

TOWN COUNCIL AGENDA
July 11, 2016
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

C. PUBLIC HEARING

- 1.) **Ordinance #2016-03** – An Amendment to the Municipal Code, Title IV, Chapter XIV, Noise Regulations (**Continued from 05/16/2016**)
Presented by Chief Bill Hart
- 2.) **Ordinance #2016-05** – An Amendment to the Zoning Ordinance Relating to Transferring Parking and Loading Standards to the Site Plan Regulations (**There will be a motion for continuance to 08/15**)
Presented by Colleen Mailloux
- 3.) **Ordinance #2016-06** – An Amendment to the Municipal Code Title IV, Public Health, Safety and Welfare, Chapter IV, Junkyard Dealers
Presented by Richard Canuel
- 4.) **Ordinance #2016-01** – An Amendment to the Zoning Ordinance Relating to Rezoning a Portion of Map 17, Lot 45, 280 Rockingham Road (**Continued from 02/22/2016**)
Presented by John Vogl

D. OLD BUSINESS

- 1.) Updated on the Second-Hand Dealers Pawnbrokers Ordinance
Presented by Chief Bill Hart
- 2.) Discussion of the Town Forest with the Conservation Commission
As Requested by Councilor Jim Butler

E. NEW BUSINESS

- 1.) **Order #2016-23** – Expenditure of Maintenance Trust Fund for Various Projects
Presented by Steve Cotton
- 2.) **Order #2016-24** – An Order Relative to the Withdrawal of Cable Equipment Capital Reserve Funds
Presented by Doug Smith

- 3.) **Order #2016-25** – An Order Relative to expenditure of Reclamation Trust Funds for Purchase of New Recycling Carts
Presented by Janusz Czyzowski
- 4.) **Order # 2016-26** – The Distribution of Fire Capital Reserve Funds
Presented by Chief Darren O'Brien
- 5.) **Order #2016-27** – An Order Relative to the Withdrawal from the Fire Truck Capital Reserve
Presented by Doug Smith
- 6.) **Resolution #2016-17** – Adoption of a Revised Building Permit Fee Schedule
Presented by Richard Canuel

F. APPROVAL OF MINUTES

Approval of June 20, 2016 Town Council Minutes

G. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
3. Board/Committee Appointments/Reappointment
 - 1.) Interview of Candidates for the Budget Committee

H. ADJOURNMENT

I. MEETING SCHEDULE

1. Town Council Meeting – **08/15/16** Moose Hill Council Chambers, 7:00 PM
2. Town Council Meeting – **09/05/16** Moose Hill Council Chambers, 7:00 PM
3. Town Council Meeting – **09/19/16** Moose Hill Council Chambers, 7:00 PM
4. Town Council Meeting – **10/03/16** Moose Hill Council Chambers, 7:00 PM

LEGAL NOTICE

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

1.) **Ordinance #2016-05 – An Amendment to the Zoning Ordinance Relating to Transferring Parking and Loading Standards to the Site Plan Regulations**

Proposed Zoning Ordinance Amendments:

The Town of Londonderry seeks to amend the Zoning Ordinance to relocate parking and loading standards to the Site Plan Regulations. Amendments, which includes the removal of parking and loading standards and associated references throughout the zoning ordinance, are proposed in the following sections:

- 2.3.1 Residential Districts
- 2.4 Commercial Districts
- 2.5 Industrial Districts
- 2.6 Overlay Districts
- 2.7 Gateway Business District
- 2.8 Planned Unit Development
- 3.6 Elderly Housing
- 3.10 Vehicle Access and Parking

2.) **Ordinance #2016-06 – An Amendment to the Municipal Code Title IV, Public Health, Safety and Welfare, Chapter IV, Junkyard Dealers**

The Public Hearings are scheduled for Monday, July 11, 2016 at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053. Copies of the proposed amendments may be viewed at the Town Manager's office during regular business hours and online at www.londonderrynh.org.

Londonderry Town Council

First Reading: 05/16/16
Second Reading/Public Hearing: 07/11/16
Adopted: 07/11/16

ORDINANCE #2016-03
***AN AMENDMENT TO THE MUNICIPAL CODE,
TITLE IV, CHAPTER XIV, NOISE REGULATIONS***

WHEREAS The Town of Londonderry shall regulate noise and promote safety, welfare, prosperity, peace and quiet in the Town of Londonderry; and

WHEREAS it shall be unlawful for any person, firm or corporation to make, create, maintain or simulate any excessive, unnecessary or unusually loud noises which are prolonged, unusual and unnatural in their time and place; and

WHEREAS this shall include, but is not limited to, any such loud, unnecessary or unusual noises during the hours of 10:00 p.m. to 7:00 a.m., seven days per week, unless such noise is exempt;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Municipal Code be amended to reflect a new Title and Chapter: Noise Regulations, which will become effective upon passage of this ordinance.

John Farrell - Chairman
Town Council

Sharon Farrell
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
07/11/16

CHAPTER XIV – Noise Regulations

SECTION I PURPOSE

- A. The purpose of this Chapter is to regulate noise and to provide for the promotion of public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Town of Londonderry and its citizens within the geographical limits of the Town of Londonderry, NH (hereinafter referred to as the Town) as allowed under RSA 31:39, Section I, (n).

SECTION II UNNECESSARY NOISE

- A. It shall be unlawful for any person, firm or corporation to make, create, maintain or simulate any excessive, unnecessary or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use effect, and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the Town. This prohibition shall include, but is not limited to, any such loud, unnecessary or unusual noises made during the hours of 10:00 p.m. to 7:00 a.m., seven days per week, unless such noise is exempt below.

SECTION III EXEMPTED NOISE

- A. This prohibition specifically exempts persons operating vehicles, machinery, or equipment while engaged in snow clearance or snow removal operations, so long as such operations are performed within 3 days of the cessation of a winter storm resulting in the accumulation of at least three (3) inches of snow within the Town’s limits.
- B. This prohibition also exempts municipal maintenance work where the abutters to the work site have been given prior notice of the project.
- C. This prohibition further exempts noise resulting from activities of a temporary duration permitted by law and for which a special permit therefore has been granted in advance by the Town.
- D. This prohibition exempts farming and/or agricultural activity and farming and/or agricultural machinery.
- E. Public Works and Public Safety equipment required for the effective delivery of public services shall be exempt from the provisions of this Section.

SECTION IV PROHIBITED NOISE

- A. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of the ordinance, but said numeration shall not be deemed to be exclusive or limited, namely:

1. Radios, Stereos, etc.: The using or operating of any radio receiving set, musical instrument, phonograph or other machine or device for producing or reproducing the sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of such between the hours of ten (10:00) o'clock PM and seven (7:00) o'clock AM in such a manner as to be plainly audible beyond the noisemaker's premises, building, structure or vehicle, as applicable and which is unreasonable and offensive as above described shall be prima facie evidence for a violation of this Section.
2. Loud Speakers, Amplifiers, Public Address Systems and etc., for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker or other machine or device for the producing or reproducing of sound which is used upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, without a permit and only between the hours of 8 AM and 7 PM.
3. Yelling, Shouting, etc.: Yelling, shouting, hooting, whistling or singing on the public streets between the hours of ten (10:00) PM and seven (7:00) AM or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
4. Exhausts and Unloading: Loading, unloading, opening boxes: The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers between the hours of ten (10:00) PM and seven (7:00) AM. Open Exhausts: The discharge into the open air of any un-muffled exhaust from any engine, mobile or stationary or any compressor unit that emits a noise level that a reasonable person can hear at a distance of one hundred (100) feet or greater.
5. Construction or Repairing of Buildings, Pile Drivers, Hammers: The erection (including excavation), demolition, alteration or repair of any building, **operation of any pile driver, shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noises** other than between the hours of seven (7:00) AM and **seven (7:00) PM** except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector should s/he determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of **seven (7:00) PM** and seven (7:00) AM and if he shall further determine that loss or inconvenience would result to any party in interest, s/he may grant permission for such work to be done within the hours of **seven (7:00) PM** and seven (7:00) AM upon application being made at the time the permit for the work is awarded or during the progress of the work.

SECTION V APPLICATION FOR SPECIAL PERMIT

A. Application for a permit for relief from the noise prohibition set forth in this Ordinance, for a special circumstance of temporary duration, may be made to the Building Inspector, Code Enforcement Officer or Town Administrator. The Code Enforcement officer shall upon granting a permit under this ordinance notify the Office of the Town Manager, the Fire Chief/designee, the Chief of Police/designee and the Director Of Public Works/designee of his/her action. Any permit granted by an authorized Town official shall set forth all conditions pertaining to the specified noise and circumstance, and shall specify a reasonable time limit for its abatement. Application for a special permit as contemplated in this section of this Ordinance, shall under no circumstances be granted for a Sunday, at any time.

SECTION VI PENALTIES

Upon receipt of a noise complaint, the Londonderry Police Department, the Londonderry Code Enforcement Officer and/or other enforcement authorities, shall investigate, record their finding(s), and take appropriate action, in the officer’s discretion. Any person convicted of a violation of this Ordinance shall be subject to the following penalties as permitted by RSA 31:39, Section III with a maximum penalty not to exceed \$1,000.00, however the following minimums will be in effect:

- 1) First offense: \$100.00
- 2) Second offense : \$200.00
- 3) Third or subsequent offense within a 12 month period: \$500.00.

Introduced: 06/20/16
Second Read/Pub Hrg: 07/11/16
Adopted: 07/11/16

ORDINANCE #2016-05
AN AMENDMENT TO THE ZONING ORDINANCE
RELATING TO TRANSFERRING PARKING AND
LOADING STANDARDS TO THE SITE PLAN
REGULATIONS

WHEREAS The Zoning Audit commenced in 2014 identified certain inconsistencies and deficiencies within the Zoning Ordinance related to parking and loading standards in Londonderry; and

WHEREAS The Planning Board has identified that parking and loading standards are best administered through the Site Plan Regulations which promote flexibility in site design and process administration; and

WHEREAS The Planning Board has commissioned Town Staff and Consultants to propose amendments and Planning Board has conducted public workshops and a public hearing on these amendments; and

WHEREAS The Planning Board has voted to recommend Council adoption and has already adopted associated Site Plan Regulation amendments, to become effective at the time of Council adoption of this ordinance.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the following Sections of the Zoning Ordinance are amended as posted:

- 2.3.1 Residential Districts
- 2.4 Commercial Districts
- 2.5 Industrial Districts
- 2.6 Overlay Districts
- 2.7 Gateway Business District
- 2.8 Planned Unit Development
- 3.6 Elderly Housing
- 3.10 Vehicle Access and Parking

John Farrell
Chairman - Londonderry Town Council

A TRUE COPY ATTEST:

Sharon Farrell, Town Clerk
07/11/16

Town Seal

MEMORANDUM

TO: TOWN COUNCIL

FROM: PLANNING DEPARTMENT

DATE: JUNE 20, 2016

RE: PARKING & LOADING ZONING AMENDMENTS

PARKING & LOADING ZONING ORDINANCE CHANGES:

Town Staff continues to work diligently along with the Planning Board to review, update and revise certain portions of the zoning ordinance relative to the parking and loading standards. The goal is to move content from the Zoning Ordinance to the Site Plan Regulations. This action will provide greater flexibility to the Planning Board in reviewing/approving site design, reducing regulatory impediments to businesses, promoting economic development, and lessening reliance on the Zoning Board of Adjustment for parking/loading issues. This action will initiate new and updated minimum parking standards in a manner that is user-friendly and which affords the Planning Board flexibility to administer. These zoning amendment are recommended by the Planning Board, who already adopted the accompanying Site Plan Regulation amendments contingent on Council's adoption of the zoning changes. This step was necessary to avoid inconsistencies between the two documents should one document be adopted absent the other.

The changes to the Zoning Ordinance are presented to you in the attached packet for a first reading. Please note that while the document is characterized by deletions, the content has not been lost but rather transferred to Site Plan Regulations.

PROCEDURAL ACTIONS

After the passage of the ordinance's first reading (a first reading is simply a reading of the ordinance in the form required for passage – no discussion is necessary and is reserved for the public hearing), it shall be published at least once, together with a notice of the time and place it will be given a public hearing and considered for final passage. The first publication shall precede the date of said hearing by at least (5) working days. No ordinance shall be introduced and adopted during the same meeting. Notices to abutters are sent after the introduction and passage of the first reading.

**Zoning Ordinance Parking Amendments
June 20, 2016 Town Council 1st Read**

[The "Track Changes" shows deletions as struck through in red, additions underlined in red, and language moved from another part of the document in green. Staff/Consultant notes are in purple italics.]

2.3.1.5. Location of Religious Facilities

- D. Parking for religious facilities shall be determined by the requirements of Section 3.09 of the Site Plan Regulations~~Section 3.10, Table 1 of this ordinance.~~

2.3.1.6 Parking Requirements

A minimum of two parking spaces per dwelling unit shall be provided in the AR-I district.

[As single- and two-family residential uses are not subject to Site Plan Review, this should remain in the Zoning Ordinance]

2.3.1.7 Accessory Dwellings

- K. There shall be one parking space in the rear or side yard for the accessory dwelling and no additional curb cut.

[Leave in Ordinance because Accessory Dwellings are not subject to Site Plan review]

2.3.1.8 Bed and Breakfast Homestay

- A. Bed and breakfast homestay uses shall be subject to the following regulations:

~~9. A minimum of two parking spaces for the dwelling unit and one additional for each guest room shall be required.~~ *[Already listed in the Site Plan Regulations under Business Uses in the parking requirement table. A B&B should be subject to Administrative Review (Administrative Review process is proposed in update to Site Plan Regulations by Staff)]*

2.3.2 MULTI-FAMILY RESIDENTIAL (R-III)

2.3.2.3 Regulations and Design Criteria

B. Density, Design and Dimensional Standard for Development Lot

7. Parking *[Parking requirements will be addressed in the Site Plan Regulations. Multi-family parking will be reduced from 2.5 to 2 spaces per current developer/management requirements. Delete a. - d. retain e.; add new language as follows:]*

- a. ~~A minimum of two (2) parking spaces per dwelling unit shall be provided for single family and two family dwellings.~~ *[Addressed in Site Plan Regulations]*
- b. ~~A minimum of two and one-half (2.5) parking spaces per dwelling unit shall be provided for multi-family dwellings (i.e.: off the internal legal lot so 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.~~ *[Addressed in Site Plan Regulations]*

- ~~e. Assisted living and nursing home uses shall require one half (0.5) a parking space per resident unit or bed, plus one per employee. [Addressed in Site Plan Regulations]~~
- ~~d. Parking for other uses shall comply with standards applicable to such uses in other districts.~~
- ~~e.a. Parking areas shall be designated in accordance with requirements for parking areas set forth in Section 3.09 of the Site Plan Regulations. 3.10 of the Zoning Ordinance (parking).~~
- b. No parking shall be located between the front lot line and the front plane of the building(s) closest to the existing Town street and no parking shall be located off-site. The line of the front building plane for each structure shall extend to the side property lines to establish the parking lot setback.
- c. Parking spaces may be located offsite in accordance with Section 3.09 of the Site Plan Regulations.

2.3.3 INCLUSIONARY HOUSING

2.3.3.4 Conditional Use Permit Criteria for Workforce Housing

B. Multi-Family Workforce Housing

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

- a. The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement for multi-family workforce housing (for example: setback, density, green space, ~~or~~ ~~frontage, roads and driveways, or parking~~). *[Parking will not be subject to conditional use permits (CUP's are only administered in zoning) going forward. The Planning Board will have flexibility to approve variations to parking spaces required, especially if shared parking is utilized, with justification that meets at least one of the criteria listed in the Site Plan Regulations.]*

12. Parking:

- ~~a. A minimum of 2.0 parking spaces per dwelling unit shall be provided for all dwelling units in an inclusionary multi-family development. [Covered in Site Plan Regulations]~~
- a. b. Parking areas shall be designated in accordance with requirements for parking areas set forth in Section 3.10-09 of the Zoning Ordinance Site Plan Regulations (parking).
- ~~b. e. No parking shall be located between the front lot line and the front plane of the building(s) closest to the existing Town street. The line of the front building plane for each structure shall extend to the side property lines to establish the parking lot setback.~~

2.3.3.6 Small Workforce Housing Developments

D. No parking shall be located between the front lot line and the front plane of the building(s) closest to the existing Town street. ~~A minimum of two parking spaces shall be provided for each dwelling unit.~~ *[Moving forward the goal is to keep the parking requirements for residential uses (except elderly housing) at 2 spaces per unit, including multi-family. We are learning that Multi-family rental housing never has 100% occupancy because a number of units are regularly vacant as they transition to new occupants. All parking requirements will be in the Table in the Site Plan Regulations.]*

2.3.3.7 Live-Work Units

The business component of live/work units are intended for use by entrepreneurs and professionals in occupations including but not limited to : accountants; architects; artists and artisans; attorneys, computer software and multimedia-related professionals; consultants; engineers; fashion, graphic, interior and other designers; hair stylists; insurance, real estate and travel agents; one-on-one instructors; photographers; and for light manufacturing/assembly and similar occupations;

- ~~I. The live/work unit shall be required to provide parking at least 3 spaces per unit. [Move to site Plan Regulations]~~

2.4 COMMERCIAL DISTRICTS

2.4.2 General Standards for all Commercial Sub-Districts

- F. **Vehicle access** - see regulations listed in Section ~~3.08~~ 3.08 of the Site Plan Regulations. ~~3.10~~ of the Zoning Ordinance (parking).
- G. **Parking standards** - see regulations listed in Section ~~3.10-09~~ and Table ~~1-X~~ of Section ~~3~~ 3.09 to determine the quantity of spaces required for specific uses.
- H. **Loading space standards** *[Keep #2 as amended and move #1, 2.a. & 3-7 to Site Plan Regulations Section 3.09, with an amendment to #7 to add concrete as a loading surface]*
 - 2. Where off-street loading is required, loading bays shall be provided and maintained in accordance with ~~the following~~ Section 3.09 of the Site Plan Regulations:
 - a. ~~Loading bays shall not be located on sides of buildings facing a public right-of-way except as specifically approved by the Planning Board. Where such exception is granted, the Board shall require an opaque wall, fence, natural terrain, vegetation or other solution to provide screening as effectively as practical. [Move to Site Plan Regulations]~~
 - 1. ~~No on-street loading or unloading shall be permitted.~~
 - 3. ~~Specific size of loading space shall be determined by building usage or function.~~
 - 4. ~~Loading areas shall be designed to permit on-site backing or maneuvering as well as forward driving to the lot exit.~~
 - 5. ~~Other than Planning Board approval to use parking aisles as maneuvering space, loading areas requirements shall not encroach on parking areas.~~
 - 6. ~~The area approved for loading or unloading shall not obstruct access to a property or right-of-way. All loading or unloading spaces shall have direct access to a public right-of-way at all times.~~
 - 7. ~~All loading areas shall be surfaced with a durable, concrete or asphalt material and graded and drained to dispose of all surface water accumulation.~~

2.4.5 General Standards for MUC sub-district:

D. Conditional Use Permits for the MUC Sub-district

- 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, or frontage, ~~or parking~~) for projects that are determined to be consistent with the general vision statements and recommendations from the Londonderry Northwest Small Area Master Plan or the most recently adopted Town Master Plan.

2.5 INDUSTRIAL DISTRICTS

2.5.1 Industrial District

2.5.1.3 General Standards

- E. **Vehicle access** - see regulations listed in Section ~~3-10.3.08~~ 3.08 of the Site Plan Regulations.
- F. **Parking standards** - see regulations listed in Section 3.09 of the Site Plan Regulations and Table ~~X~~ 3.10 and Table ~~1~~ 1 of Section ~~3.10~~ to determine the quantity of spaces required for specific uses.
- G. **Loading space standards** *[Move #1 – 6 to Section 3.09 of the Site Plan Regulations, amend #6 in the Regulations to include Concrete, and add the following new language to the Ordinance:]*
 - 1. Loading bays shall be provided and maintained in accordance with section 3.09 of the site plan regulations.

- ~~1. No on-street loading or unloading shall be permitted.~~
- ~~2. Off-street loading spaces shall be provided on the same lot as the principal use they are intended to serve. In no case shall an off-street loading space be counted as part of an area to satisfy the off-street parking requirements.~~
- ~~3. Loading bays shall be at least fourteen (14) feet wide, forty-eight (48) feet long and may be located either within a building or in the open.~~
- ~~4. No loading bay area abutting a residential zoning district shall be located within fifty (50) feet of the residential boundary line. Loading bays shall not be located on sides of buildings facing a public right-of-way except as specifically approved by the Planning Board. Where such request is granted, the Board shall require an opaque wall, fence, natural terrain, vegetation or other solution to provide screening as effectively as possible.~~
- ~~5. The area approved for loading or unloading shall not obstruct access to a property or right-of-way. All loading spaces shall have direct access to a public right-of-way.~~
- ~~6. All loading bay areas shall be surfaced with a durable, concrete or asphalt material and graded to dispose of all surface water accumulation.~~

2.5.2 AIRPORT DISTRICT

2.5.2.4 General Standards

E. **Parking standards:** - parking standards for the airport district are described within 3.09 of the Site Plan Regulations~~Section 3.10 access and parking~~ with the exception of longer term airport parking lots.

F **Parking standards for longer term parking lots (airport district)**

1. The design standards for parking within the airport district vary with the intended use of the parking facility. The high turnover rate for vehicles in airport lots intended for hourly parking requires adequate room for the maneuvering of multiple vehicles. In longer term (more than one hour permissible) airport parking lots, the volume of simultaneous traffic is significantly less, and the dimensional requirements are lower. All parking spaces shall comply with the design standards of Table ~~X A~~ and Figure 1 in Section ~~3.10-09 access and parking of the Site Plan Regulations~~, except for longer term airport parking areas which shall follow Table ~~X1 below in Section 3.09 of the Site Plan Regulations~~, and its associate parking layout, unless otherwise approved by the Planning Board.

