease

**Fire Department**

- **Capital Reserve Program for Fire Equipment/Trucks - See Spreadsheets for Proposed Expenditures**

*Project Description:* Ongoing Capital Reserve expenditure to replace the fleet, as changes in growth have made the 20-year replacement plan obsolete.

*Funding Source:* CRF/Lease

**Fire Department**

- **Capital Reserve Program for Ambulance - See Spreadsheets for Proposed Expenditures**

*Project Description:* Ongoing Capital Reserve expenditure to replace the fleet, as changes in growth have made the 20-year replacement plan obsolete.

*Funding Source:* CRF/Lease

Legend for Funding Source	
AF - Access Fee	CRF - Capital Reserve Fund
BD - Bond	IF - Impact Fee
GF - General Fund	GR - Grant
TIF - Tax Increment Financing	

**Spreadsheet Legend (Following Pages)**

Past Years of CIP
Budget Year of CIP
Program Years of CIP

## Town of Londonderry SUMMARY OF ALL CAPITAL PROJECTS FY 2011 - 2016

Department/Project	COST	Funding Source	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	TOTAL
<b>HIGHWAY</b>											
Garage Improvements	\$310,000	GF			\$150,000	\$160,000					\$310,000
Roadway Reconstruction Mgt. Plan	\$6,000,000	BD	\$1,500,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$6,000,000
Dan Hill Rd Drop Off Center Improvements	\$0	TF									\$0
Mammoth Road Sewer Replacement (portion)	\$387,500	BD						\$387,500			\$387,500
So Londonderry Sewer Phase II	\$2,413,000	BD						\$2,413,000			\$2,413,000
CRF-Hwy. Equipment/Trks	\$525,000	CRF/Lease		\$195,000	\$165,000	\$90,000	\$180,000	\$90,000			\$525,000
Highway Sub-Total	\$9,635,500		\$1,500,000	\$1,195,000	\$1,315,000	\$1,250,000	\$1,180,000	\$3,890,500	\$1,000,000	\$1,000,000	\$9,635,500
<b>FIRE DEPARTMENT</b>											
CRF-Ambulance	\$160,122	CRF/Lease					\$160,122				\$160,122
CRF-Fire Equip/Trks	\$481,000	CRF/Lease			\$160,000	\$161,000	\$160,000				\$481,000
Fire Improvement (Central)	\$1,150,000	BD					\$100,000	\$1,050,000			\$1,150,000
Fire Improvement (North/West Station)	\$1,900,000	GF			\$1,900,000						\$1,900,000
Fire Sub-Total	\$3,691,122		\$0	\$0	\$2,060,000	\$161,000	\$420,122	\$1,050,000	\$0	\$0	\$3,691,122
<b>GENERAL GOVERNMENT</b>											
Emergency Generator	\$0	GF	\$100,000								\$0
Bartley Hill/Mammoth Intersection	\$0	GF	\$758,000								\$0
Route 28/128 Intersection	\$0	GR	200,000								\$0
Route 28/Page Road Intersection	\$0	GR		\$1,750,000							\$0
Route 28/102 Corridor Study	\$140,000	GF			\$140,000						\$140,000
Pillsbury Cemetery - Phase II	\$210,000	GF			\$210,000						\$210,000
Pettingill Road Upgrade	\$12,348,000	TIF			\$12,348,000						\$12,348,000
Open Space Protection	\$3,000,000	GF/GR						\$1,000,000	\$1,000,000	\$1,000,000	\$3,000,000
Sub-Total - General Gov't	\$15,698,000		\$1,058,000	\$1,750,000	\$12,698,000	\$0	\$0	\$1,000,000	\$1,000,000	\$1,000,000	\$15,698,000
Grand Total - Town Projects	\$29,024,622		\$2,558,000	\$2,945,000	\$16,073,000	\$1,411,000	\$1,600,122	\$5,940,500	\$2,000,000	\$2,000,000	\$29,024,622
<b>Summary - ALL CAPITAL PROJECTS</b>											
Town Projects	\$29,024,622		\$2,558,000	\$2,945,000	\$16,073,000	\$1,411,000	\$1,600,122	\$5,940,500	\$2,000,000	\$2,000,000	\$29,024,622
School Projects	\$20,250,000		\$5,500,000	\$0	\$0	\$250,000	\$2,500,000	\$720,000	\$11,280,000		\$20,250,000
New Field	\$0										\$0
<b>TOTAL - ALL CAPITAL PROJECTS</b>	<b>\$49,274,622</b>		<b>\$8,058,000</b>	<b>\$2,945,000</b>	<b>\$16,073,000</b>	<b>\$1,661,000</b>	<b>\$4,100,122</b>	<b>\$6,660,500</b>	<b>\$13,280,000</b>	<b>\$2,000,000</b>	<b>\$49,274,622</b>
<b>LAND VALUATION</b>			\$3,392,542,383	\$3,409,505,095	\$3,426,552,620	\$3,443,685,383	\$3,460,903,810	\$3,478,208,329	\$3,495,599,371	\$3,513,077,368	
<b>TAX RATE IMPACT</b>			\$2.38	\$0.86	\$4.69	\$0.48	\$1.18	\$1.91	\$3.80	\$0.57	

## Town of Londonderry SUMMARY OF SCHOOL CAPITAL PROJECTS FY 2011 - 2016

PROJECT DESCRIPTION	SCHOOL	COST	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	TOTAL
Maint. Trust Fund	Maint Trust Fund										\$0
Educational Space	School Space Needs	\$5,500,000	\$5,500,000								\$5,500,000
District Office Renovations	District Office	\$2,750,000				\$250,000	\$2,500,000				\$2,750,000
<b>Total:</b>		<b>\$8,250,000</b>	<b>\$5,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$2,500,000</b>				<b>\$8,250,000</b>
Auditorium	General Use	\$12,000,000						\$720,000	\$11,280,000		\$12,000,000
<b>GRAND TOTAL - SCHOOL PROJECTS</b>		<b>\$20,250,000</b>	<b>\$5,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$2,500,000</b>	<b>\$720,000</b>	<b>\$11,280,000</b>		<b>\$20,250,000</b>

### Financing Plan for CIP Municipal Projects FY 2011 - 2016 (Part 1)

DEPARTMENT	CAPITAL PROJECT	COST	SOURCES OF	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>HIGHWAY</b>											
	Expansion of Garage	\$310,000	Project Cost			\$150,000	\$160,000				
			Outside Revenues			-\$150,000	-\$160,000				
			Net Payout			\$0	\$0				
	Roadway Reconstruction Mgmt Program	\$6,000,000	Project Cost	\$1,500,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
			Notes	-\$1,200,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000	-\$1,000,000
			Net Payout			\$20,000	\$160,000	\$296,000	\$428,000	\$556,000	\$680,000
	Dan Hill Rd Drop Off Center Improvements	\$0	Project Cost								
			Revenue Applied								
			Net Payout								
	Mammoth Road Sewer Replacement (portion)	\$387,500	Project Cost						\$387,500		
			Revenue Applied						-\$387,500		
			Net Payout						\$0		
	So Londonderry Sewer Phase II	\$2,413,000	Project Cost						\$2,413,000		
			Notes						-\$2,413,000		
			Net Payout						\$57,500	\$230,000	\$224,250
	CRF - Highway Equipment	\$525,000	Project Cost		\$195,000	\$165,000	\$90,000	\$180,000	\$90,000		
			Capital Reserve Funds		-\$195,000	-\$165,000	-\$90,000	-\$180,000	-\$90,000		
			Net Payout		\$0	\$0	\$0	\$0	\$0		
<b>PLANNING</b>											
	CMAQ Sidewalk Project - Pillsbury & Rt. 128	\$0	Project Cost								
	CMAQ PATHWAY PROJECT		Grant								
			Net Payout								
<b>FIRE DEPARTMENT</b>											
	Ambulance - CRF	\$160,122	Project Cost		\$142,348			\$160,122			
			Capital Reserve Funds		-\$142,348			-\$160,122			
			Net Payout		\$0			\$0			
	Pumper/Tanker/Ladder/CRF	\$481,000	Project Cost		\$160,000	\$160,000	\$161,000	\$160,000			
			Capital Reserve Funds		-\$160,000	-\$160,000	-\$161,000	-\$160,000			
			Net Payout		\$0	\$0	\$0	\$0			
	Fire Improvement Project Central Station	\$1,150,000	Project Cost					\$100,000	\$1,050,000		
			Notes					-\$100,000	-\$1,050,000		
			Net Payout					\$0	\$25,000	\$100,000	\$97,500
	Fire Improvement Project North/West Replace	\$1,900,000	Project Cost			\$1,900,000					
			Notes			-\$1,900,000					
			Net Payout			\$47,500	\$190,000	\$185,250	\$180,500	\$175,750	\$171,000



