

TOWN COUNCIL AGENDA

November 4, 2013

7:00 P.M.

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

A. **CALL TO ORDER**

B. **PUBLIC COMMENT**

1. Presentation on the Londonderry Dog Park Study Committee
Presented by Scott Benson
2. Presentation from the Heritage Commission on the 'Town Forest'
Presented by Art Rugg, Chairman
3. Presentation on the Update of the Outdoor Recreation Guide and Update on Stewardship
Presented by the Conservation Commission and Bill Flynn

C. **PUBLIC HEARING**

1. **Ordinance #2013-06 – Impact Fee Ordinance**
Amend Municipal Code – Title III – Land Use Codes,
Zoning Ordinance, Section 1.2, Impact Fees (Second Reading)

D. **OLD BUSINESS**

1. **Resolution #2004 – 11B**
Resolution Relative to the Collection and Distribution of Rental Fees for the Mayflower Garage

E. **NEW BUSINESS**

1. **Intro to FY15 Budget**
Presented by Susan Hickey and Kevin Smith
2. **Order #2013 – 34**
Expendable Maintenance Trust Fund for Senior Center Auditorium, Roof Structure Repair
3. **Order #2013 – 35**
An order relative to the Distribution of Fire Equipment from the Capital Reserve Funds

F. **APPROVAL OF MINUTES**

Approval of October 21, 2013 Town Council Minutes

G. **OTHER BUSINESS**

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

Re – Appointment of Lynn Wiles, Candidate for the Londonderry Planning Board

Re – Appointment of Maria Newman, Candidate for the Londonderry Planning Board

H. **ADJOURNMENT**

I. **MEETING SCHEDULE**

1. Town Council Meeting – 11/18/13 Moose Hill Council Chambers, 7:00 PM
2. Town Council Meeting – 12/02/13 Moose Hill Council Chambers, 7:00 PM
3. Town Council Meeting – 12/16/13 Moose Hill Council Chambers, 7:00 PM
4. Town Council Meeting – 01/06/14 Moose Hill Council Chambers, 7:00 PM

J. **BUDGET MEETING SCHEDULE**

1. Town Council Budget Workshop - 11/16/13, Moose Hill Council Chambers, 8:00 AM
2. Town Council Meeting-Budget Discussion-11/18/13 Moose Hill Council Chambers, 7:00 PM
3. Town Council Budget Workshop- 11/25/13 Moose Hill Council Chambers, 7:00 PM
4. Town Council Budget Workshop-12/02/13 Moose Hill Council Chambers, 7:00 PM

Kurt Allen

Town Forest Clear-up

Cut all brush and remove,

a - trees 3" and under.

b - bitter sweet - Poisonivy - thorns.

c - downed trees and branches.

Assistance -

1 - Scouts -

2 - trail ways - members -

3 - Volunteers -

Brush - thorns - bitter sweet -

1 - haul away (\$250.00 per 50 cu yd)

2 - burn per Fire department direction

3 - chip trees under 3"

Fire Dept.

Capt Roger

Div Chief Brian Johnson

2.6.4.4 District Areas

2.6.4.4.1 A Historic District or Districts shall be superimposed upon other established districts.

2.6.4.4.2 Historic Districts shall be shown on the Zoning Map as from time to time adopted and amended by the Town Council of the Town of Londonderry. They may coincide with, cross or include all or part of one or more of the underlying districts. Boundaries are defined on Map 6 and Map 9 of the Tax Assessor's Map of the Town of Londonderry as follows:

<u>Map</u>	<u>Lot#</u>	<u>Street Location</u>
6	18-1	Pillsbury Road
6	98	Pillsbury and Mammoth
6	97-1	Pillsbury and Mammoth
9	53	Grange Hall #44
12	68	2 Litchfield Road

2.6.4.5 Uses:

Uses permitted in the underlying zoning districts are permitted in the Historic District(s).

2.6.4.6 Permit Application - Certificate of Approval

2.6.4.6.1 The activities set forth in subparagraph "C" below shall not be authorized until and unless a Certificate of Approval is issued by the Historic District Commission

2.6.4.6.2 It is unlawful for any person to construct, alter, move or demolish any building or structure which lies within an Historic District, without first obtaining a Certificate of Approval from the Historic District Commission in the manner prescribed below.

2.6.4.6.3 For the purposes of this article, the following activities shall be subject to a Certificate of Approval by the Historic District Commission:

2.6.4.6.3.1 Erection, alteration, relocation or demolition of a building or structure in the Historic District;

2.6.4.6.3.2 Erection, alteration, or removal of any exterior visible feature of a building or structure within the Historic District

2.6.4.6.3.3 Alteration, construction or removal of stone walls, fencing, lighting, significant trees or signage within the Historic District

2.6.4.7 Procedure:

The following procedure shall be followed in processing applications of work covered under Section 2.6.4.6:

2.6.4.7.1 Applications must be submitted to the Historic District Commission for Certificate of Approval for any work to be performed

2.6.4.7.2 There shall be no application fee required

2.6.4.7.3 Applications shall be submitted through the Londonderry Building Department

2.6.4.7.4 Applications shall include a narrative description of the project, detailing materials and intentions regarding the work. The Historic District Commission may request site plans, sketches, building plans and samples when applicable.

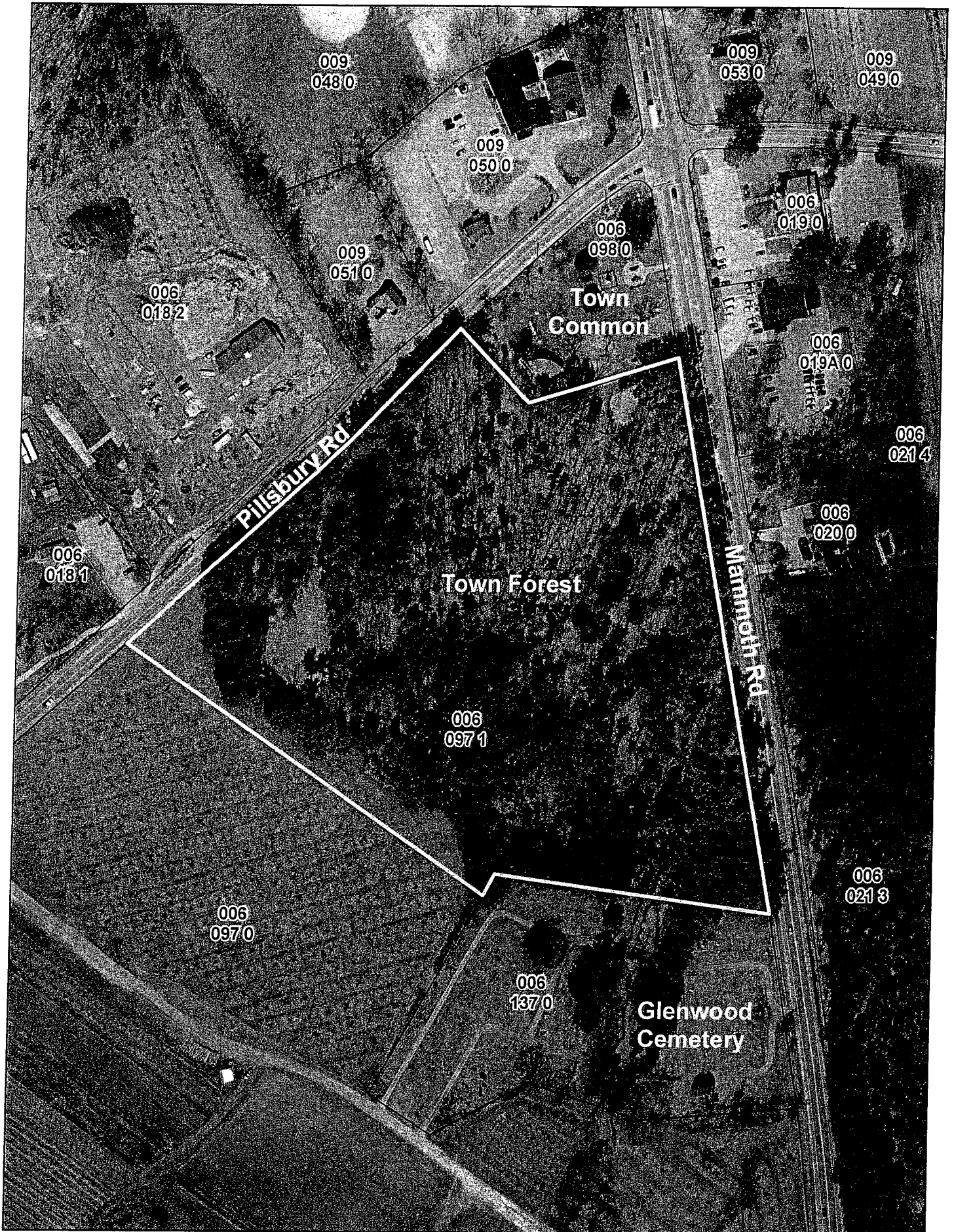
2.6.4.7.5 Applicant shall explain how the project complies with the Town of Londonderry's Historic District criteria listed below (Section 2.6.4.8)

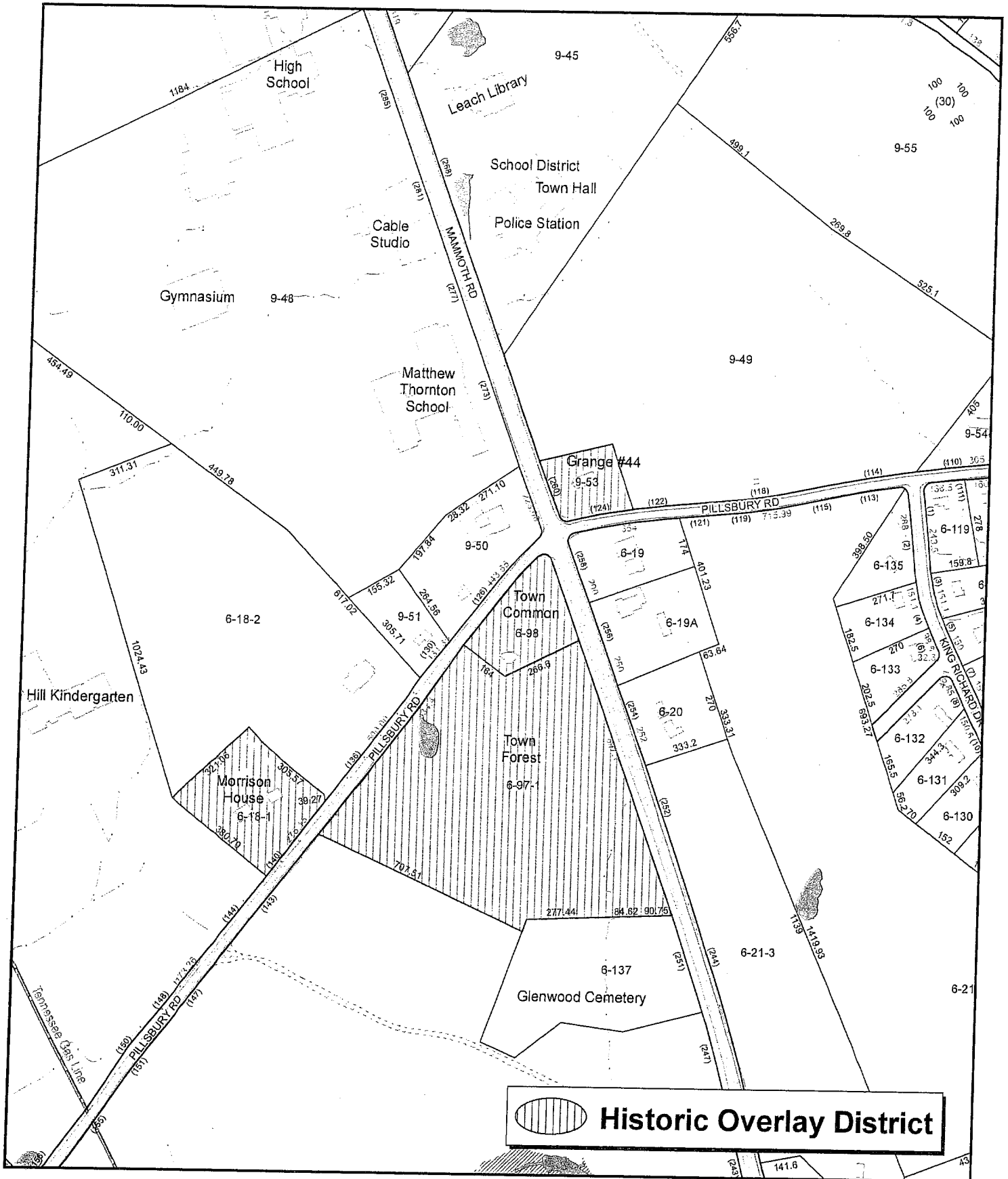
2.6.4.8 Criteria

The purpose of these criteria are to guide rehabilitation and construction within the