~~**Table 1 – Minimum Dimensional Requirements for Longer Term Airport Parking Areas**~~
~~(Based on 8.5' x 18" Parking Stall, except for zero (0) degrees) [Move Table to Site Plan Regulations]~~

Zoning Ordinance Parking Amendments
 June 8, 2016 Planning Board Public Hearing

Angle of Parking Space (Degrees)	"A" (Ft.)	"A'" (Ft.)	One-Way Traffic "C" (Ft.)	Two-Way Traffic "C" (Ft.)	"D" (Ft)	One Way Traffic "E" (Ft.)	Two-Way Traffic "F" (Ft.)
0	20.0	8.0	12.0	20.00	---	28.0	36.0
30	17.0	14.7	12.0	20.0	—	41.4	49.4
45	12.0	18.7	12.0	20.0	31.5	49.4	57.4
60	9.8	19.8	12.5	20.0	35.4	52.1	59.6
90	8.5	18.0	22.0	22.0	36.0	58.0	58.0

Note: See parking diagram under Table 2, Section 3.10

G. **Handicapped parking spaces** - parking spaces designed to accommodate the needs of the handicapped shall be provided in accordance with federal and state law. See the Town of Londonderry Site Plan Regulations Section 3.09 for parking space standards.

I. ~~**Curb and gutter**—curb and gutter shall be installed within off-street parking and loading areas in order to manage storm drainage, channelize traffic, protect buildings and landscaping areas, and separate pedestrian and vehicular circulation areas.~~ *[Move to Site Plan Regulations Section 3.09]*

J. **Sidewalks** - sidewalks shall be provided onsite as necessary to protect pedestrians and promote the safe and efficient movement of pedestrian and vehicular movement—~~in accordance with the design standards in Section 3.08 of the Site Plan Regulations. Sidewalks shall have a minimum unobstructed width of four (4) feet. Sidewalks which are constructed to a six (6) foot width and directly abut the front of a parking or loading space may include two (2) feet of the sidewalk width when determining the length of the parking or loading space.~~ *[Covered in Site Plan Regulations Section 3.08]*

2.6 OVERLAY DISTRICTS

2.6.1 PERFORMANCE OVERLAY DISTRICT - ROUTE 102 CORRIDOR

2.6.1.7 Performance Standards *[Amendments to the Route 102 and Route 28 POD's will be limited to updating references. The POD's are anticipated to be comprehensively addressed in the Zoning Overhaul.]*

D. Landscape Performance Standards

2. Specifics about landscaping materials, caliper sizes, and specifics of the design details shall be as defined by Section ~~3.09 and 3.11~~ **3.10** of the Site Plan Regulations. In the event that requirements of this district and the Site Plan Regulations conflict, the more restrictive of the two documents shall govern.

4. Required Landscaping Areas

d. Side and Rear Buffer Areas

Zoning Ordinance Parking Amendments
June 8, 2016 Planning Board Public Hearing

- ii. the side and rear buffers shall be constructed to provide a dense 4 season visual screen in accordance with Section ~~3.09.e~~3.10 of the Site Plan Regulations.
 - iii. Perimeter parking lot landscaping and interior parking lot landscaping shall be in accordance with Section ~~3.11.g~~3.10 of the Site Plan Regulations.
 - e. Other screening: screening of storage areas, dumpster enclosures, loading docks, receiving areas, above ground utility fixtures, and any other items deemed necessary by the Planning Board, shall be in accordance with Section ~~3.09~~10.e of the Site Plan Regulations.
3. General Performance Standards for Off-Street Parking.
- a. The minimum number of parking spaces, dimensional requirements for parking stalls and aisle widths shall be determined by the requirements of the underlying zoning district (~~Section 3.103.09 of the Site Plan Regulations~~) except for parking lot setbacks (also called green area setbacks as defined in Sections 2.5.1.3 (H) and 2.4.2 (B) which are governed by the performance standards for landscaping, as outlined in Section 2.6.1.7 ~~(B)(D)~~.
 - c. Coordinated or joint parking design should be provided whenever feasible in accordance with Section 3.09 of the Site Plan Regulations. ~~when feasible, a~~ butting parcels shall be so designed as to provide for mutually coordinated or joint parking, access and circulation systems, and shall include stub-outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.
4. In parking lots where shared access and/or interconnected parking lots occur, the side and rear landscape area requirements of 2.6.1.7 ~~(B)(D)~~ can be omitted. *[Correction]*

2.6.2 PERFORMANCE OVERLAY DISTRICT – ROUTE 28 CORRIDOR
2.6.2.7 Performance Standards

D. **Landscape Performance Standards** – landscape performance standards shall be the same as **Section 2.6.1.7 ~~(B)(D)~~**, with the following exceptions: *[Correction]*

2. Side and Rear Buffer Areas

b. The side and rear buffers shall be constructed to provide a dense 4 season visual screen in accordance with Section ~~3.09.e~~3.10 of the Site Plan Regulations.

2.7 GATEWAY BUSINESS DISTRICT

2.7.2 General Standards

G. **Parking, Loading, & Vehicle Access Standards** - See ~~Section 3.10 of this Ordinance~~ **Section 3.09 of the Site Plan Regulations.**

2.7.3 Conditional Use Permits

B. **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, OR ~~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. *[Parking will no longer be subject to conditional use permits, so it is removed from all sections covering parking and CUP's]*

2.8 PLANNED UNIT DEVELOPMENT

2.8.7 Standards of Development.

- A. Off street parking and loading shall comply with the Section 3.09 of the Site Plan Regulations ~~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.

3.2 PERFORMANCE STANDARDS *[for Commercial and Industrial Districts]*

3.2.9 Curb and Gutter

~~Curb and gutter shall be installed where deemed necessary by the Director of Public Works Planning Board, within off-street parking and loading areas in order to manage storm drainage, channelize traffic, protect buildings and landscaping areas, and separate pedestrian and vehicular circulation areas.~~ *[Move to Site Plan Regulations Section 3.09 and change Director of Public Works to Planning Board]*

3.2.910 Sidewalks and Pedestrian Facilities

Sidewalks shall be provided on-site, as necessary and as determined by the Planning Board to protect pedestrians and promote the safe and efficient movement of pedestrian and vehicular ~~movement circulation.~~ ~~Sidewalks shall have a minimum unobstructed width of four feet.~~ ~~Sidewalks which are constructed to a six-foot width and directly abut the front of a parking or loading space may include two feet of the sidewalk width when determining the length of the parking or loading space.~~ Sidewalks shall be constructed in accordance with the standards set forth in Section 3.08 of the Site Plan Regulations. *[Keep in Ordinance with amendments; change second "movement" to "circulation" in first sentence; delete second sentence; add new sentence as shown Renumbe subsequent paragraphs.]*

3.6 ELDERLY HOUSING

3.6.4 Regulations and Design Criteria

- E. Parking -~~There shall be 1.2 parking spaces per each unit for elderly housing. There shall be 0.5 parking spaces required for each bed in an assisted living facility, plus one space per employee on the largest shift.~~ The Planning Board shall carefully consider the location of parking, the parking area and the parking area's access to the unit it serves in keeping with its attendant use by the elderly, in accordance with sections 3.09 of the Site Plan Regulations. *[Move first sentence to Site Plan Regulations Section 3.09; add to second sentence as shown]*

3.10 VEHICLE ACCESS AND PARKING

[The design controls for parking, loading and vehicle access in Section 3.10 will be moved to the Site Plan Regulations. The remaining language related to the control of land use will be retained in the ordinance, and amended as needed. There were standards in the Zoning Ordinance covering streets, driveways and site access, which will be placed in Section 3.08 of the Site Plan Regulations. All parking standards will move to a new Section 3.09 in the regulations. Landscaping standards were divided between Section 3.09 and 3.11, and will now be consolidated into Section 3.10 of the regulations. The section on wetlands will be renumbered 3.11. The references below reflect the proposed section numbers.]

3.10.1 Purpose and Intent

In order to minimize traffic congestion, air pollution, and the risk of motor vehicle and pedestrian accidents, as well as to promote other elements of sound community planning; off-street parking, loading spaces, circulation, and access shall be required of all structures and land uses. Parking spaces, aisles, and circulation shall be provided for all permitted and conditional uses of structures, lots, and land in amounts not less than those specified in this Ordinance Section 3.09 of the Site Plan Regulations. It is further the intent of this ordinance to:

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~~A. Ensure there are adequate parking and loading facilities to serve the use or uses of the property; Ensure there are adequate parking and loading facilities to serve the majority of traffic generated by the use or uses permitted to occupy the property. The number of required parking spaces shall be found in Section 3.09 of the Site Plan Regulations, and in most cases shall correspond to broad use categories rather than specific uses. Assumptions about the number of parking spaces required need to be consistent with Londonderry's long-term vision for growth as articulated in the current Master Plan.~~

~~A-B. Promote strategies that go beyond minimum parking requirements and encourage shared parking, cross access agreements over interconnected sites, and mixed-use development wherever practical in accordance with the current Master Plan.~~

~~B-C. Ensure that any parking facility is so designed to provide proper circulation, reduce hazards to pedestrians, and protect the users of adjoining properties from nuisance caused by the noise, fumes, and glare of headlights which may result from the operation of vehicles parking off the street;~~

~~C-D. Reduce congestion in the streets and contribute to traffic safety.~~

~~D-E. Encourage environmentally friendly access and parking areas.~~

[The following 3 sections are no longer applicable to this section or are covered elsewhere in the Ordinance. All three are proposed to be deleted.]

3.10.2 Authority

~~A. Pursuant to the authority granted by Chapter 674 et seq., New Hampshire Revised Statutes Annotated, as amended, the Town of Londonderry adopts the following vehicle access and parking regulations.~~

3.10.3 Severability

~~A. If any section, clause, provision or phrase of this Section is held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of the Ordinance.~~

3.10.4 Application, and Non-Conforming Structures

~~A. New Structures~~

~~The requirements of this section shall apply to all new structures erected for use on a property.~~

~~B. Legally Pre-Existing Structures~~

~~Any structure or land use lawfully in existence prior to the adoption of this Section shall not be subject to the requirements of this Section so long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be reduced below such requirements.~~

~~Loss of Legal Non-Conforming Status~~

~~Loss of legal non-conforming status will occur under the following circumstances:~~

~~Any structure which is hereafter altered or enlarged.~~

~~All new uses of a property.~~

~~Any use of a property which is hereafter altered or enlarged.~~

3.10.5.2 Vehicle Access

~~A. Vehicle access to all lots shall be from public right-of-way by one or more curb cuts/driveways.~~

B. The location and design of curb cuts/driveways shall minimize traffic hazards and not unduly ~~retard-impede~~ traffic flow in public right-of-way as provided in Section 3.08 of the Site Plan Regulations. *[Retain A & B and move C – F to Section 3.09 of the Site Plan Regulations; Revise E in the regulations]*

~~C. No portion of any driveway shall be closer than fifty (50) feet to any intersecting street.~~

~~D. The closest points of any two (2) driveways servicing a single lot shall exceed fifty (50) feet at their intersection with the street lot line.~~

~~E. The width of any driveway, except for radii per Subsection 3.10.8, shall not exceed twenty-four (24) feet. The Planning Board may specifically approve an exception not to exceed thirty-six (36) feet.~~

~~F. Vehicle access ways and driveways shall be maintained and kept clear of debris.~~

3.10.6-3 Location of Off-Street Parking and Loading Facilities:

A. Parking Facilities *[Amend #1 as follows and retain in Zoning; retain #3; move #2 and #4 to Section 3.09 of the Site Plan Regulations; amend #4 in the regulations]*

1. Every lot shall have an off-street parking area. Parking on public rights-of-way, unless specified as part of an approved PUD, or parking where it will obstruct property or public rights-of-way access is not permitted. The Planning Board may also approve parking that is off-site where the Applicant can show that the intent of the ordinance is achieved relative to the provision of safe pedestrian routes.

~~2. Loading spaces shall in all cases be on the same lot as the use they are intended to serve.~~

~~3.2. All off-street parking shall have direct access at all times by on-site travelways to a public right-of-way.~~

~~4. All parking areas within ten (10) feet of any structure shall have a curb or substantial bumper not less than four (4) feet from the structure.~~

Off-Site Locations *[Move to Section 3.08 of the Site Plan Regulations]*

~~1. Entrances to facilities not located on the principal use lot shall be no more than four hundred (400) feet from the principal lot or by special exception no further removed than eight hundred (800) feet.~~

B. Industrial District Loading Space Standards Loading Facilities *[Moved from Section 3.10.9 below, and amended to add new information to #1 and fix a typo in #4; delete #6 and move to Site Plan Regulations.]*

1. No on-street loading or unloading shall be permitted, unless approved as part of a PUD

2. Off-street loading spaces shall be provided on the same lot as the principal use they are intended to serve. In no case shall an off-street loading space be counted to satisfy the off-street parking requirements.

3. Loading bays shall meet the dimensional requirements of Section 3.10.7(B).09 Loading Space Dimensions.

4. Loading bay area abutting a residential zoning district shall not be located within fifty (50) feet of the residential (AR-I or R-III) zoning boundary line. Loading bays shall not be located on sides of buildings facing a public right-of-way except as specifically approved by the Planning Board. Where such request is granted, the Board shall require an opaque wall, fence, natural terrain, vegetation or other solution to provide screening as effectively as possible.

5. The area approved for loading or unloading shall not obstruct access to a property or right-of-way. All loading spaces shall have direct access to a public right-of-way.

6. All loading bay areas shall be surfaced in compliance with Section 3.10.13(B).

3.10.7.4 Off-Street Parking Requirements: *[Moved from Section 3.10.13 with Amendments to #C and #D.1]*

- A. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.
- B. Snow removed from parking spaces and traffic lanes shall not be deposited in a manner or in locations that will result in its being a traffic hazard.
- C. Parking areas shall not be used for outdoor storage, display of items for sale, or other activities. Temporary displays require site plan approval.

Move below to Section 3.09.g of the Site Plan Regulations:

~~Coordinated or joint parking design: when feasible, abutting parcels shall be so designed as to provide for mutually coordinated or joint parking, access and circulation systems, and shall include stub-outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.~~

~~Development prior to abutting use. In the event that the site is developed prior to an abutting property, it shall be designed to ensure that its parking, access and circulation may be easily tied in to create a coordinated parking design at a later date.~~

~~Existing abutting uses. In the event that the site abuts an existing developed property, it shall be so designed as to tie into the abutting parking, access and circulation to create a coordinated system unless the Planning Board finds that this would be impractical.~~

3.10.7 Dimensional Requirements: *[Move to Site Plan Regulations]*

~~A. Standard Stall Dimensions~~

- ~~1. Exclusive of compact auto spaces, all parking spaces shall comply with the design standards of TABLE 1 of section 3.10.7.2.2 and its associated parking layout unless otherwise approved by the Planning Board.~~
- ~~2. Compact Automobile Spaces. Parking spaces for compact automobiles shall contain a rectangular area of at least fifteen (15) feet in length and eight (8) feet in width. The length shall be increased to eighteen (18) feet where the spaces are located parallel to the travel aisles. These spaces must be conspicuously designated as reserved for compact automobiles by a sign in accordance with section 3.11.6.1.5.3 of this ordinance, located such that it will not be obscured by a vehicle parked in the space.~~

~~B. Loading Space Dimensions~~

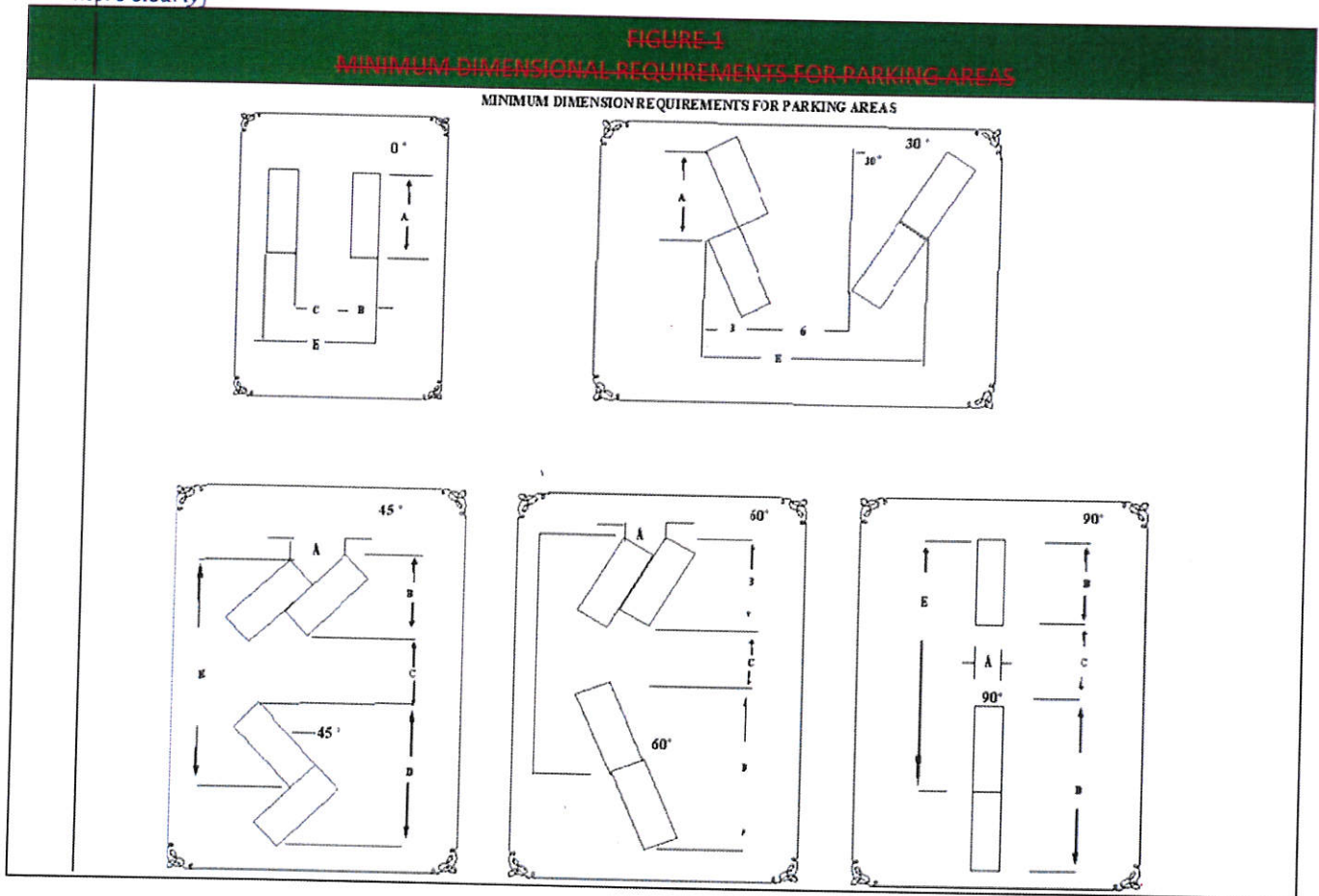
- ~~1. Minimum dimensions for industrial loading spaces shall be fourteen (14) feet in width and forty (48) feet in length. A vertical clearance of fifteen (15) feet is also required~~
- ~~2. Minimum dimensions for a commercial loading space shall be determined by evaluation of the size of anticipated delivery vehicles. Under no circumstances shall a commercial loading space be any smaller than ten (10) feet in width and twenty-eight (28) feet in length.~~

~~3. TABLE 1~~ *[Move to Site Plan Regulations Section 3.09; Delete 30 degree parking]*

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TABLE 1 MINIMUM DIMENSIONAL REQUIREMENTS FOR PARKING AREAS (Based on 9'x20' Parking Stall except for 0-degree)							
Angle of Parking Spaces (Degrees)	"A" (Feet)	One-Way Traffic "B" (Feet)	Two-Way Traffic "C" (Feet)	"C" (Feet)	One-Way Traffic "D" (Feet)	Two-way Traffic "E" (Feet)	"F" (Feet)
0	22.5	8.0	12	20	—	28.0	36.0
30	18.0	17.8	12	20	27.8	47.6	55.6
45	12.7	20.5	12	20	34.6	53.0	61.0
60	10.4	21.8	12.5	20	39.1	56.1	63.6
90	9.0	20.0	22	22	40.0		
61.0	62.0						

[Delete Figure 1 below and move to Site Plan Regulations Section 3.09; amend graphic to convey the information more clearly]



3.10.8 General Off-Street Parking and Loading standards: *[Delete Section and move to Site Plan Regulations Section 3.09 with amendments]*

~~In all districts, at the time any new building or structure is erected or any existing building or structure is subject to a substantial alteration or a change in use, off-street parking and loading space shall be provided in accordance with the minimum standards set forth below.~~

~~A. Calculation of Parking and Loading Requirements~~

- ~~1. Where the principal use is not enclosed in a building, the portion of the lot so used shall be considered as part of the gross floor area for computing parking and loading requirements.~~
- ~~2. Where a principal or accessory use of a lot is not enclosed in a building, the Planning Board shall determine the parking and loading area required to service such use in accordance with Table 1 of this section.~~
- ~~3. Quantity of parking and loading spaces shall comply with the minimum listed within Table 2 of section 3.10.10 based on allowed uses.~~
- ~~4. Loading and unloading areas shall not be considered as parking spaces.~~
- ~~5. When the schedule requires the number of spaces to be calculated per employee and employees are on the site in shifts, the number to be used is the number of employees present during the largest shift. In all other cases it shall mean the total number of employees on the site or who will use the site for parking at any one time.~~
- ~~6. When the schedule requires the number of spaces to be calculated by more than one standard (meaning multiple uses on the site), then the sum of the required parking spaces for all uses shall be provided.~~

~~B. Minimum Stacking Space Requirements~~

~~All uses which include a drive-up window or which are characterized by patrons remaining in their vehicles to receive service shall provide stacking spaces in order to alleviate traffic congestion. Stacking spaces shall be a minimum of ten (10) feet in width and eighteen (18) feet in length. All stacking areas must be separated from other circulation aisles and parking spaces. The use of a landscaped island with curbing is recommended to channelize traffic.~~

~~1. Restaurant Drive-Thru Windows~~

~~A minimum of ten (10) stacking spaces shall be required for restaurants with drive-up window. The distance shall be measured from the drive-up window.~~