Financing Plan for CIP School Projects FY 2011 - 2016

PROJECT	School	COST	FY 2009	FY 2010	FY 2011	FY2012	FY2013	FY2014	FY 2015	FY 2016
Maint. Trust Fund	Admin									
School Renov	School Renov	\$5,500,000	\$5,500,000							
	State Aid		\$1,650,000							
	Bonds/Notes		-\$5,500,000							
	Net Impact		\$96,250							
District Office Reno.	District Office	\$2,750,000				\$250,000	\$2,500,000			
	State Aid						\$750,000			
	Bonds/Notes						-\$1,650,000			
	Net Impact						\$41,250	\$165,000	\$160,875	\$156,750
Arts Center/Auditorim	General Use	12,000,000						\$720,000	\$11,280,000	
	State Aid								\$3,384,000	
	Bonds/Notes								-\$12,000,000	
	Net Impact								\$300,000	\$1,200,000
GR.TOTAL-SCHOOL	Project Cost	\$20,250,000	\$5,500,000	\$0	\$0	\$250,000	\$2,500,000	\$720,000	\$11,280,000	\$0
	Applied Revenues		-\$5,500,000	\$0	\$0	\$0	-\$900,000	\$0	-\$8,616,000	\$0
	Net Payout		\$96,250	\$0	\$0	\$0	\$41,250	\$165,000	\$460,875	\$1,356,750
Total - All School Proj.		\$20,250,000	\$5,500,000	\$0	\$0	\$250,000	\$2,500,000	\$720,000	\$11,280,000	\$0
TAX RATE IMPACT			\$0.03	\$0.00	\$0.00	\$0.00	\$0.01	\$0.04	\$0.12	\$0.35
LAND VALUATION			\$3,392,542,383	\$3,460,393,231	\$3,529,601,095	\$3,600,193,117	\$3,672,196,980	\$3,745,640,919	\$3,820,553,737	\$3,896,964,812



**Net Tax Impact Analysis  
Municipal Government  
Current Debt Schedule (Part 1)**

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
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**MUNICIPAL GOVERNMENT**

Principle	2,055,000	2,065,000	2,065,000	2,050,000	2,045,000	1,705,000	1,610,000	1,500,000
Interest	799,766	785,462	755,751	673,646	607,353	539,180	479,223	420,969
<b>Total Debt Pmts</b>	<b>\$2,854,766</b>	<b>\$2,850,462</b>	<b>\$2,820,751</b>	<b>\$2,723,646</b>	<b>\$2,652,353</b>	<b>\$2,244,180</b>	<b>\$2,089,223</b>	<b>\$1,920,969</b>
Revenues Applied to Debt								
Net Current Debt Ann.Paymts	\$2,854,766	\$2,850,462	\$2,820,751	\$2,723,646	\$2,652,353	\$2,244,180	\$2,089,223	\$1,920,969
Net Tax Impact	\$0.84	\$0.82	\$0.80	\$0.76	\$0.72	\$0.60	\$0.55	\$0.49
Debt Schedule as Proposed in CIP	\$25,000	\$150,000	\$376,200	\$1,584,800	\$1,685,180	\$1,884,060	\$2,363,940	\$2,580,070
<b>Proposed Debt Schedule</b>	<b>\$2,879,766</b>	<b>\$3,000,462</b>	<b>\$3,196,951</b>	<b>\$4,308,446</b>	<b>\$4,337,533</b>	<b>\$4,128,240</b>	<b>\$4,453,163</b>	<b>\$4,501,039</b>
Net Tax Impact	\$0.85	\$0.87	\$0.91	\$1.20	\$1.18	\$1.10	\$1.17	\$1.16

**PAY AS YOU GO PROJECTS**

<b>Capital Reserve Funds:</b>								
<b>Contributions:</b>								
Highway	\$90,000	\$122,200	\$130,000	\$140,000	\$150,000	\$165,000	\$180,000	\$180,000
Ambulance	\$40,000	\$50,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Fire	\$0	\$160,000	\$160,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
GIS Maintenance Program	\$0	\$0	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000	\$0
Master Plan Update	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0
<b>Total CRFs</b>	<b>\$130,000</b>	<b>\$332,200</b>	<b>\$382,000</b>	<b>\$482,000</b>	<b>\$442,000</b>	<b>\$457,000</b>	<b>\$472,000</b>	<b>\$440,000</b>
Net Tax Impact	\$0.04	\$0.10	\$0.11	\$0.13	\$0.12	\$0.12	\$0.12	\$0.11
CIP Projects-Pay As You Go	\$0	\$0	\$500,000	\$160,000	\$0	\$387,500	\$0	\$0
<b>Total Municipal Capital Outlay</b>	<b>\$3,009,766</b>	<b>\$3,332,662</b>	<b>\$4,078,951</b>	<b>\$4,950,446</b>	<b>\$4,779,533</b>	<b>\$4,972,740</b>	<b>\$4,925,163</b>	<b>\$4,941,039</b>
Net Tax Impact	\$0.89	\$0.96	\$1.16	\$1.38	\$1.30	\$1.33	\$1.29	\$1.27

**Net Tax Impact Analysis  
Municipal Government  
Current Debt Schedule (Part 2)**

**SCHOOL DISTRICT**

<b>School Current Debt:</b>									
Total Principle	\$1,495,000	\$1,740,000	\$1,735,000	\$1,725,000	\$1,715,000	\$1,705,000	\$1,700,000	\$1,700,000	\$1,700,000
Total Interest	\$876,541	\$922,695	\$859,799	\$796,295	\$733,889	\$667,119	\$595,956	\$595,956	\$595,956
Total Gross Debt	\$2,371,541	\$2,662,695	\$2,594,799	\$2,521,295	\$2,448,889	\$2,372,119	\$2,295,956	\$2,295,956	\$2,295,956
Deduct State Reimb	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000	-\$150,000
Lease	\$365,375	\$236,852	\$120,000	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Net Debt</b>	<b>\$2,586,916</b>	<b>\$2,749,547</b>	<b>\$2,564,799</b>	<b>\$2,371,295</b>	<b>\$2,298,889</b>	<b>\$2,222,119</b>	<b>\$2,145,956</b>	<b>\$2,145,956</b>	<b>\$2,145,956</b>
Net Tax Impact	\$0.76	\$0.79	\$0.73	\$0.66	\$0.63	\$0.59	\$0.56	\$0.56	\$0.55
<b>Add:</b>									
Proposed CIP Debt									
Add: CIP Proposed Debt Pmts	\$0	\$0	\$0	\$0	\$41,250	\$165,000	\$460,875	\$1,356,750	\$1,356,750
Tax Impact CIP Proposed Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.01	\$0.04	\$0.12	\$0.35	\$0.35
Adjusted Net Debt Pmts	\$2,586,916	\$2,749,547	\$2,564,799	\$2,371,295	\$2,340,139	\$2,387,119	\$2,606,831	\$3,502,706	\$3,502,706
Adjusted Debt Schedule	\$2,586,916	\$2,749,547	\$2,564,799	\$2,371,295	\$2,340,139	\$2,387,119	\$2,606,831	\$3,502,706	\$3,502,706
Adjusted Debt Tax Impact	\$0.76	\$0.79	\$0.73	\$0.66	\$0.64	\$0.64	\$0.68	\$0.90	\$0.90

**SCHOOL DISTRICT - PAY AS YOU GO PROJECTS**

Electrical Upgrade									
New School									
Additional Parking District Wide									
Arch & Eng Fees									
District Office Renovations									
Maintenance Cap.Reserve Fund									
Kindergarten									
<b>Total Pay As You Go</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Tax Impact Pay As You Go	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL SCHOOL</b>	<b>\$2,586,916</b>	<b>\$2,749,547</b>	<b>\$2,564,799</b>	<b>\$2,371,295</b>	<b>\$2,340,139</b>	<b>\$2,387,119</b>	<b>\$2,606,831</b>	<b>\$3,502,706</b>	<b>\$3,502,706</b>
<b>TAX IMPACT</b>	<b>\$0.76</b>	<b>\$0.79</b>	<b>\$0.73</b>	<b>\$0.66</b>	<b>\$0.64</b>	<b>\$0.64</b>	<b>\$0.68</b>	<b>\$0.90</b>	<b>\$0.90</b>
COMBINED DEBT PMTS	\$5,596,682	\$6,082,209	\$6,643,750	\$7,321,741	\$7,119,672	\$7,359,859	\$7,531,994	\$8,443,745	\$8,443,745
COMBINED PAY AS YOU GO	\$130,000	\$332,200	\$882,000	\$642,000	\$442,000	\$844,500	\$472,000	\$440,000	\$440,000
COMBINED TAX IMPACT	\$1.69	\$1.85	\$2.13	\$2.21	\$2.06	\$2.19	\$2.09	\$2.28	\$2.28
<b>Tax Base</b>	<b>\$3,392,542,383</b>	<b>\$3,460,393,231</b>	<b>\$3,529,601,095</b>	<b>\$3,600,193,117</b>	<b>\$3,672,196,980</b>	<b>\$3,745,640,919</b>	<b>\$3,820,553,737</b>	<b>\$3,896,964,812</b>	<b>\$3,896,964,812</b>

## Conclusion & Recommendations

The Program of Capital Expenditures herein provides a guide for budgeting and development of Londonderry's public facilities. The Planning Board will review and update the CIP each year prior to budget deliberations. The CIP may be modified each year based on changes in needs and priorities. As noted in the Plan, there are projects proposed where the CIP Committee has determined that there is not enough information to make a recommendation concerning a proposed capital project. These are topics in the opinion of the Committee that should be studied in further detail before funding decisions should be made.

The Capital Improvements Planning Committee has worked hard over the past 4 years to improve the effectiveness of capital facilities programming in Londonderry. It is hoped that the improvements made in the past 5 years can continue to be refined and evaluated for their effectiveness in future years. The CIP Committee believes that Londonderry has made great strides in process and format of the Capital Improvements Plan, and are hopeful that the improvements have made a difference to the Planning Board, Town Council, School Board, and Budget Committee as they prepare budgets each year.