Town Forest Parcel, Map 6 Lot 97-1

100 50 0 100 Feet





High School

Leach Library

School District
Town Hall

Police Station

Cable Studio

Gymnasium

Matthew Thornton School

Grange #44

Town Common

Town Forest

Glenwood Cemetery

Hill Kindergarten

Morrison House

 Historic Overlay District

Londonderry Conservation Lands GIS Database Records, Current 8-29-2013

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
001 001 0	Conservation Easement	Ingersoll / Bockes Forest Addition	106.78
001 003 0	Conservation Easement	Ingersoll Easement	6.84
001 003 2	Conservation Easement	Ingersoll Easement	4.52
001 014 0	Fee Ownership Other	Spnhf / Bockes	68.41
001 028 31	Fee Ownership Town		3.33
001 037 0	Town Owned, de facto Conservation		1.38
001 063 1	Fee Ownership Town	Beaver Brook Floodplain	4.36
001 069 7	Deed Restriction		1.83
001 069 9	Deed Restriction		0.30
002 030 0	Town Owned, de facto Conservation		1.75
002 036 0	Deed Restriction	West Rd / Continental Paving	1.14
002 036 0	Deed Restriction	West Rd / Continental Paving	6.28
002 040 0	Deed Restriction	West Rd / Continental Paving	62.52
003 019 88	Town Owned, de facto Conservation		5.03
003 039 7	Conservation Easement	Long Swamp Easement (Lantern Ln)	2.68
003 039 8	Conservation Easement	Long Swamp Easement (Lantern Ln)	2.56
003 045 0	Town Owned, de facto Conservation	Pine Swamp	40.86
003 100 0	Conservation Easement	Estey Easements	19.68
003 150 1	Fee Ownership Town	Towne Square Prof Park Easement	3.74
003 161 0	Conservation Easement	Estey Easements	29.28
003 161 2	Conservation Easement	Estey Easements	23.86
003 172 0	Town Owned, de facto Conservation		9.74
003 178 0	Deed Restriction	Gramercy Park	1.95
003 179 0	Deed Restriction	Gramercy Park	1.55
003 181 24	Town Owned, de facto Conservation		3.98
004 009 0	Town Owned, de facto Conservation		13.94
004 054 1	Fee Ownership Town	Access To Kendall Pond	0.30
004 056 0	Fee Ownership Town	Laycock	62.49
004 065 74	Fee Ownership Town	Beaver Brook	3.54
004 097 0	Fee Ownership Town	West Access To Kendall Pond Ca	1.45
005 007 0	Fee Ownership Town	101 West Rd	10.04
005 009 24	Fee Ownership Town	Behind Alan Cir	1.06
005 009 25	Fee Ownership Town	Behind Alan Cir	2.70
005 009 26	Fee Ownership Town	Behind Alan Cir	3.81
005 010 40	Fee Ownership Town	Tanager Way	4.08
005 012 0	Fee Ownership Town	George / Tanager Way	138.96
005 015 0	Deed Restriction	Watercrest Preserve - Phase I	1.57
005 015 17	Deed Restriction	Watercrest Preserve - Phase I	0.16
005 015 3	Deed Restriction	Watercrest Preserve - Phase Ii	3.33
005 015 4	Deed Restriction	Watercrest Preserve - Phase Ii	12.04
005 015 5	Deed Restriction	Watercrest Preserve - Phase I	2.57
005 017 0	Fee Ownership Town	Lorden	65.10
005 019 0	Conservation Easement	Tyler Estates Iii	0.56
005 019 11	Conservation Easement	Tyler Estates Iii	0.89
005 019 12	Conservation Easement	Tyler Estates Iii	0.50

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
005 019 13	Conservation Easement	Tyler Estates Iii	1.84
005 019 14	Conservation Easement	Tyler Estates Iii	1.00
005 019 15	Conservation Easement	Tyler Estates Iii	0.03
005 019 16	Conservation Easement	Tyler Estates Iii	1.36
005 019 17	Conservation Easement	Tyler Estates Iii	0.66
005 019 2	Conservation Easement	Tyler Estates Iii	0.20
005 019 20	Conservation Easement	Tyler Estates Iii	0.19
005 019 22	Conservation Easement	Tyler Estates Iii	0.28
005 019 23	Conservation Easement	Tyler Estates Iii	1.17
005 019 24	Conservation Easement	Tyler Estates Iii	0.62
005 019 25	Conservation Easement	Tyler Estates Iii	1.27
005 019 26	Conservation Easement	Tyler Estates Iii	0.31
005 019 3	Conservation Easement	Tyler Estates Iii	0.37
005 019 4	Conservation Easement	Tyler Estates Iii	0.11
005 019 5	Conservation Easement	Tyler Estates Iii	0.68
005 019 6	Conservation Easement	Tyler Estates Iii	0.27
005 019 7	Conservation Easement	Tyler Estates Iii	0.22
005 031 0	Conservation Easement	Carousel Estates Ii Easement	8.18
005 031 10	Conservation Easement	Carousel Estates No-Cut Zone	0.40
005 031 11	Conservation Easement	Carousel Estates No-Cut Zone	0.04
005 031 13	Conservation Easement	Carousel Estates Ii Easement	1.30
005 031 14	Conservation Easement	Carousel Estates Ii Easement	3.34
005 031 15	Conservation Easement	Carousel Estates Ii Easement	2.06
005 031 16	Conservation Easement	Carousel Estates Ii Easement	2.13
005 031 20	Conservation Easement	Carousel Estates Ii Easement	12.59
005 031 23	Conservation Easement	Carousel Estates Ii Easement	0.16
005 031 24	Conservation Easement	Carousel Estates Ii Easement	0.37
005 031 25	Conservation Easement	Carousel Estates Ii Easement	0.94
005 031 26	Conservation Easement	Carousel Estates Ii Easement	0.44
005 031 27	Conservation Easement	Carousel Estates Ii Easement	2.24
005 031 28	Conservation Easement	Carousel Estates Ii Easement	5.96
005 031 29	Conservation Easement	Carousel Estates Ii Easement	1.61
005 031 30	Conservation Easement	Carousel Estates Ii Easement	0.41
005 031 31	Conservation Easement	Carousel Estates Ii Easement	0.62
005 031 32	Conservation Easement	Carousel Estates Ii Easement	0.63
005 031 33	Conservation Easement	Carousel Estates Ii Easement	1.53
005 031 34	Conservation Easement	Carousel Estates Ii Easement	2.05
005 031 35	Conservation Easement	Carousel Estates Ii Easement	4.70
005 031 5	Conservation Easement	Carousel Estates No-Cut Zone	2.04
005 031 6	Conservation Easement	Carousel Estates No-Cut Zone	1.45
005 031 7	Conservation Easement	Carousel Estates No-Cut Zone	0.63
005 031 8	Conservation Easement	Carousel Estates No-Cut Zone	0.34
005 031 9	Conservation Easement	Carousel Estates No-Cut Zone	0.41
005 032 0	Conservation Easement	Sunnycrest Phase Ii	16.41
005 032 1	Conservation Easement	Sunnycrest Phase Ii	1.01
005 032A 0	Conservation Easement		5.37

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
005 041 0	Conservation Easement	Sunnycrest Phase I	19.92
005 042 1	Conservation Easement	Sunnycrest Phase I	0.73
005 049 0	Conservation Easement	Sunnycrest Phase Iii	37.33
005 049 3	Conservation Easement	Sunnycrest Phase I	0.35
005 050 6	Deed Restriction	Orchard View Farms	1.07
005 050 7	Deed Restriction	Orchard View Farms	1.21
005 058 11	Fee Ownership Town	West Rd Ca	24.11
005 062 0	Conservation Easement	West Road Athletic Fields	18.43
006 006 0	No-Cut Zone	No-Cut Zone	0.66
006 006 1	No-Cut Zone	No-Cut Zone	0.86
006 006 2	No-Cut Zone	No-Cut Zone	0.63
006 014 16	Conservation Easement	Jake Rd Easement	4.49
006 018 0	Conservation Easement	Moose Hill Phase Ii / Flax Field	23.86
006 021 3	Conservation Easement	Moose Hill Orchards Phase I	8.23
006 021 4	Conservation Easement	Moose Hill Orchards Phase I	36.91
006 031 0	Conservation Easement	31 Buttrick Rd Elliot	3.23
006 033 13	Fee Ownership Town	Adams Rd Ca	7.46
006 052 0	Conservation Easement	Walgreens Easement	8.21
006 065 0	Conservation Easement	Cvs Easement	2.74
006 083 2	Conservation Easement	Moose Hill Orchards Phase Iii	17.64
006 084A 0	Fee Ownership Town	Adams Rd Ca	8.51
006 084B 0	Fee Ownership Town	Adams Rd Ca	15.53
006 094 1	Town Owned, de facto Conservation		6.31
006 097 0	Conservation Easement	Moose Hill Orchards Phase Iv	86.64
006 097 0	Conservation Easement	Moose Hill Orchard Phase Iii	93.88
006 097 1	Deed Restriction	Town Forest	13.43
006 099 37	Town Owned, de facto Conservation		4.51
006 102 0	Conservation Easement	Plummer	40.12
006 102A 0	Conservation Easement	Plummer	16.29
006 113 0	Fee Ownership Town		24.09
007 073 5	Conservation Easement	Hannaford Easement	3.27
007 106 0	Fee Ownership Town	2 Gilcreast Rd Rear	2.42
007 112 0	Fee Ownership Other		23.98
007 115 0	Fee Ownership Town	159 South Rd	37.99
007 118 0	Conservation Easement	Gilcreast Project	21.18
007 119 0	Conservation Easement	Home Depot On-Site	2.40
007 122 0	Conservation Easement	Nevins	43.04
007 136 0	Fee Ownership Town	155 South Rd	6.09
008 001 0	Conservation Easement	Plummer Easement	87.70
008 003 0	Town Owned, de facto Conservation		12.89
008 003 52	Common Land	Jewel Court/Raintree Common Land	2.25
008 003 52A	Common Land	Jewel Court/Raintree Common Land	4.51
008 003 52B	Common Land	Jewel Court/Raintree Common Land	1.41
008 003 52C	Common Land	Jewel Court/Raintree Common Land	8.90
008 009 46-1	Fee Ownership Town	Marcou	15.96
008 011 0	Fee Ownership Town	Plummer Easement	32.77

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
008 016 0	Fee Ownership Town	Sawmill Brook	67.63
008 016 0	Fee Ownership Town	Sawmill Brook	10.20
008 020 1	Deed Restriction	Watercrest Preserve - Phase I	0.97
008 020 2	Deed Restriction	Watercrest Preserve - Phase I	1.56
008 020 3	Deed Restriction	Watercrest Preserve - Phase I	0.57
008 020 4	Deed Restriction	Watercrest Preserve - Phase I	1.19
008 020 5	Deed Restriction	Watercrest Preserve - Phase I	0.63
008 020 6	Deed Restriction	Watercrest Preserve - Phase I	1.29
008 022 0	Fee Ownership Town	Colby-Litchfield Parcel	33.76
008 023 1	Conservation Easement	Royal Lane Easement	0.20
008 023 10	Conservation Easement	Royal Lane Easement	0.35
008 023 11	Conservation Easement	Royal Lane Easement	0.17
008 023 12	Conservation Easement	Royal Lane Easement	0.04
008 023 15	Conservation Easement	Royal Lane Easement	0.25
008 024 0	Fee Ownership Town	Musquash Ca	566.39
009 001 62	Town Owned, de facto Conservation		6.56
009 057 10	Conservation Easement	Higgins / Forest Easement	11.25
009 063 1	Conservation Easement	Reed Easement	2.29
009 085 0	Conservation Easement	Higgins / Agricultural	8.48
009 089 0	Town Owned, de facto Conservation		4.54
010 042 1	Conservation Easement	Hovey Road Viewshed Easement	0.51
010 042 6	Conservation Easement	Hovey Road Viewshed Easement	0.23
010 042 7	Conservation Easement	Hovey Road Viewshed Easement	0.43
010 142 2	Town Owned, de facto Conservation		1.46
011 004 0	Conservation Easement	Cpi/Musquash	36.99
011 011 0	Fee Ownership Town	Cooper Parcel	34.37
011 020 19	Common Land	Brook Park Estates Common Land	9.97
011 020 20	Common Land	Brook Park Estates Common Land	2.29
011 020 98	Common Land	Brook Park Estates Common Land	4.69
011 020 99	Common Land	Brook Park Estates Common Land	3.41
011 021 0	Fee Ownership Town	Sales Parcel	7.09
011 023 0	Conservation Easement		2.60
011 023 0	Conservation Easement		3.76
011 026 1-1	Town Owned, de facto Conservation		1.24
011 033 2	Conservation Easement		32.87
011 033 21	Conservation Easement		0.47
011 033 21	Conservation Easement		2.52
011 033 21	Conservation Easement		16.13
011 039 0	Conservation Easement		1.69
011 039 0	Conservation Easement		1.73
011 040 1	Deed Restriction	Watts Road	59.87
011 042 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	84.99
011 044A	Fee Ownership Town	Aes - Faucher Rd	7.02
011 046 0	Conservation Easement	Continental Paving	3.85
011 048 0	Fee Ownership Town	Musquash Cpi	43.55
011 048 1	Fee Ownership Town	Musquash Cpi	38.57