~~2. Car Washes~~

~~A minimum of three (3) stacking spaces per car wash bay shall be required.~~

~~3. Financial Institution Drive-Thru Windows~~

~~A minimum of eight (8) stacking spaces shall be required for financial institutions having one drive-thru window and four (4) stacking spaces for each additional window.~~

~~4. Other Uses With Drive-Thru Windows or Similar Characteristics~~

~~For other uses not specifically provided herein, the Planning Board (with a recommendation from the Zoning Officer) shall make a determination regarding the number of stacking spaces required.~~

~~C. Compact Auto Spaces Permitted by Conditional Use Permit~~

~~For nonresidential principal uses, not more than ten (10) percent of the total number of required spaces may be designated for compact automobiles and marked accordingly may be allowed where the Planning Board issues a conditional use permit pursuant to Section 3.10.12(A) of this ordinance.~~

3.10.9 Off-Street Parking and Loading Standards by District: *[Move up to New Section 3.10.3 and Amend]*

A. Industrial District Loading Space Standards

- ~~1. No on-street loading or unloading shall be permitted.~~
- ~~2.1. Off-street loading spaces shall be provided on the same lot as the principal use they are intended to serve. In no case shall an off-street loading space be counted to satisfy the off-street parking requirements.~~
- ~~3.1. Loading bays shall meet the dimensional requirements of Section 3.10.7(B), Loading Space Dimensions.~~
- ~~4.1. Loading bay area abutting a residential zoning district shall be located within fifty (50) feet of the residential (AR I or R III) zoning boundary line. Loading bays shall not be located on sides of buildings facing a public right of way except as specifically approved by the Planning Board. Where such request is granted, the Board shall require an opaque wall, fence, natural terrain, vegetation or other solution to provide screening as effectively as possible.~~
- ~~5.1. The area approved for loading or unloading shall not obstruct access to a property or right-of-way. All loading spaces shall have direct access to a public right-of-way.~~
- ~~6.1. All loading bay areas shall be surfaced in compliance with Section 3.10.13(B).~~

B. Route 102 & Rt. 28 POD Parking Requirements: *[Delete because parking requirements will be in the Site Plan Regulations; POD districts to be amended as part of Zoning Overhaul]*

- ~~1. General performance standards for off-street parking:

 - ~~a. The minimum number of parking spaces, dimensional requirements for parking stalls and aisle widths shall be determined by the requirements of the underlying zoning district (See Section 3.10.10, Table 2) except for parking lot setbacks (also called green area setbacks as defined in Sections 2.5.1.3(H) and 2.4.1(C)(9)) which are governed by the performance standards for landscaping, as outlined in Section 2.6.1.7(B).~~~~
- ~~2. In parking lots where shared access and/or interconnected parking lots occur, the side and rear landscape area requirements of 2.6.1.7(B) can be omitted.~~

3.10.10 Minimum Parking and Loading Required: *[Delete and move to Site Plan Regulations Section 3.09 with amendments; footnotes to be removed; other amendments to be noted in Regulation update]*

~~Off-street parking spaces shall be provided whenever any new use is established or any existing use is enlarged. The quantity of required spaces will be determined as shown in TABLE 2 of this section.~~

TABLE 2 OFF-STREET PARKING AND LOADING			
USE	UNIT OF MEASUREMENT	SPACES REQUIRED PER UNIT OF MEASUREMENT	
Subject to the requirements of section 3.10.8(A)(6)			
Agricultural and Residential			
Agriculture	GFA	1 per 1,000 sq. ft.	
Assisted Living Facilities	bed and employees	0.5 per employee	
Back Lot Development	DU and type	2 spaces per DU	
Dwelling, multi-family 1,2	DU	2.5 per DU	
Dwelling, single-family 1	DU	2 per DU	
Dwelling, two-family 1	DU	2 per DU	
Dwelling, with accessory apartment 2	DU	2 per DU, (4 total)	
Elderly Housing	DU	per DU	

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TABLE 2 OFF-STREET PARKING AND LOADING			
USE	UNIT OF MEASUREMENT	SPACES REQUIRED PER UNIT OF MEASUREMENT	
	Elderly Housing (Affordable)	DU	1-2 per DU
	Mixed use residential	Various	As mandated per use by percentage
	Nursing Home and accessory uses	Resident unit or bed and employees	0.5 per resident unit or bed plus one per employee
	Planned residential development	DU	2 per DU
Civic Uses			
	Community center	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
	Public Facilities	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
	Recreational Facilities, Public	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
	Religious Facilities	Seats or linear feet of bench space	1 per each 3 seats or 6 linear ft.
	Cultural Uses and Performing Arts	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
Business Uses			
	Aeronautical Facilities	Various	1 per employee on maximum shift, plus 1 per vehicle used in connection with terminal, plus sufficient number of space to accommodate the largest number of vehicles that may be expected at any one time
	Assembly, testing, repair, and packing operations up to 100,000 sq. ft.	GFA or employees	1 per 500 sq. ft. or 1 per employee
	Assembly, testing, repair, and packing operations 100,001 sq. ft. or larger	GFA or employees	1 per 600 sq. ft. or 1 per employee
	Bed and Breakfast Homestay	D.U. and guest room	2 per D.U. plus 1 per guest room
	Computer Services	GFA	1 per 200 sq. ft. or 1 per employee
	Conference/Convention Center	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
	Day Care Center, Adult	Employees and attendees	1 per employee plus 1 per 7 attendees at peak attendance plus parking for any associated busses or vans
	Day Care Center, Child	Employees and attendees	1 per employee plus 1 per 8 attendees at peak attendance
	Drive-in establishments	Employees and vehicles served	2 per employee plus 1 per each vehicle served
	Drive-in theatres	Capacity	1 per vehicle at capacity plus 10%
	Financial institution	GFA	1 per 300 sq. ft.
	Funeral homes	Various	1 per 5 seats in largest chapel, plus 1 per employee, plus 1 per service vehicle
	Education and Training Facilities	Faculty, students, & administrators	1 per faculty member, administrator, and employee, plus .5 per student at peak attendance
	Extraction, including Temporary and Permanent Manufacturing Plants as an accessory use.	GFA or employees	1 per associated vehicle plus 1 per 500 sq. ft. or 1 per employee
	Health Clubs	GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
	Home Occupation	Variable	Applicant must demonstrate that parking is adequate for the proposed use, in no case less than 2 spaces in addition to those required for the residence
	Hotels up to 50,000 sq. ft.	Various	1 per room, plus 1 per 20 rooms (staff), plus 50% normally required for accessory uses
	Hotels 50,001 sq. ft. or larger	Various	1 per room, plus 1 per 20 rooms (staff), plus 75% normally required for accessory uses
	Manufacturing, Heavy	GFA or employees	1 per 800 sq. ft. or 1 per employee

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TABLE 2 OFF-STREET PARKING AND LOADING			
USE	UNIT OF MEASUREMENT	SPACES REQUIRED PER UNIT OF MEASUREMENT	
Manufacturing, Light up to 100,000 sq. ft.		GFA or employees	1 per 600 sq. ft. or 1 per employee
Manufacturing, Light 100,000 sq. ft. or larger		GFA or employees	1 per 800 sq. ft. or 1 per employee
Membership club		GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
Motels		Rooms and employees	1 per room plus 1 per employee
Motor Vehicle Maintenance, Major Repair and Painting		GFA and bays	1 per 800 sq. ft. but no less than 3 per service bay
Motor Vehicle Rental		Various	1 per 300 sq. ft. indoor sales per office area, plus 1 per 1,500 sq. ft. outdoor storage, plus 4 per service bay
Motor Vehicle Sales		Various	1 per 300 sq. ft. indoor sales per office area, plus 1 per 1,500 sq. ft. outdoor storage, plus 4 per service bay
Motor Vehicle Station, Limited Service		Various	1 per 300 sq. ft. of floor area, plus 1 per accessory service bay, plus 1 per employee, plus 1 per vehicle used for the business and kept on premises
Outdoor Storage of goods or materials (not to exceed 5-10% of the gross floor area) as an Accessory Use		Storage area	1 per 1,500 sq. ft. of storage area
Personal Service Businesses up to 3,000 sq. ft.		GFA or chairs	1 per 200 sq. ft. or 2 per chair
Personal Service Businesses 3,001 sq. ft. or larger		GFA or chairs	1 per 300 sq. ft. or 2 per chair
Professional Office up to 50,000 sq. ft.		GFA	1 per 200 sq. ft.
Professional Office 50,001 sq. ft. or larger		GFA	1 per 300 sq. ft.
Recreation, commercial		GFA, or seats and persons accommodated	1 space per 200 sq. ft. or 1 per 3 seats or 3 persons the facility is intended to accommodate
Rental Car Terminal up to 50,000 sq. ft.		Various	1 per 300 sq. ft. indoor sales per office area, plus 1 per 1,500 sq. ft. outdoor storage, plus 4 per service bay
Rental Car Terminal 50,001 sq. ft. or larger		Various	1 per 400 sq. ft. indoor sales per office area, plus 1 per 1,500 sq. ft. outdoor storage, plus 4 per service bay
Repair services		GFA	1 per 400 sq. ft.
Research or Testing Laboratories up to 100,000 sq. ft.		GFA	1 per 600 sq. ft.
Research or Testing Laboratories 100,001 sq. ft. or larger		GFA	1 per 800 sq. ft.
Restaurant		Seats and employees	1 per 3 seats plus 1 per employee
Restaurant, fast food		Seats and employees	1 per 4 seats plus 1 per employee
Retail Stores up to 75,000 sq. ft.		GFA	1 per 200 sq. ft.
Retail Stores 75,001 sq. ft. or larger		GFA	1 per 300 sq. ft.
Sales of Heavy Equipment or Heavy Trucks as an accessory use		Lot area	1 per 2,000 sq. ft. of lot area
School, Private, Elementary and Middle		Various	1 per faculty, employee and bus if bus transportation is provided, plus 1 per each 4 seats for assembly areas
School, Private, High		Various	1 per faculty member, administrator, and employee, plus 1 per bus if bus transportation is provided, plus 1 per each 4 students
Service establishment		GFA or employees	1 per 300 sq. ft. or 2 per employee
Sexually-oriented businesses		GFA or occupants	1 per 300 sq. ft. or 1 per 2 occupants at building capacity
Storage, self-serve		GFA	1 per 1,200 sq. ft.
Terminal, Airplane		Various	1 per employee on maximum shift plus 1 per vehicle used in connection with terminal, plus sufficient number of spaces to accommodate the largest number of vehicles that may be expected at any one time
Terminal, Trucking		Various	1 per 200 sq. ft. plus adequate parking and loading spaces for each company vehicle operating from the premises plus 1 per employee

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TABLE 2 OFF-STREET PARKING AND LOADING			
USE	UNIT OF MEASUREMENT	SPACES REQUIRED PER UNIT OF MEASUREMENT	
	Warehouse and Storage up to 100,000 sq. ft.	GFA	1 per 1,200 sq. ft.
	Warehouse and Storage 100,001 sq. ft. or larger	GFA	1 per 1,400 sq. ft.
	Wholesale Businesses up to 100,000 sq. ft.	GFA	1 per 800 sq. ft.
	Wholesale Businesses 100,001 sq. ft. or larger	GFA	1 per 1,000 sq. ft.
<p>* Other Uses: Parking and loading requirements shall be calculated for the closest similar use as determined by the Planning Board * Refer to section 3.10.8.1.5 for a definition of "employee(s)" as used in this table * GFA – Gross Floor Area * DU – Dwelling Unit(s) Footnotes: - Elderly affordable housing is exempt from this requirement. Refer to Section 3.6 for elderly affordable requirements. - Off street parking shall be provided for at least four (4) vehicles. Garage and "piggy back" parking is encouraged. - In the R-III District, parking spaces may be located offsite (i.e.: off the internal legal lot so 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.</p>			

3.10.11 Flexibility in Off-Street Parking and Loading Standards: *[Delete from Zoning and address in Section 3.09 of Site Plan Regulations with amendments; Some CUP criteria to be retained in regulations as criteria for flexibility]*

A. Flexibility in Administration Required

1. ~~Due to the particularities of any given development, the inflexible application of the parking standards set forth in Subsection 3.10.10) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets as well as unauthorized parking in nearby private lots. The latter situation wastes money as well as space that could more desirably be used for valuable development or environmentally useful open space. Therefore, the Planning Board may permit deviations from the presumptive requirements of Subsection 3.10.10 and may require more parking or allow less parking by granting a conditional use permit meeting the requirements of section 3.10.11(B).~~

B. Conditional Use Permits for Deviations in the Number of Required Off-Street Parking Spaces

1. ~~The Planning Board may allow deviations from the parking requirements set forth in section 3.10.10 by issuance of a conditional use permit when it finds that at least two of the following criteria are met (one of which must be Section 3.10.11(B)(1)(a)):~~
 - a. ~~Such deviations are consistent with the purpose and intent of section 3.10.1~~
 - b. ~~The applicant is able to demonstrate through studies of similar uses or similar facilities owned by the same company that the actual parking demand for the property is significantly different from the requirements of 3.10.10, and can document that there have been no parking shortages at such studied sites.~~
 - c. ~~There exists the availability of alternate transportation modes, and the applicant has demonstrated to the satisfaction of the Planning Board that the business and its employees will utilize such alternative modes of transportation.~~
 - d. ~~A residential development is irrevocably oriented toward the elderly or other demographic group that, due to the driving characteristics of the group, requires fewer or more parking stalls than the general populace; or,~~
 - e. ~~A sole business (not part of a larger multi-tenant building) is primarily oriented to walk-in trade.~~
2. ~~Whenever the Planning Board grants a conditional use permit for a deviation from the parking requirements set forth in section 3.10.10, the applicant shall note on the plans the parking requirement that the Planning Board allows for and any reasons for allowing or~~

~~requiring the deviation and/or conditions of approval as deemed appropriate by the Planning Board.~~

~~**3.10.12 Alternative Parking Standards.** *[Delete from Zoning and move to Section 3.09 of the Site Plan Regulations with amendments]*~~

~~In order to encourage alternate modes of travel that will reduce dependence upon the single-occupancy automobile, the following guidelines and standards are offered:~~

~~A. Compact Auto Spaces~~

~~In parking lots containing one hundred (100) or more spaces serving a nonresidential principal use, the Planning Board may permit an increase in the proportion of total parking spaces which may be devoted to compact automobiles to a proportion of not greater than ten (10) percent of the total.~~

~~B. Shared Parking~~

~~Where the Planning Board determines that a proposed development consisting of two or more uses located on a single parcel will generate different hourly, daily and/or seasonal parking demand due to the varied hours of operation of each use and frequencies of customer and employee occupancy of available parking spaces, the Planning Board may approve a site plan utilizing shared parking. The applicant shall provide the parking space count and justification analysis. Approved shared parking requires the present construction of a lesser number of spaces, provided that:~~

- ~~1. The applicant shall provide the Planning Board with a shared parking plan which shall be based upon the following:
 - ~~a. A complete and accurate description of the proposed uses, floor areas devoted to such uses, the number of seats or rooms assigned to each use, and the days and hours of operation of each use for each day of the week and for any seasonal variations in operations.~~
 - ~~b. A complete and accurate description of the number of employees and their respective shifts.~~
 - ~~c. A complete and accurate description of the projected total peak hour or daily period of occupancy by patrons for each proposed use during weekdays, Saturday, Sunday and any seasonal variations in peak hour or period of occupancy.~~~~
- ~~2. In all cases, at least two-thirds (2/3s) of the number of required parking spaces shall be provided. A reserved parking plan shall be required. The Planning Board may order the property owner to construct reserved parking spaces if need arises as per Subsection 3.10.12(C).~~
- ~~3. The approval of such shared parking shall be automatically terminated upon the termination of the operation of any of the involved uses.~~

~~C. Future Parking – The Planning Board may allow a reduction in the number of parking spaces actually constructed as long as an area is clearly shown as “reserved for future parking” and a note on the plan indicates a prohibition on any structural improvement in that area. Each plan will be reviewed on individual need. Future Parking Areas shall be designed for their eventual construction (including all drainage ways and structures), and shall be required to be constructed if deemed necessary by the Town of Londonderry if after initial occupancy of the building it is determined that the future parking spaces are needed to accommodate the number of vehicles parking at the site~~

~~D. Transportation Mitigation Plans~~

- ~~1. Transportation mitigation plans may be implemented in conjunction with any use at the option of the Planning Board, exclusive of large-scale parking facilities.~~

- ~~2. Properties with a required number of parking spaces exceeding two hundred fifty (250) spaces shall be classified large scale parking facilities.~~
- ~~3. New construction of large scale parking facilities, or any change to existing uses that requires additional parking on site for large scale parking facilities, may require the applicant employ parking mitigation to reduce the number of surface parking spaces if determined appropriate by the Planning Board.~~
- ~~4. Qualifying parking mitigation shall include but not be limited to: structured parking, parking shuttles, employee carpool plans, incentives for employees to use alternative transportation such as bicycles, telecommuting plans for employees, shared parking, and other similar plans.~~
- ~~5. The Planning Board shall have the discretion to require parking mitigation for large-scale facilities as appropriate taking into consideration stormwater, surface water impairment, the character of the neighborhood, traffic, pedestrian safety, landscaping, and circulation.~~

~~E. Alternative Transportation [Delete from Zoning; difficult for Town to manage and unlikely to be used in Londonderry; flexibility standards of Site Plan Regulations would enable these provisions to still be implemented if desired and agreed upon by the Board]~~

~~1. Carpooling / Vanpooling:~~

~~A reduction of up to ten (10) percent of required parking, based on substantiated projections of reduction in parking demand, may be granted for any building or use exceeding fifty thousand (50,000) square feet of gross floor area that institutes and maintains a locally approved carpooling/vanpooling program. Such reduction may be terminated immediately upon failure of the owner, operator, tenant, or others responsible for such programs to maintain such programs in an ongoing and acceptable manner. When permitted by the Planning Board, the applicant shall note on the plans the Carpooling/Vanpooling plan that the Planning Board allows for and any reasons for allowing or requiring the deviation and/or conditions of approval as deemed appropriate by the Planning Board.~~

~~2. Shuttle Service:~~

~~A reduction of up to fifteen (15) percent of required parking, based on substantiated projections of reduction in parking demand, may be granted for any building or use that institutes and maintains a continuous, personalized shuttle service. Said reduction may be terminated immediately upon failure of the owner, operator, tenant or others responsible for such program to maintain such program in an ongoing and acceptable manner. When permitted by the Planning Board, the applicant shall note on the plans the Shuttle Service plan that the Planning Board allows for and any reasons for allowing or requiring the deviation and/or conditions of approval as deemed appropriate by the Planning Board.~~

3.10.13 Design & Construction Standards

A. General [Move #1 to Site Plan Regulations; Move #2up to new Section 3.10.4; delete 3-5 because they are in the Site Plan Regulations]

~~A. All parking spaces shall be so marked by use of painted lines or other permanent striping materials.~~

~~B.A. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.~~

~~C.A. Snow removed from parking spaces and traffic lanes shall not be deposited in a manner or in locations that will result in its being a traffic hazard.~~

~~D.A. Parking areas shall not be used for outdoor storage, display of items for sale, or other activities.~~

~~E.A. Coordinated or joint parking design: when feasible, abutting parcels shall be so designed as to provide for mutually coordinated or joint parking, access and circulation systems, and~~

Zoning Ordinance Parking Amendments
June 8, 2016 Planning Board Public Hearing

~~shall include stub outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.~~

~~F.A. Development prior to abutting use. In the event that the site is developed prior to an abutting property, it shall be designed to ensure that its parking, access and circulation may be easily tied in to create a coordinated parking design at a later date.~~

~~G.A. Existing abutting uses. In the event that the site abuts an existing developed property, it shall be so designed as to tie into the abutting parking, access and circulation to create a coordinated system unless the Planning Board finds that this would be impractical.~~

[Delete #B - F and relocate to Site Plan Regulations Section 3.09 with amendments]

~~B. Paving Materials~~

- ~~1. All parking areas shall be surfaced with asphalt or other suitable durable material approved by the Planning Board and graded and drained to dispose of all surface water accumulation except as identified in section 3.10.13(B)(3).~~
- ~~2. Design and choice of paving materials used in pedestrian areas shall consider such factors as function, climate, characteristics of users, availability, cost maintenance, glare, drainage, noise, appearance, and compatibility with surroundings.~~
- ~~3. Alternative Surfacing For uses that function less than six (6) months each year, the Planning Board may permit a complete or partial substitution of an alternative surfacing for a paved surfacing on a parking lot, provided that the Board finds that the alternative surfacing will not be detrimental to adjacent property and streets by reason of the generation of dust, the disintegration of the surfacing, or the dispersal of stormwater runoff; that the surfacing is appropriate to the intensity of vehicular movements associated with the use; and that the surfacing will support an acceptable degree of access to the property by Fire Department apparatus.~~

~~C. Landscaping Landscaping of parking lots shall be designed in accordance with the Landscape Design Standards of the Londonderry Site Plan Regulations, as most recently amended.~~

~~D. Walls and Fences~~

- ~~1. Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable functions.~~
- ~~2. The design and materials used shall be functional and compatible with existing and proposed site architecture.~~
- ~~3. No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.~~

~~E. Lighting~~

- ~~1. All parking area lighting shall be subject to the Outdoor Lighting Standards of the Town of Londonderry Site Plan Regulations, as most recently amended and the following:~~
- ~~2. All artificial lighting used to illuminate a parking lot shall be so arranged that all direct rays from lighting fall entirely within such parking lot or accessory walkways~~
- ~~3. The maximum mounting height of a lighting fixture above the ground shall be twenty (20) feet in a residential district and twenty-five (25) feet in a nonresidential district.~~

~~F. Street Furniture~~

- ~~1. Street furniture, such as, but not limited to, trash receptacles, benches, and phone booths, shall be located and sized in accordance with function.~~
- ~~2. The different street furniture components shall be compatible in form, material and finish. Design and materials shall be coordinated with existing and proposed site architecture.~~

~~Selection of street furniture shall take into consideration function, durability, maintenance and long-term cost.~~

3.10.14.5 Parking for Disabled Persons

A. Handicapped Parking Spaces - Parking spaces designed to accommodate the needs of the handicapped shall be required per state and federal law, and in accordance with the Town of Londonderry Site Plan Regulations, as most recently amended, and Section 1106 of the Building Code.