## Appendix A: Relevant State Statutes

### CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

#### Capital Improvements Program

**674:5 Authorization.** – In a municipality where the planning board has adopted a master plan, the local legislative body may authorize the planning board to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. As an alternative, the legislative body may authorize the governing body of a municipality to appoint a capital improvement program committee, which shall include at least one member of the planning board and may include but not be limited to other members of the planning board, the budget committee, or the town or city governing body, to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least years. The capital improvements program may encompass major projects being currently undertaken or future projects to be undertaken with federal, state, county and other public funds. The sole purpose and effect of the capital improvements program shall be to aid the mayor or selectmen and the budget committee in their consideration of the annual budget.

**Source.** 1983, 447:1, eff. Jan. 1, 1984. 2002, 90:1, eff. July 2, 2002.

**674:6 Purpose and Description.** – The capital improvements program shall classify projects according to the urgency and need for realization and shall recommend a time sequence for their implementation. The program may also contain the estimated cost of each project and indicate probable operating and maintenance costs and probable revenues, if any, as well as existing sources of funds or the need for additional sources of funds for the implementation and operation of each project. The program shall be based on information submitted by the departments and agencies of the municipality and shall take into account public facility needs indicated by the prospective development shown in the master plan of the municipality or as permitted by other municipal land use controls.

**Source.** 1983, 447:1, eff. Jan. 1, 1984.

#### **674:7 Preparation.** –

I. In preparing the capital improvements program, the planning board or the capital improvement program committee shall confer, in a manner deemed appropriate by the board or the committee, with the mayor or the board of selectmen, or the chief fiscal officer, the budget committee, other municipal officials and agencies, the school board or boards, and shall review the recommendations of the master plan in relation to the proposed capital improvements program.

II. Whenever the planning board or the capital improvement program committee is authorized and directed to prepare a capital improvements program, every municipal department, authority or agency, and every affected school district board, department or agency, shall, upon request of the planning board or the capital improvement program committee, transmit to the board or committee a statement of all capital projects it proposes to undertake during the term of the program. The planning board or the capital improvement program committee shall study each proposed capital project, and shall advise and make recommendations to the department, authority, agency, or school district board, department or agency, concerning the relation of its project to the capital improvements program being prepared.

**Source.** 1983, 447:1. 1995, 43:1, eff. July 2, 1995. 2002, 90:2, eff. July 2, 2002.

**674:8 Consideration by Mayor and Budget Committee.** – Whenever the planning board or the capital improvement program committee has prepared a capital improvements program under RSA 674:7, it shall submit its recommendations for the current year to the mayor or selectmen and the budget committee, if one exists, for consideration as part of the annual budget.

**Source.** 1983, 447:1, eff. Jan. 1, 1984. 2002, 90:3, eff. July 2, 2002.

# Appendix B: Capital Project Request Form



<b>Department:</b>		Department Priority: ____ of ____ projects	
<b>Type of Project:</b> (check one)		<b>Primary Effect of Project is to:</b>	
		<input type="checkbox"/> Replace or repair existing facilities or equipment <input type="checkbox"/> Improve quality of existing facilities or equipment <input type="checkbox"/> Expand capacity of existing service level/facility <input type="checkbox"/> Provide new facility or service capacity	
<b>Service Area of Project:</b> (check one)		<input type="checkbox"/> Region <input type="checkbox"/> Town-wide <input type="checkbox"/> School District <input type="checkbox"/> Neighborhood <input type="checkbox"/> Town Center <input type="checkbox"/> Street <input type="checkbox"/> Other Area	
<b>Project Description:</b>			
<b>Rationale for Project:</b> (check those that apply, elaborate below)		<input type="checkbox"/> Urgent Need <input type="checkbox"/> Removes imminent threat to public health or safety <input type="checkbox"/> Alleviates substandard conditions or deficiencies <input type="checkbox"/> Responds to federal or state requirement to implement <input type="checkbox"/> Improves the quality of existing services <input type="checkbox"/> Provides added capacity to serve growth <input type="checkbox"/> Reduces long term operating costs <input type="checkbox"/> Provides incentive to economic development <input type="checkbox"/> Eligible for matching funds available for a limited time	
<b>Narrative Justification:</b>			

<p><b>Cost Estimate:</b> (Itemize as Necessary)</p>	<p><b>Capital Costs</b> Dollar Amount (In current \$)</p> <p>\$ _____ Planning/Feasibility Analysis</p> <p>\$ _____ Architecture &amp; Engineering Fees</p> <p>\$ _____ Real Estate aquisition</p> <p>\$ _____ Site preparation</p> <p>\$ _____ Construction</p> <p>\$ _____ Furnishings &amp; equipment</p> <p>\$ _____ Vehicles &amp; capital equipment</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____ <b>Total Project Cost</b></p>	<p><b>Impact on Operating &amp; Maint. Costs or Personnel Needs</b></p> <p><input type="checkbox"/> Add Personnel</p> <p><input type="checkbox"/> Increased O&amp;M Costs</p> <p><input type="checkbox"/> Reduce Personnel</p> <p><input type="checkbox"/> Decreased O&amp;M Costs</p> <p>Dollar Cost of Impacts if known:</p> <p>+ \$ _____ Annually</p> <p>(-) \$ _____ Annually</p>
<p><b>Source of Funding:</b></p> <p><b>Grant From:</b> _____ \$ _____ (show type)</p> <p><b>Loan From:</b> _____ \$ _____ (show type)</p> <p><b>Donation/Bequest/private</b> \$ _____</p> <p><b>User Fees &amp; Charges</b> \$ _____</p> <p><b>Capital Reserve Withdrawal</b> \$ _____</p> <p><b>Impact Fee Account</b> \$ _____</p> <p><b>Current Revenue</b> \$ _____</p> <p><b>General Obligation Bond</b> \$ _____</p> <p><b>Revenue Bond</b> \$ _____</p> <p><b>Special Assessment</b> \$ _____</p> <p>_____ \$ _____</p> <p>_____ \$ _____</p> <p style="text-align: right;"><b>Total Project Cost:</b> \$ _____</p>		
<p><b>Form Prepared By:</b></p> <p><b>Signature:</b> _____</p> <p><b>Title:</b> _____</p> <p><b>Dept./Agency:</b> _____</p> <p><b>Date Prepared:</b> _____</p>		

# Appendix C: Capital Project Scoring Sheet



## Londonderry Capital Improvement Plan Capital Project Scoring Sheet



Department: \_\_\_\_\_

Project Name: \_\_\_\_\_

**Evaluation Criteria**

**Point Score**

- Addresses an emergency or public safety need 5 4 3 2 1 0
- Addresses a deficiency in service or facility 5 4 3 2 1 0
- Provides capacity needed to serve existing population or future growth 5 4 3 2 1 0
- Results in long-term cost savings 5 4 3 2 1 0
- Supports job development/increased tax base 5 4 3 2 1 0
- Furthers the goals of the 2004 Master Plan 5 4 3 2 1 0
- Leverages the non-property tax revenues 5 4 3 2 1 0
- Matching funds available for a limited time 5 4 3 2 1 0

**Total Project Score: \_\_\_\_\_ of a possible 40 points**

**Appendix D:  
Project  
Scoring &  
Priority  
Summary**

2011-2016 CIP Project Submissions - 8/27 Meeting Worksheet							
Project	Department	Cost	Placement in 2010-2015 CIP	Dept/Board Score	CIP Committee Score	CIP Committee Priority Assignment	CIP Committee Placement in 11-16 CIP
New SAU Office	School District	\$250,000 (A&E), \$2.5 million (Construction)	Priority 2, FY 11-12	28	28	2	FY 12 - 13
Auditorium	School District	\$720,000 (A&E), \$1 million (Site Prep), \$10.28 million (construction)	Priority 3, FY 13-14	20	20	3	FY 14-15
North/West Fire Station	Fire	\$1.9 Million - Construction	Priority 1, FY 10 (not placed on ballot by Council)	23	29	1	FY 11
Central Fire Station Renovations	Fire	\$100,000 (A&E), \$1 million (Construction), \$50,000 (Furn/Equip)	Priority 3, FY 12-13	22	18	3	FY 13-14
Pettingill Road Upgrade	Community Development	\$12,348,000	Priority 2, FY 11	30	28	2	FY 11
GIS Maintenance Program Rt. 28 & Rt. 102 Corridor Study/Impact Fee Methodology Update	Community Development	\$160,000 (Capital Reserve, \$32,000 annually)	Priority 3, FY 11-15	19	19	3	FY 11-15
Master Plan Update	Community Development	\$140,000	Not in 10-15 CIP	17	17	2	FY 11
	Community Development	\$150,000 (\$100,000 already in CRF from TM 2008)	Priority 3, FY 11	15	15	3	FY 12
Open Space Protection	Conservation Commission	\$1,000,000 per year FY 11-16	Priority 2, FY 10 (Not placed on Ballot by Council); Priority 3, FY 14-15	31	23	3	FY 14 - 16
Roadway Rehab/Reconstruction Program	DPW - Highway	\$1.5 Million per year (FY 11-16) (Aended by CIP Committee to 1 mil per year)	Priority 2, FY 10-15	13	26	2	FY 11 - 16
Highway Garage Improvements	DPW - Highway	\$150,000 Phase II, \$160,000 Phase III)	Priority 2, FY 10-11	15	15	2	FY 11 - 12
Dan Hill Road Drop Off Center Improvements	DPW - Solid Waste	\$441,000	Priority 3, FY 11	15	0	6	n/a
South Londonderry Sewer Phase II	DPW - Enviromental	\$2.413 Million	Priority 3, FY 13	15	15	3	FY 14
Mammoth Road Sewer Replacement (portion)	DPW - Enviromental	\$387,500	Priority 3, FY 13	13	13	3	FY 14
Plaza 28 Sewer Pump Station Replacement	DPW - Enviromental	\$3.15 Million	Priority 4, not in 6 year program	14	14	4	n/a
Mammoth Road (North) Sewer Extension	DPW - Enviromental	\$714,000	Priority 4, not in 6 year program	12	12	4	n/a
Historic Property Protection Program Phase II Pillsbury Cemetery	Heritage Commission Cemetery Trustees	\$250,000 per year	Priority 4, not in 6 year program	Not Scored by HDC	7	4	n/a
		\$210,000	Priority 3, FY 11	14	14	3	FY 11