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
011 049 0	Fee Ownership Town	Aes Faucher Rd	16.91
011 050 0	Fee Ownership Town	R&M Burchell	89.90
011 057 12	Fee Ownership Town	Aes Faucher Rd	23.43
011 058 0	Fee Ownership Town	Sara Beth Ln Open Space	5.91
011 058 36A	Town Owned, de facto Conservation		5.41
011 058 91	Fee Ownership Town	Musquash Sara Beth Connector	1.71
011 068 0	Deed Restriction	Hidden Meadows	0.44
011 068 0	Deed Restriction	Hidden Meadows	0.19
011 068 6	Deed Restriction	Hidden Meadows	0.80
011 068 7	Deed Restriction	Hidden Meadows	0.63
011 068 8	Deed Restriction	Hidden Meadows	0.32
011 068 9	Deed Restriction	Hidden Meadows	0.35
011 068 9	Deed Restriction	Hidden Meadows	0.19
011 068 9	Deed Restriction	Hidden Meadows	0.31
011 073 10	Deed Restriction	Hidden Meadows	0.29
011 073 11	Deed Restriction	Hidden Meadows	1.20
011 073 12	Deed Restriction	Hidden Meadows	0.54
011 073 7	Deed Restriction	Hidden Meadows	0.16
011 073 8	Deed Restriction	Hidden Meadows	0.64
011 073 9	Deed Restriction	Hidden Meadows	0.17
011 079A	Town Owned, de facto Conservation		6.58
011 090 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	14.92
011 090 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.39
012 001 46	Town Owned, de facto Conservation		6.92
012 002A 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.86
012 003 62	Town Owned, de facto Conservation		3.11
012 008 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	16.60
012 014 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	13.66
012 019 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	10.82
012 038 0	Town Owned, de facto Conservation		1.30
012 059 3	Conservation Easement	Whittemore Estates	18.00
012 063 7	Town Owned, de facto Conservation		1.24
012 073 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	17.57
012 080 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	29.25
012 084 0	Fee Ownership Town	Airport Access Road Mitigation Area	12.72
012 084 10	Deed Restriction		0.74
012 084 11	Deed Restriction		0.43
012 084 12	Deed Restriction		0.24
012 084 13	Deed Restriction		0.26
012 084 14	Deed Restriction		0.81
012 084 15	Deed Restriction		0.53
012 084 16	Deed Restriction		0.66
012 084 17	Deed Restriction		1.08
012 084 18	Deed Restriction	Buckingham Estates	0.88
012 084 19	Deed Restriction		0.29
012 084 20	Deed Restriction		0.06

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
012 084 21	Deed Restriction		0.14
012 084 22	Deed Restriction		0.12
012 084 23	Deed Restriction		0.18
012 084 25	Deed Restriction		0.13
012 084 26	Deed Restriction		0.18
012 084 27	Deed Restriction		0.25
012 084 28	Deed Restriction		0.32
012 084 29	Deed Restriction		0.29
012 084 6	Deed Restriction		0.69
012 084 68	DOT Mitigation Properties	Airport Access Road Mitigation Area	23.94
012 084 7	Deed Restriction		0.87
012 084 8	Deed Restriction		1.49
012 143A 0	Common Land		22.54
013 001 12	Conservation Easement	Dumont	18.86
013 001 13	Fee Ownership Town	Dumont	5.32
013 001 14	Fee Ownership Town	Dumont	1.17
013 004 0	Fee Ownership Town		13.50
013 045 21	Town Owned, de facto Conservation		3.27
013 098 0	Town Owned, de facto Conservation		0.52
013 115 0	Town Owned, de facto Conservation		8.62
013 115 1	Town Owned, de facto Conservation		1.13
013 119 0	Town Owned, de facto Conservation		0.40
014 001 0	Common Land	The Pathway Common Land	18.68
014 003 25	Common Land	The Pathway Common Land	6.52
014 003 26	Common Land	Airport Access Road Mitigation Area	10.95
014 009 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.48
014 010 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.92
014 011 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.13
014 017 3	DOT Mitigation Properties	Airport Access Road Mitigation Area	11.45
014 019 3	DOT Mitigation Properties	Airport Access Road Mitigation Area	4.12
014 021 12	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.60
014 021 13	DOT Mitigation Properties	Airport Access Road Mitigation Area	18.72
014 024 0	Deed Restriction	Airport Access Road Mitigation Area	3.65
014 029 13	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.22
014 029 19	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.17
014 029 6	Fee Ownership Town	Little Cohas Ca	14.52
014 029 7	Fee Ownership Town	Little Cohas Ca	3.04
014 029 9	Fee Ownership Town	Little Cohas Ca	0.98
014 034 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	2.89
014 035 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	15.65
014 036 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.69
014 036 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.14
014 038 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	12.30
014 039 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	26.30
014 044 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	17.80
014 044 23	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.14

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
014 044 25	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.42
014 044 28	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.73
014 044 29	DOT Mitigation Properties	Airport Access Road Mitigation Area	4.46
014 044 30	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.67
014 044 38	DOT Mitigation Properties	Airport Access Road Mitigation Area	6.05
014 044 39	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.71
014 044 7	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.35
014 044 8	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.07
014 045 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	4.13
014 045 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.45
014 045 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.21
014 045 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	8.00
014 045 2	DOT Mitigation Properties	Airport Access Road Mitigation Area	10.43
014 048 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	2.63
014 049 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	44.69
015 001 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.15
015 002 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	4.47
015 003 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	14.96
015 003 3	DOT Mitigation Properties	Airport Access Road Mitigation Area	2.64
015 003 4	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.09
015 004 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	41.03
015 005 0	Fee Ownership Town	Little Cohas Ca	3.49
015 005A 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	17.28
015 006 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	23.09
015 007 0	Fee Ownership Town	Little Cohas Ca	2.72
015 008 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.94
015 009 6	DOT Mitigation Properties	Airport Access Road Mitigation Area	4.84
015 010 0	Fee Ownership Town	Little Cohas Ca	27.71
015 010 6	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.66
015 011 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.20
015 012 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.00
015 013 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.50
015 014 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	103.54
015 018 0	Deed Restriction	Watercrest Preserve Phase li	0.70
015 019 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	2.43
015 020 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.91
015 033 1	Conservation Easement	Home Depot / Off Site	28.59
015 051C 8	Conservation Easement	Vista Ridge Easement	12.61
015 110 3	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.38
015 131C 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.23
015 133 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	1.09
015 134 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.98
015 148 0	Town Owned, de facto Conservation		0.11
015 167 1	DOT Mitigation Properties	Airport Access Road Mitigation Area	5.11
015 191 4	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.15
016 038 1	Deed Restriction	Lorden Commons Open Space	26.36

Parcel ID	Parcel Protection Type	Property Name	Acres (GIS)
016 081 0	Conservation Easement	Kamco / Independence Dr	26.14
016 099 1	Conservation Easement	27 Partridge Lane	0.96
016 099 2	Conservation Easement	29 Partridge Lane	1.15
016 099 3	Conservation Easement	28 Partridge Lane	0.97
016 101 0	Town Owned, de facto Conservation		12.10
017 006 0	Conservation Easement	Merrill Farm	33.24
017 019 0	Conservation Easement	Thibeault Easement	19.28
017 032A 0	Conservation Easement	Merrill Farm	22.40
017 033 0	Fee Ownership Other	Edgell - Spnhf Easement	3.39
017 033 0	Fee Ownership Other	Edgell - Spnhf Easement	5.46
017 033 0	Fee Ownership Other	Edgell - Spnhf Easement	1.50
018 013 0	Deed Restriction	Mill Pond Open Space	11.06
018 013 97	Deed Restriction	Mill Pond Open Space	71.41
018 013 98	Deed Restriction	Mill Pond Open Space	4.46
018 013 99	Deed Restriction	Mill Pond Open Space	22.32
018 034 0	Fee Ownership Town	Little Cohas Ca	16.08
028 014 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	8.06
028 014 10	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.64
028 015 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.56
028 017 0	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.70
028 017 2	Conservation Easement	Little Cohas / Streamside Protection	5.20
028 017 4	DOT Mitigation Properties	Airport Access Road Mitigation Area	12.09
028 017 5	DOT Mitigation Properties	Airport Access Road Mitigation Area	3.03
028 017 6	DOT Mitigation Properties	Airport Access Road Mitigation Area	7.98
028 018 4	DOT Mitigation Properties	Airport Access Road Mitigation Area	0.46
028 021 11	Conservation Easement	Little Cohas / Streamside Protection	7.32
028 021 12	Conservation Easement	Little Cohas / Streamside Protection	0.62
028 021 12-1	Conservation Easement	Little Cohas / Streamside Protection	0.44
028 021 25	DOT Mitigation Properties	Airport Access Road Mitigation Area	10.53
028 031 2-2	Conservation Easement	144 Harvey Rd	1.54

Introduced: 10/21/13
Public Hearing: 11/04/13
Adopted: xx/xx/13

ORDINANCE 2013-06
***AN AMENDMENT TO THE ZONING ORDINANCE
TO REPLACE SECTION 1.2 IMPACT FEES IN ITS
ENTIRETY WITH REVISED LANGUAGE CONSISTENT
WITH REVISIONS TO NEW HAMPSHIRE RSA 674:21
AND RECENT COURT ORDERS***

WHEREAS it was determined that Zoning Ordinance Section 1.2 Impact Fees required revisions to ensure its compliance with revisions to NH RSA 674:21 and recent court orders pertaining to impact fees; and

WHEREAS the Town Attorney was charged with amending the entire section to ensure the Town's regulations are consistent with the intent and specifics of the revised State statute; and

WHEREAS the Planning Board has recommended that the Town Council act favorably upon the request;

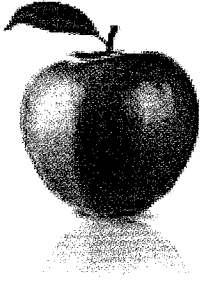
NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that Section 2.1 of the Town Zoning Ordinance be amended by replacing it in its entirety with revised language consistent with NH RSA 674:21 and recent court orders.

John Farrell, Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

Susan Hickey - Town Clerk
x/xx/13

Town Seal



Town of Londonderry

Planning & Economic Development Department

268B Mammoth Road
Londonderry, New Hampshire 03053
Phone (603) 432-1100 x134
www.londonderrynh.org



To: Town Council
CC: Town Attorney Michael Ramsdell, Esquire
From: Cynthia A. May, ASLA
Date: October 7, 2013
Subject: Zoning Ordinance Amendment – Section 1.2 Impact Fees

On September 11, 2013, the Planning Board held a public hearing relative to amending Section 1.2 of the zoning ordinance and replace it in its entirety to reflect consistence with update to NH RSAs. The public hearing was continued to October 2, 2013 based on changes suggested to the revised language. The Town Attorney subsequently modified the proposed language, which was presented at the continued public hearing on October 2.

The Planning Board, by unanimous vote, recommends to the Town Council to approve the amendment to Section 1.2 of the Zoning ordinance as proposed and modified by the Town Attorney.

A copy of the proposed ordinance amendment and the Planning Board minutes are attached.

Staff will be in attendance at the public hearing to present the proposed zoning change. Please feel free to contact me if you have any questions.