3.10.15.6 Pedestrian and Bicycle Circulation

A. Pedestrian Safety - Insofar as practical, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize conflicts with vehicular traffic.

3.10.16.7 Bicycle Parking

Off-street bicycle parking may be required by the Planning Board whenever any new use is established or any existing use is enlarged for which more than ten (10) automobile parking spaces are required. If required by the Planning Board, the quantity of required bicycle stalls will be determined as shown in ~~TABLE 3 of this section.~~Section 3.09 of the Site Plan Regulations.

~~A. Tabular Bicycle Parking Requirements~~ *[Move Table and following related requirements to Site Plan Regulations, Section 3.09.]*

TABLE 3 BICYCLE PARKING	
Auto Spaces Required	Bicycle Stalls Required
10-50	10% of auto
51-100	5% of auto
100+	3% of auto

~~B. Requirements are additive. Once a threshold is met the previously existing requirement shall be maintained and additional stalls shall be provided at the new level until the next threshold is met.~~

~~C. A minimum of two (2) and a maximum of twenty (20) stalls shall be provided~~

~~D. In calculating stall requirements all decimals and fractions shall be rounded up to the nearest whole number.~~

~~E. All bicycle parking stalls shall be located within one hundred (100)ft. of the primary use or as close as the closest auto space.~~

~~F. A bicycle "stall" shall include a delineated and safe parking area, and an appropriate structure to which bicycles can be locked.~~

~~G. Appropriate structure means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein. Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down. Racks that support a bike primarily by a wheel, such as standard 'wire racks' are damaging to wheels and thus are not acceptable.~~

Zoning Ordinance Parking Amendments
June 8, 2016 Planning Board Public Hearing

- ~~H. Bicycle parking racks, shelters or lockers must be securely anchored to the ground or to a structure.~~
- ~~I. Outdoor bicycle parking areas shall be surfaced with hard surfacing material having a minimum depth of two inches, such as pavers, asphalt or concrete, unless otherwise permitted by the Planning Board.~~
- ~~J. Provision of additional amenities including but not limited to covered parking and shower facilities is encouraged for lots over one hundred (100) automobile spaces but not required.~~

~~3.10.17 Definitions~~

~~Definitions pertaining to vehicle access and parking may be found in Section 4.7 of this the Zoning Ordinance. *[When the regulations are converted to EnCode, there will be automatic links to the definitions, which will all be located in one section as part of the Zoning Ordinance overhaul.]*~~

First Reading: 06/20/16
Second Reading/Public Hearing: 07/11/16
Adopted: 07/11/16

ORDINANCE #2016-06
AN AMENDMENT TO THE MUNICIPAL CODE
TITLE IV, PUBLIC HEALTH, SAFETY AND
WELFARE, CHAPTER IV, JUNKYARD DEALERS

WHEREAS the Town's current license application for a junkyard requires the social security number of the junkyard applicant; and

WHEREAS it is in the best interest of both the Town and the junkyard applicant to protect the applicant's privacy by not requiring the above personal information;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Municipal Code, Title IV, Chapter IV, be amended to reflect the changes made to the Junkyard Dealers license application, to become effective upon passage of this ordinance.

John Farrell - Chairman
Town Council

Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
07/11/16

Town of Londonderry

Title IV - Public Health, Safety and Welfare Rev. 06/10/98; 12/05/11; xx/xx/16

CHAPTER IV - JUNK YARDS/DEALERS

SECTION I PURPOSE

- A. It is the policy of the Town of Londonderry and determined to be in the public interest to provide for effective control of the establishment, use and maintenance of junk yards adjacent to the interstate, federal aid primary, and turnpike systems in order to protect the public investment in such highways, to promote the safety and recreational value of public travel and to preserve the natural beauty.

SECTION II DEFINITIONS\GOVERNANCE

- A. Definitions and regulations as provided by New Hampshire statute (RSA 236:111 through 236:129 and New Hampshire statute (RSA 322:1) as may be amended from time to time are hereby adopted.

SECTION III PERMITS/LICENSING

- A. Pursuant to the Londonderry Zoning Ordinance, no new junk yards may be permitted within the confines of the Town.
- B. Established junk yards shall apply for annual licenses by May 30, which shall be valid to the following July 1.
 - 1. The applicant shall complete a Renewal Application for Motor Vehicle Junk Dealers' License and pay the fee set by the Town Council.
 - 2. The Building/Health Inspector shall receive the application, and physically view the junk yard for compliance with Statute.
 - 3. The Town Council will review the application, sign it and return it to the Town Clerk for processing.
 - 4. **The Senior Building Inspector, with approval from the Town Manager, may amend the license application when necessary.**

SECTION IV FINES

- A. Violations cited by the Building/Health Inspector shall be fined as provided under statute.

TOWN OF LONDONDERRY
Renewal Application For
Motor Vehicle Junk Dealers License

Date: _____ Date of Birth: _____ SS#: _____

Name of Applicant: _____

Address: _____ City/State/Zip _____

Location of Junk Yard: _____

Chapter 236:123- Fencing: "A junk yard shall be compounded with a solidly constructed fence at least six feet (6') in height which substantially screens the area and with a suitable gate which shall be closed and locked except when the applicant or his agent are within. All motor vehicles and parts stored or deposited by the applicant shall be kept within the closure of the junk yard except as removal is necessary for its transportation in the reasonable course of business."

Chapter 236:93 Requirements for Operation or Maintenance - "Application for the license and the certificate of approved location shall be made in writing to the Commissioner of Transportation or his agent. The application must contain a description of the land to be included within the junk yard or automotive recycling yard, by reference to so-called permanent boundary markers."

Chapter 261:98 Bond Required: "Each dealer shall be required to file annually bonds in the following amounts, dependent upon the length of time said dealer has done business under the same name in the community: (a) one year: \$20,000; (b) over one year, but less than two years, \$15,000; (c) over two years \$10,000."

Chapter 261:102 - Penalty: "Any dealer failing to post a bond in accordance with the provisions of this subdivision shall be guilty of a misdemeanor"

I hereby certify, under penalties prescribed per perjury, that the junk yard for which I seek application meets with the standards as set forth under the RSA Chapters as noted above.

Signature of Applicant

I hereby certify, under penalties prescribed per perjury, that the junk yard has been inspected and remains in compliance and the proper bonds filed with the Town pursuant to the above-referenced State statutes.

Building/Health Inspector - Town of Londonderry, NH

I hereby certify, under penalties prescribed per perjury, that the Town Council has approved renewal of the above-referenced junk yard license.

Chairman - Londonderry Town Council

Fee paid \$ _____ Date: _____ Town Clerk Signature _____

Prompt Case Management Support:

Through a confidential referral, CHS will be available to meet with any Londonderry resident who needs guidance and support around addiction options and services. Such services will include:

- Circumstance assessment
- Identification of priority need
- Resource Identification (treatment, recovery support, support groups, behavioral health options, emergency care when needed)
- Outreach to potential partners
- Application for public assistance support programs when needed (Medicaid, Medicare or Town assistance if appropriate)
- Follow up as needed for any additionally identified needs

CHS is prepared to conduct a thorough assessment in every case with an eye to uncovering unmet needs that might further assist the household in addressing their problems.

Ongoing Services as Needed:

Once an individual, family or group of individuals is connected to CHS they are drawn into the agency for any further follow up or service related to other needs as they arise. Often it is the consistent and reliable relationship that is built between client and case manager that fosters a sense of wellbeing and vision that success is possible.

There are no magical solutions for individuals and families coping with addiction. Perspective, courage and calm are critical and CHS works with each individual to help them to maintain balance and momentum throughout the relationship.

Cost to the Town:

*CHS is proposing a one (1) year agreement for a total cost of **\$8,500** to include all services described above.*

The Town of Londonderry has already invested in CHS to manage its Human Services Assistance program with excellent results. The Alexander Eastman Foundation and Granite United Way provide some funding of case management activity which includes services in Londonderry. Each of those resources will be used to support a portion of the costs of this project.

Moving Forward:

CHS suggests that there should be regular (quarterly) evaluation of utilization and progress in this work. It is possible that additional valuable opportunities may be uncovered and the agency respectfully asks for the chance to present those to Town Leadership when they arise for consideration.

As always, CHS is grateful to have the opportunity to provide services to residents of Londonderry and thanks town leadership for their commitment to improving the lives of those in need.



TOWN OF LONDONDERRY
Building, Health & Zoning Enforcement

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

MEMORANDUM

To: Kevin Smith, Town Manager
From: Richard G. Canuel, Senior Building Inspector
Date: June 13, 2016
Subject: Amendment of Junkyard License Renewal Application

In response to a recent concern regarding the inclusion of sensitive personal information on the Town's junkyard license application, I am requesting that the Council take action to amend the application.

The application presently requires the applicant to include their Date of Birth and Social Security Number. That information has no relevance to the approval of a renewal license. Although an applicant may refuse to provide that personal information, it has not been an issue of concern in the past.

As you know, once an application is submitted, it becomes a part of the public record, which is available to anyone upon request.

The reason this request is being brought to the Council is because the License Renewal Application is a part of the Junkyard Dealers Ordinance in the Municipal Code, ***Title IV - Public Health, Safety and Welfare – Chapter IV***. To amend the ordinance will require an official order from the Council.

The Council may elect to amend the license application to exclude the DOB and SS#. However, I recommend that the Council consider omitting the license application from the ordinance all together. This would help facilitate future changes to the application as needed (to reflect statutory amendments, for example) without requiring Council action.

For reference, other chapters of the Municipal Code, where permit or license applications are required, do not include application forms as part of the ordinance; Chapter XI – Itinerant Vendors, Chapter XII Secondhand Dealers.

Attached is a draft application form for the Council's consideration.



TOWN OF LONDONDERRY

268 Mammoth Road
Londonderry, New Hampshire 03053
432-1100 ext. 120 Fax: 432-1128

RENEWAL APPLICATION FOR MOTOR VEHICLE JUNKYARD DEALER'S LICENSE

Name of Applicant: _____ Date: _____

Address: _____

Location of Junkyard: _____

An application for renewal of a junkyard license must be made to the Town Council of the Town of Londonderry annually, on or before July 1st pursuant to RSA 236:121.

Accompanying this application form please attach the following:

- a. All state permits and supporting documentation, e.g., motor vehicle dealer's permit, inspection station's permit, etc.
- b. Any environmental studies, reports developed by or on behalf of or in the possession of the applicant or notices from the New Hampshire Department of Environmental Services.
- c. Best Management Practice Compliance Certification Statement form.

In order for a renewal license to be issued, the junkyard:

- a. May not become a public nuisance, RSA 236:119;
- b. May not violate the terms of RSA 236:111-129;
- c. May not have an adverse impact on the surrounding environment, RSA 236:111; and
- d. Must be completely surrounded with a solidly constructed fence at least six feet (6') in height which substantially screens the area and includes a suitable gate which shall be closed and locked, except when the applicant or his agent is at the site. All motor vehicles and parts must be stored within the fenced area.

Any person who is in violation of any provisions of this subdivision shall be guilty of a violation and each day or fraction thereof shall constitute a separate offense, in accordance with the provisions of RSA 236:127.

I hereby certify, under penalties prescribed for perjury, that this application is complete and that the junkyard for which I seek application meets the standards set forth under the applicable statutes.

(Signature of Applicant)

I hereby certify, under penalties prescribed for perjury, to the best of my knowledge the junkyard has been inspected and remains in compliance with town and state regulations, as required by statute.

Code Enforcement Officer
Town of Londonderry

Fees Paid: \$ _____ Date: _____
Town Clerk

First Reading: 02/22/16
Second Reading/Public Hearing: 07/11/16
Adopted: 07/11/16

ORDINANCE #2016-01
AN AMENDMENT TO THE ZONING ORDINANCE
RELATING TO REZONING A PORTION OF
MAP 17, LOT 45
280 ROCKINGHAM ROAD

WHEREAS the Planning Board has received a request to rezone a portion of the above-referenced parcel from Industrial I (IND-I) to Multi-Family Residential III (R-III); and

WHEREAS the Planning Board finds that rezoning that portion of the lot as identified on the plan prepared by HSI for Evans Family Limited Partnership, dated December 28, 2015, from Industrial I to Residential III would expand the existing Residential III zoned area of the subject parcel from approximately 20.8 to 47.3 acres and increase the development potential for the lot fronting on Sanborn Road; and

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

WHEREAS the requested rezoning will make the zoning of this lot consistent with current zoning on the subject parcel and adjacent lots to the south and west;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the rezoning of a portion of Map 17 Lot 45 from Industrial I (IND-I) to Multi-Family Residential III (R-III), to become effective upon passage of this ordinance.

John Farrell - Chairman
Town Council

Sharon Farrell
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
07/11/16

Introduction

Map 17 lot 45, owned by Charles Evans, is presently a split zoned parcel of 200 total acres, with the largest area being zoned Industrial I (180 acres), with frontage on Rockingham Road and Page Road, and a smaller area zoned R-III (20 acres), with frontage on Sanborn Road. The Planning Department received an application to rezone a portion of this lot from I-I to R-III, as depicted in Figure 1 "Rezoning Plan". The area to be rezoned, herein "study area," includes roughly 47.3 acres. The stated rationale is that the natural land characteristics tend to direct access and the provision of utilities to this proposed rezoning area through the existing R-III section along Sanborn Road. For that reason, the rezoning area has more in common with the R-III section, and would most likely be developed in that fashion.

The Planning Board reviewed this project in public hearing and rendered a recommendation to the Town Council to adopt the zoning change. At the Town Council public hearing on March 7, 2016, the Council tabled the discussion pending a review of possible development scenarios and their impact on town services. This memo presents a cursory fiscal impact review based on assumed land potential and findings from submitted fiscal impact analyses from similar projects. The analyses reviewed included:

- Fiscal Impact Analysis: Wallace Farms. Prepared by Fougere Planning and Development, March 3, 2014;
- Fiscal Impact Analysis: The Residences at MacGregor Cut. Prepared by Fougere Planning and Development, Inc., November 16, 2015;
- Fiscal Impact Analysis: The Grand Estate at Londonderry. Prepared by Fougere Planning and Development, Inc., September 10, 2014;
- Fiscal Impact Analysis: School House Square. Prepared by Fougere Planning and Development, Inc., September 3, 2014;
- Fiscal Impact Analysis: Manufacturing Facility, Londonderry, NH. Prepared by Fougere Planning and Development, Inc., September 23, 2015; and
- Fiscal Impact Analysis: MiltonCat, Londonderry NH. Prepared by Fougere Planning and Development, Inc. July 24, 2016.

These reports detailed fiscal impact projections for multi-family (workforce), multi-family (elderly) and industrial sites, consistent with the types of uses permitted in either I-I or R-III zoning districts. The impact multipliers used for these studies are widely consistent across each project and are applied herein. For all analyses, the assumption is made that sewer will be extended, and made available to the site.

Land Potential

A review of the land potential of the study area provided by the Applicant's engineer identifies that of the total 47.3 acres, the net buildable area permitted by zoning (excluding wetlands and steep slopes) is 35.3 acres. It is key to note that development in this area is largely predicated upon buildout and the creation of access from the existing R-III zoned area immediately to the south, with access along Sanborn Road.

Current (I-I) Zoning

Presently, zoned Industrial II, the permitted uses may include such uses as assembly, excavation, manufacturing, repair services, offices, services, storage, truck terminals and warehousing.

In the I-I district, there is no maximum building size. A review of similar sized, built out parcels in Londonderry suggests that the property could support up to 150,000 square feet of new industrial space in one or more buildings. No residential structures are permitted in this district.

Zoning	Use	Maximum Build
I-I	Warehouse	150,000 ft ²

Rezoning (R-III) Scenario

A rezoning to R-III would permit new residential uses that include single family units, multi-family (market rate) units, multi-family (workforce) units, elderly units or nursing homes. For this analysis, the property lends itself best to development in the form of either multi-family (market rate), multi-family (workforce) or elderly housing. The permitted density for multi-family market rate is 176 units. A literal interpretation of the zoning ordinance for multi-family workforce housing permits up to 470 units; however, this high end is limited by maximum building sizes, cul de sac lengths and areas for parking. A practical maximum of 240 units was estimated based on similar projects. Similarly, a literal interpretation of the elderly housing ordinance permits up to 280 units; however, this high end faces the same limitations, and thus a more practical maximum of 240 units has been utilized.

Zoning	Use	Maximum Build
R-III	Multi-Family (Market Rate)	176 units
R-III	Multi-Family (Workforce)	240 units
R-III	Elderly	240 units

Impact Assessment – Town Revenue

For this limited analysis, Town revenue is estimated solely on property tax payments. For the industrial site, the assessment is based on similar sized facilities in Londonderry, and for the residential properties, estimates are based on a per-unit

Given assessments presented in the reference studies, the revenue potential from development ranges from approximately \$240,000 in the industrial scenario to approximately \$510,000 annually in the elderly housing scenario.

Zoning	Use	Est. Assessed Value	Est. Total Taxes Collected	Est. Total School Taxes Collected	Est. Total Town Taxes Collected
I-I	Warehouse	\$12,000,000	\$242,280	\$180,000	\$62,280

*Map 17 lot 45 Rezoning Impact Analysis
Londonderry Planning and Economic Development Department, 7/11/2016*

R-III	Multi-Family (Market Rate)	\$18,656,000	\$376,665	\$279,840	\$96,825
R-III	Multi-Family (Workforce)	\$22,260,000	\$449,429	\$333,900	\$115,529
R-III	Elderly	\$25,440,000	\$513,634	\$381,600	\$132,034

Impact Assessment – Town Services

The Town services examined for this limited assessment include police, fire and ambulance. Multipliers to estimate service volume were derived from the reference studies. These services represent the highest and most visible, but certainly not the only, fiscal impacts the Town will observe.

As to a service cost for the industrial use, the reference studies noted minimal impacts to operations and no fiscal impact given low anticipated call volumes.

For the residential projects, the reference materials identified the need for additional personnel to meet a growing demand for service calls. For this analysis, the fiscal impact was determined based on a projected per capita cost value of emergency calls, as presented in the Grand Estate Fiscal Impact Analysis. Estimated reported call volume is based on the reference studies, in this case, for fire: \$1,950/call, for police: \$321/call and for ambulance, \$1,663/call (excluding anticipated ambulance revenue). The studies note that call estimates from elderly developments are derived from limited sampling, and that the Fire Chief has previously expressed concerns about the estimates being low.

Zoning	Use		Est. Fire Impacts	Est. Police Impacts	Est. Ambulance Impacts	Est. Total Impact
I-I	Warehouse	Calls Dollars	2 No Impact	2 No Impact	2 Minimal	No Impact
R-III	Multi-Family (Market Rate)	Calls Dollars	65 \$126,750	63 \$20,223	9 \$14,967	\$161,940
R-III	Multi-Family (Workforce)	Calls Dollars	89 \$173,550	86 \$27,606	12 \$19,956	\$221,112
R-III	Elderly	Calls Dollars	89 \$173,550	86 \$27,606	12 \$19,956	\$221,112

Regarding police services, the Department reports that although they are able to absorb the projected demands, existing patrol staffing levels are low and that the additional call volume will require prioritizing officers' time to meet the growing demands. Regarding fire services, the Department notes that this rezoning lies in the North Fire district of Town that has seen additional rapid growth. The Chief states that the Department is already at a critical threshold where multiple calls come in at once, and there is difficulty responding to calls with existing apparatus and staffing, resulting in a high dependence on mutual aid. The projected level of development resulting from the rezoning – coupled with other

projects in the district - will contribute to a need to increase the current staffing level of 10 firefighters per shift to 12 to 14 firefighters per shift.

Impact Assessment – School Services

School Services examined for this limited assessment include a count of potential new students in the school system. Multipliers to estimate new students were selected from the Town’s School Impact Fee Update study, current October 2012, which represents the best, most local source for this data point. It is important to note that kindergarten students currently fall in the “PM” district and elementary students currently fall in the “North School” district, suggesting a disproportionate impact to those facilities.

School-age students are only expected to come from either multi-family or workforce housing developments in this review. Since both developments offer similar housing unit styles, the same multipliers are used: 0.213 students/household for elementary and middle school, and 0.088 students/household for high school.

Per findings from previous studies, the additional students will likely create a need for an additional teacher and possibly a teaching assistant at the elementary school level. The costs are based on an average teacher at \$72,000.

Zoning	Use		Est. Elem and Middle School Impacts	Est. High School Impacts	Est. Total Students
I-I	Warehouse	Students Dollars	0 0		
R-III	Multi-Family (Market Rate)	Students Dollars	37 \$72,000	15	52 \$108,000
R-III	Multi-Family (Workforce)	Students Dollars	51 \$108,000	21	72 \$108,000
R-III	Elderly	Students Dollars	0 0		

Regarding school services, it is key to note that the recent development pressures in Londonderry have fallen disproportionately in the North School District, where this project is also located. The increase in students, in addition to a related increase in students from buildout of the R-III zone providing a gateway to this study area will likely contribute to a projected need to either redistrict or add additional facility space at the North School.