**Appendix E:  
Project  
Submission  
Materials and  
Backup  
Information**

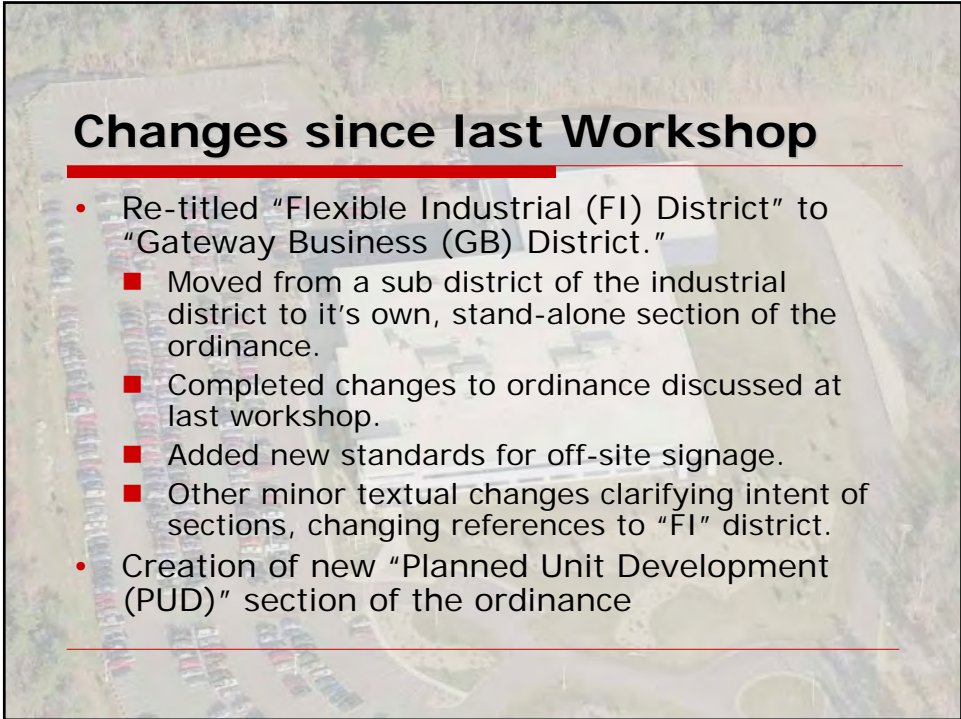
DRAFT



## **Airport Area Zoning Ordinance Amendments Workshop Discussion**

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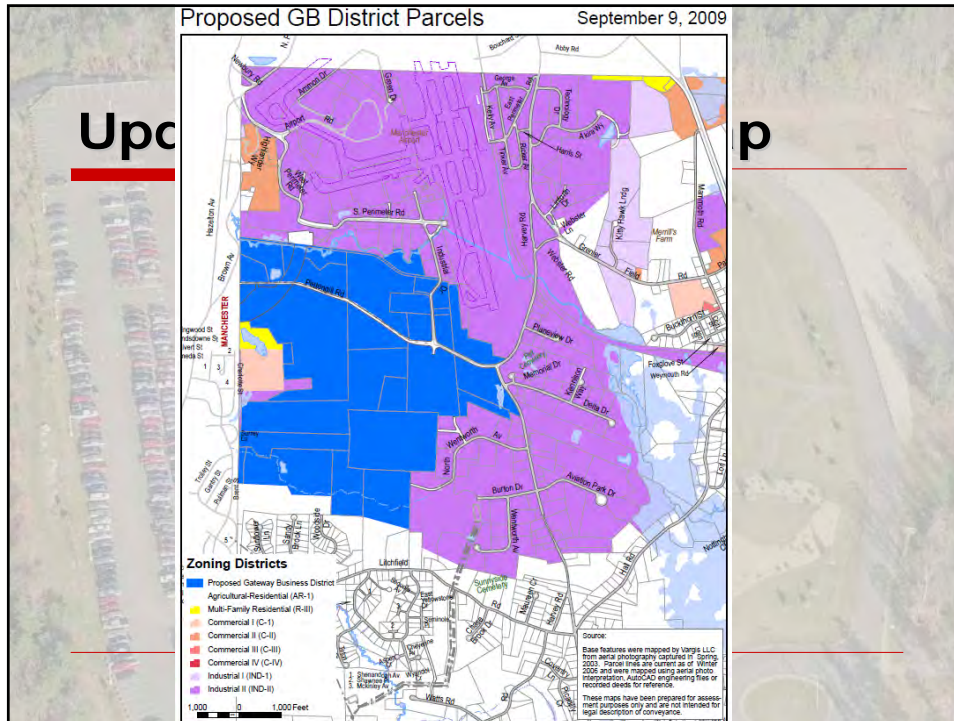
September 9, 2009



## **Changes since last Workshop**

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- Re-titled "Flexible Industrial (FI) District" to "Gateway Business (GB) District."
    - Moved from a sub district of the industrial district to it's own, stand-alone section of the ordinance.
    - Completed changes to ordinance discussed at last workshop.
    - Added new standards for off-site signage.
    - Other minor textual changes clarifying intent of sections, changing references to "FI" district.
  - Creation of new "Planned Unit Development (PUD)" section of the ordinance
-



## GB District: Permitted Use Table Changes

- Summary:
  - Conditional Use Permit required either for larger minimum building sizes than originally proposed, or;
  - CUP requirements eliminated in certain circumstances (Cultural & Performing Arts, Conference/Convention Center, Education/Training Facilities, Professional Office)
- Will detail all changes later in presentation.

2.7.2.9 Sign Standards - All signs, their quantity and location, shall comply with the permitted Industrial District signs as outlined in Section 3.11 of this Ordinance, except as provided below:

2.7.2.9.1 Off Premise Directory Signs - An off-premise directory sign which identifies the name and location of business located in the GB District may be allowed by Conditional Use Permit from the Planning Board provided the following conditions are met:

2.7.2.9.1.1 Such off premise directory signs in the GB district shall only be permitted at intersections of roadways where at least one of the streets is an arterial or connector roadway, as defined in the appendix of this ordinance.

2.7.2.9.1.2 No more than one (1) off-premise sign shall exist on an individual parcel.

2.7.2.9.1.3 No business shall be advertised on more than two (2) off premise signs within the GB District.

2.7.2.9.1.4 Off-premise signs located in the GB District shall have a maximum surface area of twenty-five (25) square feet and a maximum height of ten (10) feet from grade.

2.7.2.9.1.5 Appropriate setbacks from property lines shall be determined by the Planning Board, and shall in no way obstruct proper sight distance from any intersecting roads or driveways.

2.7.2.9.1.6 The off premise sign must be reviewed and approved by the Planning Board for aesthetic design, landscaping, and method of illumination.

2.7.2.9.1.7 The sign must otherwise conform to other applicable regulations of this ordinance.

2.7.2.9.1.8 Any other conditions or restrictions as the Planning Board may deem to be in the public interest.

## **Planned Unit Development: General Explanation**

---

- PUD's allow for a parcel, or group of parcels, to propose a "master plan" for development.
  - The Planning Board holds hearings on the PUD Master Plan, and if adopted, the PUD Master Plan, and not the underlying zoning, governs how the project is developed.
  - Once PUD Master Plan is adopted, all future site plans & subdivisions within the PUD will be reviewed in accordance with the PUD Master Plan.
-

# Planned Unit Development: Authority & Purpose

## 2.8 PLANNED UNIT DEVELOPMENT

2.8.1 Authority. The Section is enacted in pursuant to RSA 674:21, innovative land use controls, which provides the statutory authority for the Town of Londonderry to allow for the development of a Planned Unit Development ordinance.

### 2.8.2 Purpose.

2.8.2.1 A Planned Unit Development (PUD) allows a landowner to propose his/her own development project largely independent from current land use regulations otherwise applicable to that property. A PUD master plan is akin to a special zoning district designation for a particular tract of land in terms of uses, dimensions, and other development standards. (Note: every reference to a master plan in this PUD ordinance refers to the PUD Master Plan rather than the Town of Londonderry Master Plan, except where the latter is specifically referred to as such.)

2.8.2.2 The purpose of this ordinance is to promote flexibility in large scale development by considering project proposals based upon a comprehensive, integrated and detailed plan rather than the specific constraints applicable to piecemeal lot-by-lot development under conventional zoning. A PUD should improve the quality of new development by encouraging aesthetically attractive features and promoting quality site and architectural design.