1 **LONDONDERRY, NH PLANNING BOARD**
2 **MINUTES OF THE MEETING OF OCTOBER 2, 2013 AT THE MOOSE HILL**
3 **COUNCIL CHAMBERS**

4
5 Members Present: Art Rugg; Mary Soares; Lynn Wiles; Laura El-Azem; Chris
6 Davies; Tom Freda, Ex-Officio; Rick Brideau, CNHA, Ex-Officio; John Laferriere,
7 Ex-Officio; Leitha Reilly, alternate member; and Maria Newman, alternate member
8

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

13 A. Rugg called the meeting to order at 7:01 PM. He appointed M. Newman to vote
14 for Scott Benson.
15

16 **Administrative Board Work**

17
18 A. Approval of Minutes – September 4 and September 11, 2013
19

20 **M. Soares made a motion to approve and sign the minutes from the**
21 **September 4, 2013 meeting. L. Wiles seconded the motion.** No
22 discussion. **Vote on the motion: 4-0-3.**

23 (L. Wiles, C. Davies and R. Brideau abstained as they were absent from the
24 September 4, 2013 meeting).
25

26 **M. Soares made a motion to approve and sign the minutes from the**
27 **September 11, 2013 meeting. L. Wiles seconded the motion.** No
28 discussion. **Vote on the motion: 5-0-2.**

29 (L. Wiles and C. Davies abstained as they were absent from the September 11,
30 2013 meeting).
31

32 Minutes for September 4, 2013 and September 11, 2013 were approved and
33 signed at the conclusion of the meeting.
34

35 [T. Freda arrived at 7:05, L. El-Azem arrived at 7:07, and L. Reilly arrived at
36 7:10 PM].
37

38 B. Plans to Sign – Woodmont Commons Planned Unit Development (PUD) Master
39 Plan
40

41 C. May stated that all precedent conditions for approval have been met and the
42 staff recommends signing the PUD Master Plan.
43

44 **M. Soares made a motion to authorize the Chair and Secretary to sign**
45 **the PUD Master Plan. J. Laferriere seconded the motion.**
46

47 C. Davies asked for clarification regarding the applicability of Conditional Use
48 Permits (CUP) on the PUD Master Plan. Ari Pollack, attorney for the applicant,
49 explained that a modification made to the final plan involved the exemption of

1 the development from the need to request CUPs as required by the zoning
2 ordinance under Section 1.5.2., with the exception of those related to "the
3 disruption of wetlands and associated buffers within the Conservation Overlay
4 District." All other 'conditional uses' referred to in previous versions of the
5 Master Plan have been removed with the granting of the waiver on September
6 11 from that section. He added that mitigation for impacts related to individual
7 site and subdivision plans can still be considered when those plans are
8 presented.
9

10 There was no further discussion. **Vote on the motion: 9-0-0.** The PUD
11 Master Plan was signed at the conclusion of the meeting.
12

13 Later in the meeting during "Discussions with Town Staff," L. Wiles asked when
14 site or subdivision plans for Woodmont Commons might be expected. C. May
15 said that is unknown at this point. L. Wiles then asked if the site plan process
16 for individual developments within the PUD should be reviewed for the benefit
17 of the Board. C. May stated that the process is no different than that followed
18 by any proposal that comes before the Board, except for the self-imposed
19 requirement made by the developer that conceptual presentations to the Board
20 must be made for any proposal within the PUD. While conceptual
21 presentations are typically encouraged by Staff, they are currently not a
22 requirement of the site or subdivision approval process for any other
23 development in Londonderry.
24

25 A. Rugg added that an email from resident Joe Maggio regarding Woodmont
26 Commons was received with a request that it be read into the record, however
27 A. Rugg stated that since the public hearing is no longer open, the email will
28 not be read. He said it is included in the Planning Board's read file.
29

30 C. Extension Request - The Nevins Retirement Cooperative Association Site Plan
31 Amendment, 2 Wesley Drive, Map 7 Lot 122
32

33 C. May explained that in June of this year, the Planning Board had made a
34 recommendation to the Town Council to allow the discontinuation of the
35 easement on map 7 lot 122 related to public walking trails. Because the Town
36 Council has not yet resolved the issue and the conditional approval by the
37 Planning Board will expire on October 3, a letter was received from Attorney
38 Morgan Hollis, representative for the Nevins Retirement Cooperative
39 Association, requesting a 120 day extension of the site plan amendment to
40 January 31, 2014.
41

42 **M. Soares made a motion to grant a 120 day extension of the Nevins**
43 **Retirement Cooperative Association site plan amendment to January**
44 **31, 2014. L. Wiles seconded the motion.** No discussion. **Vote on the**
45 **motion: 9-0-0.** The extension for 120 days was granted.
46

47 D. Regional Impact Determinations – Walton Circle Subdivision Plan, Map 18 Lot
48 15-6 and Mill Pond Subdivision Amendment, Map 18 Lots 13-97 & 99
49

1 C. May reported Staff's determination that the condominium conversion
2 proposed by Gladys M. Gontarz and Steve Gontarz is not a development of
3 regional impact, as it does not meet any of the regional impact guidelines
4 suggested by Southern NH Planning Commission (SNHPC).
5

6 **M. Soares made a motion to accept Staff's recommendation that this**
7 **project is determined not to be of regional impact under RSA 36:56. L.**
8 **Wiles seconded the motion. No discussion. Vote on the motion: 9-0-0.**
9

10 C. May stated that Brook Hollow Corporation is proposing a subdivision plan
11 amendment to modify previously approved construction phasing within the Mill
12 Pond development on map 18, lots 13-97 and 99, and remove all proposed
13 private walking trails approved 1998 subdivision plan along with a proposed
14 recreational field that is by and large inaccessible by homeowners within the
15 development. She said that staff recommends this project is not a
16 development of regional impact, as it does not meet any of the regional impact
17 guidelines suggested by SNHPC.
18

19 **M. Soares made a motion to accept Staff's recommendation that this**
20 **project is determined not to be of regional impact under RSA 36:56. L.**
21 **Wiles seconded the motion. No discussion. Vote on the motion: 9-0-0.**
22

23 E. Discussions with Town Staff

24 • Liberty Utilities

25 J.R. Trottier explained that Liberty Utilities on map 7, lot 34-1 is
26 preparing to begin the second phase of their site plan approved in
27 March of 2013 and have proposed three minor changes that they are
28 asking the Board to allow Staff to handle administratively. The first
29 is to relocate a parking island towards the southern end of the
30 parking lot to the southernmost tip (see Attachment #1) in order to
31 accommodate snow plowing. The second request is to add two parking
32 spaces in a spot originally approved for a garage because the garage
33 is no longer needed. Lastly, a landscape island adjacent to the
34 southwest corner of the building would be removed, with the area
35 being restriped and the landscape plantings being relocated to the
36 area adjacent to the southeastern corner of the building. J.R. Trottier
37 noted that the emergency generator originally planned for that
38 southeast corner was moved to the northwest corner through Staff
39 with approval from the Board earlier in the year. A. Rugg asked for
40 comments and questions from the Board. L. Reilly confirmed that the
41 emergency generator has already been relocated. M. Soares asked if
42 the location of the proposed garage had been intended to block the
43 view of the garbage dumpster from the street. J.R. Trottier stated
44 that the dumpster is hidden by an enclosure. The consensus of the
45 Board was to allow the changes to be handled administratively by
46 Staff.
47

- 48 • (See also discussion following the adoption of the Woodmont
49 Commons PUD Master Plan)
50

- (See also discussion following the adoption of the Woodmont Commons PUD Master Plan)

Public Hearings

- A. Impact Fee Ordinance Amendment – Public Hearing for a Proposed Amendment to Section 1.2 Impact Fees of the Zoning Ordinance to replace the section in its entirety with revised language to reflect consistency with updates to NH RSA's [Continued on September 11, 2013 to October 2, 2013].

Town Attorney Michael Ramsdell stated that the language associated with two sections of the proposed ordinance have been revised since the September 11 public hearing on this matter. The first involves the addition of the words "Where no Planning Board approval is required" to the beginning of the last sentence in proposed Section 1.2.5.1.2 (see Attachment #3, page 4). The additional language clarifies that the statement "Impact fees shall be intended to reflect the effect of development on municipal facilities at the time of the issuance of the building permit" pertains specifically to those developments which did not require Planning Board approval. The second change is the elimination of proposed Section 1.2.8.4. This was removed because while the language comes from the State statute regarding impact fees, it was suggested at the September 11 public hearing that it could also be misleading since the State has deemed it illegal for towns to collect impact fees for State roads. With those revisions, M. Ramsdell said the proposed ordinance is in full and clear compliance with the State statute.

A. Rugg asked for input from the Board. Other than several expressions of agreement with the changes, there were no comments or questions.

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

A. Rugg entertained a motion to recommend to the Town Council that the proposed ordinance be adopted. **M. Soares made a motion that the Planning Board recommends the Town Council adopt the impact fee ordinance as amended. L. Wiles seconded the motion. No discussion. Vote on the motion: 9-0-0.**

- B. Gladys M. Gontarz and Steve Gontarz (Owners and Applicants), Map 18 Lot 15-6, Application Acceptance and Public Hearing for formal review of a subdivision plan to convert an existing duplex building to a condominium use at 6 Walton Circle, Zoned AR-I.

A. Rugg explained to the applicants that the Board will first vote on accepting the application as complete. A presentation can then be made, after which the Board will have 65 days to render a decision under State law.

J. R. Trottier stated that there were no checklist items, and staff recommended the application be accepted as complete.

1.2 IMPACT FEES

1.2.1 Authority

These provisions are established pursuant to New Hampshire RSA 674:21, V as an innovative land use control. The administration of this Ordinance shall be in compliance with RSA 674:21, V.

1.2.2 Purpose

These provisions are intended to:

1.2.2.1 Assist in the implementation of the Town's Master Plan;

1.2.2.2 Promote the Town's public health, safety and welfare, and prosperity;

1.2.2.3 Ensure the adequate provision of public facilities necessitated by the growth and anticipated growth of the Town;

1.2.2.4 Provide for the harmonious development of the Town and its environs; and

1.2.2.5 Assess an equitable share of the growth-related and anticipated growth-related cost of new and expanded public capital facilities to all types of new development in proportion to the capital facility demands created by that development.

1.2.3 Findings

The 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 Planning Board adopted a Master Plan in January 1988, and updated it in 1997, 2004 and 2013.

1.2.3.2 The 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 As documented by the Master Plan and the Capital Improvements Program, actual and anticipated municipal growth has and will create the need for construction, equipping, or expansion of capital facilities to provide adequate facilities and services for the Town's residents.

1.2.3.4 The Town is responsible for and committed to the provision of public facilities and services at standards determined to be necessary by the Town to support anticipated 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 anticipated 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 anticipated 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, or

1.2.3.6.2 Compensating the Town for expenditures made for existing public facilities which were constructed in anticipation of new growth and development.

1.2.3.7 Impact fee payments from new development will enable the Town to provide adequate public facilities to serve anticipated 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.

1.2.3.9 An impact fee ordinance for public capital facilities is consistent with the goals and objectives of the Town's Master Plan and Capital Improvements Program.

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.

Impact fee - A fee or assessment imposed upon development, including subdivision, building construction, or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the Town, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; municipal road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing, and disposal facilities; public library facilities; and public recreational facilities not including public open space.

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

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.

Planning Board – Town of Londonderry Planning Board.

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

Public Open Space – An unimproved or minimally improved parcel of land or water available to the public for passive recreational use such as walking, sitting, or picnicking, that does not include “public recreational facilities.”

Public Recreational Facilities – Land and facilities owned or operated by the Town or the School District, other than public open space, which are designed for the conduct of recreational sports or other activite uses of an organized nature, and which include equipment or improvements to the land to support indoor or outdoor public recreation programs and activities.

School District – Londonderry School District.

Town – Town of Londonderry.

Town Council – Town of Londonderry Town Council.

1.2.5 Imposition and Payment of Public Capital Facilities Impact Fee

1.2.5.1 Impact fees shall be assessed to new development to compensate the Town and the School District for the proportional share of municipal capital improvement costs that is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee, including municipal and public school facilities to be constructed, or which were constructed in anticipation of new development.

1.2.5.1.1 All impact fees shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. When no Planning Board approval is required,

or has been made prior to the adoption or amendment of the impact fee ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development. Where no Planning Board approval is required, impact fees shall be intended to reflect the effect of development upon municipal facilities at the time of the issuance of the building permit.