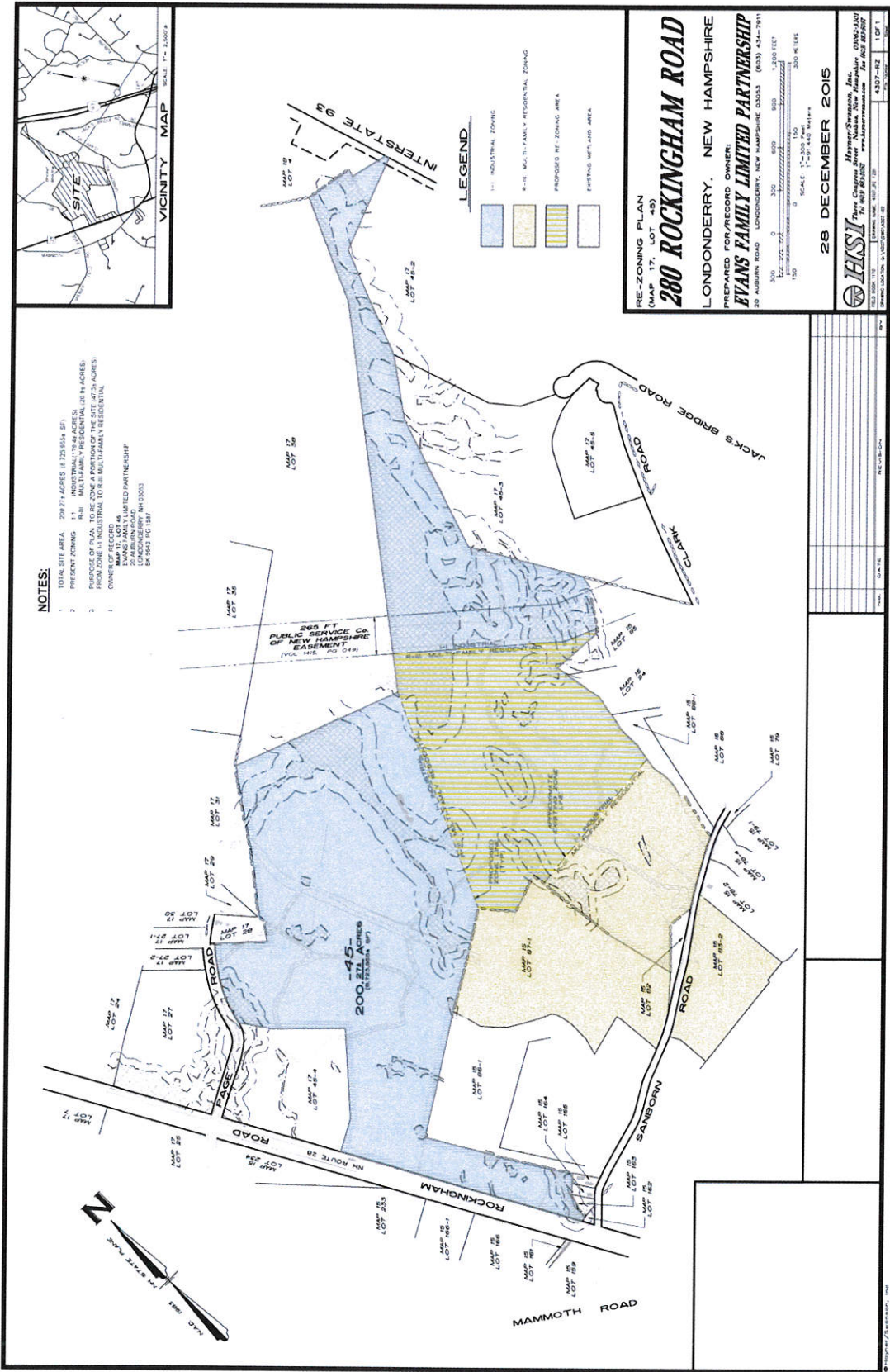
Conclusions

The fiscal impact of each scenario is expressed in the table below, as a function of total revenue minus anticipated costs. It is especially important to note that this analysis represents a limited set of town services, and does not consider impacts to other items such as recreational facilities, streets/infrastructure, library and senior center, to name a few. Certainly these services are not immune to pressures from growing population, and would be impacted by increasing demands for service. On the revenue side, it also does not include other potential revenue from the development, such as car registrations or building fees. Of note also is that the R-III scenarios may also be considered the most elastic given unknowns such as the exact housing counts and type/value of units that may actually be constructed. These factors, as they may or may not vary from averages, play a role in understanding the true and ultimately realized cost. As such, the best use of this report is to determine a scale of magnitude of impact.

In sum, of the scenarios considered, each is identified as “tax positive”, that is, generating anticipated revenues in excess of anticipated costs. The project considered the most tax positive is the existing zoning classification of I-I, with minimal cost to town services. The second most tax positive scenario is elderly housing.

Zoning	Use		Est. Police/Fire/Ambulance Cost	Est. School Cost	Total Cost	Est. Revenue	Fiscal Impact (Revenue minus Cost)
I-I	Warehouse		-	-	-	\$242,280	\$242,280
R-III	Multi-Family (Market Rate)	Dollars	\$161,940	\$72,000	\$233,940	\$376,665	\$142,725
R-III	Multi-Family (Workforce)	Dollars	\$221,112	\$108,000	\$329,112	\$449,429	\$120,317
R-III	Elderly	Dollars	\$221,112		\$221,112	\$513,634	\$229,522

Map 17 lot 45 Rezoning Impact Analysis
 Londonderry Planning and Economic Development Department, 7/11/2016



Baroff & Craven, Professional Association

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Direct Dial: 603.518.5370

ppanciocco@bclawnh.com

June 13, 2016

Chairman John Farrell
Londonderry Town Council
C/O Kevin Smith, Town Manager
268B Mammoth Road
Londonderry, New Hampshire 03053

Re: S&S Metals Recycling, Inc.
Title IV, Chapter XII, Secondhand Dealers & Pawnbroker's License

Dear Chairman Farrell and Members of the Council:

This letter is submitted on behalf of my client, S&S Metals Recycling, Inc. (S&S). My client holds a recently reissued license to buy and sell scrap metal and other junk ("License"). This license, like any other "*license*" issued by a governmental body, allows it to engage in an activity otherwise prohibited by law, provided it meets the qualifications of the regulations. State v. Settle, 127 N.H. 756 (1986). S&S has been buying and selling scrap metal under its License from 196 Rockingham Road for approximately 20 years.

S&S recently received a letter from the Town with an application for a Secondhand Dealer/Pawnbroker License, advising he must apply for a second license to buy and sell scrap metal. Although it understands the purpose of the Secondhand Dealer/Pawnbroker Ordinance ("Ordinance") requiring S&S to acquire a second license to engage in activities already permitted under its existing junkyard License and comply with other requirements in that Ordinance is an unreasonable burden with no corresponding public benefit. Therefore, S&S is requesting the Ordinance be amended to exclude scrap metal and vehicle parts to bring it in line with the Ordinances from surrounding municipalities.

A. Pawnbrokers, Secondhand Dealers and Junkyards are Very Different.

The Ordinance imposes one size fits all requirements on pawnbrokers, secondhand dealers and scrap metal dealers which are all very different business models. A pawnbroker takes pledges of personal property from individuals for cash, on which the pledgor pays interest when the property is redeemed. Pawnbrokers must strictly abide by the requirements in RSA 398-A and its very specific hold periods which are also agreed to by private contract. A

secondhand dealer buys and sells a broader range of items to the public. Most are purchased but some are taken on consignment and they do not deal in scrap metal or vehicle parts. Neither generally engages in business to business transactions as does S&S.

B. Study Committees formed by the Legislature have found scrap metal is not the problem.

Two Study Committees formed by the New Hampshire Legislature have considered how to update the applicable statutes regulating these very different business groups. The first was formed under HB 343 adopted in 2013. A second committee formed under SB 105 in 2015 has not completed its assigned tasks.

Bruce Crawford, a member of both Committees, represents the Automobile Recyclers Association. Mr. Crawford has prepared the letter enclosed as Exhibit A in which he shares specific conclusions reached by those Committees. His letter explains that, the Legislature concluded on both occasions that the real problem with metal theft was “precious metals” and antique jewelry - not scrap metal purchased for recycling purposes. Mr. Crawford will be attending the Town Council meeting on June 20 to answer questions the Council members may have and to explain further why scrap metal values have recently plummeted, significantly diminishing the frequency of scrap metal theft.

C. Only Manchester and Nashua to Limited Degree Regulate Scrap Metal Sales.

Secondhand dealer/pawnbroker ordinances adopted by surrounding municipalities, with the exception of Manchester and Nashua, do not regulate scrap metal purchases and sales. Exhibit B to this letter includes copies of ordinances from those surrounding municipalities and a colored diagram showing their location in relation to Londonderry. With the exception of Manchester, individuals who sell stolen scrap metal need only travel down the road to the next town to liquidate those items for cash.

The diagram included in Exhibit B shows the patchwork coverage of this activity and further emphasizes the need for Legislative action to establish a uniform approach toward this problem if it needs to be addressed. A broader approach including all towns and cities would insure reporting requirements are evenly imposed and be more effective overall.

D. Title IV, Chapter XII, Secondhand Dealers & Pawnbroker’s Ordinance

The Ordinance raises several questions:

- (a) Who does it apply to?
- (b) What items does it apply to?
- (c) Does it provide a public benefit?

The Ordinance states it is intended to “fairly and impartially” regulate - yet it appears S&S is the only junkyard being ordered to apply for a secondhand dealer/pawnbroker license in

Londonderry and in southern New Hampshire. The Ordinance applies to businesses based upon the items they handle. Regulated items listed include, “scrap metal” and “vehicle parts”. These items should be removed from the Ordinance. Ordinances from surrounding towns, copies of which are included in Exhibit B, with the exception of Manchester and Nashua to a limited degree, do not include scrap metal or used vehicle parts in the list of items regulated.

Murray’s Auto Recycling buys old junk vehicles from consumers and sells salvageable parts to third parties to repair other roadworthy vehicles. When I asked Mr. Dudek if Murray’s was required to apply for a secondhand dealer/pawnbroker license, he explained that representatives of the Londonderry Police Department (“LPD”) met with him some time ago. They advised Murray’s need not apply for a secondhand license because he does not buy and sell scrap metal, despite Murray’s engaging in the sale of used “vehicle parts”.

While it may appear I am turning one client in to the Town in favor of another, Mr. Dudek gave me express permission to share this with the Council as it further illustrates one of many problems with the language in the Ordinance. If the Town is going to enforce the Ordinance, it must be evenly applied and the LPD is not granted authority in the Ordinance to waive compliance.

E. The Majority of the Scrap Metal Purchases Made By S&S Are From Other Businesses.

Within its definition of the term “Property”, the Ordinance states it regulates the “retail buying, selling” of scrap metal. Mr. Solimini has provided the following facts about the business practices of S&S:

Commercial Scrap Metal Purchases:

- More than 75-80% of the scrap metal purchases made by S&S are business to business transactions and with companies S&S regularly does business with;
- S&S supplies certain of its large commercial customers (such as Wal-Mart) with roll-off containers in which they deposit used scrap metal; and
- Approximately 10-15% of its commercial purchases involve out of state contractors working on large jobs within Hampshire.

This information is important because 100% of this business is not monitored in any other municipality, except in Manchester. The City of Nashua exempts business to business transactions. Subjecting S&S to the burdensome documentation found in Section VI of the Ordinance singles out one junkyard, imposes a costly competitive disadvantage upon S&S, will cause it to lose customers due to loss of precious time and deliver no corresponding public benefit.

Individual Scrap Metal Purchases.

- S&S reports spending an average of \$200-\$300 on individual scrap metal purchases each week;
- Individual purchases range from \$2.00 to \$100;
- Approximately 50% are less than \$100; and
- Only 1-2% of these transactions are with people Vito Solimini does not know. In those cases, Mr. Solimini has the individual provide a driver's license to confirm their identity. Other individuals are regular customers.

As required by RSA 322:6-a, S&S keeps a copy of the Seller's driver's license, phone number and a short description of the item purchased in its records. All purchases are also made by company check. S&S maintains those records for inspection at any time. However, Mr. Solimini reports he has only been contacted by the LPD once about scrap metal theft approximately three years ago¹. During the 20 years S&S has operated, Mr. Solimini has received many calls from Nashua and a few from Manchester.

In addition to the requirements of RSA 322:6-a, the Ordinance requires S&S to take the seller's photo, address, a copy of their driver's license, a copy of their vehicle's registration and one or more photographs of the items purchased. Scrap metal is often bulky and difficult to photograph in addition to not being easily distinguishable from other scrap metal. Once gathered, this information, whether a small purchase from a regular customer or a larger purchase from a business, S&S must upload that documentation to a designated website. Collectively, S&S estimates this effort will take approximately 20-25 minutes, which presumes the seller is prepared with that information in hand. However, the likelihood of that is small because the general public remains largely unaware of scrap metal theft and surrounding towns do not require this information to be reported.

In addition to the above, S&S can often have 2 or 3 people waiting in line to be helped. Those waiting may be a regular or a business customer, who if these requirements must be met, could have to wait up to 40 minutes to be helped. This is a serious concern for S&S because most of its customers are regulars and time lost doing this paperwork, will likely cause them to conduct their business in other towns where they can complete the same task much quicker. By imposing this requirement upon only S&S, not imposed on others who purchase scrap metals within Londonderry [yes there are others] and within southern New Hampshire, except in Manchester, is a heavy burden. There is also the cost of payroll, payroll taxes and insurance S&S will be paying to the person handling the transaction as well as the fees charged by the web host, which it collectively estimates will cost approximately \$25-\$30 per transaction.

¹ This inquiry was about a young man traveling on foot who tried to sell \$3.50 in copper to S&S.

RSA 263:12(X) states it is a misdemeanor to transmit a copy of someone's driver's license or other personal information listed in RSA 260:14 electronically without their consent. Copies of both statutes are enclosed as Exhibit C. It is very unlikely sellers will consent to the sharing of this personal information.

F. The Ordinance As Applied to S&S Provides No Public Benefit.

It remains unclear how the unreasonable burden imposed upon S&S, causing it to risk being charged with a misdemeanor provides any public benefit when scrap metal theft has become almost nonexistent. In fact, when a letter requesting copies of complaints filed with the LPD relative to scrap metal for 2015, the LPD could only find two (2), one of which was filed by S&S. Exhibit D.

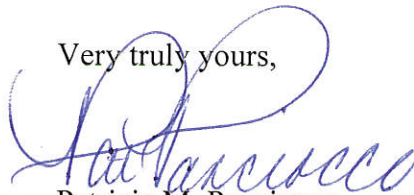
G. The Penalties Described in Section VIII Are Unenforceable.

RSA 676:17 applies only to land use violations. Further reference can be had in the penalty provisions of the Ordinances from other Towns within Exhibit B. The Ordinance is a "by-law" of the governing body and the penalty to be imposed appears in RSA 322:13, the statute cited by the Ordinance as the source of its authority.

Although we recognize the Ordinance was not ill intended, this letter requests the Town Council review the enclosed information and consider: (a) if there is any present public benefit associated with including scrap metal or vehicle parts in the Ordinance definition of "Property"; (b) does the burden of compliance by S&S outweigh that public benefit the Ordinance provides; and (c) does a one size fits all approach work for a junkyard that buys and sells scrap metal for recycling purposes when grouped with pawnbrokers and secondhand shops.

I thank you for the time taken to review this letter and its attached materials and look forward to your comments on June 20.

Very truly yours,



Patricia M. Panciocco

Enclosures

Cc: Client; Bruce Crawford; and
Michael Ramsdell, Esq.

ORDER #2016-23

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 07/11/2016

Adopted: 07/11/2016

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 \$7,500.00 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 \$7,500.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Sharon Farrell
Town Clerk

A TRUE COPY ATTEST:
07/11/2016

**Expendable Maintenance Trust TC Order Request
for Town Council Meeting "7/11/16"**

Description	Vendor	Amount
<p><u>Carpet Replacement - Police Department</u> The LPD building has several areas throughout the building that the carpet needs to be replaced. This EMTF request is to replace (removal, disposal of existing carpet, and installation of new flooring) the carpet in the Community Room, Detectives Offices, 2nd floor halls, 2nd floor office areas, and the 2nd floor conference room. The total project cost is \$15,263.36. EMT will be invoiced for \$7,500.00, the remaining amount will be invoiced to the LPD FY 16 encumbered funds. The carpet was installed in 2004 and has expired the warranty period.</p>	<p>Flooring Associates - Quote 10218</p>	<p>\$ 7,500.00 \$ 7,500.00</p>
<p align="right">Total Town Council EMTF Order</p>		<p>\$ 7,500.00</p>

ORDER 2016-24

An Order Relative to

WITHDRAWAL OF CABLE EQUIPMENT CAPITAL RESERVE FUNDS

First Reading: 07/11/16

Second Reading: Waived

Adopted: 07/11/16

WHEREAS

the Town of Londonderry annually receives the sum of \$28,000 for the purposes of supporting PEG access capital funding through its franchise agreement with Comcast; and

WHEREAS

the funding received from Comcast is deposited annually into the Cable Equipment Capital Reserve, established by Warrant Article 5 at the 2013 Town Meeting, which appointed the Town Council as agents to expend; and,

WHEREAS

the Town of Londonderry and the Londonderry School District have entered into an agreement relative to making a portion of the PEG access capital funding available for the school district's use in providing educational programming; and,

WHEREAS

the School District has requested the sum of Seven Thousand Five Hundred Dollars (\$7,500) as their annual installment for the fiscal year ended June 30, 2017; and,

WHEREAS

sufficient funds are available in the Cable Equipment Capital Reserve,

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed to disburse \$7,500.00 from the Cable Equipment Capital Reserve Fund for the purpose previously stated.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

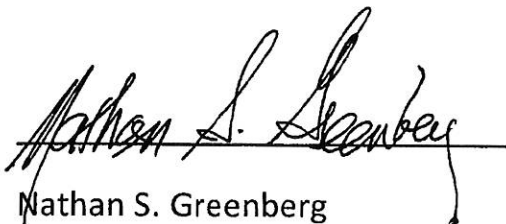
A TRUE COPY ATTEST:
07/11/16

**AGREEMENT FOR THE DISTRIBUTION OF PEG ACCESS PROGRAMMING FUNDS TO THE
LONDONDERRY SCHOOL DISTRICT**

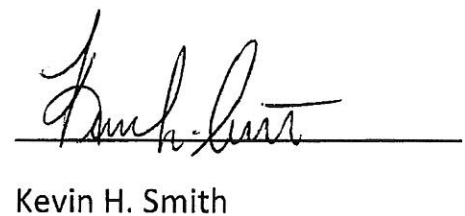
This agreement, dated June 1, 2016, provides for the annual distribution of Public, Educational and Government (PEG) Access programming funds by the Town of Londonderry (Town) to the Londonderry School District (School District).

The Town, in accordance with Section 7.4 of its franchise agreement with Comcast, receives annual payments of \$28,000 to provide funding for PEG Access capital funding. The Town agrees to distribute \$7,500 of this funding to the School District, annually during July of each fiscal year beginning July 1, 2016, contingent upon continued funding of PEG Access capital funding by Comcast at its current level. The Town will also distribute \$5,000 to the School District subsequent to the execution of this agreement and before June 30, 2016 as the initial installment hereunder. Should the Town's franchise agreement with Comcast not provide for such PEG Access capital funding after the current agreement expires on June 30, 2019, or if the amount of such funding is changed in future franchise agreements, the Town and School District agree to open discussions pertaining to this agreement for the purpose of agreeing on the level of future distributions by the Town to the School District, if any. The Town's distribution of PEG Access capital funding to the School District represents the Town's total obligation for providing support to the School District. The Town shall not be obligated to provide additional funding to the School District from the Town's annual operating budget.

As the Town currently places the annual PEG Access capital funding payments received from Comcast in the Town's Cable Division Equipment Capital Reserve fund, the School District acknowledges that all disbursements from this capital reserve require approval by the Londonderry Town Council. The Town shall be responsible for submitting the necessary Town Council request for withdrawal of the annual funding to be provided to the School District in July of each fiscal year.


Nathan S. Greenberg

Superintendent of Schools


Kevin H. Smith

Town Manager

ORDER #2016-25

An Order Relative to

EXPENDITURE OF RECLAMATION TRUST FUNDS FOR PURCHASE OF NEW RECYCLING CARTS

Reading: 07/11/2016

Adopted: 07/11/2016

WHEREAS in 2003 voters established a Reclamation Trust Fund to fund the disposal of motor vehicle waste, and recycling and reclamation of other wastes; and

WHEREAS recycling carts are required for automated curbside recycling collection; and

NOW THEREFORE BE IT ORDERED by the Town Council that the Town Treasurer is hereby ordered to expend \$177,020.50 from the Reclamation Trust Fund for recycling carts.

John Farrell, Chairman
Town Council

Sharon Farrell
Town Clerk

***A TRUE COPY ATTEST:
07/11/2016***

Londonderry June 2016 Recycle Cart Delivery and Distribution

Vendor	Invoice #	Invoice Date	Invoice Amount	Item	Quantity	Unit Price	Extended Cost	Total Invoice Cost	Sub - Total Cost	Grand Total Cost
Per Order #2016-22										
Schaefer Systems	PCINNV022239	6/10/2016	\$20,389.25	95 BL1	427	\$47.75	\$20,389.25	\$20,389.25		
Schaefer Systems	PCINNV022291	6/13/2016	\$104,791.00	95 BL1	427	\$47.75	\$20,389.25	\$104,791.00		
				95 BL1	427	\$47.75	\$20,389.25			
				95 BL1	427	\$47.75	\$20,389.25			
				95 BL1	427	\$47.75	\$20,389.25			
				35 BL1	150	\$39.02	\$5,853.00			
Schaefer Systems	PCINNV022355	6/14/2016	\$40,778.50	95 BL1	364	\$47.75	\$17,381.00	\$104,791.00		
				95 BL1	427	\$47.75	\$20,389.25			
Schaefer Systems	PCINNV022405	6/15/2016	\$41,713.25	95 BL1	427	\$47.75	\$20,389.25	\$40,778.50		
				95 BL1	427	\$47.75	\$20,389.25			
				95 BL1	324	\$47.75	\$15,471.00			
				35 BL1	150	\$39.02	\$5,853.00	\$41,713.25		
Schaefer Systems	PCINNV022461	6/16/2016	\$39,250.50	95 BL1	426	\$47.75	\$20,341.50	\$39,250.50		
				95 BL1	396	\$47.75	\$18,909.00			
Schaefer Systems	PCINNV022539	6/17/2016	\$20,389.25	95 BL1	427	\$47.75	\$20,389.25	\$20,389.25		
Per Order #2016-25										
Schaefer Systems	PCINNV022579	6/20/2016	\$61,167.75	95 BL1	427	\$47.75	\$20,389.25	\$61,167.75		
				95 BL1	427	\$47.75	\$20,389.25			
Schaefer Systems	PCINNV022627	6/21/2016		95 BL1	427	\$47.75	\$20,389.25	\$61,167.75		
				95 BL1	427	\$47.75	\$20,389.25			
				95 BL1	427	\$47.75	\$20,389.25			
Schaefer Systems	PCINNV022687	6/22/2016	\$51,808.75	95 BL1	427	\$47.75	\$20,389.25	\$61,167.75		
				95 BL1	427	\$47.75	\$20,389.25			
				95 BL1	231	\$47.75	\$11,030.25	\$51,808.75		
				9300	9300			\$174,144.25		\$441,456.00
WasteRec	2134	7/1/2016	\$2,876.25		177	\$16.25	\$2,876.25	\$2,876.25	\$177,020.50	\$444,332.25

ORDER 2016-26

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

First Reading: 07/11/16
Second Reading: Waived
Adopted: 07/11/16

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) AutoPulse CPR device from Zoll Medical Corporation and five (5) new thermal imaging cameras from Fire Tech & Safety Inc.; and,

WHEREAS the Committee further recommends that \$56,000.00 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 \$56,000.00.