# Planned Unit Development: Process

2.8.3.8 In the event active and substantial development or building has not begun on the site by the owner or the owner's successor-in-interest in accordance with the approved master plan within four years after the date of approval, or in accordance with other specific terms of the approval, then the master plan shall be deemed to have expired and the underlying zoning shall then control development of the land. Landowners may apply to the Planning Board for extensions of this time period for good cause shown.

2.8.3.9 Landowners may apply to amend all or a portion of an approved PUD following the same process applicable to the establishment of a PUD. A landowner may extinguish a PUD by notifying the Planning Board in writing that he/she does not intend to utilize the PUD.

.....  
master plan. In the event of a conflict between the terms of the approved master plan and the terms of the site plan regulations or subdivision regulations, the terms of the approved master plan shall control.

2.8.3.7 Any development on the subject property must be consistent with the approved master plan as determined by the Planning Board. While it is the master plan, rather than the underlying zoning district, that regulates development of the subject tract, there shall remain an underlying zoning designation for the tract at all times.

## Planned Unit Development: PUD Master Plan

---

### 2.8.4 PUD Master Plan

- 2.8.4.1 In devising the PUD master plan, subject to specific limitations, guidelines, and objectives stated elsewhere in this ordinance, there is flexibility in the selection of land uses, density, setbacks, buffers, building heights, lot sizes, lot dimensions, parking requirements, and most site design and development standards contained in the Zoning Ordinance, Site Plan Regulations, Subdivision Regulations.
- 2.8.4.2 The master plan is composed of all of the elements submitted by the applicant which describe the project including:
  - 2.8.4.2.1 A land use plan (drawing).
  - 2.8.4.2.2 Land use list,
  - 2.8.4.2.3 PUD application,
  - 2.8.4.2.4 Narrative,
  - 2.8.4.2.5 Architectural guidelines (if applicable),
  - 2.8.4.2.6 Any other development guidelines
  - 2.8.4.2.7 Any additions, deletions, modifications, and/or clarifications stipulated by the Planning Board in its approval.
- 2.8.4.3 The land plan delineates one or more land use areas. An accompanying land use list gives a designation for each land use area specifying approximate acreage, types of uses, density and any other development standards peculiar to that area.

## Planned Unit Development: Basic Requirements

---

- Allowed in the GB District
  - ***Would the Planning Board consider expanding this to other areas of Town?***
  - ***Should we add a requirement that all PUD's be serviced by water and sewer?***
- Minimum Area: Currently drafted at 25 acres
  - ***Should this be increased? 50 Acre minimum?***
- Ownership - Must be under single ownership at time of application
  - Can be subsequently subdivided to multiple owners after PUD Master Plan approval.

	GB	PUD		GB	PUD
CIVIC USES					
Community center	<b>GB District Services Use Table</b>		<b>GB</b>		
Cemetery			P		
Public Facilities				Major Repair	
Public Utilities					
Recreational Facilities, Public				and Service	p ****
Religious Facilities					p ****
Cultural Uses and Performances			C	materials gross floor	p ****
BUSINESS USES					
Aeronautical Facilities					
Assembly, testing, repair and operations up to 250,000 sq. ft.			P	000 sq. ft.	P p ****
Assembly, testing, repair and operations 250,001 sq. ft. or larger			P	sq. ft. or	P p ****
Bed and Breakfast Homestays			C		p ****
Business center developments			P	laboratories	p ****
Conference/Convention Centers			C		p ****
Day Care Center, Adult			C		p ****
Drive-thru window as an accessory use			P	Heavy	
Drive-in establishments			P		C p ****
Drive-in theatres			P		p ****
<b>GB District Services</b>					
Financial institution			C		
Funeral homes			C		
Education and Training Facilities			P	000 sq. ft.	P p ****
Excavation, including Temporary			P	sq. ft. or	C p ****
Permanent Manufacturing Facilities accessory use			C		
Group Child Care Center			P		
Home Occupation			C	to 250,000	
Hotels			P		p p ****
Manufacturing, Heavy			P	0,001 sq. ft.	C p ****
Manufacturing, Light up to 250,000 sq. ft.			C	250,000 sq.	P p ****
Manufacturing, Light 250,001 sq. ft. or larger			C	001 sq. ft. or	C p ****

## Planned Unit Development: Permitted Uses

- ***If the Planning Board desires to expand applicability beyond the GB, should permitted uses be expanded to include residential and other uses?***
  - ***If so, staff recommends ordinance language that prohibits residential uses in PUD's with GB as the underlying zoning.***
  - ***Additional review criteria would also need to be added for residential uses should the Board wish to allow for them in PUD's located outside of the GB District.***



## Planned Unit Development: Standards of Development

---

- Parking per Zoning Ordinance, with Planning Board ability to grant waivers.
  - Maximum Height of structures: 50' or as required by FAA in Airport Approach Height Overlay
  - Compliance required with:
    - Zoning, Site Plan & Subdivision Regs, unless waived or modified as part of an approved PUD Master Plan
    - All other applicable local, state, & federal law relating to public health & safety (cannot be waived as part of PUD Master Plan)
- 



## Planned Unit Development: Standards of Development

---

- Roads & structures set back 50' from PUD tract boundaries abut residential zoning.
  - Covenants, restrictions, and easements must be approved by Planning Board.
-





## Planned Unit Development: Criteria for Review of Proposals

---

- General Considerations:
    - Zoning Ordinance, Site Plan & Subdivision Regulations
    - Consistency with Town Master Plan, and any other related planning studies (ie. NW SAMP, Airport Design Charrette, etc.)
    - Conformance with intent and objectives of PUD Ordinance
    - Infrastructure capacity and effect of PUD on public services and public safety
    - Fiscal Impact on the Town
- 



## Planned Unit Development: Criteria for Review of Proposals

---

- Specific Objectives include:
    - Inclusion of harmonious mix of land uses
    - Quality Architectural Design
    - Suitability of land (topography, soils, etc.)
    - Preservation of open space where appropriate
    - Preservation of natural vegetation/features
    - Preservation of cultural resources
    - Development of active & passive recreation
    - Quality landscaping
    - Non-vehicular transportation choices
    - Traffic Mitigation, calming, or Demand Management
    - Sustainable Design/Energy Efficiency
-



## Planned Unit Development: Submission Requirements

---

- Materials:
  - Application
  - Narrative, including a statement of purpose for the PUD and how it meets the goals of PUD ordinance
  - Proposed Land Use Plan
  - Proposed Land Use List
  - Abutters List
  - Application Fees



## Planned Unit Development: Submission Requirements

---

- Information Required:
  - Present underlying zoning classification and zoning classification of all adjoining lots.
  - Topographic information
  - Total acreage of the tract; rough delineation of each land use area with approximate acreage
  - Proposed uses for each land use area
  - Proposed general estimates of location, size, use(s) for each structure
  - Proposed general estimates of location, width, and materials of all streets, drives, sidewalks, and paths



## Planned Unit Development: Submission Requirements

---

- Information Required (cont'd):
    - Proposed general estimates of location and number of spaces for each parking area
    - Summary of proposed traffic impact, including preliminary estimates of trip generation, trip distribution, and potential areas of off-site transportation improvements
    - Proposed open space areas
    - Natural and cultural resources proposed to be preserved
    - Proposed buffers, if appropriate, to adjoining property
- 



## Planned Unit Development: Submission Requirements

---

- Information Required (cont'd):
    - Sketch/plan of proposed landscaping
    - Brief explanation or sketch of proposed water and sewer/septic systems
    - Brief explanation or sketch of proposed stormwater management plan
    - Brief explanation or sketch of other proposed utilities
    - Brief explanation or sketch of proposed firefighting strategy
    - Proposed architectural standards or guidelines or brief explanation/sketch of architectural treatment
-



## Planned Unit Development: Submission Requirements

---

- Information Required (cont'd):
    - A "Signage Plan"
    - Proposed time schedule for completion of the project, phasing schedule, plans for bonding if applicable
    - Miscellaneous Studies and Documents - The Planning Board shall have the authority to require the submittal of any additional information, studies, documents, etc., relative to the design, operation, or maintenance of the proposed project
    - Any other information that the Planning Board or the Town Attorney may deem reasonably necessary
-

**2.7 GATEWAY BUSINESS DISTRICT**

**2.7.1 Objectives and Characteristics**

The Gateway Business District (GB) is intended to allow for the development of gateways to the Town of Londonderry, centers of commerce, and employment centers for the Southern NH region.

It is the desire of the Town of Londonderry that all of these activities be developed in a manner that both serves the business interests contained in the district, and in a manner that that conveys a campus atmosphere to those arriving here. Traffic circulation and alternate modes of transportation need to be provided for, as does parking for employees and visitors alike. A wide variety of industrial, supporting commercial development, and open space & recreational amenities are desired, in accordance with the various planning efforts undertaken by the Town in recent years (primarily the 2004 Master Plan which includes the 2003 Londonderry Business Park Design Charrette, and any other planning efforts as completed and applicable). All of these activities are envisioned as being developed in a manner that involves quality design of landscaping, a high level of quality in individual building and site design which takes into account the context of the site in its natural environment, and flexibility on the part of the Town so as to achieve the design suggested in those documents.

**2.7.2 General Standards**

Within the GB District the following regulations and controls are required for the development and continued use of the area.

2.7.2.1 Permitted Uses: See use tables section 2.2 and 2.2.2 of this zoning ordinance.

2.7.2.1.1 Setbacks - No building shall be located on a lot nearer to the front, side or rear lot line than the minimum setback set forth below.