1.2.5.1.2 Impact fees shall be collected at the time a certificate of occupancy is issued. No certificate of occupancy shall be issued for new development until the assessed impact fee has been paid, or until the fee payer has established a mutually acceptable schedule for payment. If no certificate of occupancy is required, impact fees shall be collected when the development is ready for its intended use.

1.2.5.1.3 A fee payer may request an alternate schedule of payment of impact fees in effect at the time of subdivision plat or site plan approval by the Planning Board. As a condition of a mutually agreeable alternate schedule of payment, the Town may require the fee payer to post a bond, a letter of credit, accept a lien, or otherwise provide a suitable measure of security so as to guarantee future payment of the assessed impact fees.

1.2.5.2 A fee payer 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 the fee payer 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 1.2.10 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, shall be exempt from 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 forty (40) 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, shall be exempt from 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.

1.2.6 Computation of Impact Fee

1.2.6.1 The amount of each public facilities impact fee shall be assessed in accordance with written procedures or methodologies adopted and amended by the Planning Board for the purpose of capital facility impact fee assessment in Londonderry. The methodologies shall set forth the assumptions and formulas comprising the basis for impact fee assessment, and shall include documentation of the procedures and calculations used to establish impact fee schedules. The amount of any impact fee shall be computed based on the municipal capital improvement cost of providing adequate public capacity to serve new development. Such documentation shall be available for public inspection at the Town Planning & Economic Development Department.

1.2.6.2 In the case of new development created by a change of use, redevelopment, or expansion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee for the new use as compared to that which was or would have been assessed for the previous use.

1.2.7 Appeals

1.2.7.1 Any aggrieved party may appeal a decision under this impact fee ordinance in the same manner provided by statute for appeals from the officer or board making the decision, as set forth in RSA 676:5, RSA 677:2-14, or RSA 677:15, respectively.

1.2.8 Administration of Funds Collected

1.2.8.1 All funds collected shall be properly identified and promptly transferred for deposit into individual Public Capital Facilities Impact Fee Accounts for each of the facilities for which fees are assessed, and shall be special revenue fund accounts and under no circumstances shall such revenue accrue to the General Fund.

1.2.8.2 The Town Director of Finance shall have custody of all fee accounts, and shall pay out the same only upon written orders of the Town Council.

1.2.8.3 The Town Council may order the expenditure of impact fees solely for the reimbursement of the Town or the School District for the cost of public capital improvements for which they were collected, or to recoup the cost of capital improvements made by the Town or the School District in anticipation of the needs for which the impact fees were collected.

1.2.8.4 The Town Director of Finance shall record all fees paid, by date of payment and the name of the fee payers, and shall maintain a record of current

ownership, tax Map and lot reference number of properties for which fees have been paid under this Ordinance for a period of at least ten (10) years.

1.2.8.5 Prior to the end of each calendar and fiscal year, the Town Director of Finance shall make a report to the Town Council, giving a detailed account of all public capital facilities impact fee transactions during the year. The reports shall include a listing of any impact fee due to expire prior to the next scheduled report.

1.2.8.6 Following the Town Council's review of the report referenced in section 1.2.8.6 above and prior to the next scheduled Town Council meeting, the report shall be posted on the Town's website.

1.2.8.7 In the event that bonds or similar debt instruments have been, or will be, issued by the Town or the School District for the funding of public capital facilities which are or were constructed in anticipation of new development, or are issued for advanced provision of capital facilities identified in this Ordinance, impact fees may be used to pay debt service on such bonds or similar debt instruments.

1.2.9 Refund of Fees Paid

1.2.9.1 Unless notified of an agreement between the fee payer and the owner of record of property for which an impact fee has been paid, the fee payer shall be entitled to a refund of that fee, plus accrued interest where:

1.2.9.1.1 The impact fee has not been encumbered or legally bound to be spent for the purpose for which it was collected within a period of six (6) years from the date of the final payment of the fee; or

1.2.9.1.2 The Town has failed, within the period of six (6) years from the date of the final payment of such fee, to appropriate the non-impact fee share of related capital improvement costs, if there is a non-impact fee share of the capital improvement costs.

1.2.9.2 Upon its review of the reports referenced in section 1.2.8.4 above, the Town Council shall direct the Town Director of Finance to refund to all fee payers or property owners who are due a refund pursuant to section 1.2.9.1 and section 1.2.9.1.1 or section 1.2.9.1.2 above, the impact fee paid, plus accrued interest.

1.2.10 Credit

1.2.10.1 Land and/or public capital facility improvements may be offered by the fee payer as total or partial payment of the required impact fee. The offer must be determined to represent an identifiable dollar value computed in a manner acceptable to the Town Council. The Town Council may authorize the fee payer an impact fee credit in the amount of the value of the contribution.

1.2.10.2 Any claim for credit must be made no later than the time of application for the building permit.

1.2.10.3 Credits shall not be transferable from one project of development to another without written approval of the Town Council.

1.2.10.4 Credits shall not be transferable from one component of the public capital facilities impact fee to any other component of the public capital facilities impact fee.

1.2.10.5 Determinations made by the Town Council pursuant to the credit provisions of this Section may be appealed to the Board of Adjustment according to the procedures applicable to appeals from administrative decisions contained in Section 1.2.7 of this Ordinance.

1.2.11 Additional Assessments

Payment of a public capital facilities impact fee does not restrict the Town or the Planning Board in requiring other payments from the fee payer, including such payments relating to the cost of the extensions of water and sewer mains or the construction of roads or streets or turning lanes to access the site or other infrastructure and facilities specifically benefiting the development as required by the subdivision or site plan review regulations.

1.2.12 Premature and Scattered Development

Nothing in this Ordinance shall be construed so as to limit the existing authority of the Planning Board to provide against development which is scattered or premature, requires an excessive expenditure of public funds, or otherwise violates the Town of Londonderry Site Plan Review Regulations, Subdivision Regulations, or Zoning Ordinance.

1.2.13 Review

The Impact Fee Assessment Schedule shall be reviewed annually by the Planning Board, using the methodology established in the reports referred to in Section 1.2.6. Such review may result in recommended adjustments in one or more of the fees based on the most recent data as may be available from the Bureau of the Census, local property assessment records, market data reflecting interest and discount rates, current construction cost information for public capital facilities, etc. Adjustments shall be approved by the Town Council no more frequently than annually, based on such data.

RESOLUTION 2004 – 11B

**A Resolution Relative to the Collection and
Distribution of Rental Fees for the Mayflower Grange**

First Reading: 11/04/13
Hearing/Second Reading: Not required
Adopted: 11/04/13

WHEREAS The Town of Londonderry is the legal owner of the Mayflower Grange building located at 535 Mammoth Road in Londonderry, New Hampshire; and

WHEREAS The Town's Senior Recreation Programs are scheduled on a weekly basis at the Mayflower Grange; and

WHEREAS Londonderry Senior Citizens, Inc. is a local non-profit organization that partners with the town in sponsoring various senior activities and provides financial support to the Town's Senior Recreation Program; and

WHEREAS Senior Affairs Director manages the public use of the Mayflower Grange by establishing and enforcing rental policies and fees, that include but are not limited to, exemption of rental fees charged to Londonderry non-profit organizations; and

WHEREAS Senior Affairs Director shall be authorized to use rental revenue to cover or contribute to the costs of janitorial services, operational supplies, repairing, upgrading or replacing assets, preventative and/or operational maintenance, senior programs and/or activities.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council to authorize the Finance and Administration Department to collect rental fees from individuals, groups, and businesses that use the Mayflower Grange for social, civic and business functions and allow the Senior Affairs Director to use said rental fees to cover or contribute to the costs of janitorial services, operational supplies, repairing, upgrading or replacing assets, preventative and/or operational maintenance, senior programs and/or activities. The procedure for collecting and managing funds must be approved by the Finance and Administration Department.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Susan Hickey
Acting Town Clerk/Tax Collector

A TRUE COPY ATTEST:
11/04/13

ORDER #2013-34

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 11/04/2013

Adopted: 11/04/2013

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

WHEREAS by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$ 63,400.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$ 63,400.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Susan Hickey
Acting Town Clerk/Tax Collector

A TRUE COPY ATTEST:
11/04/13

Expendable Maintenance Trust TC Order Request
for Town Council Meeting "11/04/13"

Description	Vendor	Amount
<p><u>Senior Center - Auditorium Roof Structure Repair.</u></p> <p>The auditorium roof at the Senior Center is experiencing structural issues under snow load conditions in the area of the valleys created at the intersection of the two gable roofs. Currently, and, until we can mitigate the issue, the Administrative Support Coordinator has implemented a policy to monitor the snow load and hired a contractor to remove the snow load as required.</p> <p>A structural engineer was hired to evaluate the roof structure and make proposed changes to the wood frame roof structure which is estimated to be built around 1920. On 3/03/2011, Emanuel Engineering along with the towns building inspector performed the on-site inspection of the roof structure integrity. On 3/17/2011, Emanuel Engineering issued their findings and recommendations:</p> <ol style="list-style-type: none"> 1. Either perform labor intensive field modifications required to the existing scissor trusses in the auditorium. 2. Or, secondly, consideration should be given for reconstruction of the entire roof using engineered trusses. <p>The next step was to obtain three written quotes, one quote came back for the labor field intensive modifications, two quotes came back for the second option, which is replacement of the existing roof with engineered roof truss system. After reviewing the quotes, and, keeping in mind the probability of future expansion to the Senior Center, the recommendation is to go with the engineered roof truss system. Which, the selected quote is the lowest of all of the three quotes obtained.</p> <p>This EMTF request is for replacement of the existing roof, which includes :</p> <ol style="list-style-type: none"> 1. Tear out. 2. Framing, engineered roof truss system, sheathing, and, strapping new auditorium ceiling 3. Exterior millwork. 4. Roofing, ice and water shield, felt paper, drip edge, and 30 year shingles. 5. Insulation, R-30 insulation to new auditorium ceiling. 6. Ceiling Finish, 1/2" drywall to new auditorium ceiling with 2 coats of compound sanded and smoothed, and 2 coats of ceiling paint. 7. Electrical, reinstall existing fixtures to original locations. 	<p>Commercial Solutions</p> <p>EMTF Request Amount</p>	<p>\$ 63,400.00</p> <p>\$ 63,400.00</p>
<p align="right">Total Town Council EMTF Order</p>		<p align="right">\$ 63,400.00</p>

ORDER 2013-35

An order relative to
The Distribution of Fire Equipment Capital Reserve Funds

First Reading: 11/04/13
Second Reading: Waived
Adopted: 11/04/13

WHEREAS the Town of Londonderry, by adoption of Article No. 6 at the March 13, 2012 Town Meeting, approved funding \$150,000 for the acquisition of fire department equipment; and,

WHEREAS the Fire Department Equipment Committee has completed its review of several manufacturers' equipment and have made a recommendation that the Town purchase one (1) Holmatro 4050HCT cutter from Industrial Protective Service, LLC; and,

WHEREAS the Committee further recommends that \$5,610.00 be withdrawn from the Capital Reserve Fund for Fire Department Equipment;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed and authorized to expend from the Fire Department Equipment Reserve Fund the sum \$5,610.00.

John Farrell - Chairman
Town Council

Susan Hickey - Town Clerk/Tax Collector

(TOWN SEAL)

A TRUE COPY ATTEST:
11/04/13

Vendor	Location	Amount	Description of Capital Reserve Expense
Industrial Protection Services, LLC	Fire Stations	\$5,610.00	1 Holmatro 4050HCT Cutter
Total 11/04/13 Order Amount		\$5,610.00	



Town of Londonderry
Purchase Order Request Form

<i>Completed by Finance Dept</i>
Number: _____
Date: _____

Requestor Information (please print)

Date October 30, 2013
 Name Darren O'Brien
 Department Fire

Vendor Information

Billing Address:

Name Industrial Protection Services, LLC
 Address 220 Ballardvale Street / PO Box 685
 City/Town, State, Zip Wilmington, Ma 01887

Ship to Address:

Name _____
 Address _____
 City/Town, State, Zip _____

<u>Account Number</u>	<u>Description</u>	<u>Ordered</u>	<u>Cost</u>	<u>Total</u>
Fire Equipment Capital Reserve Fund	Holmatro Cutter	1	\$5,610.00	\$ 5,610.00

Purchase Order Total: \$5,610.00

Required Signatures

PO Amount:

\$1,000 - \$999,999 _____
Department Head

\$1,000 - \$999,999 _____
Finance Director

\$5,000 - \$999,999 _____
Town Manager



**LONDONDERRY FIRE/RESCUE
DEPARTMENT**

280 Mammoth Road
Londonderry, New Hampshire 03053
www.londonderrynh.org



Darren O'Brien
Fire Chief

dobrien@londonderrynh.org

Douglas G. Cardwell

Battalion Chief

dcardwell@londonderrynh.org

Business (603) 432-1124
FAX (603) 432-1129

MEMORANDUM

TO: FIRE CHIEF DARREN O'BRIEN

FROM: BATTALION CHIEF DOUGLAS G. CARDWELL 

DATE: OCTOBER 26, 2013

RE: RESCUE TOOL

Chief,

Please find attached a quote from Industrial Protection Services, LLC of Wilmington Ma for the vendor specific replacement of our 6" hydraulic cutters and request a request a Town Council order for the following.