John Farrell - Chairman
Town Council

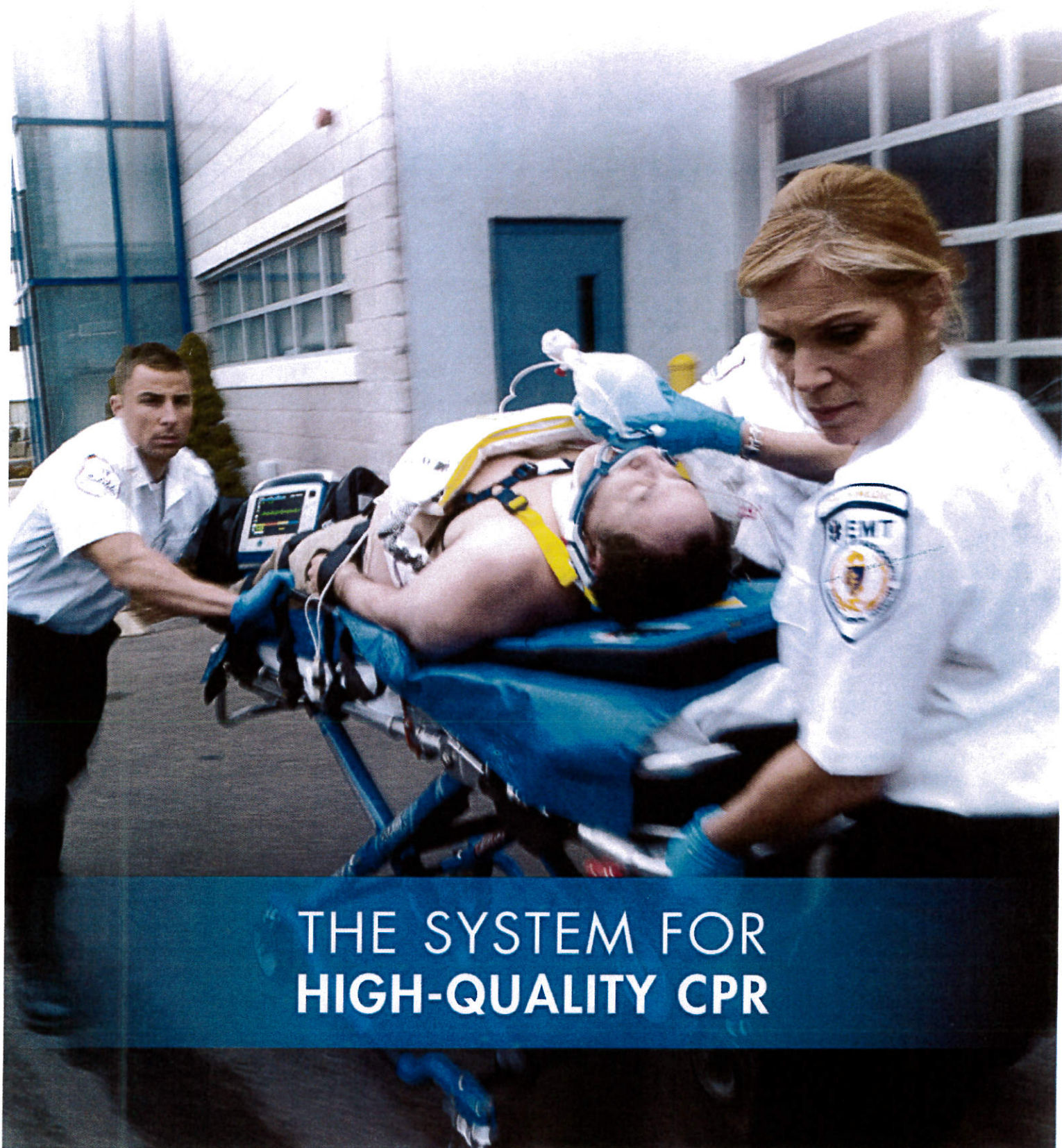
Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
07/11/16

AutoPulse®

ZOLL



**THE SYSTEM FOR
HIGH-QUALITY CPR**

RESUSCITATION ON THE MOVE

Designed for patient movement and transport

The revolutionary ZOLL® AutoPulse® Resuscitation System is an automated CPR device that delivers customized, high-quality CPR whenever—and wherever—it's needed.

High-quality CPR without interruption

With the AutoPulse, rescuers don't need to worry about pausing or potentially compromising CPR through lifts and turns, whether going down steep stairs, around tight corners, or into a cramped elevator. Thanks to its unique stabilizing board, the AutoPulse ensures patients receive nonstop compressions throughout their pre-hospital transport, even at the multiple angles required for rescuers to move the patient.

Increased mobility and maneuverability

To increase mobility, the AutoPulse board can be used with a lightweight soft stretcher. This option offers the flexibility needed to keep high-quality CPR going while maneuvering through challenging spaces. The rescuer also has the option of securing the AutoPulse to a backboard if that's a better choice for the patient.

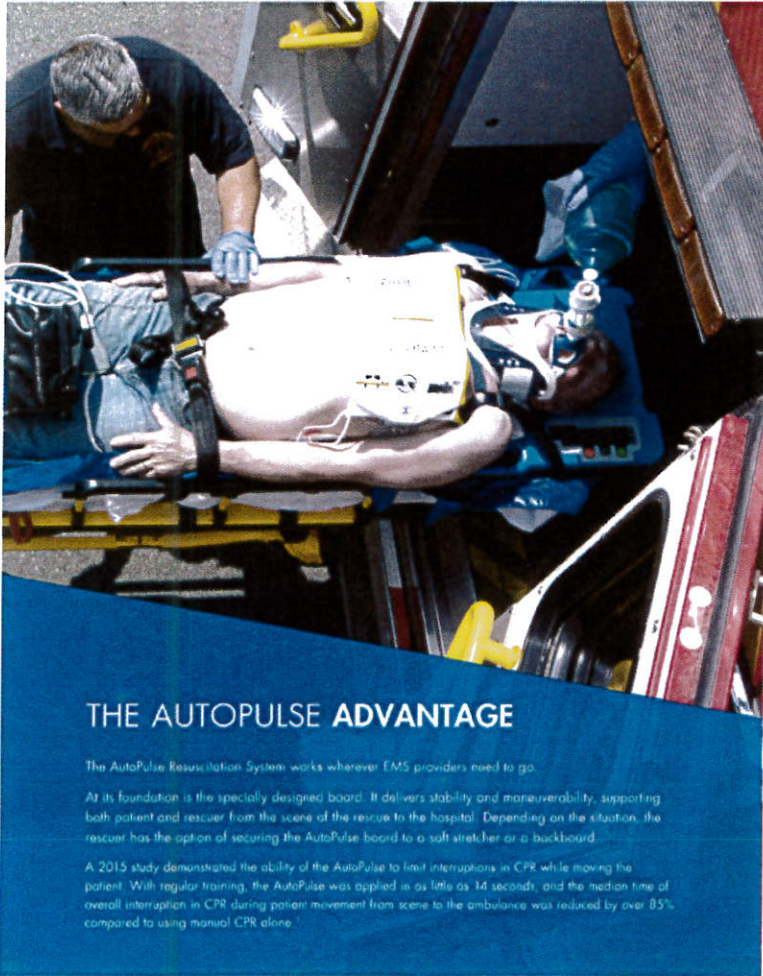


With the AutoPulse, patients receive high-quality compressions even during transport down steep stairs and through tight spaces.



"Since we had the AutoPulse, we could carry the patient down three flights of stairs while continuing chest compressions. He survived, but without the AutoPulse, it could have been different."

- Paramedic Alex Klimenko
Richmond Ambulance Authority (RAA)



THE AUTOPULSE ADVANTAGE

The AutoPulse Resuscitation System works wherever EMS providers need to go.

At its foundation is the specially designed board. It delivers stability and maneuverability, supporting both patient and rescuer from the scene of the rescue to the hospital. Depending on the situation, the rescuer has the option of securing the AutoPulse board to a soft stretcher or a backboard.

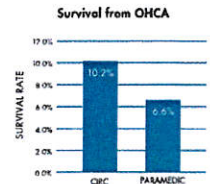
A 2015 study demonstrated the ability of the AutoPulse to limit interruptions in CPR while moving the patient. With regular training, the AutoPulse was applied in as little as 14 seconds, and the median time of overall interruption in CPR during patient movement from scene to the ambulance was reduced by over 85% compared to using manual CPR alone.¹

IT'S ALL ABOUT OUTCOMES

Numerous studies comparing the AutoPulse to manual CPR clearly demonstrate its many benefits for patients. And by every important measure of resuscitation success, the AutoPulse outperforms piston-driven mechanical CPR devices.

Highest reported survival for all rhythms

Among the large prospective clinical trials that have been published using an automated CPR device, the AutoPulse has achieved the highest survival rate. In the CIRC (Circulation Improving Resuscitation Core) trial, the overall survival-to-discharge rate was 10.2%—among the highest ever achieved in an out-of-hospital cardiac arrest (OHCA) trial.² The PARAMEDIC trial, which used a piston-driven mechanical CPR device, had a 30-day survival rate of just 6.6%.³



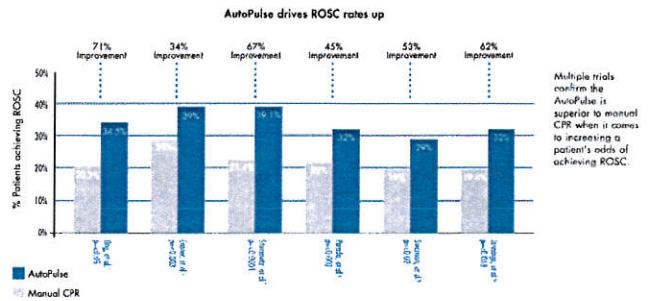
At 10.2%, survival in the CIRC trial was among the highest ever achieved in an OHCA trial.² Survival in the PARAMEDIC trial was just 6.6%.³

Enhanced circulation

Multiple comparative studies have demonstrated improved vital signs because the AutoPulse drives superior blood flow, resulting in coronary perfusion pressure levels 33% higher than those of sternal compressions, positively impacting ROSC and survival.

Unmatched impact on ROSC

While piston-driven sternal CPR devices have shown no benefit in improving ROSC rates when compared to manual CPR,⁴ the AutoPulse has increased ROSC rates in numerous studies.⁵⁻¹⁰



INTELLIGENT CPR

Customized compressions

The AutoPulse delivers compressions to the needs of each patient. Engineered to account for patient-to-patient variability, it automatically calculates the size, shape, and resistance of each patient's chest to achieve 20% anterior-posterior displacement.

Integrated care delivery

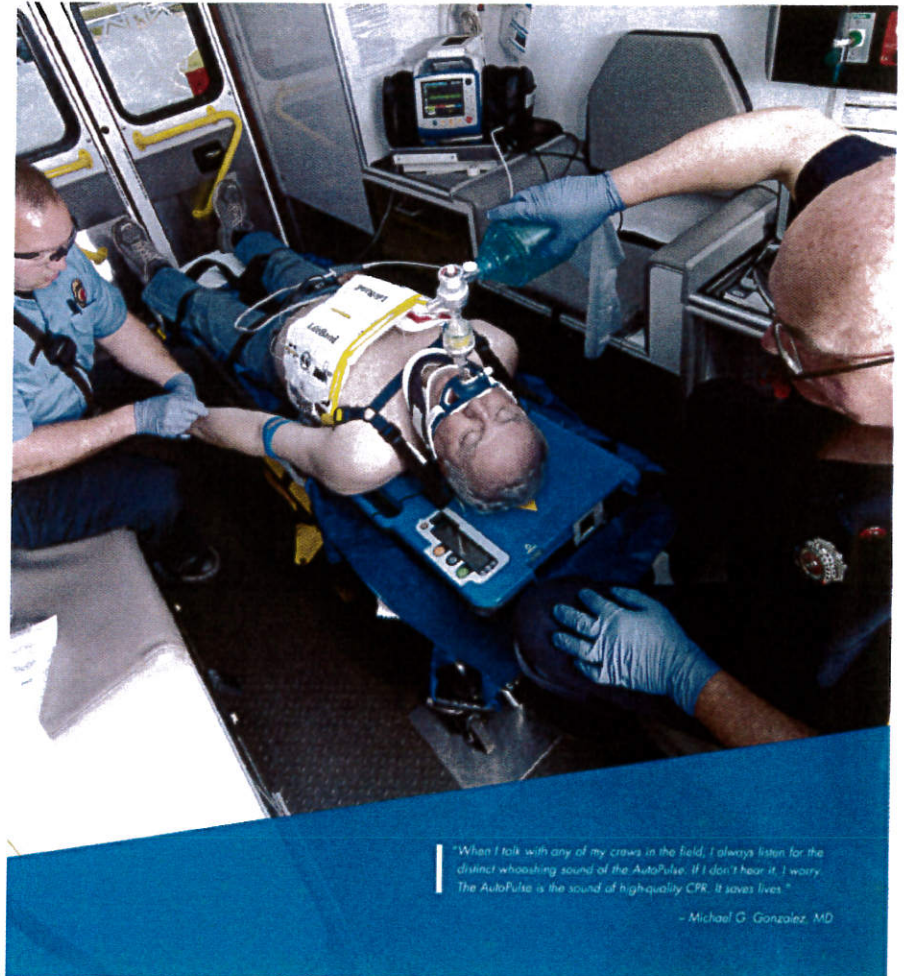
It's clear that the AutoPulse delivers high-quality CPR. And when Zoll's ResQPOD® ITD (impedance threshold device) is used in combination with high-quality CPR, survival has been shown to increase by 25% or more, due to the reduction in intracranial pressure and increased blood flow to the brain.¹¹

Event data access

Through the AutoPulse board, event data is captured and can be downloaded to RescuNet® Code Review for debriefing of resuscitation events to improve future performance.

Designed to overcome the real-life challenges of delivering good CPR, the AutoPulse is made for resuscitation on the move.

The AutoPulse uses a load-distributing LifeBand® that squeezes the entire chest, so patients receive consistent, high-quality compressions that drive good blood flow.



"When I talk with any of my crews in the field, I always listen for the distinct whooshing sound of the AutoPulse. If I don't hear it, I worry. The AutoPulse is the sound of high-quality CPR. It saves lives."

- Michael G. Gonzalez, MD

"What surprised us a lot about the use of the AutoPulse was the endurance of the batteries. Even in cold conditions, the device can continue to operate for 45 to 60 minutes."*

– Axel Mann
Chief Medical Director, Air Zermatt



*The typical initial battery run time for a nominal patient is 30 minutes.

¹Lyon RM, et al. *Resuscitation*. 2015;93:102-106.

²Wik L, et al. *Resuscitation*. 2014;85:741-748.

³Perkins GD, et al. *The Lancet*. 2015;385(9972):947-955.

⁴Westfall M, et al. *Crit Care Med*. 2013 Jul;41(7):1782-1789

⁵Ong ME, et al. *JAMA*. 2006; 295:2629-2637.

⁶Casner M, et al. *Prehosp Emerg Care*. 2005;9:61-67.

⁷Steinmetz J, et al. *Acta Anaesthesiol Scand*. 2008;52:908-913.

⁸Paradis NA, et al. *Circulation*. 2009;120:S1457.

⁹Swanson M, et al. *Circulation*. 2006;114:II_554.

¹⁰Jennings PA, et al. *Resuscitation*. 2010;93:S20.

¹¹Idris AH, et al. *Circulation*. 2012;126:LBBS-22813-AHA.

ZOLL MEDICAL CORPORATION

An Asahi Kasei Group Company | 269 Mill Road | Chelmsford, MA 01824 | 978-421-9655 | 800-804-4356 | www.zoll.com

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Printed in U.S.A.
MCN EP 1503 0091

For subsidiary addresses and fax numbers, as well as other global locations, please go to www.zoll.com/contacts.

ZOLL®

CIRC TRIAL

The Largest Prospective Randomized Trial of Mechanical Chest Compression in OHCA



The Circulation Improving Resuscitation Care (CIRC) trial is the largest prospective randomized trial to date for mechanical chest compressions in out-of-hospital cardiac arrest (OHCA). The goal was to demonstrate that the AutoPulse® Non-invasive Cardiac Support Pump is a safe and effective component of a system of care focusing on high-quality chest compressions.

Between March of 2009 and January of 2011, 4,231 patients were randomized at five sites in the United States, Austria, and the Netherlands. Approximately half of the patients received very high quality CPR alone, while the other half were treated with the AutoPulse. The primary endpoint was survival to hospital discharge.

Focus on CPR quality

The investigators focused heavily on training, measuring, and monitoring the quality of CPR in both arms of the study. This focus was to reduce any bias from poorly performed manual CPR that would favor the AutoPulse and address questions left open from earlier trials, care was taken to ensure that the manual CPR in the control arm was performed with uniform competence.

Number of personnel trained	>5000 EMTs/Paramedics, >100 trainers
Total man-hours invested in training	>20,000 man hours in initial training
% of cases monitored for CPR quality	98%
Mean CPR fraction achieved post training	>80%

The CPR fraction achieved was among the highest ever reported in a large multi-center trial. The mean CPR fraction for AutoPulse CPR during the first 20 minutes was over 80%. Similarly, the survival rates were also among the highest ever achieved in a trial of OHCA.

The AutoPulse delivers highest quality CPR

Compared to high quality manual CPR, AutoPulse CPR resulted in statistically equivalent survival to hospital discharge and no difference in neurologic status at discharge in adults with out-of-hospital cardiac arrest of presumed cardiac etiology.

There are times when delivering high quality manual CPR isn't practical or even possible; the results of the CIRC trial confirm the important role the AutoPulse system can play in improving resuscitation outcomes.

**For more information, please contact us
at 800-804-4356 or www.zoll.com**

ZOLL®



TO: Londonderry Fire

268B Mammoth Road
Londonderry, NH 03053

Attn: Chief Fred Heinrich

email: fheinrich@londonderrynh.org
Tel: 603-432-1124

ZOLL Medical Corporation

Worldwide HeadQuarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 219893 V:1

DATE: June 23, 2016

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	8700-0700-01-66	Demo AutoPulse® System - Generates consistent and uninterrupted chest compressions, offering improved blood flow during cardiac arrest. Includes Backboard, User Guide, Quick Reference Guide, Shoulder Restraints, Backboard Cable Ties, Head Immobilizer, Grip Strips, In-service Training DVD, and one year warranty. Serial Number 23126R	1	\$8,796.00	\$7,000.00	\$7,000.00 *
<p>*Acceptance of an order for Demo Equipment is contingent upon product availability at time of order. Orders are filled on a first come, first serve basis.</p> <p>*Reflects Discount Pricing.</p>						
TOTAL						\$7,000.00

This quote is made subject to ZOLL's standard commercial terms and conditions (ZOLL T's + C's) which accompany this quote. Any purchase order (P.O.) issued in response to this quotation will be deemed to incorporate ZOLL T's + C's. Any modification of the ZOLL T's + C's must be set forth or referenced in the customer's P.O. No commercial terms or conditions shall apply to the sale of goods or services governed by this quote and the customer's P.O unless set forth in or referenced by either document.

Ian Foucher
Sr. EMS Territory Manager
800-242-9150, x9632

1. DELIVERY WILL BE MADE BASED UPON AVAILABILITY AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID FOR 60 DAYS.
3. APPLICABLE TAX WILL BE ADDED AT THE TIME OF INVOICING.
4. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTABLE BY ZOLL.
5. FAX PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT 978-421-0015 OR EMAIL TO ESALES@ZOLL.COM.
6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

SEE THE CLARITY.



THERMAL IMAGERS

eclipse[®] LDX

The Best Image Quality. Ever.

Enhanced with the newest state-of-the-art infrared engine technology, the Eclipse[®] LDX offers the fire service the highest image quality and performance on the market.

OUTSTANDING Performance

The Eclipse LDX uses infrared engine technology running at an ultra-fast 60 Hertz image update rate and incorporates Image Contrast Enhancement (ICE™) technology for the ultimate image performance in fire conditions. Housed in a compact, sleek design, the Eclipse LDX is available in 240 X 180 and 320 x 240 resolutions to accommodate your budget.

BRIGHTEST LCD Display

The new display on the Eclipse LDX greatly increases brightness and improves contrast, enabling firefighters to see more clearly in thick smoke and direct sunlight.

ADVANCED Features

Available as optional features on the Eclipse LDX are Bullard's patented Electronic Thermal Throttle[®] that enables firefighters to pinpoint hot spots with the touch of a button and Super Red Hot colorization, highlighting high-heat scenes in brilliant shades of yellow, orange, and red. Customizable temperature measurement in both numeric and relative heat indicator formats and an integrated DVR are also optional features.

NEW Look & Feel

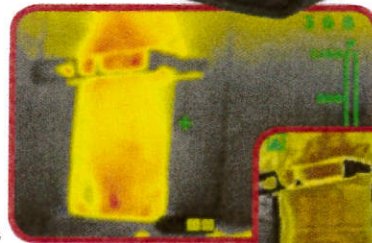
The Eclipse LDX is distinguishable from other thermal imagers with a cool, blue metallic swirl color. Other colors are also available. Additionally, the imager has an improved power button design that enables easier powering on and off with a gloved hand.