Minimum Setback Distances for Structures from Property Line:	
Front	- 30 feet
Side	- 20 feet
Back	- 20 feet

2.7.2.1.1.1 Setbacks may be reduced by the Planning Board as set forth in Section 2.7.3.2.

2.7.2.1.1.2 If a property abuts more than one existing and/or proposed right-of-way, the building setback will be 30 feet from each right-of-way. The Planning Board, during site plan review, may allow certain signs, utility systems (including power and communication), or related facilities within the setback areas.

2.7.2.2 **Minimum Lot Size** - Minimum lot size in the GB District is subject to Planning Board approval based on on such requirements as parking, lighting, building size, sewage disposal requirements, soil types, topography, vehicular and non-vehicular access, intended use and compatibility with adjacent areas, but shall be not less than one acre (43,560 sq. ft.) with at least one hundred fifty (150) feet of frontage on a Class V or better road.

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2.7.2.3 **Building Height** - Except for structures not intended for human occupancy (chimney, water tower, etc.) height of buildings shall not exceed 50 feet, or as specified by the Federal Aviation Administration as part of their permitting process or by the limitations outlined in the Airport Approach Height Overlay (Section 2.6.6 of this Ordinance).

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2.7.2.4 **Minimum Green Space** - The parcel must contain a minimum of 25% of the total land in the parcel dedicated as green space (landscaping or undeveloped areas).

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2.7.2.5 Transportation Demand Management/Sustainable Site & Building Design

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2.7.2.5.1 Development within the GB District shall be required to meet one of the 2 following requirements, unless waived by the Planning Board as outlined in Section 2.7.2.5.2:

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2.7.2.5.1.1 **Transportation Demand Management.** The proposed development shall incorporate Transportation Demand Management (TDM) techniques in the proposed operation of the facility (Such as car/vanpooling or rideshare programs, establishment of a Transportation Management Authority, establishment of bus or transit service or contribution towards the establishment of a bus or transit service, flex-time work schedules, etc. For more examples of TDM strategies see <http://www.vtpi.org/tdm/>). The applicant shall provide documentation to the Town outlining the types of TDM methods proposed, and documentation to ensure the continued use of the TDM methods meeting the approval of the Planning Board; or

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2.7.2.5.1.2 **Sustainable Site & Building Design.** The proposed development of the property shall be determined to meet the "Certified" level of LEED (Leadership in Energy and Environmental Design) Certification or higher (Silver, Gold, or Platinum). The project need not actually receive LEED certification, but must be able to demonstrate that the project would meet the "certified" level of certification criteria.

2.7.2.5.2 Waiver of TDM/Sustainable Site & Building Design Requirement

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2.7.2.5.2.1 The Planning Board, may, with sufficient justification presented, waive the requirements of Section 2.7.2.5.1 where it is shown that the Transportation Demand Management or Sustainable Site & Building Design standards impose an unreasonable burden on development of property within the GB District.

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2.7.2.6 Storage Areas

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2.7.2.6.1 No outdoor storage is allowed in the GB District unless specifically approved as part of a site plan approved by the Planning Board.

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2.7.2.6.2 All outdoor storage shall be visually screened from access streets, arterials and adjacent property. Outdoor storage shall be meant to include parking of all company owned and operated motor vehicles, with the exception of passenger vehicles. No storage shall be permitted between a frontage street and the building line.

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2.7.2.6.3 Bulk storage of gasoline, chemicals, petroleum products, and flammable materials shall not be permitted except as accessory to a principal use, accessory to a service station, laboratory, production operation, airport service or the servicing of company owned or leased vehicles.

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2.7.2.7 Parking, Loading, & Vehicle Access Standards - See Section 3.10 of this Ordinance.

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2.7.2.8 Landscaping Standards - All landscape designs shall comply with the Town of Londonderry Site Plan Regulations.

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2.7.2.9 Sign Standards - All signs, their quantity and location, shall comply with the permitted Industrial District signs as outlined in Section 3.11 of this Ordinance, except as provided below:

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2.7.2.9.1 Off Premise Directory Signs - An off-premise directory sign which identifies the name and location of business located in the GB District may be allowed by Conditional Use Permit from the Planning Board provided the following conditions are met:

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2.7.2.9.1.1 Such off premise directory signs in the GB district shall only be permitted at intersections of roadways where at least one of the streets is an arterial or connector roadway, as defined in the appendix of this ordinance.

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2.7.2.9.1.2 No more than one (1) off-premise sign shall exist on an individual parcel.

2.7.2.9.1.3 No business shall be advertised on more than two (2) off premise signs within the GB District.

2.7.2.9.1.4 Off-premise signs located in the GB District shall have a maximum surface area of twenty-five (25) square feet and a maximum height of ten (10) feet from grade.

2.7.2.9.1.5 Appropriate setbacks from property lines shall be determined by the Planning Board, and shall in no way obstruct proper sight distance from any intersecting roads or driveways.

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2.7.2.9.1.6 The off premise sign must be reviewed and approved by the Planning Board for aesthetic design, landscaping, and method of illumination.

2.7.2.9.1.7 The sign must otherwise conform to other applicable regulations of this ordinance.

2.7.2.9.1.8 Any other conditions or restrictions as the Planning Board may deem to be in the public interest.

2.7.2.10 Lighting Standards - All lighting shall comply with the Town of Londonderry Site Plan Regulations.

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### 2.7.3 Conditional Use Permits

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2.7.3.1 Uses Permitted by Conditional Use Permit: Some developments (see Use Table, Section 2.2) in the GB District will require a conditional use permit from the Planning Board, in addition to any other necessary subdivision or site plan approvals. The conditional use permit is meant to provide flexibility, minimize adverse impacts, and allow the Board to participate jointly with the applicant in preparing development proposal that is consistent with this ordinance, local regulations, and the Master Plan.

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2.7.3.2 Dimensional Relief by Conditional Use Permit: The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement of the district (including but not limited to: setback, density, green space, frontage, or parking) for projects that are truly supportive of the goals of the GB District as noted above, and where such adjustments would allow the developer to more fully meet these goals and objectives.

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2.7.3.3 The conditional use permit shall clearly set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approval. Everything shown or otherwise indicated on a plan or submittal that is listed on the conditional use permit shall be considered to be a condition of approval. Construction shall not deviate from the stated conditions without approval of the modification by the Planning Board.

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2.7.3.4 Application Procedure - Applications for conditional use permits (CUP) within this district shall be made in accordance with the following procedures:

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2.7.3.4.1 It is recommended that all projects requiring a CUP conduct a preliminary meeting with staff prior to review by the Design Review Committee and the Town's Review Consultant. The purpose of the preliminary meetings shall be to provide guidance on the design of the proposed plan.

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2.7.3.4.2 The applicant will then develop the proposed plan to a point at which the plan is eligible for design review.

2.7.3.4.3 The application will then begin Pre-Application Design review, followed by the Conditional Use Permit Review outlined in this section, and in accordance with the other applicable procedures adopted by the Planning Board.

2.7.3.4.4 Unless otherwise addressed in this ordinance, all applications shall meet those requirements set forth in the relevant sections of the Subdivision & Site Plan Regulations of the Town of Londonderry.

2.7.3.5 Approval of Applications Requiring a Conditional Use Permit - Prior to issuance of a building permit, the applicant shall acquire a conditional use permit as well as any other necessary Planning Board approval. A conditional use permit shall be issued only if the development complies with all of the requirements of Section 2.7.3.5.1. The Planning Board may also condition its approval on additional, reasonable conditions necessary to accomplish the objectives of this section or any other federal/state regulation or law.

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2.7.3.5.1 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit in the Gateway Business District. The applicant shall demonstrate that:

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2.7.3.5.1.1 The proposed use is consistent with the Objectives and Characteristics of the Gateway Business District, Section 2.7.1;

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2.7.3.5.1.2 Granting of the application is in the public interest;

2.7.3.5.1.3 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.

2.7.3.5.1.4 The applicant has demonstrated that the alternative design for which the Conditional Use Permit is sought better achieves the Objectives and Characteristics of the district, while not diminishing surrounding property



values or the ability of nearby parcels to develop in accordance with the Objectives and Characteristics of the district; and

2.7.3.5.1.5 The application demonstrates that the alternative design for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance will all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

## 2.8 PLANNED UNIT DEVELOPMENT

2.8.1 **Authority.** The Section is enacted in pursuant to RSA 674:21, innovative land use controls, which provides the statutory authority for the Town of Londonderry to allow for the development of a Planned Unit Development ordinance.

### 2.8.2 Purpose.

2.8.2.1 A Planned Unit Development (PUD) allows a landowner to propose his/her own development project largely independent from current land use regulations otherwise applicable to that property. A PUD master plan is akin to a special zoning district designation for a particular tract of land in terms of uses, dimensions, and other development standards. (Note: every reference to a master plan in this PUD ordinance refers to the PUD Master Plan rather than the Town of Londonderry Master Plan, except where the latter is specifically referred to as such.)

2.8.2.2 The purpose of this ordinance is to promote flexibility in large scale development by considering project proposals based upon a comprehensive, integrated and detailed plan rather than the specific constraints applicable to piecemeal lot-by-lot development under conventional zoning. A PUD should improve the quality of new development by encouraging aesthetically attractive features and promoting quality site and architectural design.