Whereas the Town of Londonderry, by adoption of Article No. 6 at the March 13, 2012 Town Meeting, approved funding \$150,000.00 for the acquisition of Fire Department equipment; and, whereas the Fire Department has selected a vendor specific cutter for hydraulic extrication equipment and has made the recommendation that the Town purchase one (1) Holmatro 4050HCT cutter from Industrial Protective Service, LLC and whereas the Fire Department recommends that \$5,610.00 be withdrawn from the Capital Reserve Fund for Fire Department Equipment.

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TOWN COUNCIL
MEETING MINUTES
October 21, 2013

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

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

CALL TO ORDER

V. Chairman Dolan opened the meeting with the Pledge of Allegiance led by Councilor Green. This was followed by a moment of silence for all the women who have dealt with Breast Cancer, for Breast Cancer Awareness Month.

PUBLIC COMMENT

- Approval of Minutes for September 23rd motion Councilor Freda, second Councilor Green. Chair votes 4-0-0
- Approval of Minutes for October 7th motion Councilor Freda, second Councilor Green. Chair Votes 4-0-0
- Jason Williams, 85 Eitchfield Rd. Chairman of the Londonderry Arts Council. Londonderry Arts Council is in its 9th year presenting 3 shows a year, November 'Art in Action' hosted at Macks Apples and Shady Hills. 'Art in the Commons' takes place in September. 'Art in Action' also takes place in May. Williams stated the Arts Council also hosts a concert series each summer on the Common. They bring in all acts around the area to enrich the community through music. The Arts Council is expanding and growing shows and the Council is in talks with the NH Theater Factory, trying to bring in a professional theater group into Londonderry. Williams stated they are looking for new and more venues for events. At the Leach library the Art Council showcases one artist for a month, a solo show. The Art Council is also expanding on social media. Vice Chairman Dolan stated that Londonderry appreciates everything that the Art Council does.

PUBLIC HEARING

- Motion to open Public Hearing, Councilor Freda motion, Councilor Butler. Chair cotes 4-0-0

- 41 • Vice Chairman Dolan introduced the Second Reading and the Public Hearing for two resolutions,
42 2013-11, a Resolution to Establish a Municipal Economic Development Revitalization District.
43 Resolution 2013-12, TIF, Tax Incremental Financing, around the airport district.
44

45 Stu Arnett, Arnett Development Group, Londonderry's Project Manager for Economic Development.
46 Arnett is working to best get private investment into the Airport area, in addition to the Pettingale Rd.
47 TIF is when the town uses new incremental tax revenues received to buy private investment, paying
48 property tax, new revenue and nothing from existing, and apply it against any bonding it did in that
49 district until such time as that's paid off. The Airport Tax Increment Finance (TIF) district has two
50 goals, one is economic development and the second, is by using a TIF you can accelerate the bond pay
51 down.

- 52
53 • Every year the bond is opened it's costing \$37,500.00 per every 1 Million borrowed.
54

55 **[Gave presentation with power point]**
56

- 57
58 • Arnett stated the public policy decisions that are coming up are to enable the Airport area district
59 itself, which is one of the two Resolutions. One of the Resolutions is to adopt the ability to have any
60 district and the other one is to adopt this specific district. The TIF does not commit the town to
61 spending anything and the possible uses for the district are road improvements and sewer intercept.
62 There's more that may happen depending on how time goes.
63

- 64 • Arnett stated a parallel program which is not part of the two resolutions, its coming later, and
65 Economic recovery zone (ERZ) expansion. Londonderry has two ERZ's now. Arnett stated one of
66 them will be asked to expand. This is to increase the size of an existing zone, thereby increasing the
67 number of Londonderry business's that are eligible and allows those business to apply for a state tax
68 credit against their BEI or BPT. The ERZ has to be in place by the end of the calendar year.
69

70 **[Presenting a map that changed from the one presented a few years ago. There were concerns that**
71 **it was bigger than it needed to be and from property owners that included agricultural and**
72 **residential land. Some revisions were made and a big piece off the eastern portion was removed.]**
73

- 74 • Town Manager Kevin Smith stated State officials from DREAD met with him about the TIF and
75 they were very much supportive.
76

77 **[Arnett continues presentation of PowerPoint]**
78

- 79 • Arnett stated that sewer will be 4.5 million on the bond and there is an existing 2 million dollar
80 escrow in the sewer fund capital budget. Some of it will be used.
81
82 • Arnett stated actions needed going forward the TIF District adoption has to be done before April 1st
83 the latest because that's when the new assess values are issued.
84
85 • Bond vote will be March of 2014 and/or it could be in subsequent years for subsequent phases. It
86 doesn't have to be all done in the first year.

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- Arnett stated they only act after the ‘Rights of Way’ are secured. ‘Rights of Way’ will need to be secured with some time conditions.

[Attached is the PowerPoint for your viewing]

- Councilor Butler asked what the investment to date is. Vice Chairman Dolan stated that there’s he impact studies that have been done. Janusz, Public Works Director, stated the investments so far is the design of the road \$236,000.00. Councilor Butler asked if the 8 million for the road was designed for 2 lanes or 4 lanes. Janusz stated it was for 4, 2 major intersections on Industrial Drive and the next one in the middle
- Janusz stated that if the TIF didn’t pass for four lanes and they wanted to do it, they are looking into how they can reduce the cost of the TIF. Arnett stated that they will look into the traffic generation numbers so that there will be more updated traffic numbers.
- Kevin Smith, Town Manager stated that it’s important to remember that we are looking to stay tax neutral or tax positive with this. A lot of it is being driven by how quickly the development goes in. If the development can support full build up in year 1, 2 and 3 it makes sense to do that but if it doesn’t the town will not go for full build out right away.
- Vice Chairman Dolan asked if we are in the right order voting on the TIF resolution tonight. Arnett stated after the second reading. Vice Chairman Dolan asked Arnett if the school or county hearings done prior to voting. Smith stated that there’s nothing in the process that binds the Council to have to wait for the hearings. At any time you can amend this district and do away with this district.
- Ann Chiampa, 28 Wedgewood Dr., asked what the status of the 8.2 million dollar grant for Pettengill Rd. area and would it affect the TIF. Arnett stated that they have not heard and the ones that have been awarded have heard. The premise is that it’s not good news. In the possible sources of funds, DOI Grant was one and that’s why if we got 8.4 then we would be at the zero option. We haven’t heard no, but are anticipating no because everyone who got a yes heard 2 months ago.
- Ray Breslin, 3 Gary Dr., asked what the necessity is from the Towns stand point of assisting in developing this roadway. How will it benefit the town? Vice Chairman Dolan stated that in general it will help accelerate development and would control what development look like.
- Vice Chairman Dolan stated that as part of the deal if the voters turned down the bond, the grant would be lost. The approval would be contingent upon the match.
- Town Manager Smith stated that as he’s been meeting with the developers and talking about the design and construction of Pettengill Rd. both he and Stu have been upfront in letting them know that we expect to have it be a private public partnership and not a sole public endeavor. Smith stated he will go to the Council at some point with what the buy in for the private side will be because it should be a partnership.
- Town Manager stated that from not having Pettengill Rd., Londonderry has lost the Carpet Door

133 Restaurant, which is now on 101 buy the Bedford Village Inn, a Dunkin Donuts, Credit Union and
134 so much more. All of it was slated for Pettengill Rd. The developers who had a hand in that have a
135 hand in Pettengill and they wanted to bring it to Londonderry but because the road is not build and
136 the time frame in dealing with bringing business into the areas they have to go with what is
137 available. Londonderry missed out on that opportunity. Smith stated the longer we wait to build the
138 road the more opportunity for development we will continue to miss out on. Smith stated that there
139 needs to be buy in from the private side as well.
140

- 141 • Vice Chairman Dolan stated not everything can be discussed in public about the developers but there
142 have been active discussions with larger developers who are interested. Vice Chairman Dolan stated
143 that they Council will not support the effort going forward if it is not cash neutral or cash positive to
144 the community.
145
- 146 • Vice Chairman Dolan stated that it may not be tax positive but it will at least be tax neutral and it
147 will not be tax negative. On the commercial land up by the airport, which is the largest undeveloped
148 block of land of that type in the state, right next to two highways and the airport, the potential from
149 others tell us that it is a 'goldmine' and if it can be unlocked and bring it to market it is a potential to
150 help contribute to tax revenues and potentially lower the amount of property taxes being paid by
151 residential tax payers by having more tax money being paid by industrial/commercial tax payers.
152 Ray Breslin stated that is the desire.
153
- 154 • Ray Breslin discussed the issue of water and sewer. He asked the Council to take that into effect.
155 Arnett stated that it all has to go through a permit process. Arnett
156
- 157 • Vice Chairman Dolan stated that the two Resolutions that are in front of the Council tonight, one is
158 to establish an Economic Revitalization District which will help the business owners in that district
159 to apply for tax credits and reductions with the State, not with the Town. The other Resolution is to
160 establish the TIF district. Dolan stated that at a later time the Council may put a vehicle on the ballot
161 to fund sum amount for the TIF. This is not what is being voted on tonight. There still needs to be
162 more information before it goes forward. Town Manager Smith stated the first Resolution is the
163 enabling Resolution to be able to declare a particular area a TIF district. The ERZ will come at a
164 later Council meeting to expand that for the businesses.
165
- 166 • Ray Breslin asked if exit 5 is a prime development area is well. Vice Chairman Dolan stated that yes
167 it there is a lot going in there. Breslin asked if this was an area for a proposed TIF as well. Vice
168 Chairman Dolan stated there are no proposals for a TIF in that area. There is a lot of development
169 going on around Vista Ridge Apartments.
170
- 171 • Vice Chairman Dolan stated there is no PUD for the TIF. Breslin asked if there could be a PUD
172 applied. Arnett stated the district has no effect on planning regulations whatsoever. What's there is
173 there. Any owner can do what the Planning regulations allow today. Has no effect on the regulations
174 of land use.
175
- 176 • A motion to accept the Resolutions tonight. Councilor Green motioned to accept Resolution #2013-
177 11Second by Councilor Butler. Chair votes 4-0-0. Resolution passes
178

- 179 • A motion to accept the Resolutions tonight. Councilor Butler motioned to accept Resolution #2013-
180 12. Second by Councilor Freda. Chair votes 4-0-0. Resolution passes.
181
182 • Motion to close Public Hearing, motioned by Councilor Freda and second by Councilor Green. Chair
183 votes 4-0-0.
184

OLD BUSINESS

None

NEW BUSINESS

- 191 • Vice Chairman Dolan introduced a new Impact Fee Ordinance, #2013-06. Dolan stated it will be
192 introduced tonight and a public hearing will be held on November 4th, 2013. Dolan read the
193 Ordinance. Dolan stated that the Council will not vote on adopting the Ordinance tonight.
194
195 • Councilor Green motioned to schedule the Public Hearing for November 4th. Councilor Freda second
196 the motion. Chair votes 4-0-0.
197
198 • Vice Chairman Dolan introduced Resolution #2004-11A, a Resolution Relative to the Collection and
199 Distribution of Rental Fees for the Mayflower Grange. Town Manager Smith stated the reason for
200 this resolution is to revise the previous resolution and bring it more in compliance with the funds that
201 are collected can be used for. The senior center is in this building and this is bringing the Resolution
202 up to date with how the funds can be used. The funds are collected from the rental fees.
203
204 • Councilor Green read the Resolution.
205
206 • Motion to accept first reading and to adopt the Resolution. Councilor Green motion. Councilor Freda
207 second.
208
209 • Councilor Freda asked if when rental money comes in does the town cut the Senior Center a check
210 or are they getting the money directly. Smith stated the money comes to the town first, to the finance
211 department.
212

LIASON REPORT

- 215 • Councilor Green attended the Recreation Committee meeting. They talked about looking to get
216 things more organized when it comes to background checks and taking in upon themselves to house
217 background checks for sports across the town. Looking into legality's with that and to see if that can
218 be done, as well as updating all the Charters. Councilor Green stated it will be a good step in keeping
219 our kids safe.
220
221 • Councilor Freda attended Planning Board. There was a conceptual presentation involving Restaurant
222 Depot which would be located in the area located behind Café Theresa. The problem is that the
223 building is almost double the size of the area he has to build. It's not a retail business it's a wholesale
224 business.