FIVE YEAR Warranty

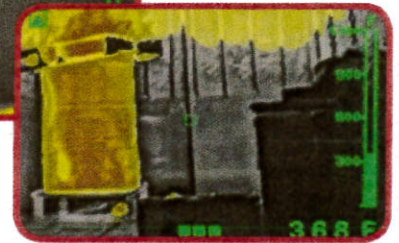
All X Factor Thermal Imagers come standard with a five-year, industry leading, full service warranty on parts and labor. Upgrade to the CareFree[®] warranty to get five years of coverage on batteries.



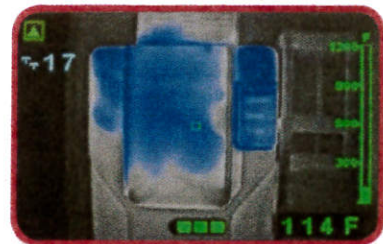
X Factor Technology featuring Super Red Hot (optional)



Past



Present



Electronic Thermal Throttle[®] (optional)

ICE™ Image Processing

Equipped with ICE, the Eclipse LDX provides superior infrared imagery utilizing state-of-the-art image processing techniques. ICE technology sharpens the distinction between objects and backgrounds and optimizes the image for greater clarity. With ICE, firefighters can detect beyond the fire.

Bullard
TOUGH

www.bullard.com

 **Bullard**[®]

eclipse® LDX

Technical Specifications



Physical

- Configuration Small Handheld Thermal Imager
- Weight (w/ battery) 1.9 lbs. (DVR does not significantly increase weight)
- Weight (w/o battery) 1.65 lbs.
- Dimensions Height: 4.3", Length: 7.8", Width: 5.2"
- Housing Material Ultem® Thermoplastic
- Housing Colors Metallic Blue, Blue, Yellow, Lime-Yellow, Red, Orange, White, Black

Electrical

- Power Source NiMH Rechargeable Battery
- Battery Capacity 1650 mAh
- Battery Cycles > 800 @ 70% Capacity
- Start-up Time < 4 Seconds
- Operating Time 2 Hours*
- Recharge Time 2 Hours

Infrared Detector

- Detector Type Microbolometer
- Detector Sensing Material Vanadium Oxide
- Detector Resolution 240 x 180 or 320 x 240
- Spectral Response 7-14 Microns
- Update Rate 60 Hz
- NETD < 50 mK
- Dynamic Range 1200° F
- Pixel Pitch 17 μm
- Video Polarity White-Hot

Lens

- Material Germanium
- Field of View 30° V x 40° H
- Focus Fixed 2 meters (6.5') to infinity
- Speed f/1.4

Display

- Type Digital, Liquid Crystal Display (LCD)
- Size 3.5" Diagonal TFT Active Matrix
- Pixel Format RGB
- Brightness 500 cd/m² (minimum)
- Contrast Ratio 350:1 (typical)
- Viewing Angle (Typical) Top = 60°, Bottom = 40°, Left / Right = 60°

Features and Accessories (optionally installed in unit)

- Temperature Measurement Numeric and/or Bar Style
- Super Red Hot Color above 500°F
- Electronic Thermal Throttle Manually activated Blue Hot Spot Colorization
- SceneCatcher Digital Video Recorder
 - Video Format NTSC
 - Video File Type AVI
 - Video Image Size 720 x 480
 - Video Record Time 5 hours
 - Connection USB

Performance

- 500° F Heat Resistance 5 minutes with no damage to electronics
- 300° F Heat Resistance 15 minutes of continued operation with no damage
- -20° F Cold Resistance Continued operation
- Water Resistance IP67
- Impact Resistance 6 foot drops on concrete with no damage

* Without DVR operating

Accessories



Eclipse
Retract Strap



Eclipse Battery
Charger Base



Eclipse
PowerUp

Eclipse Powerhouse
Charger



Americas:
Bullard
 1898 Safety Way
 Cynthia, KY 41031-9303 • USA
 Toll-free within USA: 877-BULLARD (285-5273)
 Tel: +1-859-234-6616
 Fax: +1-859-234-8987

Europe:
Bullard GmbH
 Lilienthalstrasse 12
 53424 Remagen • Germany
 Tel: +49-2642 999980
 Fax: +49-2642 9999829

Asia-Pacific:
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 LHK Building
 701, Sims Drive, #04-03
 Singapore 387383
 Tel: +65-6745-0556
 Fax: +65-6745-5176

www.bullard.com

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 Image Contrast Enhancement (ICE™) is a trademark of
 DRS Technologies.
 Ultem is a registered trademark of General Electric.
 8543 (1214)



**FIRE TECH & SAFETY
OF NEW ENGLAND INC.**

90 Progress Ave
Tyngsborough, Ma 01879

603-8091001

bsukerman@firetechusa.com



QUOTATION

2B-3465

PLEASE INDICATE THE ABOVE NUMBER WHEN ORDERING

TO Londonderry Fire Department
280 Mammoth Road
Londonderry, NH 03053

QUOTATION DATE 10/28/2015	SALESPERSON B.Sukerman
INQUIRY DATE 10/28/2015	

ESTIMATED SHIPPING DATE	SHIPPED VIA	F.O.B.	TERMS	
	BEST WAY		Net 30 Days	
QUANTITY	DESCRIPTION		UNIT PRICE	AMOUNT
5	LDX 320 Ultra High Resolution, Spot Temperature Measurement, Super Red Hot Colorization, Electronic Thermal Throttle, Customized Start-Up Graphics, Powerhouse Vehicle Charger, (2) NIMH Batteries Retractable Lanyard 5 YEAR WARRANTY BUMPER TO BUMPER ON THERMAL IMAGER 24 HOUR LOANER PROGRAM TRAINING INCLUDED		\$11,000.00	\$55,000.00
5	BULLARD TRADE IN PROMO#172-GY		-\$1,500.00	(\$6,000.00)
TOTAL:				\$49,000.00

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS VALID FOR 30 DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

QUOTED BY: B.Sukerman ACCEPTED _____ DATE: _____

PLEASE SIGN AND RETURN A COPY WHEN ORDERING.

THANK YOU!

ORDER 2016-27

An order relative to
Withdrawal from the Fire Truck Capital Reserve

First Reading: 07/11/16
Second Reading: Waived
Adopted: 07/11/16

WHEREAS the Town of Londonderry, by passage of warrant article #11 at its 1995 Town Meeting, established the Fire Truck Capital Reserve and authorized the Londonderry Town Council as agents to expend; and

WHEREAS the Town Council issued Resolution #2015-03 authorizing a master lease agreement with First Niagara Leasing, Inc. for fiscal years 2015-2019 in an aggregate principle amount of \$3,400,000; and

WHEREAS the Londonderry Fire Department has complied with the Town's purchasing policy consummating in the lease-purchase of a Pierce Aerial Fire Truck; and

WHEREAS sufficient funds are available in the Fire Truck Capital Reserve;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed to disburse \$102,276.13, from the Fire Truck Capital Reserve, for the first annual payment due as detailed on the attached lease amortization schedule.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
07/11/2016

Rate Period: Annual

Nominal Annual Rate: 1.900%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	6/3/2016	938,995.00	1		
2 Payment	7/15/2016	102,276.13	10	Annual	7/15/2025

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Termination Value
Loan	6/3/2016				938,995.00
1	7/15/2016	102,276.13	2,081.44	100,194.69	838,800.31
2016 Totals		102,276.13	2,081.44	100,194.69	
2	7/15/2017	102,276.13	15,937.21	86,338.92	752,461.39
2017 Totals		102,276.13	15,937.21	86,338.92	
3	7/15/2018	102,276.13	14,296.77	87,979.36	664,482.03
2018 Totals		102,276.13	14,296.77	87,979.36	
4	7/15/2019	102,276.13	12,625.16	89,650.97	574,831.06
2019 Totals		102,276.13	12,625.16	89,650.97	
5	7/15/2020	102,276.13	10,921.79	91,354.34	483,476.72
2020 Totals		102,276.13	10,921.79	91,354.34	
6	7/15/2021	102,276.13	9,186.06	93,090.07	390,386.65
2021 Totals		102,276.13	9,186.06	93,090.07	
7	7/15/2022	102,276.13	7,417.35	94,858.78	295,527.87
2022 Totals		102,276.13	7,417.35	94,858.78	
8	7/15/2023	102,276.13	5,615.03	96,661.10	198,866.77
2023 Totals		102,276.13	5,615.03	96,661.10	
9	7/15/2024	102,276.13	3,778.47	98,497.66	100,369.11
2024 Totals		102,276.13	3,778.47	98,497.66	
10	7/15/2025	102,276.13	1,907.02	100,369.11	0.00
2025 Totals		102,276.13	1,907.02	100,369.11	
Grand Totals		1,022,761.30	83,766.30	938,995.00	

RESOLUTION #2016-16

A Resolution Relative to the ADOPTION OF REVISED BUILDING PERMIT FEE SCHEDULE

First Reading: 07/11/2016
Second Reading: Waived
Adopted: 07/11/2016

WHEREAS in 2010 the responsibility for permitting and inspection mechanical system installations was transferred to the Building Department; and

WHEREAS at that time a new Mechanical Permit was implemented, including the establishment of an appropriate fee schedule; and

WHEREAS the increase in development over the past few years, especially on the commercial side, has resulted in a greater demand for inspection services involving mechanical installations; and

WHEREAS unlike the Building Permit fee, which is based on construction valuation the accompanying subordinate permits such as electrical, plumbing, mechanical, etc., are set at a fixed rate;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council, in accordance with the Londonderry Building Regulations, Zoning Ordinance, Section 5.1, Building Code Amendments H, Section 109.2, and Schedule of Permit Fees: Amend section to read as follows: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the attached schedule as determined by the Londonderry Town Council.

John Farrell - Chairman
Town Council

Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
07/11/2016



TOWN OF LONDONDERRY
Building, Health & Zoning Enforcement

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

MEMORANDUM

To: Kevin Smith, Town Manager
From: Richard G. Canuel, Senior Building Inspector
Date: July 7, 2016
Subject: Mechanical Permit Fee Schedule

In 2010 the responsibility for permitting and inspecting mechanical system installations was transferred to the Building Department. At that time a new Mechanical Permit was implemented, including the establishment of an appropriate fee schedule.

The increase in development over the past few years, especially on the commercial side, has resulted in a greater demand for inspection services involving mechanical installations.

Unlike the Building Permit fee, which is based on construction valuation, the accompanying subordinate permits (electrical, plumbing, mechanical, etc.) are set at a fixed rate. Fees for these permits are not adjusted as demand for the inspection services increases.

As you know, the establishment of such fees provides a revenue mechanism intended to defray the costs of operating the department, which in turn helps reduce the overall burden on the general taxpaying public.

Attached is an amended Mechanical Permit showing the proposed fees along with the current permit for reference.

Also included are comparable permit applications from neighboring communities, Manchester, Derry, Hudson, and Windham. The proposed fee schedule for our Mechanical Permit will bring us more in line with what is typically charged by the surrounding communities.

In accordance Londonderry Building Regulations, Zoning Ordinance, Section 5.1 BUILDING CODE AMENDMENTS H. **Section 109.2 Schedule of Permit Fees:** Amend Section to read as follows: On buildings, structures, electrical, gas, mechanical, and plumbing systems or alteration requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as "determined by the Londonderry Town Council."

TOWN OF LONDONDERRY, NH, BUILDING DEPT.
Please call the Building Dept. at 603-432-1100 ext. 115 for inspections

MECHANICAL PERMIT

DATE: _____
 WORK LOCATION: _____
 OWNER: _____

CHECK ALL THAT APPLY	RESIDENTIAL	COMMERCIAL
<input type="checkbox"/> LP Tank* (Setting tank including outside piping). - (<u>circle one</u>)→ Capacity _____ Gallons, Work is for _____	Underground <u>or</u> Above Ground; \$35.00	Above Ground; \$75.00
<input type="checkbox"/> Misc. Appliance* (including gas piping)...How Many? _____ <input type="radio"/> Water Heater <input type="radio"/> Range/Stove <input type="radio"/> Dryer <input type="radio"/> Other (<u>circle one</u>)→ Natural Gas <u>or</u> LP (propane)	\$35.00+**	\$75.00+**
<input type="checkbox"/> Boiler* How Many? _____ (<u>circle one</u>)→ Piping included NG or LP ...	\$35.00+**	\$75.00+**
<input type="checkbox"/> Furnace* How Many? _____ (<u>circle one</u>)→ Piping included NG or LP	\$35.00+**	\$75.00+**
<input type="checkbox"/> Fuel Piping Only* (<u>circle one</u>)→Natural Gas <u>or</u> LP (propane). <u>WORK IS FOR</u> _____	\$35.00	\$75.00
<input type="checkbox"/> Ductwork	\$35.00	\$75.00
<input type="checkbox"/> Pre-Fab Fireplace/Insert* How Many? _____ Piping included NG or LP (<u>Circle one</u>) (including Gas Piping) <u>OR</u> (venting only)		\$35.00+**
<input type="checkbox"/> Air Conditioner/Air Handler/Roof Top Units	\$35.00+**	\$75.00+**
<input type="checkbox"/> Commercial Kitchen Exhaust (Hood & Ductwork)		\$75.00
<input type="checkbox"/> Commercial/Industrial Exhaust System (i.e. automotive paint booth).....		\$75.00
+**PLUS \$10.00 for each unit over one (1) _____ X \$10.00	\$ _____	\$ _____
<u>TOTAL FEE:</u>	\$ _____	\$ _____

Contractor's License Number: _____ Name on License _____
 (Please print)
 Contractor's Company _____
 Address: _____
 No. Street City State Zip Code
 Phone No. _____

** All fuel gas installations shall be performed by individuals licensed by the NH State Fire Marshal per Saf-C 8000. All work shall be done in accordance with the most recently adopted provisions of the Fuel Gas Code NFPA 54 & the LP Gas Code NFPA 58*

 Signature of Contractor or Authorized Representative Making Application

 Signature of Permit Clerk

Permit No. _____



**TOWN OF DERRY
PLUMBING FEES**

Application Fee (Non-Refundable)..... \$35.00

Fixtures & Equipment

Tub & Shower Combination.....	7.00
Sink.....	4.00
Water Closet.....	7.00
Lavatory.....	4.00
Laundry Tray.....	4.00
Floor Drain.....	4.00
Drinking Fountain.....	6.00
Shower Stall.....	6.00
Urinal.....	6.00
Dish Washing Machine.....	6.00
Humidifier.....	4.00
Garbage Grinder.....	4.00
Clothes Washing Machine.....	7.00
Water Storage Tank 0-100 gals.....	7.00
Water Storage Tank 101-150 gals.....	9.00
Water Storage Tank 151-200 gals.....	10.00
Water Storage Tank 201-250 gals.....	12.00
Water Storage Tank 301-400 gals.....	15.00
Water Storage Tank over 400 gals.....	18.00
Grease Trap.....	10.00
Backflow Preventer.....	10.00

Soil Storm & Vent Pipe

Diameter less than 6 in per 100 ft or part thereof.....	9.00
Diameter 6 in to less than 10 in per 100 ft or part thereof.....	18.00
Diameter 10 in to less than 12 in per 100 ft or part thereof.....	24.00
Diameter 12 in or greater per 100 ft or part thereof.....	32.00

Water Pipe

1/4 inch to 3/4 inch diameter - per 100 ft or part thereof.....	9.00
1 inch to 2 inch diameter - per 100 ft or part thereof.....	18.00
Larger than 2 inches in diameter - per 100 ft or part thereof.....	24.00

Pump & Ejectors

Fractional H.P.....	4.00
1 H.P. to 3 H.P.....	7.00
Over 3 H.P. to 5 H.P.....	9.00
Over 5 H.P. to 10 H.P.....	12.00
Over 10 H.P.	15.00

REINSPECT FEE..... \$35.00 RESIDENTIAL / \$45.00 COMMERCIAL

**TOWN OF WINDHAM, NEW HAMPSHIRE
COMMUNITY DEVELOPMENT DEPARTMENT
DIVISION OF BUILDING SAFETY**

PERMIT APPLICATION TO PERFORM PLUMBING AND/OR GAS PIPING INSTALLATION

DATE: _____ FEE: _____ CHECK #: _____ PERMIT # _____

OWNER _____ LOCATION _____

MAP / BLOCK / LOT _____ CLERK _____

		SQ FOOT	TOTAL
NEW CONSTRUCTION UP TO 3,000 SQ FT:	\$100.00	_____	_____
EACH ADDITIONAL 1,000 SQ FT:	\$20.00	_____	_____
ADDITIONS / REMODEL UP TO 800 SQ FT:	\$40.00	_____	_____
EACH ADDITIONAL 100 SQ FT:	\$10.00	_____	_____
INTERIOR ONLY GAS PIPING (Lic Required):	\$30.00		_____
MISC _____	\$30.00		_____
		TOTAL	_____

IF THE APPLICANT IS NOT THE HOMEOWNER, A COPY OF THE APPLICANTS LICENSE IS REQUIRED TO BE ATTACHED.

THIS APPLICATION FOR THE ABOVE LISTED PROPERTY IS MADE WITH THE FULL KNOWLEDGE OF THE CURRENT RULES AND REGULATIONS OF THE STATE OF NH & THE TOWN OF WINDHAM GOVERNING THE INSTALLATION OF PLUMBING AND/OR GAS PIPE FITTING. I AGREE, UPON APPLYING FOR THIS PERMIT, TO BE IN CONFORMANCE WITH THESE PROVISIONS.

APPLICANT PRINTED NAME _____ PHONE _____

ADDRESS _____ LICENSE # _____

EXPIRATION DATE: _____ SIGNATURE _____

**TOWN OF WINDHAM, NEW HAMPSHIRE
COMMUNITY DEVELOPMENT DEPARTMENT
DIVISION OF BUILDING SAFETY**

PERMIT TO PERFORM PLUMBING AND/OR GAS PIPING INSTALLATION

DATE: _____ FEE: _____ CHECK #: _____ PERMIT # _____

OWNER _____ LOCATION _____

MAP / BLOCK / LOT _____ CLERK _____

TO SCHEDULE AN INSPECTION, CALL AT LEAST 24 HOURS IN ADVANCE 603-432-3806.
YOU MUST HAVE PERMIT #, MAP-BLOCK-LOT AND ADDRESS IN ORDER TO SCHEDULE THE INSPECTION.



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT
BUILDING REGULATIONS DIVISION
 One City Hall Plaza, Manchester, NH 03101
 (603) 624-6475 Fax: (603) 624-6324
 E-Mail: pcd@manchesternh.gov
www.manchesternh.gov

This form should be filled out and mailed or emailed to the address shown to the left. If you have any questions, please call our office between the hours of 7:30 AM and 5:00 PM.
 Effective: 09/02/14

APPLICATION FOR HEATING PERMIT

Building Permit No: _____ Application No: _____
 Date: _____
 Location (Street Address): _____
 Owner/Tenant Name: _____

Type of Building: Commercial Industrial Residential # Units: _____
 Type of Improvement: New Repair Replacement

Description of Work: _____

Applicant Name: _____
 Mailing Address: _____
 Email Address: _____
 Telephone No: _____ License No: _____ Exp. Date: _____

Signature of Applicant: _____
 Please Print Name: _____

Item	# Requested	Cost	Unit	Total Cost
APPLICATION FEE: (Non-Refundable)				\$ 25.00
Commercial 0-100,000 BTUs (HVAC) (New/Replacement)		75.00	each	
Commercial Ea. Addl. 1,000 BTU's > 100,000 (HVAC)		0.20	per	
Gas Piping > 50 LF		0.05	each addl. LF	
Gas Piping 0 – 50 LF (service)		20.00	each	
Gas Piping Outlets		4.00	each	
Gas/Oil Burner Replacement (Unit Heater/Fireplace) (single family home only)		30.00	each	
Residential 1 Unit (New only)		40.00	each	
Residential 2 Units (New/replacement)		50.00	each	
Residential 3-6 Units (New/replacement)		75.00	each	
Residential 7-12 Units (New/replacement)		125.00	each	
Residential ea. Unit > 12 (New/replacement)		15.00	each	
Storage Tanks 0 – 275 (New/replacement)		15.00	each	
Storage Tanks 276 – 3,000 (New/Replacement)		40.00	each	
Storage Tanks 3,001 – 20,000 (New/Replacement)		75.00	each	
Storage Tanks 20,001 – 50,000 (New/Replacement)		100.00	each	
Storage Tanks > 50,001 (New/Replacement)		150.00	each	
Water Tank 0 – 100 Gal. (New/Replacement)		10.00	each	
Water Tank 101 – 300 Gal. (New/Replacement)		30.00	each	
Water Tank 301 – 500 Gal. (New/Replacement)		60.00	each	
Water Tank > 500 Gal. (New/Replacement)		100.00	each	
Exhaust, ductwork only, heat recovery units, makeup air, combustion air, etc:				
0 – 400 CFM's		15.00	each	
Each additional 400 CFM's		10.00	each	
Other minor alteration		15.00	each	
TOTAL COST:				
\$30 MINIMUM FEE + \$25 APPLICATION FEE:		\$55.00		\$



TOWN OF HUDSON

FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6005 · Fax: 603-594-1142

GAS MECHANICAL PERMIT APPLICATION

Installation Address: _____ Business Name: _____ Unit: _____ Type of Occupancy: Residential <input type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Estimated Cost: _____ Permit Fee: _____	Office Use: Permit#: _____ Map: _____ Lot: _____ Zone: _____
Gas Piping: New <input type="checkbox"/> Existing <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground <input type="checkbox"/> Piping Type: Black Iron <input type="checkbox"/> CSST* <input type="checkbox"/> Poly <input type="checkbox"/> Copper <input type="checkbox"/> Other <input type="checkbox"/> <small>*Please provide a copy of your current manufacturer's certification.</small>	
Gas Appliance: New <input type="checkbox"/> Replacement <input type="checkbox"/> Furnace <input type="checkbox"/> Hot Water Heater <input type="checkbox"/> Fireplace <input type="checkbox"/> Boiler <input type="checkbox"/> Generator** <input type="checkbox"/> Other*** _____ <small>**Gas Generators require a gas appliance and electrical permit. Generator permit fee includes piping permit costs. ***Appliances that do not require a permit: cooking stove and gas dryers.</small>	
Make : _____ Model: _____ Serial: _____ Fuel: LP <input type="checkbox"/> Natural <input type="checkbox"/> Vent Type: _____ Install Date: _____	
Owner: _____ Mailing Address: _____ _____ Daytime Phone #: _____ Cell Phone #: _____ Email: _____	Contractor: _____ Mailing Address: _____ _____ Daytime Phone #: _____ Cell Phone #: _____ Email: _____
Installer: _____ Cell Phone #: _____ License Class: _____ License #: _____ Expiration Date: _____ <small>**License/photo ID will be required at the time of application.</small>	
<p>Permits shall be issued in accordance with Chapter 205, Section 4 of the Hudson Town Code. Installation shall meet all applicable codes and standards. **** Note: Permit to operate the units noted above will be issued upon final inspection and approval.****</p>	
<p>My signature below indicates that the installation has met all applicable National Fire Protection Association and ICC codes and standards.</p>	
_____ Signature of Installer	_____ Date
_____ Signature of Permit Clerk	_____ Date

Gas Appliance Fees: \$30.00 per appliance
Gas Piping Fees: Residential \$75.00, Commercial/Industrial \$100.00



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GAS PIPING AND APPLIANCE REQUIREMENTS

Due to the adoption of new codes by the State of New Hampshire, the Hudson Fire Department will now require the following:

- 1) Gas piping and appliances shall be installed to the currently adopted edition of NFPA-54 as adopted by the State of New Hampshire.
- 2) The installer shall provide an efficiency test at the time of inspection.
- 3) The installer shall provide a piping sketch or plan before proceeding with the installation. This plan shall show the proposed location of piping, the size of different branches, various load demands and the location of the point of delivery.
- 4) The installer shall provide an approximate date of install and notify our office if the date is changed.
- 5) The installer shall provide Hudson Fire Department with the pipe calculation method they will be using and a copy of their calculations.
- 6) If installing CSST piping, installer shall provide a copy of their current manufacturers' certification.
- 7) Sediment traps for gas appliances shall be a minimum of 3 inches in length.
- 8) A rough inspection of the gas piping shall be conducted by Hudson Fire Prevention including a pressure test with a pressure set at 5 PSI.
- 9) A final inspection of the gas piping and appliances shall be conducted by Hudson Fire Prevention.
- 10) Gas piping shall not be painted before final inspection.
- 11) Water heaters shall have temperature limiting devices.
- 12) Boilers shall have temperature limiting devices, low water cutoffs and pressure relief valves.