### 2.8.3 Process. The process for administering a Planned Unit Development is as follows:

2.8.3.1 Due to the complexity inherent in PUD's, prior to developing a detailed PUD proposal or submitting an application applicants are strongly encouraged to:

2.8.3.1.1 Meet with the Community Development Department to discuss their ideas; and

2.8.3.1.2 Hold a conceptual discussion with the Planning Board.

2.8.3.2 The applicant submits a formal PUD application (also known as the proposed PUD master plan) as specified elsewhere in this section.

2.8.3.3 The Planning Board holds a public hearing on the PUD application and determines whether or not it is complete, in accordance with this ordinance. The board must take final action on the application within 65 days of a finding of completeness.

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2.8.3.4 The Planning Board approves, denies, or approves with conditions the PUD application. An applicant may appeal any such decision of the Planning Board in the same manner specified for appeals for site plan determinations and subdivision determinations (RSA 677:15).

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2.8.3.5 The Community Development Department maintains a record of all approved PUD master plans. The PUD is demarcated on the Zoning Map of the Town (over the underlying zoning district) and labeled based on the order in which the master plan was approved (as PUD-1, PUD-2, etc.).

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2.8.3.6 Subsequent to the PUD approval, the applicant submits a separate site plan application and/or subdivision application for development of the tract in accordance with the master plan. In the event of a conflict between the terms of the approved master plan and the terms of the site plan regulations or subdivision regulations, the terms of the approved master plan shall control.

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2.8.3.7 Any development on the subject property must be consistent with the approved master plan as determined by the Planning Board. While it is the master plan, rather than the underlying zoning district, that regulates development of the subject tract, there shall remain an underlying zoning designation for the tract at all times.

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2.8.3.8 In the event active and substantial development or building has not begun on the site by the owner or the owner's successor-in-interest in accordance with the approved master plan within four years after the date of approval, or in accordance with other specific terms of the approval, then the master plan shall be deemed to have expired and the underlying zoning shall then control development of the land. Landowners may apply to the Planning Board for extensions of this time period for good cause shown.

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2.8.3.9 Landowners may apply to amend all or a portion of an approved PUD following the same process applicable to the establishment of a PUD. A landowner may extinguish a PUD by notifying the Planning Board in writing that he/she does not intend to utilize the PUD.

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## 2.8.4 PUD Master Plan

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2.8.4.1 In devising the PUD master plan, subject to specific limitations, guidelines, and objectives stated elsewhere in this ordinance, there is flexibility in the selection of land uses, density, setbacks, buffers, building heights, lot sizes, lot dimensions, parking requirements, and most site design and development standards contained in the Zoning Ordinance, Site Plan Regulations, Subdivision Regulations.

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2.8.4.2 The master plan is composed of all of the elements submitted by the applicant which describe the project including:

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2.8.4.2.1 A land use plan (drawing),

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2.8.4.2.2 Land use list,

2.8.4.2.3 PUD application,

2.8.4.2.4 Narrative,

2.8.4.2.5 Architectural guidelines (if applicable),

2.8.4.2.6 Any other development guidelines

2.8.4.2.7 Any additions, deletions, modifications, and/or clarifications stipulated by the Planning Board in its approval.

2.8.4.3 The land plan delineates one or more land use areas. An accompanying land use list gives a designation for each land use area specifying approximate acreage, types of uses, density and any other development standards peculiar to that area.

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2.8.5 **Basic Requirements.** The following requirements apply:

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2.8.5.1 Location. PUD's are permitted in the Gateway Business District. They are permitted on one or more lots, or portions of lots, of land.

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2.8.5.2 Tract size. The minimum area required for a PUD shall be twenty-five (25) contiguous acres of land. Where portions of the tract are separated by a road, road right-of-way, utility, waterway, or another like element, the land shall be deemed contiguous unless the intervening feature is of such a nature that the Planning Board determines that the land could not function effectively as a PUD.

Comment [TJT1]: Should this be larger?

2.8.5.3 Ownership. The PUD shall be under unified ownership or control at the time of application. However, the tract may be subsequently subdivided consistent with the terms and conditions of the approved master plan. Multiple parties may own, manage, and/or develop various components of the PUD provided that the overall PUD remains integrated.

2.8.6 **Permitted Uses.**

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2.8.6.1 The uses listed in the PUD column of the Permitted use table (Section 2.2) may be proposed for inclusion in a PUD. However, no use is permitted in a PUD unless specifically approved by the Planning Board as part of the PUD Master Plan.

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2.8.6.2 Any use not listed in the Table of Permitted Uses (Section 2.2) may be considered by the Planning Board for inclusion in a PUD Master Plan if it is determined to be in compliance with the purpose and intent of this Section, or the purpose and intent of the underlying zoning district.

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2.8.6.3 Any uses that are permitted in the underlying zoning district, either by right, special exception or conditional use permit (at such time as this procedure may be established) shall be considered permitted uses in a PUD.

2.8.7 **Standards of Development.** The following standards shall apply to all PUD's:

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2.8.7.1 Off street parking and loading shall comply with the Section 3.10 for each proposed use. However, the Planning Board may grant waivers for parking if the Board finds that waivers will be compatible with the design and purposes of the PUD.

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2.8.7.2 Except for structures not intended for human occupancy (chimney, water tower, etc.) height of buildings shall not exceed 50 feet, or as specified by the Federal Aviation Administration as part of their permitting process or by the limitations outlined in the Airport Approach Height Overlay (Section 2.6.6 of this Ordinance).

2.8.7.3 The PUD shall be in compliance with:

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2.8.7.3.1 All standards contained within the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations unless waived or modified as part of the master plan; and

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2.8.7.3.2 All applicable local, state, and federal law relating to public health and safety, building construction, and drainage (these standards may not be waived or modified).

2.8.7.4 All roads and structures shall be set back a minimum of fifty (50) feet from all exterior PUD tract boundaries which abut residential uses except where transportation or use linkages are desired. Landscaping and other screening devices shall be designed to provide a reasonable buffer between the PUD and adjoining property except where compatible uses adjoin one another.

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2.8.7.5 Any proposed covenants, restrictions, and easements must be approved by the Planning Board. A provision must be built into the documents providing for municipal enforcement of the covenants, restrictions, and easements at the Town's option and at the developer's expense under appropriate circumstances.

2.8.7.6 In a PUD where ownership is subject to restrictions, covenants and other agreements, those documents shall be recorded in the Rockingham County Registry of Deeds.

2.8.8 Criteria for Review of PUD Proposals. The following criteria shall guide the Planning Board in determining appropriate land uses, densities, and other development standards for the PUD. It is emphasized that the determination of whether or not a proposal meets the intent and objectives of this ordinance is made by the Planning Board in its reasonable discretion.

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2.8.8.1 General Considerations. The Planning Board shall consider the following:

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2.8.8.1.1 Provisions of Town of Londonderry Zoning Ordinance, Site Plan Regulations, Subdivision Regulations, and other applicable town, state, and federal law, where appropriate.

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2.8.8.1.2 Consistency with the Town of Londonderry Master Plan, and any related plans or studies (such as the Londonderry Business Park Design Charrette, Northwest Small Area Master Plan, etc.)

2.8.8.1.3 Conformance with the intent and objectives of this Section.

2.8.8.1.4 Infrastructure capacity and the effect of the PUD upon public services and public safety.

2.8.8.1.5 Prospective fiscal impact upon the Town of Londonderry.

2.8.8.2 Specific objectives. Every PUD should incorporate a number of the following elements. Their usage defines a planned unit development and justifies departures from standards otherwise applicable under conventional zoning (introduction of new uses, more intensive land uses, higher density, novel design approaches, etc.).

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2.8.8.2.1 Inclusion of a harmonious mix of uses.

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2.8.8.2.2 Provisions for quality architectural design.

2.8.8.2.3 Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.

2.8.8.2.4 Preservation of open space.

2.8.8.2.5 Preservation of natural vegetation and other important natural features.

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- 2.8.8.2.6 Preservation of important cultural resources such as stone walls and other archaeological sites.
- 2.8.8.2.7 Development of active or passive recreational areas.
- 2.8.8.2.8 Quality landscaping.
- 2.8.8.2.9 Use of sidewalks, bikeways, and other multi-use paths.
- 2.8.8.2.10 Use of traffic mitigation, traffic calming, or Transportation Demand Management measures.
- 2.8.8.2.11 Significant screening of, or rear placement of, parking areas.
- 2.8.8.2.12 Sustainable design and construction practices promoting energy conservation.
- 2.8.8.2.13 Other public benefits such as provision of a community center or day care center.
- 2.8.8.2.14 Public access to community facilities in PUD.

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**2.8.9 Submission Requirements**

2.8.9.1 Materials. The applicant for a PUD shall provide the following materials (in format and number as reasonably determined by the Community Development Department):

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- 2.8.9.1.1 Completed PUD application
- 2.8.9.1.2 Narrative, including a statement of purpose for the PUD and how it meets the goals of this Section
- 2.8.9.1.3 Proposed land plan
- 2.8.9.1.4 Proposed land use list
- 2.8.9.1.5 Completed abutters list
- 2.8.9.1.6 PUD application fee

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2.8.9.2 Information. The applicant for a PUD shall provide the following information. Given the amount of information needed it is recommended that the plan be developed and refined through several conceptual/preliminary iterations with the staff and Planning Board. Many of these items may be presented as approximations or preliminary estimates subject to change, where appropriate.