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- Vice Chairman Dolan had a meeting with the Merrimack Valley Water District Commission. Dolan stated that he turned down the Chairmanship but he did accept the position of Vice Chair. Dolan stated that we should expect a reimbursement of the dues that have been paid in the last decade. Dolan estimated somewhere between \$30,000.00- \$40,000.00 pay back to the town.

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TOWN MANAGER REPORT

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- Smith stated going off the Restaurant Depot that Councilor Freda brought up, stated that at the Planning Board level there needs to be a review discussion on that area, to look at whether or not the performance overlay district is still serving the town well, whether or not it needs to be revised or reformed in any way. The Council needs to recommend the Planning Board look at that area again. Vice Chairman asked if the Council should take a vote and the Council gave the 'ok'. Art Rugg, Chairman of the Planning Board stated that it is a good idea. Vice Chairman Dolan stated to use the Master Plan as their guide. Dolan stated that there should be a periodic update where the staff is moving forward with the growth management ordinance.
 - Smith shared that the LGC (Local Government Center) has recently agreed to pay back its members an additional 33 million dollars total for FY13. Londonderry will be receiving another payment at some point. It will be distributed in the same manner that the previous have been.
 - A Veterans breakfast will take place on November 9th hosted by the High School Pay It Forward club. Open to all Veterans from 8 AM - 10 AM at the high school cafeteria. Free to veterans and one guest. Guests can make donations and the parade will be after.
 - Councilor Green stated that they want to start talking about the PUD and the PUD has just been finished with Woodmont. There have been concerns about the process and the Planning Board was asked to take a look at it. Councilor Green stated that there are some items that need to be changed.

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BOARD COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

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- Resignation of Robert Ramsay from the Greater Derry Cooperative Alliance for Regional Transportation Board of Directors (CART), motion made by Councilor Freda second by Councilor Green. The Council thanked Robert Ramsay for his service.
 - Nancy H. Michaels, Candidate for the Londonderry International Exchange and Ann Chiampa, candidate for the Elder Affairs Committee, motion made by Councilor Freda, second by Councilor Green.
 - Dan Bouchard, Meredith, addressed the Council about Linda Bates and the Elderly Affairs Committee. Shared some concerns about Linda with the Council. The Council requests that they interview Linda at the next Council meeting. Councilor Freda motioned, second by Councilor Butler.
 - Vice Chairman stated the Budget season is starting and the introduction to the Budget will be on November 4th Town Council meeting.

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ADJOURNMENT

- Motion to close the meeting made by Councilor Green and second by Councilor Freda at 9:50 PM. Council's vote 4-0-0.

Notes and Tapes By:
Minutes Typed By:
Approved By:

Kirby Wade
Kirby Wade
Town Council


Date: 10/21/13
Date: 10/28/13
Date: xx/xx/13

DRAFT



**AIRPORT AREA
INFRASTRUCTURE TIF DISTRICT:**

Public Hearing Presentation
Oct 21, 2013



THE GOALS:

1. Utilize state-enabled tools to better economic development in the Airport Area of Londonderry; to improve job production, increase the tax base and industry innovation
2. Accelerate the bond pay-down to reduce taxpayer's interest costs; each year interest costs \$37,500 per \$1m borrowed

Why Do Anything?

- The TIF District IS an Opportunity to:
 - Uses 80 cents on the dollar versus vs. 21 cents on the dollar to pay town debt
- The TIF District MAY be an opportunity for:
 - Better quality of road and sewer infrastructure;
 - Faster growth
 - Better jobs, more jobs
 - Greater tax base: \$70/sf assessed value to \$100+/sf
 - Realizing benefits sooner
 - Expansion potential for road later (if traffic warrants)
 - Greater density: more sq ft
 - Trail system expansion for residents and new workers
- Conditions before funding:
 - Zero negative affect to existing tax revenues or tax base
 - Significant private sector contribution now and subsequent investment later

Public Policy Decisions:

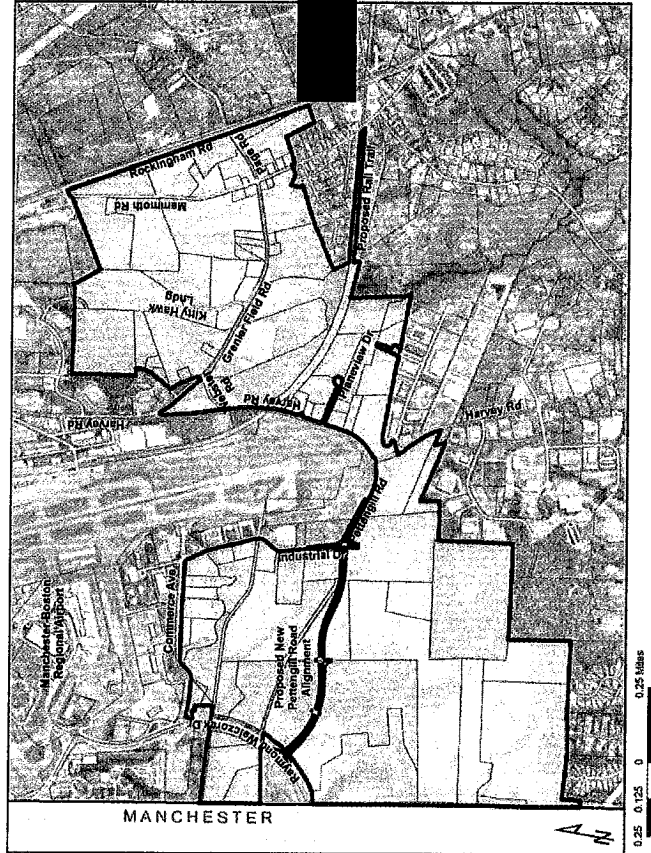
1. **Enable the Airport Area TIF District: Council**
 - A. Enabling does not commit the Town to spending.
 - B. Possible uses:
 - Road
 - Sewer
 - Utilities
 - R of W
 - Trail
 - Intersection fixes
 - Lights, sidewalks as required
 - Administration and marketing

2. **TIF Bond at Town Meeting: Public**
 - Requires public vote
 - Construction bids before “go”
 - “Cash-flow neutral or better” requirement for Town Manager

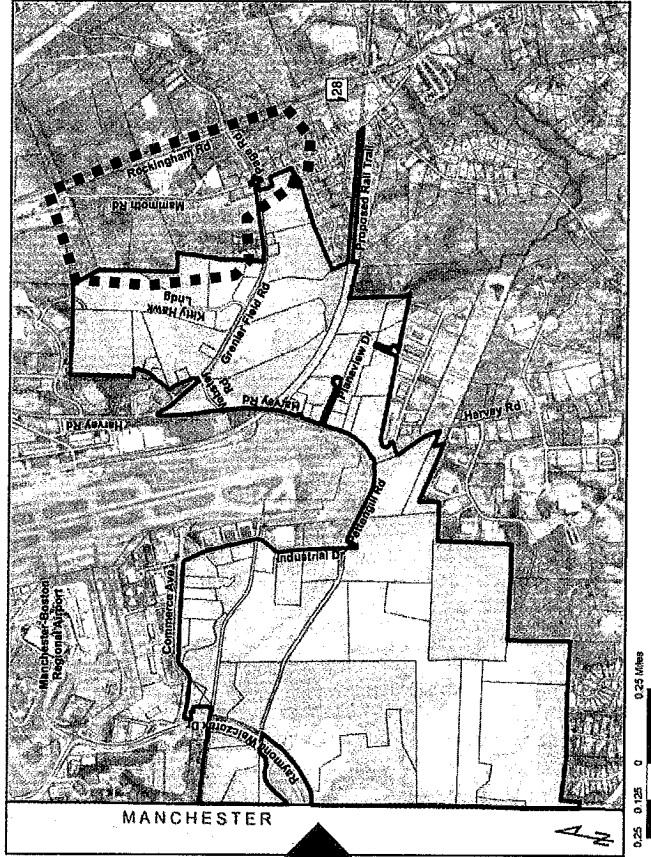
3. **ERZ Expansion: Council**
 - Increase Size of existing zone
 - Increase the number businesses that are eligible
 - No cost to Town
 - state tax credit eligibility for local businesses

TIF District Map

August 2013



Revised – October 2013



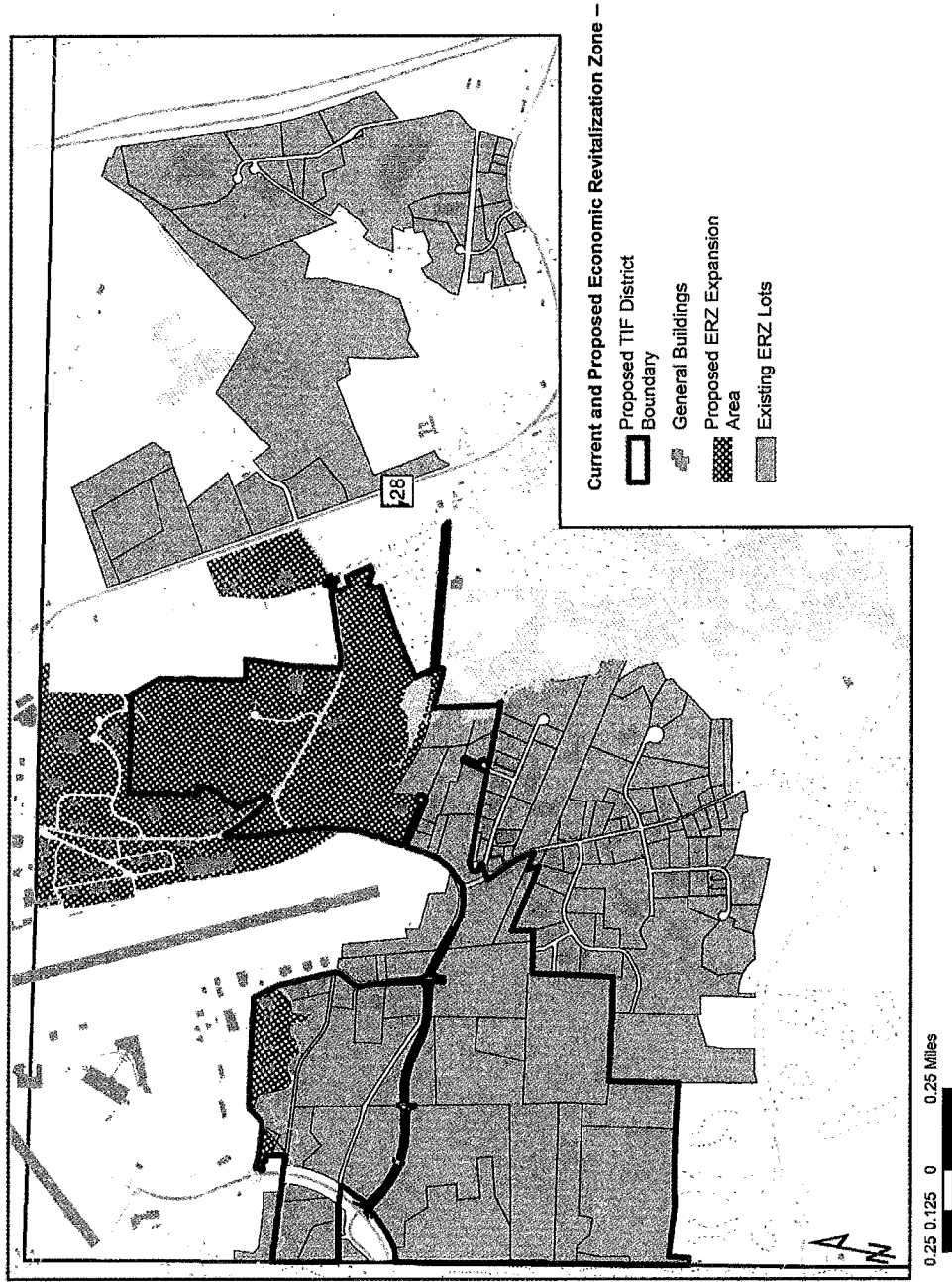
Economic Revitalization Zone (ERZ)