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GAS LINE AND APPLIANCE HELP SHEET

Pipe Sizing

1. Size gas piping by using Table 6
2. Divide btu per hour by btu per cubic foot heating value of gas supplied

Acceptable piping materials

1. Schedule 40 steel and wrought iron
2. (CSST) Corrugated Stainless Steel Tubing

Gas Meters

1. Shall be located in ventilated spaces readily accessible
2. Shall not be placed where subject to physical damage
3. Shall be located at least 3 feet from sources of ignition
4. Shall be marked by a metal tag designating the building

Gas Piping

1. Shall be sleeved when passing through a foundation wall
2. Space between gas piping and building shall be sealed
3. Shall not be installed in or through a clothes chute, chimney or gas vent, dumbwaiter, elevator shaft or air ducts other than combustion air ducts.
4. Shall be supported with suitable pipe hooks, metal pipe straps, bands, brackets, or hangers
5. Piping supports shall be spaced in accordance with Table 6.2.6.2
6. Drip traps provided where necessary

Bonding and Grounding

1. Above ground piping that is likely to become energized shall be electrically continuous and bonded to an effective ground-fault current path
2. All CSST piping must be bonded
3. Gas piping shall not be used as a grounding conductor

Pressure Test

1. Shall be no less than 1 ½ times the proposed maximum working pressure, not less than 5 PSI
2. Test duration shall be not less than ½ hour for each 500 ft of pipe volume
3. Single family dwelling test duration shall be a minimum of 10 minutes

CSST Piping

1. Minimum Support or Hanger Intervals: 4ft for ½" or below and 6ft for ¾" and above.

Gas Appliance Fees: \$30.00 per appliance

Gas Piping Fees: Residential \$75.00, Commercial/Industrial \$100.00

INSP-50 - Rev. 3/2015

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **June 20, 2016**

3
4 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry,
5 NH.

6
7 Present: Chairman John Farrell; Vice Chairman Tom Freda; Councilors Joe Green and Tom Dolan; Town Manager Kevin
8 Smith; Executive Assistant Kirby Wade; Absent; Councilor Jim Butler

9
10 **CALL TO ORDER**

11
12 Chairman Farrell opened the meeting with the Pledge of Allegiance. This was followed by a moment of silence for all the
13 men and women who serve us here and abroad and all first responders here in Londonderry.

14
15 **PUBLIC COMMENT**

16
17 Chairman Farrell opened up the floor to the public. There was no comment from the public.

18
19 Chairman Farrell introduced Police Chief Bill Hart to present the Council with the Londonderry Police Departments five year
20 strategic plan. Chief Hart introduced Captain Chris Gandia who put the plan together. Gandia stated that every organization is
21 complex. Gandia stated that it is good to start putting things down on paper, the Police Departments vision of where they
22 would like to be a three to five years. Captain Gandia stated that part of the strategic plan is to identify some core elements.
23 These core elements are strengths, weaknesses, opportunities and threats. Captain Gandia continued to present the plan. Chief
24 Hart stated that they are presenting this information with the Council so that the Council can make good decisions about what
25 the Police Departments needs are. Chief Hart stated that the Police Department is understaffed today and they hope to discuss
26 it in the budget process going forward. The Council thanked the Police Department for presenting.

27
28 Chief Hart asked the Council for a continuance on Ordinance #2016-03, an amendment to the Municipal Code, Title IV,
29 Chapter XIC, Noise Regulations to July 11th Town Council meeting. Chairman Farrell stated that the Council will continue it.

30
31 Chairman Farrell introduced Attorney Pat Panciocco with who is presenting a packet on S & S Metals Recycling Inc. at 196
32 Rockingham Rd. Panciocco presented the packet of information regarding second hand dealer licenses. Panciocco stated that
33 S & S has been in business in Londonderry for approximately twenty years. Recently they received another letter requesting
34 that the junkyard apply for a second hand dealer license. Panciocco stated that this license allows for the owner to engage in
35 activity that he already has a license to do under RSA 322 which is issued when his junkyard license is approved. Panciocco
36 stated that they feel that the definition of scrap metal as an item listed under the term "property" is misplaced. Panciocco
37 stated that they don't see what benefit this provides to the public and it exposes a huge burden on S & S. [See attached letter].

38
39 Bruce Crawford, 353 Queen Street, Boscawen, stated that he is Executive Director of the Auto and Truck Recyclers
40 Association. Crawford stated that they would rather study and take their time on this subject. Crawford stated that the real
41 problem is things people have an emotional attachment to, like grandmas ring. Crawford stated that the price of scrap has
42 dropped considerably. Chairman Farrell stated that the Council is willing to consider the argument presented and look at it.
43 There will be no decision made tonight but Chairman Farrell stated that he understands their point.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

PUBLIC HEARING

47
48
49 Motion to move into Public Hearing made Councilor Green and second by Vice Chair Freda. Chair votes 4-0-0.

50
51 Chairman Farrell introduced Ordinance #2016-04, an amendment to the Zoning Ordinance relating to rezoning map 16, lots 9-
52 5, 9-6, 9-7, 9-8 and 9-9, #13 thru 21 Wilson Rd. Town Planner Colleen Mailloux presented to the Council. Mailloux stated that
53 these lots were created by a subdivision approved by the Planning Board back in December of 2015. The lots are currently
54 split-zoned. Mailloux stated that once of the conditions that the Planning Board put on the approval was that the property
55 owner file a request for rezoning to have them zoned entirely AR-1. There has been no public feedback. Abutters have been
56 notified. Motion to approve Ordinance #2016-04 made by Vice chairman Freda and second by Councilor Green. Chair votes
57 4-0-0.

58
59 Councilor Dolan motioned to continue Ordinance #2016-03, an amendment to the Municipal Code, Title IV, Chapter XIC,
60 Noise Regulations to July 11th Town Council meeting. Second by Councilor Green. Chair votes 4-0-0.

61
62 Motion to close Public Hearing made by Councilor Green and second by Vice Chairman Freda. Chair votes 5-0-0.

NEW BUSINESS

63
64
65
66 Chairman Farrell introduced Resolution #2016-17, a Resolution relative to the acceptance of unanticipated revenue under RSA
67 31:95-b. Finance Director Doug Smith presented and stated that we would also like to address his comments to Resolution
68 #2016-16, a Resolution relative to acceptance of non-monetary donations under RSA 31:95-e as well. Smith stated that these
69 come in front of the Council annually. Motion to approved Resolution #2016-16 and Resolution #2016-17 made by Councilor
70 Dolan and second by Councilor Green. Chair votes 4-0-0.

71
72 Chairman Farrell introduced Order #2016-21, an Order relative to expired Impact Fee refunds. Finance Director Doug Smith
73 presented. Smith stated that this is the semi-annual report required under the Impact Fee Ordinance. Smith stated that there has
74 not been any activity. Motion to approve Order #2-16-21 made by Councilor Dolan and second by Vice Chair Freda. Chair
75 votes 4-0-0.

76
77 Chairman Farrell introduced Ordinance #2016-05, an amendment to the Zoning Ordinance relating to transferring parking and
78 loading standards to the site plan regulations. This is the first reading. Town Planner Colleen Mailloux presented. Mailloux
79 stated that this amendment will allow more flexibility for developers and for the Planning Board to grant waivers. Motion to
80 waive the first reading and schedule a public hearing for July 11th made by Councilor Dolan and second by Councilor Green.
81 Chair votes 4-0-0.

82
83 Chairman Farrell stated that the Council is going to continue the discussion of the Town Forest with the Conservation
84 Commission to the next meeting on July 11th due to the fact that Councilor Butler, who requested, is not present at the
85 meeting.

86
87 Town Manager Smith presented the Council with an update on the contract with CHS for the Drug Referral Program which
88 was approved via Warrant Article in March 2016. Smith stated that the warrant article appropriated \$50,000 but they would
89 like to do it for \$8,500 in the first year. Their feeling is that it would be best to take baby steps with this and asses the need of
90 the community first. The Council gave a consensus to go forward.

91
92 Town Manager Smith asked the Council for a consensus to appoint Rick Brideau as the new Town Assessor for the Town of
93 Londonderry. He has an assessing background of over 29 years. The Council gave a consensus to appoint Rick Brideau.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

95 Chairman Farrell introduced Ordinance #2016-06, an amendment to the Municipal Code Title IV, Public Health, Safety and
96 Welfare, Chapter IV, Junkyard Dealers. Town Manager Smith stated that this amendment is to remove a person's SSN from
97 the permit application going forward. Motion to waive the first reading and schedule a public hearing for July 11 made by
98 Councilor Dolan and second by Councilor Green. Chair votes 4-0-0.

99

100 Chairman Farrell introduced Order #2016-22, the expenditure of Reclamation Trust Funds for the Drop-Off Center. Town
101 Manager Smith stated that this is for the new recycling bins in town. Currently 64% of the town has been delivered the new
102 bins. Motion to approve Order #2016-22 made by Councilor Dolan and second by Councilor Green. Chair votes 4-0-0.

103

104

OLD BUSINESS

105

106

~ NONE ~

107

108

APPROVAL OF MINUTES

109

110 Approval of the Town Council minutes from June 6, 2016 made by Councilor Green and second by Vice Chairman Freda.
111 Chair votes 4-0-0.

112

113

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

114

115 Town Council interviews Mike Morin for the open position on the Budget Committee. The other interviews will take place at
116 the next meeting on July 11th.

117

118 The Council interviewed Chris Powers for the open position on the Housing and Redevelopment Authority. Motion to appoint
119 Chris Powers made by Councilor Dolan and second by Councilor Green. Chair votes 4-0-0.

120

121

ADJOURNMENT

122

123

Motion to adjourn made by Councilor Green and second by Vice Chairman Freda. Chair votes 4-0-0.

124

125

Notes and Tapes by:

Kirby Wade

Date: 06/20/2016

126

Minutes Typed by:

Kirby Wade

Date: 06/24/2016

127

Approved by:

Town Council

Date: 07/11/2016

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June 13, 2016

Chairman John Farrell
Londonderry Town Council
C/O Kevin Smith, Town Manager
268B Mammoth Road
Londonderry, New Hampshire 03053

Re: S&S Metals Recycling, Inc.
Title IV, Chapter XII, Secondhand Dealers & Pawnbroker's License

Dear Chairman Farrell and Members of the Council:

This letter is submitted on behalf of my client, S&S Metals Recycling, Inc. (S&S). My client holds a recently reissued license to buy and sell scrap metal and other junk ("License"). This license, like any other "*license*" issued by a governmental body, allows it to engage in an activity otherwise prohibited by law, provided it meets the qualifications of the regulations. State v. Settle, 127 N.H. 756 (1986). S&S has been buying and selling scrap metal under its License from 196 Rockingham Road for approximately 20 years.

S&S recently received a letter from the Town with an application for a Secondhand Dealer/Pawnbroker License, advising he must apply for a second license to buy and sell scrap metal. Although it understands the purpose of the Secondhand Dealer/Pawnbroker Ordinance ("Ordinance") requiring S&S to acquire a second license to engage in activities already permitted under its existing junkyard License and comply with other requirements in that Ordinance is an unreasonable burden with no corresponding public benefit. Therefore, S&S is requesting the Ordinance be amended to exclude scrap metal and vehicle parts to bring it in line with the Ordinances from surrounding municipalities.

A. Pawnbrokers, Secondhand Dealers and Junkyards are Very Different.

The Ordinance imposes one size fits all requirements on pawnbrokers, secondhand dealers and scrap metal dealers which are all very different business models. A pawnbroker takes pledges of personal property from individuals for cash, on which the pledgor pays interest when the property is redeemed. Pawnbrokers must strictly abide by the requirements in RSA 398-A and its very specific hold periods which are also agreed to by private contract. A

secondhand dealer buys and sells a broader range of items to the public. Most are purchased but some are taken on consignment and they do not deal in scrap metal or vehicle parts. Neither generally engages in business to business transactions as does S&S.

B. Study Committees formed by the Legislature have found scrap metal is not the problem.

Two Study Committees formed by the New Hampshire Legislature have considered how to update the applicable statutes regulating these very different business groups. The first was formed under HB 343 adopted in 2013. A second committee formed under SB 105 in 2015 has not completed its assigned tasks.

Bruce Crawford, a member of both Committees, represents the Automobile Recyclers Association. Mr. Crawford has prepared the letter enclosed as Exhibit A in which he shares specific conclusions reached by those Committees. His letter explains that, the Legislature concluded on both occasions that the real problem with metal theft was “precious metals” and antique jewelry - not scrap metal purchased for recycling purposes. Mr. Crawford will be attending the Town Council meeting on June 20 to answer questions the Council members may have and to explain further why scrap metal values have recently plummeted, significantly diminishing the frequency of scrap metal theft.

C. Only Manchester and Nashua to Limited Degree Regulate Scrap Metal Sales.

Secondhand dealer/pawnbroker ordinances adopted by surrounding municipalities, with the exception of Manchester and Nashua, do not regulate scrap metal purchases and sales. Exhibit B to this letter includes copies of ordinances from those surrounding municipalities and a colored diagram showing their location in relation to Londonderry. With the exception of Manchester, individuals who sell stolen scrap metal need only travel down the road to the next town to liquidate those items for cash.

The diagram included in Exhibit B shows the patchwork coverage of this activity and further emphasizes the need for Legislative action to establish a uniform approach toward this problem if it needs to be addressed. A broader approach including all towns and cities would insure reporting requirements are evenly imposed and be more effective overall.

D. Title IV, Chapter XII, Secondhand Dealers & Pawnbroker’s Ordinance

The Ordinance raises several questions:

- (a) Who does it apply to?
- (b) What items does it apply to?
- (c) Does it provide a public benefit?

The Ordinance states it is intended to “fairly and impartially” regulate - yet it appears S&S is the only junkyard being ordered to apply for a secondhand dealer/pawnbroker license in

Londonderry and in southern New Hampshire. The Ordinance applies to businesses based upon the items they handle. Regulated items listed include, “scrap metal” and “vehicle parts”. These items should be removed from the Ordinance. Ordinances from surrounding towns, copies of which are included in Exhibit B, with the exception of Manchester and Nashua to a limited degree, do not include scrap metal or used vehicle parts in the list of items regulated.

Murray’s Auto Recycling buys old junk vehicles from consumers and sells salvageable parts to third parties to repair other roadworthy vehicles. When I asked Mr. Dudek if Murray’s was required to apply for a secondhand dealer/pawnbroker license, he explained that representatives of the Londonderry Police Department (“LPD”) met with him some time ago. They advised Murray’s need not apply for a secondhand license because he does not buy and sell scrap metal, despite Murray’s engaging in the sale of used “vehicle parts”.

While it may appear I am turning one client in to the Town in favor of another, Mr. Dudek gave me express permission to share this with the Council as it further illustrates one of many problems with the language in the Ordinance. If the Town is going to enforce the Ordinance, it must be evenly applied and the LPD is not granted authority in the Ordinance to waive compliance.

E. The Majority of the Scrap Metal Purchases Made By S&S Are From Other Businesses.

Within its definition of the term “Property”, the Ordinance states it regulates the “retail buying, selling” of scrap metal. Mr. Solimini has provided the following facts about the business practices of S&S:

Commercial Scrap Metal Purchases:

- More than 75-80% of the scrap metal purchases made by S&S are business to business transactions and with companies S&S regularly does business with;
- S&S supplies certain of its large commercial customers (such as Wal-Mart) with roll-off containers in which they deposit used scrap metal; and
- Approximately 10-15% of its commercial purchases involve out of state contractors working on large jobs within Hampshire.

This information is important because 100% of this business is not monitored in any other municipality, except in Manchester. The City of Nashua exempts business to business transactions. Subjecting S&S to the burdensome documentation found in Section VI of the Ordinance singles out one junkyard, imposes a costly competitive disadvantage upon S&S, will cause it to lose customers due to loss of precious time and deliver no corresponding public benefit.

Individual Scrap Metal Purchases.

- S&S reports spending an average of \$200-\$300 on individual scrap metal purchases each week;
- Individual purchases range from \$2.00 to \$100;
- Approximately 50% are less than \$100; and
- Only 1-2% of these transactions are with people Vito Solimini does not know. In those cases, Mr. Solimini has the individual provide a driver's license to confirm their identity. Other individuals are regular customers.

As required by RSA 322:6-a, S&S keeps a copy of the Seller's driver's license, phone number and a short description of the item purchased in its records. All purchases are also made by company check. S&S maintains those records for inspection at any time. However, Mr. Solimini reports he has only been contacted by the LPD once about scrap metal theft approximately three years ago¹. During the 20 years S&S has operated, Mr. Solimini has received many calls from Nashua and a few from Manchester.

In addition to the requirements of RSA 322:6-a, the Ordinance requires S&S to take the seller's photo, address, a copy of their driver's license, a copy of their vehicle's registration and one or more photographs of the items purchased. Scrap metal is often bulky and difficult to photograph in addition to not being easily distinguishable from other scrap metal. Once gathered, this information, whether a small purchase from a regular customer or a larger purchase from a business, S&S must upload that documentation to a designated website. Collectively, S&S estimates this effort will take approximately 20-25 minutes, which presumes the seller is prepared with that information in hand. However, the likelihood of that is small because the general public remains largely unaware of scrap metal theft and surrounding towns do not require this information to be reported.

In addition to the above, S&S can often have 2 or 3 people waiting in line to be helped. Those waiting may be a regular or a business customer, who if these requirements must be met, could have to wait up to 40 minutes to be helped. This is a serious concern for S&S because most of its customers are regulars and time lost doing this paperwork, will likely cause them to conduct their business in other towns where they can complete the same task much quicker. By imposing this requirement upon only S&S, not imposed on others who purchase scrap metals within Londonderry [yes there are others] and within southern New Hampshire, except in Manchester, is a heavy burden. There is also the cost of payroll, payroll taxes and insurance S&S will be paying to the person handling the transaction as well as the fees charged by the web host, which it collectively estimates will cost approximately \$25-\$30 per transaction.

¹ This inquiry was about a young man traveling on foot who tried to sell \$3.50 in copper to S&S.

RSA 263:12(X) states it is a misdemeanor to transmit a copy of someone's driver's license or other personal information listed in RSA 260:14 electronically without their consent. Copies of both statutes are enclosed as Exhibit C. It is very unlikely sellers will consent to the sharing of this personal information.

F. The Ordinance As Applied to S&S Provides No Public Benefit.

It remains unclear how the unreasonable burden imposed upon S&S, causing it to risk being charged with a misdemeanor provides any public benefit when scrap metal theft has become almost nonexistent. In fact, when a letter requesting copies of complaints filed with the LPD relative to scrap metal for 2015, the LPD could only find two (2), one of which was filed by S&S. Exhibit D.

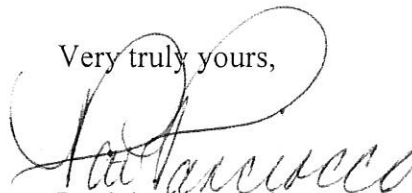
G. The Penalties Described in Section VIII Are Unenforceable.

RSA 676:17 applies only to land use violations. Further reference can be had in the penalty provisions of the Ordinances from other Towns within Exhibit B. The Ordinance is a "by-law" of the governing body and the penalty to be imposed appears in RSA 322:13, the statute cited by the Ordinance as the source of its authority.

Although we recognize the Ordinance was not ill intended, this letter requests the Town Council review the enclosed information and consider: (a) if there is any present public benefit associated with including scrap metal or vehicle parts in the Ordinance definition of "Property"; (b) does the burden of compliance by S&S outweigh that public benefit the Ordinance provides; and (c) does a one size fits all approach work for a junkyard that buys and sells scrap metal for recycling purposes when grouped with pawnbrokers and secondhand shops.

I thank you for the time taken to review this letter and its attached materials and look forward to your comments on June 20.

Very truly yours,



Patricia M. Panciocco

Enclosures

Cc: Client; Bruce Crawford; and
Michael Ramsdell, Esq.