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- 2.8.9.2.1 Present underlying zoning classification and zoning classification of all adjoining lots.
- 2.8.9.2.2 Topographic information on the tract including soil types, wetlands, surface water, land contours, natural and cultural resources, ridges and knolls, rock outcrops, steep slopes, etc. This information may be presented in an overview format, in less detail than would be required of a site plan or subdivision application provided that a clear sense of the tract is conveyed sufficient to evaluate the PUD proposal (for example, wetlands need not be professionally delineated if potentially wet low lying areas are roughly indicated).
- 2.8.9.2.3 Total acreage of the tract; rough delineation of each land use area with approximate acreage.
- 2.8.9.2.4 Proposed uses for each land use area, preferably given with some specificity.
- 2.8.9.2.5 Proposed general estimates of location, size, use(s) for each structure.
- 2.8.9.2.6 Proposed general estimates of location, width, and materials of all streets, drives, sidewalks, and paths.
- 2.8.9.2.7 Proposed general estimates of location and number of spaces for each parking area.

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- 2.8.9.2.8 Summary of proposed traffic impact, including preliminary estimates of trip generation, trip distribution, and potential areas of off-site transportation improvements.
- 2.8.9.2.9 Proposed open space areas.
- 2.8.9.2.10 Natural and cultural resources proposed to be preserved.
- 2.8.9.2.11 Proposed buffers, if appropriate, to adjoining property.
- 2.8.9.2.12 Sketch/plan of proposed landscaping.
- 2.8.9.2.13 Brief explanation or sketch of proposed water and sewer/septic systems.
- 2.8.9.2.14 Brief explanation or sketch of proposed stormwater management plan.
- 2.8.9.2.15 Brief explanation or sketch of other proposed utilities.
- 2.8.9.2.16 Brief explanation or sketch of proposed firefighting strategy.
- 2.8.9.2.17 Proposed architectural standards or guidelines or brief explanation/sketch of architectural treatment.
- 2.8.9.2.18 A "Signage Plan" shall be submitted. This document shall establish guidelines regulating and coordinating all signage within the PUD including general representations of tenant signage, development signage, directional signage, and vehicular and pedestrian traffic circulation signage. Specific criteria for design, size, proposed sign types (wall, free standing, etc.), materials, heights, colors, setbacks, projections and contextual issues shall be established. Any other sign design information as required by the Town shall also be provided.
- 2.8.9.2.19 Proposed time schedule for completion of the project, phasing schedule (if applicable depending on scale and type of PUD), plans for bonding if applicable, and well thought out plan to ensure that the amenities will be completed as proposed and in a timely manner.
- 2.8.9.2.20 Proposed covenants, restrictions and easements and how they will be monitored and enforced, if applicable.
- 2.8.9.2.21 Proposed ownership arrangement of each section of the PUD whether to be subdivided, held in fee simple, owned under a condominium arrangement, etc.
- 2.8.9.2.22 Proposed articles of incorporation and bylaws of any corporation and/or association to be formed.
- 2.8.9.2.23 Miscellaneous Studies and Documents - The Planning Board shall have the authority to require the submittal of any additional information, studies, documents, etc., relative to the design, operation, or maintenance of the proposed project.
- 2.8.9.2.24 Any other information that the Planning Board or the Town Attorney may deem reasonably necessary.

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Londonderry Zoning Ordinance Use Table

	Overlay Districts																
	AR-1	R-III	C-I	C-II	C-III	C-IV	IND-I	IND-II	GB	PUD	AD	POD - 102*	POD - 28*	CO	AH	AZ	FP
<b>RESIDENTIAL AND AGRICULTURAL</b>																	
Agriculture	P	P															
Assisted Living Facilities		P	P	P	P							P	P				
Back Lot Development	C											See specific district regs.					
Dwelling, multi-family	C ***	P, C ***				C ***											
Dwelling, single family	P, C ***	P, C ***			S	C ***											
Dwelling, two-family	P, C ***	P, C ***			S	C ***											
Elderly Housing	P	P	P	P	P	P						P	P				
Manufactured housing	P, C ***	P, C ***															
Mixed use residential						P											
Mobile homes	P																
Nursing Home and accessory uses		P	P	P	P							P	P				
Preexisting manufactured housing parks	P																
Presite Built Housing	P																
<b>CIVIC USES</b>																	
Community center			P	P		C				P ****							
Cemetery	P																
Public Facilities	P		P	P		C	P	P	P	P ****	P						
Public Utilities	P	P	P	P			S	S	S		S						
Recreational Facilities, Public	P			P						P ****		P	P				
Religious Facilities	P		P	P	P	P						P	P				
Cultural Uses and Performing Arts									P	P ****							
<b>BUSINESS USES</b>																	
Aeronautical Facilities											P						
Assembly, testing, repair and packing operations up to 250,000 sq. ft.									P	P ****							
Assembly, testing, repair and packing operations 250,001 sq. ft. or larger									C	P ****							
Bed and Breakfast Homestay	P																

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

Londonderry Zoning Ordinance Use Table

	AR-1	R-III	C-I	C-II	C-III	C-IV	IND-I	IND-II	GB	PUD	AD	POD - 102*	POD - 28*	CO	AH	AZ	FP
Business center development			P	P					P	P ****		P	P				
Conference/Convention Center									P	P ****							
Day Care Center, Adult						C											
Drive-thru window as an accessory use			P	P													
Drive-in establishments			P	P													
Drive-in theatres				P													
GB District Services									(See GB District Services Use Table, Section 2.2.2)								
Financial institution			P	P					P	P ****							
Funeral homes			P	P	P												
Education and Training Facilities									P	P ****							
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	P		P	P	P		P	P			P						
Group Child Care Center					P	C	S	S		P ****		C	C				
Home Occupation	S																
Hotels				P					P	P ****							
Manufacturing, Heavy								P		P ****	P						
Manufacturing, Light up to 250,000 sq. ft.				P			P	P	P	P ****	P						
Manufacturing, Light 250,001 sq ft or larger				P			P	P	C	P ****	P						
Membership club			P	P						P ****							
Motels				P													
Motor Vehicle Maintenance, Major Repair and Painting								P			P						
Motor vehicle rental											P						
Motor Vehicle Station, Limited Service				P		C**				P ****	P						
Recreation, commercial			P	P						P ****		P	P				
Retail sales establishment			P	P		P				P ****		P	P				
Outdoor Storage of goods or materials (not to exceed 5-10% of the gross floor area) as an Accessory Use									C								
Professional office			P	P	P	P	P	P	P	P ****	P	P	P				

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Londonderry Zoning Ordinance Use Table

	AR-1	R-III	C-I	C-II	C-III	C-IV	IND-I	IND-II	GB	PUD	AD	POD - 102*	POD - 28*	CO	AH	AZ	FP
Rental Car Terminal up to 50,000 sq. ft									P	P ****							
Rental Car Terminal 50,001 sq. ft. or larger									C	P ****							
Repair services			P	P		P	P	P		P ****	P	P	P				
Research or Development Laboratories				P			P	P	P	P ****	P						
Restaurant			P	P		C				P ****	P	P	P				
Restaurant, fast food			P	P						P ****							
Sales of Heavy Equipment or Heavy Trucks as an accessory use							C	C	C								
School, Private					P					P ****		P	P				
Service establishment			P	P			P	P		P ****	P	P	P				
Sexually oriented businesses			P	P													
Storage, self serve				P			P	P				C	C				
Terminal, Airplane											P						
Terminal, Trucking up to 100,000 sq. ft.								P	P	P ****	P						
Terminal, Trucking 100,001 sq. ft. or larger								P	C	P ****	P						
Vehicle Sales Establishment				P													
Warehouses and Storage up to 250,000 sq. ft.				P			P	P	P	P ****	P	C	C				
Warehouses and Storage 250,001 sq. ft. or larger				P			P	P	C	P ****	P	C	C				
Wholesale Businesses up to 250,000 sq. ft.				P			P	P	P	P ****	P						
Wholesale Businesses 250,001 sq. ft. or larger				P			P	P	C	P ****	P						

\*Any use permitted in the underlying zoning district, which is not a permitted use in the Performance Overlay District is considered a Conditional Use

\*\*See section 2.4.1.2.4 for additional dimensional requirements related to fuel dispensers

\*\*\* See Section 2.3.3 for specific requirements (workforce housing)

\*\*\*\*As part of an approved PUD Master Plan, See Section 2.8

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Londonderry Zoning Ordinance Use Table

<b>GB District Services Use Table</b>	<b>GB</b>
Accessory Uses up to 5,000 sq. ft. - Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	P
Accessory Uses from 5,001 – 20,000 sq. ft.-Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	C
Automotive Repair up to 5,000 sq. ft.	P
Automotive Repair from 5,001 to 10,000 sq. ft.	C
Computer Services up to 5,000 sq. ft.	P
Computer Services from 5,001 to 10,000 sq. ft.	C
Service/Commercial Businesses up to 5,000 sq. ft. (Including restaurants and gas stations)	P
Service/Commercial Businesses from 5,001 to 20,000 sq. ft. (Including restaurants and gas stations)	C
Daycare up to 5,000 sq. ft.	P
Daycare from 5,001 to 10,000 sq. ft.	C
Health Clubs up to 5,000 sq. ft.	P
Health Clubs from 5,001 to 20,000 sq. ft.	C
Personal Service Businesses up to 5,000 sq. ft.	P
Personal Service Businesses from 5,001 to 20,000 sq. ft.	C

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