State Enabled Tax

Incentive

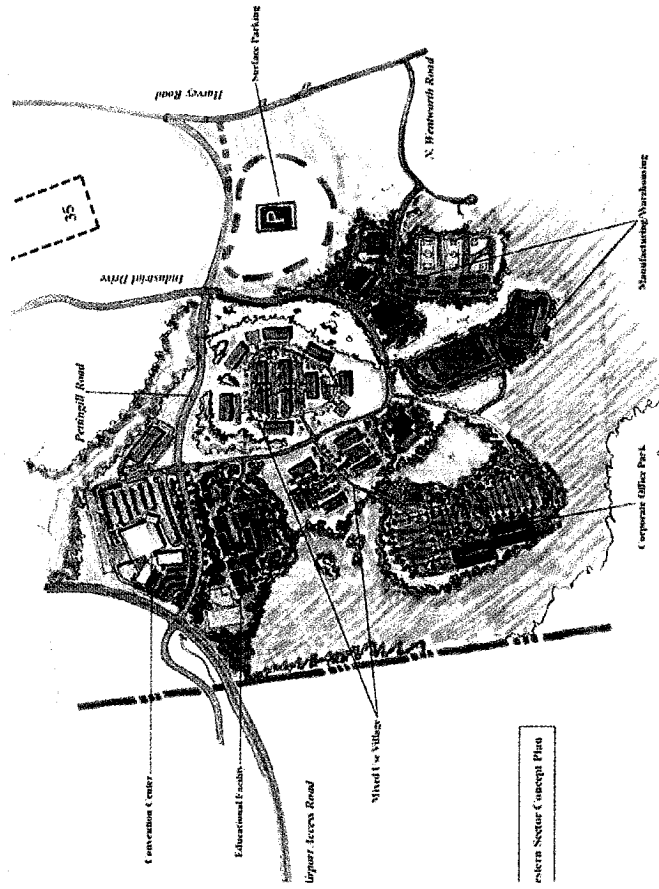
- Allows for credit against NH business taxes for Londonderry companies that make significant investments
- Londonderry has two areas already designated
- Expansion would include the TIF area plus known expansion prospects
- Time sensitive: December 31 2013

Economic Recovery Zone (ERZ)

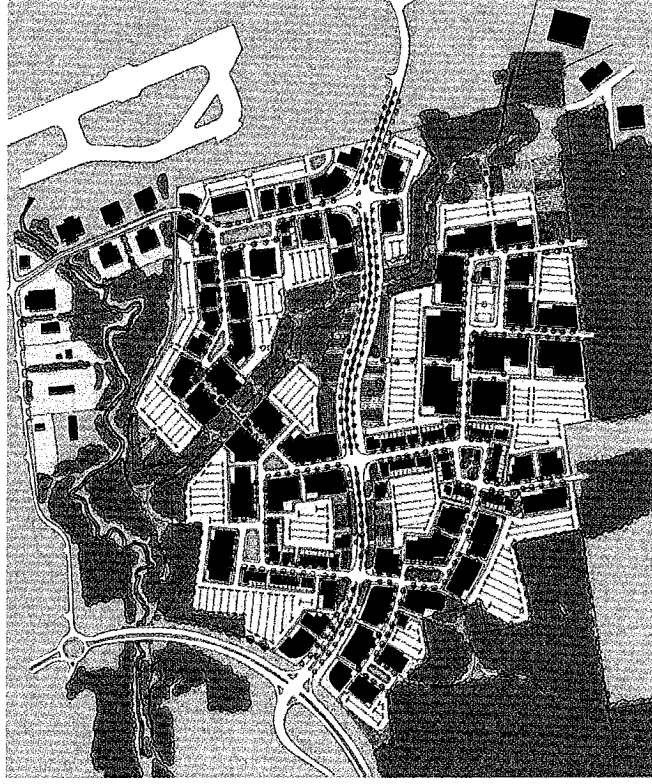


Evolving Visions for Build Out

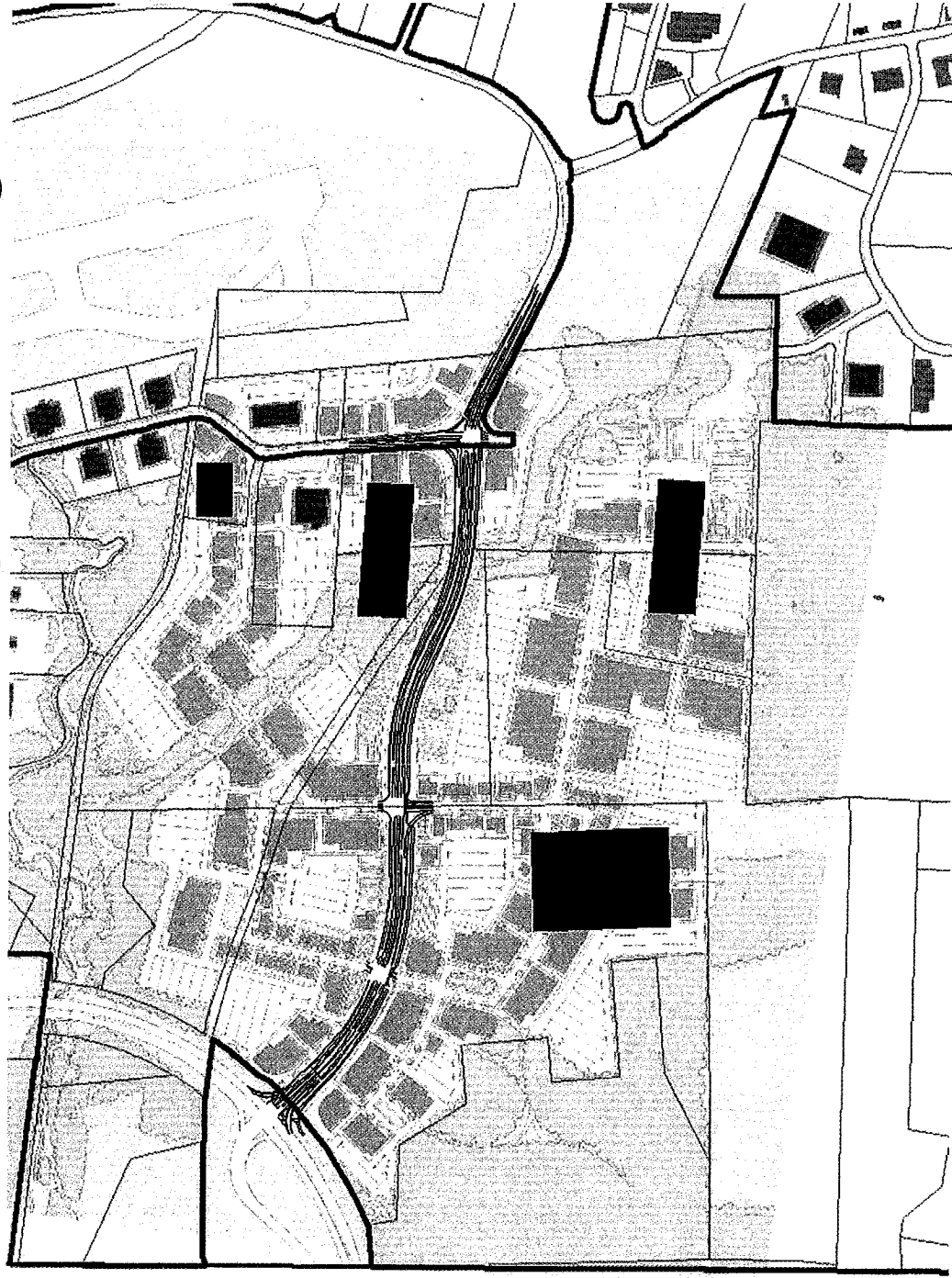
1993 Charrette



2012 Master Plan



Current Inquires are for Fewer and Larger Buildings



Range of Projects Eligible for TIF Financing:

- Road and Traffic Fixes
- Sewer
 - \$8.5 m to zero
 - \$4.5 M to \$2.5m
- Trail
 - \$4.5m to zero
- \$200,000 to zero
- Water & Utilities
- Rights of Ways
 - Zero:
 - Developer pays
 - City of Manchester
 - Have Town finance and re-coup?
- Zero

Investments

- Road, Traffic and Trail
 - Town \$ (tax increment)
 - + grant \$
 - + escrow \$
 - + owners up front (developer exactions)\$
 - + owner/user fees
 - + any other source
 - Must equal neutral cash flow assuming 3.75% (interest)*
- Sewer
 - Town escrow of \$2M
 - + grant \$
 - + Town bonding \$
 - + User and connection fees
 - Water & Utilities
 - City of Manchester
 - + Owner/user fees
 - + Town bonding if favorable to Town

Financial Worksheet

	Q1	Q2	Q3	Q4
Uses of Funds - CASH OUT				
ADMIN/LEGAL BONDING				
CONSTRUCTION, DESIGN-ROW: ROADWAY				
CONSTRUCTION, DESIGN-ROW: ROADWAY (2)				
CONSTRUCTION, DESIGN-ROW: SEWER				
CONSTRUCTION, DESIGN-ROW: SEWER (2)				
CONSTRUCTION-DESIGN-ROW - TRAILS				
CONSTRUCTION-DESIGN-ROW - TRAILS (2)				
CONSTRUCTION-DESIGN-ROW				
OTHER CONSTRUCTION-DESIGN-ROW, & RELATED				
WATER/UTILITIES				
TOTAL	\$0	\$0	\$0	\$0
SOURCES OF FUNDS - non-property tax				
CASH RESERVES - SEWER				
CASH-RESERVES - OTHER				
SEWER CONNECTION FEES				
ROAD SPECIAL ASSESSMENTS				
SEWER SPECIAL ASSESSMENTS				
IMPACT FEES - RECREATION				
IMPACT FEES - OTHER				
OWNER CONTRIBUTIONS				
GRANT-DOT				
GRANT - EDA				
GRANT - CDBG				
SUBTOTAL 1 - Grants/Awards	\$0	\$0	\$0	\$0
Revenues - Property Tax				
KNOWN PROJECTS: INCREMENTAL TAXES @ "MEDIUM" VALUATION				
PARCEL 1 @ \$100 psiv 24,000 ft2				
PARCEL 2 @ 70psiv 225,000 ft2				
PARCEL 3 @ 100 psiv 60,000 ft2				
PARCEL 4 @ 100 psiv				
SUBTOTAL 2 - Known Property Tax	\$0	\$0	\$0	\$0
Revenues from FUTURE Projects				
Other NEW Sources @ 70 psiv 100,000 ft2 annually				
SUBTOTAL 3 - New Property Taxes	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0
Difference	\$0	\$0	\$0	\$0
Cummulative Difference	\$0	\$0	\$0	\$0
Interest per Quarter	\$0	\$0	\$0	\$0

Capital Expenses

Non-Property Tax Funds

Property Tax Increment

Actions Needed

TIF District Adoption

- Before April 1 2014,
- Sooner is better

Bond Vote

- Town Meeting March
 - 2014 and/or
 - 2015, 2016....

Road and Sewer Construction Start

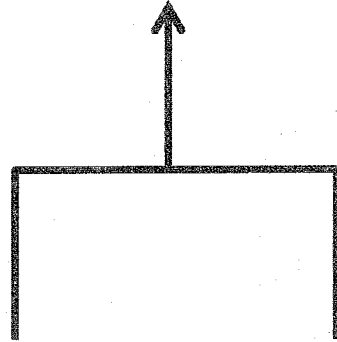
- By July 2014 to keep existing permits

ERZ

- Before Dec 31, 2013

Only Act After :

- Right-of-Ways secured
- School Board & County Commission Hearings
- Council votes District
- Bond Counsel review
- Fix a bond rate and term
- Town Manger's review and determination of "zero-negative cash flow"



Next Steps

- Process:
 - School Board and County hearings Nov 5 and 19
 - Establish baseline assessed value at adoption
 - Determine new TIF revenues
 - Set best terms/rates for bonding in 2014
 - Establish TIF Advisory Board
- Design Qs for Staff:
 - 2 or 4 lanes and traffic demand
 - Decide phases
 - Sewer and drainage placement
 - Access to MHT land
 - Water and utilities
- Council Votes
 - Establish TIF District:
 1. Enabling
 2. Specific site and plan
 - Recommend TIF bond at Town Meeting 2014
 - Adopt new ERZ zone in 2013
 - Adopt RSA 49-c if needed to re-coup costs